

**Town of Marlborough Planning Board  
Preliminary Conceptual Application**

**Application #**

Please refer to the Town of Marlborough Town Code Section 155-31 <https://www.ecode360.com/8667578> to review all relevant local legislation with regards to Site Plan Review. Applicants may skip to professionally done Site Plan Application.

Please refer to Town of Marlborough Route 9W Corridor Building and Site Design Guidelines for New Commercial Construction and Rehabilitation of Existing Buildings.

<https://www.townofmarlboroughny.org/DocumentCenter/View/2891/Route-9W-Corridor-Building-and-Site-Design-Guidelines>

Failure to accurately complete this application in its entirety may result in delays and additional review costs.

Date of Initial Submission and Latest Revision	
Name of Project	39-41 Old County Rd
Address of Project	39-41 Old County Road Milton NY 12547
Tax Section, Block, and Lot Number	103.1-4-53
Zoning District	R1-Residential 1
Number of Acres see: <a href="https://ulstercountyny.gov/maps/parcel-viewer/">https://ulstercountyny.gov/maps/parcel-viewer/</a>	4.26 Acres
Square Footage of Each Building	3196 sq Ft and 5700 sq ft

**Reason For Application:**

Seeking to subdivide existing single lot of 4.26 acres into one 2.76 acre lot and one 1.5 acre lot.  
Want to have a workshop with the city to see what is feasible

**Description of Proposal 155-31 E (3) (a):**

Seeking to subdivide existing single lot of 4.26 acres into one 2.76 acre lot and one 1.5 acre lot.  
Want to have a workshop with the city to see what is feasible

CONTACT INFORMATION where applicable	
Name of Property Owner	39 Old County LLC - Eli Vaknin
Address of Property Owner	268-270 Windsor Highway New Windsor NY 12553
Telephone Number of Property Owner:	845-423-9510
Email of Property Owner	evaknin395@gmail.com
Name of Applicant	39 Old County LLC - Eli Vaknin
Address of Applicant	268-270 Windsor Highway New Windsor NY 12553
Telephone Number of Applicant	845-423-9510
Email Address of Applicant	evaknin395@gmail.com
Name of Surveyor	Joseph Rappa Jr - Boundary Benchmark
Address of Surveyor	14 Bona Ventura ave wallkill ny12589
Telephone Number of Surveyor	845 802-3687
Email Address of Surveyor	sales@Boundaryandbenchmark.com
Name of Engineer	
Address of Engineer	
Telephone Number of Engineer	
Email Address of Engineer	
Name of Attorney	
Address of Attorney	
Telephone Number of Attorney	
Email Address of Attorney	
Name & Profession of Other Involved Personnel	
Address of Other Involved Personnel	
Telephone Number of Other Involved Personnel	
Email of Other Involved Personnel	

## **Town of Marlborough Planning Board**

### **Conceptual Plan Checklist**

Please refer to the Town of Marlborough Town Code Section 155-31 D <https://www.ecode360.com/8667578> to review all relevant local legislation with regards to Conceptual Site Plan Review.

Failure to accurately complete this Checklist in its entirety may result in delays and additional review costs. Applicants may go directly to the professionally completed Site Plan check list.

<b>Y / N</b>	<b>Required Items To Be Submitted</b> <small>*Submit 10 copies of this completed application, maps and plans*</small>
1 <input checked="" type="checkbox"/>	Conceptual Plan Application Checklist Complete pages 3 to 4.
2 <input checked="" type="checkbox"/>	Letter of Agent Statement Page 10, Ethics code pages 5-7 if applicable.
3 <input checked="" type="checkbox"/>	Disclaimer see page 9.
4 <input checked="" type="checkbox"/>	Initial Escrow Fee Paid (Separate check from Application Fee) see page 8, also 155-31 J.
5 <input checked="" type="checkbox"/>	Any waivers or deferred submission of concept plan information. (155-31 F).
6 <input checked="" type="checkbox"/>	An area map and a high resolution aerial photograph keyed to the real property maps, showing the parcel under consideration and all properties, subdivisions, roads, and easements within 500 feet of the boundaries thereof. (NOTE: An example of an acceptable aerial photograph includes a photograph from Google Earth™ mapping service.) 155-31 D (1) (or Ulster County Parcel viewer Aerial <a href="https://ulstercountyny.gov/maps/parcel-viewer/">https://ulstercountyny.gov/maps/parcel-viewer/</a> ).
7 N/A	A compilation of known environmental data in relation to the project site and in relation to property within 500 feet of the project site is included. The compilation shall consist of a narrative summarizing the known environmental data, and copies of any and all previous reports, studies, findings and documents, prepared by any person, consultant or agency. If the supporting reports, studies, findings and documents are in excess of 50 pages, it is preferred that this submission be made in digital form. See 155-31 D (3).
<b>SITE MAP</b>	
8 <input checked="" type="checkbox"/>	Site map depicts approximate location of lot lines and lot measurements. 155-31 D (2) (a) (b).
9 <input checked="" type="checkbox"/>	Map of the site depicts existing and proposed streets, other access ways and site ingress and egress. 155-31 D (2) (c) (f).
10 <input checked="" type="checkbox"/>	Map of the site depicts approximate location of proposed location of future roadway connections between the subject parcel and adjacent parcels. 155-31 D (2) (d) and 155-31 G (8) (b).
11 <input checked="" type="checkbox"/>	Map of the site depicts location and dimensions of existing and proposed structures and paved areas 155-31 D (2) (e).
12 <input checked="" type="checkbox"/>	Map depicting the approximate location of site topography. 155 D 2 (g).

