

FIRST MEETING OF THE MONTH  
TOWN BOARD TOWN OF MARLBOROUGH  
21 MILTON TURNPIKE, MILTON NY  
DECEMBER 11, 2023 7:00 PM  
MINUTES OF MEETING

Present: Supervisor Corcoran  
Councilman Zambito  
Councilwoman Sessa  
Councilman Molinelli (Arrived at 7:05 p.m.)  
Councilman Cauchi

Also Present: Danielle Cherubini, Deputy Town Clerk  
Chief Cocozza, Chief of Police  
Mici Simonofsky, Resident and CAC Chairperson  
Maryanne Quick, Resident

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

*At this time, Supervisor Corcoran reminded the public that the last meeting of the year is canceled and the swearing in ceremony and reorganization meeting will be on January 3, 2023 at 7:00 p.m.*

***Councilman Cauchi made a motion to approve the agenda. Motion seconded by Councilman Zambito.***

***Yeas: 4        Nays: 0        Carried***

ITEM #4 Motion to approve the November 27, 2023 Town Board Meeting minutes

***Councilman Cauchi made a motion to approve the November 27, 2023 Town Board Meeting minutes. Motion seconded by Councilwoman Sessa.***

***Yeas: 4        Nays: 0        Carried***

ITEM #5 Authorize payment of bills

***Councilwoman Sessa made a motion to authorize payment of the abstract in the amount of \$452,858.34. Motion seconded by Councilman Zambito.***

***Yeas: 4        Nays: 0        Carried***

ITEM #6 Comments on the agenda

*No comments on the agenda.*

ITEM #7 Report of Departments and Boards  
A) BUILDING INSPECTOR - THOMAS CORCORAN

**THOMAS CORCORAN - BUILDING INSPECTOR  
MONTHLY REPORT - BUILDING DEPARTMENT  
MONTH OF: NOVEMBER 2023**

CERTIFICATE OF OCCUPANCY	7	STOP WORK ORDER	1
REQUEST FOR INFORMATION	14	FIRE CALLS	1
TRAILER PARK RENEWALS	0	ORDER TO REMEDY	6
BUILDING EXTENSIONS	4	COMPLAINTS	21
FIRE INSPECTIONS	9	CLOTHING BIN RENEWALS	0
TOTAL MILEAGE		TOTAL GAS USAGE	No Gas Report

**BUILDING PERMITS**

ADDITION / RENOVATION	1	POOL / HOT TUB	1
BARN	1	ROOF	10
BURNING	10	SHED	1
COMMERCIAL	0	SIGNS	0
DECK/STAIRS	5	SINGLE FAMILY	4
DEMOLITION	3	SOLAR PANELS	4
ELECTRICAL / HVAC	2	TANK INSTALL / REMOVAL	1
FURNACE / BOILER	1	WIRELESS COMMUNICATION	0
GENERATOR	1	WOOD / PELLET STOVE	2
TOTAL PERMITS	47	EST. COST OF BUILDINGS	\$1,959,407.00

**FEES COLLECTED**

CERTIFICATE OF OCCUPANCY	\$1,225.00
PERMIT EXTENSIONS	\$6,167.50
BUILDING PERMITS	\$7,977.40
REQUEST FOR INFORMATION	\$2,800.00
<b>TOTAL BUILDING FEES</b>	<b>\$18,169.90</b>
FIRE INSPECTIONS	\$900.00
TRAILER PARK RENEWALS	\$0.00
<b>TOTAL FIRE FEES</b>	<b>\$900.00</b>
<b>BURNING FEES</b>	<b>\$35.00</b>
<b>TOTAL FEES</b>	<b>\$19,104.90</b>

B) POLICE CHIEF - GERALD COCOZZA

Police Department  
Town of Marlborough

MEMORANDUM

To: Town Board of the Town of Marlborough  
From: Chief Cocozza  
Date: December 11, 2023  
Subject: Activity Summary for the Month of November 2023



Following is a summary of the activity of the Police Department for the month of November 2023

<u>MOTOR VEHICLE ACCIDENT</u>	November 23	Yr. Date 23	November 22	Yr. Date 22
Personal injury	2	46	9	58
Fatal	0	1	0	0
Property Damage	32	204	25	208
Total	34	250	Total 34	266

<u>SUMMONSES ISSUED</u>	November 23	Yr. Date 23	November 22	Yr. Date 22
Vehicle and Traffic	50	1198	100	936
Parking	1	12	0	10

<u>COMPLAINT ACTIVITY</u>	November 23	Yr. Date 23	November 22	Yr. Date 22
Total Blotter Entries	991	11111	830	12881
Total Arrests	25	269	19	190

<u>TOTAL TELEPHONE CALLS</u>	November 23	Yr. Date 23	November 22	Yr. Date 22
	1194	12837	1875	20622