13 N/A	Map of the site depicts significant natural and historic features, including floodplains, outcrops, soils, watercourses and water bodies, significant habitat areas, or known endangered species occurrences and wooded areas. In addition, agricultural districts, farm operations, sites nominated or on the state or national registers for historic places, sensitive archaeological areas, and coastal zone boundaries. 155-31 D (2) (h).
14 ✓	Photographs of the site and buildings thereon are included. Encouraged by Planning Board. 155-31 D(2)(i).
15 ✓	A digital copy of the conceptual site plan is submitted in PDF format. 155-31 D (4).

**DISCLAIMER:** The Town of Marlborough does not provide legal, engineering, or other consulting advice to applicants or potential applicants. Such applicants must retain their own attorneys, engineers, and/or other consultants to obtain such advice. Any conceptual review provided by Town employees or representatives related to limited information in Conceptual Site Plan Packet is provided subject to review, comments, and decisions by the Planning Board as a whole and all the Planning Board's consultants after submission of a full site plan packet, supporting documents, revisions, and public review.

The proposed Concept plan has been prepared in accordance with this checklist.

By: E.L. Vakos

Date: 1/14/20

# Ethics Code

## **TOWN OF MARLBOROUGH NOTICE OF DISCLOSURE OF INTEREST**

In accordance with the Town of Marlborough Code of Ethics, Article 13-3 (E) and Public Officers Law § 209, the following disclosure notice ("notice") must be completed and signed by any individual, including any officer or employee of the Town of Marlborough, who has an application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, special use permit, site plan, subdivision, exemption from a plat or official map, license or permit, pursuant to the provisions of the zoning and planning regulations of the Town of Marlborough before any Town of Marlborough Board, Agency or Department ("decision-making authority"), in which a Town officer or employee has an interest in the subject of the application. The purpose of the disclosure notice is to identify and disclose any potential or actual conflict of interest for the Town employee or officer, which may compromise his/her ability to make decisions solely in the public interest. Please refer to the Town of Marlborough Code of Ethics for further information.

Under the Town of Marlborough Code of Ethics an interest is defined as: a participation, connection or involvement of any sort whether direct or indirect, pecuniary or non-pecuniary, personal or professional, which may result in a benefit. For the purposes of the Town of Marlborough Code of Ethics, the "interests" of a Town officer or employee shall be deemed to include the "interest" of:

- A. An immediate family member. Immediate family member is defined as: grandparents, parents, spouse, significant other, children, grandchildren, brother, sister, dependent, or any household member of a Town officer, Town Board member or employee.
- B. Any person other than a bank, trust company or other lending institution with whom he/she has a substantial debtor-creditor or other financial relationship.
- C. Any person by whom he/she is employed or of which he/she is an officer, director or member having a controlling interest in any business or enterprise in which the Town employee or officer holds stock or has any other profit-bearing or beneficial relationship.
- D. An officer or employee shall also be deemed to have an interest in a matter if he/she or any person described in A through C above is a party to an agreement, expressed or implied, with any applicant before any Board of the Town, whereby he/she may receive any payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of any such application, petition or request by any Town body.

**This notice must be completed and included with the application, petition or request to the appropriate Town of Marlborough Board, Agency or Department.**

I, \_\_\_\_\_, residing at \_\_\_\_\_, make the following statements about interests in the real property which is the subject of this

application, petition or request for a \_\_\_\_\_,

before the \_\_\_\_\_ of The Town of Marlborough.

**PART I:** Except as otherwise set forth in Part II below:

**A. Individuals with an interest in the property.**

1. No individual, having an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person having an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

**B. Corporations or other entities with an interest in the property.**

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity, which has an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

**C. Stockholder or controlling interest**

1. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

**D. Party to an agreement with the applicant**

1. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application; petition or request for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent, or contingent upon the favorable approval of such application, petition or request for the subject property is an immediate family member of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

**PART II:** If any of the statements under A through D above is not true, please explain and set forth the name and the relationship to the applicant and subject property of any Town employee or officer involved:

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**PART III:** This completed notice is to be submitted to the Board, Agency or Department that is authorized to review and render a decision on the application, petition or request. Further, the submittal must be made prior to any review of the application, petition or request. This notice shall be made part of that decision-making authority's official record, disclosing the exact nature of the conflict in detail. If there is an actual or potential conflict, the Town officer or employee shall abstain from voting or otherwise acting on the application, petition or request so as to avoid an actual conflict.

**ANY QUESTIONS REGARDING THIS DISCLOSURE NOTICE OR THE CODE OF ETHICS ARE TO BE DIRECTED TO THE TOWN SUPERVISOR AT (845) 795-6167.**

**PLEASE TAKE NOTICE.....A KNOWINGLY FALSE STATEMENT IS PUNISHABLE UNDER N.Y. GEN. MUN. LAW ' 809 AS A MISDEMEANOR.**

Signed:  Date: 1/15/26

**ACKNOWLEDGMENT**

State of New York,  
County of:

On 1/15/26, before me personally appeared Birukin, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that [he/she/they] executed the same in [his/her/their] capacity(ies), and that by [his/her/their] signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary



## **PLANNING BOARD FEES**

**(ALL APPLICATIONS Subject to Escrow Fees)**

Please make checks payable to: Town of Marlborough

### **Application Fees:**

Residential Subdivision – Single Family or Town House	\$1,000.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$1,000.00, plus \$100.00 per Unit
Commercial Subdivision	\$1,000.00, plus \$200.00 per Lot or Unit
Commercial Site Plan	\$2,000.00, plus \$10.00 per 1,000 Sf of Bldg.
Minor Site Plan (Short Term Rental, Home Occupation, Bed & Breakfast)	\$500.00
*For Minor Site Plans contact the Building Department for safety inspection, permit and other applicable fees*	
All other Site Plans Reviews	\$1,000.00
Simple 2 Lot Line Revision	\$1,000.00
Recreation Fees (Residential Subdivision & Site Plans-Excludes parent parcel)	\$2,000.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing (50 and over)	\$ 500.00 per Unit

**Escrow Fees:** (Escrow is to cover the cost of the attorney, engineer, stenographer and any additional consultants needed.  
Escrow is to be replenished to 100% of the original escrow when level drops to 25% remaining in account.)

Residential Subdivision – Single Family or Town House	\$2,500.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$2,500.00, plus \$100.00 per Unit
Commercial Subdivision	\$2,500.00 per lot (up to 4 lots) \$200.00 Per Lot Thereafter
Commercial Site Plan	\$3,000.00 Minimum
Minor Site Plan (Short Term Rental, Home Occupation, Bed & Breakfast)	\$1,500.00 Minimum
*For Minor Site Plans contact the Building Department for safety inspection, permit and other applicable fees*	
All other Site Plans Reviews	\$2,000.00 Minimum
Simple 2 Lot Line Revision	\$2,000.00 Minimum
Preliminary Conceptual Site Plan	\$500.00

### **Engineer Inspection Fees (All Town Roads Installation Inspections)**

Improvements as approved by Town Engineer	5% of the Estimated cost to construct
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Preliminary Conceptual Site Plan	\$500.00

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## Disclaimer

The applicant is advised that the Town of Marlborough Town Code, which contains the Town's Zoning Regulations, is subject to amendment. Submission of an application to the Planning Board does not grant the applicant any right to continued review under the code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new code requirements made while the application is pending.

An approval by the Planning Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer or water. It is the applicant's responsibility to apply for and obtain Town of Marlborough and other agency approvals not within this Board's authority to grant.

AFTER FINAL APPROVAL IS GIVEN BY THE PLANNING BOARD, THE BUILDING DEPT. MUST BE CONTACTED FOR FURTHER GUIDANCE.

The Town of Marlborough Town Board sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgment of responsibility for payment of these fees to the Planning Board for review of this application including, but not limited to, fees for professional services (Planners/Consultants, Engineers, Attorneys,) public hearings and site inspections. Applicant's submissions and re-submissions that are not complete will not be considered by the Planning Board or placed upon its agenda unless all outstanding fees have been paid.

The undersigned applies for subdivision, site plan, or lot line approval as described above under the rules and procedures of the Town of Marlborough, New York as duly authorized by the Town Board of Marlborough, New York.

The undersigned also acknowledges receipt of the "Disclaimer" above.

Applicant's Name (Print): Eli Vaknin

Applicant's Signature: Eli

Date: 1/14/26

\*\*Application will not be accepted if not signed and filled out completely\*\*

**Town of Marlborough Planning Board**  
**Letter of Agent**

I (We), 39 Old County LLC am (are) the owner(s) of  
a parcel of land located  
on 39-41 Old County road in the Town  
of Marlborough, Tax Map Designation: Section 103.1 Block 4 Lot 53.

I (We) hereby authorize Eli Vaknin to act as my (our) agent  
to represent my (our) interest in applying to the Town of Marlborough Planning Board for  
a  Lot Subdivision  Site Plan  Minor Site Plan  Lot Line Revision Application. (check one)

Signature: Eli Vaknin

Date: 1/14/20

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

State Of New York  
County of Orange

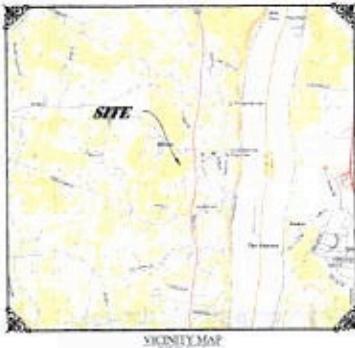
On the 14th day of January in the year 2026 before me, the undersigned, a Notary Public in and for said

State, personally appeared Eli Vaknin,  
personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is  
(are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their  
capacity, and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which  
the individual(s) acted, executed the instrument.

Eli Vaknin  
Notary Public







#### **SURVEY NOTES**

1. Copyright © Burrows Land Surveyors, P.C. All Rights Reserved.  
Reproduction or copying of this document may be a violation of copyright law  
unless permission of the author and/or copyright holder is obtained.

2. Unauthorized alteration or addition to a survey map bearing a licensed  
land surveyor's name is a violation of section 1209, subdivision (b) of the New  
York State Education Law.

3. Only boundary line maps with the surveyor's embossed or red inked  
name are permitted, and correct copies of the surveyor's original work  
and any other maps or documents required by the type of map or  
the surveyor's embossed or red inked seal should be attached to be an  
unauthorized map.

4. Certifications on this boundary survey map signify that the map was  
prepared in accordance with the current existing Code of Practice for Land  
Surveyors adopted by the New York State Association of Professional Land  
Surveyors, and that the map is limited to the property for which the boundary  
line was to be prepared, to the scale indicated by the governmental agency, and  
to the leading institution listed as the boundary survey map.

5. The certifications herein are not transferable.

6. The locations of underground improvements or encroachments are not  
always known and often must be estimated. If any underground improvements  
or encroachments exist or are shown, the improvements or encroachments  
are not covered by this certificate.

7. Subject to the findings of a current title search.

8. Subject to covenants, easements, restrictions, conditions, and  
agreements of record if any.

9. Subject to any right, title or interest the public may have for highway  
use.

10. Bearings and North shown herein are referenced to NAD 83-NY East  
using Real-Time Kinematic GPS observations.

11. Parcel areas shown herein derived from both measured and census  
evidence.

12. Bearings and distances shown herein are for computational purposes

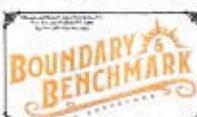
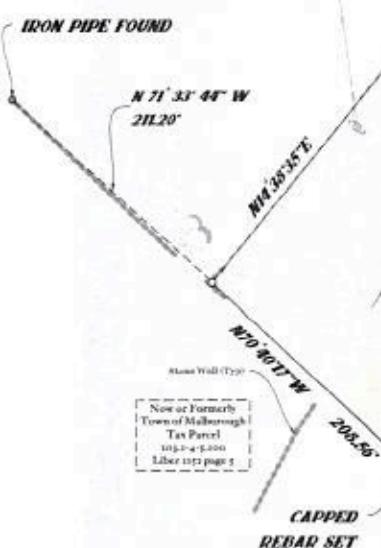
#### MAP REFERENCE

Map entitled "Map of Survey for Michael Radell" prepared by Robert L. Campbell and dated June 29, 1868.

Map entitled "Map Prepared for Rosemary F. Dieselot" prepared by Ray H. Pauli and dated January 2, 1988.

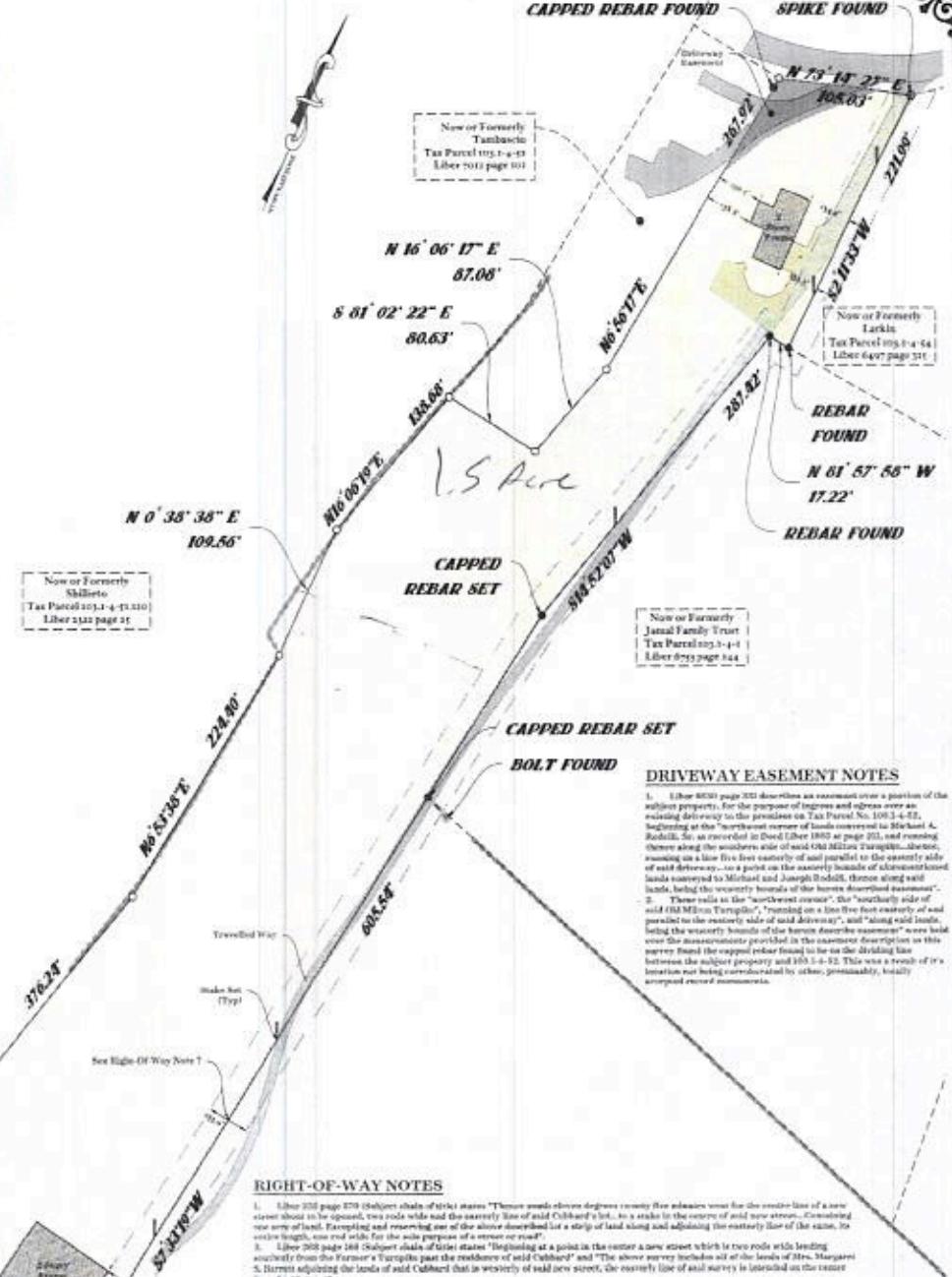
Map entitled "Map Prepared for William C. Paludis, Jr. and Barbara A. Kugermann" prepared by Ray H. Pauli and dated July 23, 1988.

An undated map by J.A.C. Condie, Jr. and dated 1859 and filed in the Water Board of the City of Liverpool, City of Liverpool, 1859.



## **SURVEY OF LANDS OF MARLOWE**

CERTIFIED TO MICHELLE MARLOWE & MICHAEL RODELL  
39-41 OLD COUNTY RD.  
MILTON, NY 12547  
TOWN OF MILTON, BOROUGH OF LIVINGSTON, COUNTY, NEW YORK



#### RIGHT-OF-WAY NOTES

REV.	DATE	DESCRIPTION
<b>TAX PARCEL NO. 103.14-53</b>		
LIBER 7219 PAGE 92		
4.260 ACRES		
PROJECT NO. 24-034		
FIELD COMPLETION 08-0-2004		







House #1



House # 1



House # 8



House #  
2