POLICE DEPARTMENT OVERTIME HOURS payroll 24 & 25

Full Time Officer Overtime	(see attached)	(see attached)
Full Time Officer Grant O/T	(see attached)	(see attached)
Part Time Officer Overtime	(see attached)	(see attached)
Part Time Officer Gant O/T	(see attached)	(see attached)
Full Time Dispatchers Overtime	16.5 (\$654) 130.5	60 (\$2318) 194.5
Part Time Dispatchers Overtime	40 (\$1200) 276.5	26 (\$984) 211
<u>Police Mileage</u>	12239	116728
		9649
		109345

Police Department  
Town of Marlborough



# MEMORANDUM

Activity Summary for the month of November 2023

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## Police Department Payroll 24 & 25 Regular Hours

	Nov. 23	Yr. Date	Nov. 22	Yr. Date
Full Time Police Officer	1184	13133	1120	12489
Part Time Police Officer	1258	13052.5	1055	12098.75
Full Time Dispatcher	488	4754	504	2588
Part Time Dispatcher	296	3418.75	237.25	6260.5
Traffic Officer	52	580.5	0	501.5

## Police Department Fuel Consumption

Police	1012.443	10555.052	926.217	10939.049
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## Use of Force

0-use of force YTD 1 - use of force  
0-deer YTD 5 - deer  
0 - Animal YTD 1 - animal  
2- Hands YTD 5 - hands  
0- Taser YTD 4- Taser  
0 OC spray YTD 1- OC Spray

0- use of force  
0 - deer YTD 9- deer  
1- Animal YTD 2-animal  
0- Hands YTD 3- hands  
0- Taser YTD 2- Taser

Civilian Complaints 0

Civilian Complaints 0

Police Officer Overtime ( these figures are not exact and are intended for budget use and tracking)  
 Figures are up to date of last payroll

Line Item	Yr. to Date	Budgeted	remaining	% utilized
Admin	\$1,315	\$3,233	\$1,918	41%
DARE	\$924	\$4,200	\$3,276	22%
F/T Court	\$496	\$3,052	\$2,556	16%
F/T Holiday *	\$13,336	\$42,335	\$28,999	32%
F/T Investigations	\$4,199	\$9,268	\$4,069	51%
F/T Shift Cover	\$13,405	\$18,187	\$4,792	74%
F/T Training	\$4,337	\$7,387	\$3,030	59%
P/T Court	\$137	\$4,557	\$4,420	3%
P/T Holiday *	\$17,169	\$10,020	(\$7,149)	171%
P/T Investigations	\$4,939	\$7,137	\$2,198	69%
P/T Shift Cover	\$12,206	\$16,604	\$4,398	74%
P/T Training	\$4,138	\$5,412	\$1,274	76%
F/T Firearms training & laser	\$4,551	\$3,578	(\$973)	127%
P/T Firearms training & Taser	\$4,138	\$7,684	\$3,546	54%
FT Special detail	\$1,237	\$7,156	\$5,919	17%
PT Special Detail	\$2,259	\$7,277	\$5,018	31%
<b>Total</b>	<b>\$88,786</b>	<b>\$156,077</b>	<b>\$67,291</b>	<b>57%</b>
*Holiday	\$30,505	\$52,355	\$21,850	58%

Police Officer Grant Overtime ( these figures are not exact and are intended for budget tracking only)  
 Figures are up to date of last payroll

Line Item	Yr. to Date	Budgeted	remaining	% utilized
Grant Funds				
BUNY (buckle up NY)	\$301	\$750	\$449	40%
DWI (driving while intoxicated)	\$3,696	\$5,000	\$1,304	74%
PTS (police traffic services)	\$2,603	\$2,250	(\$353)	116%



## Incident Breakdown By Month Report



Print Date/Time: 12/08/2023 12:20  
Login ID: jvanamburghmaipd  
Year: 2023

Marlborough Town Police Department  
ORI Number: NY055800  
Incident Type: All

Incident Type	January	February	March	April	May	June	July	August	September	October	November	December	Yearly Totals
7 Digit Call	5	5	6	1	5	4	4	7	6	2	8	1	54
911 Abandoned	1	2	3	1	1	0	1	4	0	5	4	2	21
911 Misdial	0	2	1	3	1	1	0	3	0	0	0	1	12
911 No Voice Call	0	1	5	3	2	1	3	15	3	2	1	0	20
Abandoned	0	0	0	0	0	0	0	1	0	1	0	1	3
Accident Personal	4	4	6	1	2	3	4	7	6	8	2	3	50
Accident Property	12	15	23	13	23	20	23	21	16	23	32	3	207
Alarm Burglary	16	17	27	26	16	16	7	10	24	14	17	8	223
Alarm Panic	2	0	1	2	1	1	2	0	1	0	2	0	12
Animal	10	11	16	8	17	11	12	15	10	8	7	5	126
Assault	1	0	2	0	0	0	0	4	0	0	0	0	7
Assist EMS	65	39	57	53	57	57	63	61	75	62	52	15	656
Assist Fire	19	19	11	5	14	19	17	15	25	26	20	4	205
Assist Other	8	5	3	7	3	3	8	3	6	3	9	3	57
ATV Complaint	0	2	14	0	2	3	0	3	10	0	0	0	14
BOLLO	0	0	0	0	0	0	0	0	0	0	1	0	1
Burglary	0	0	0	0	2	0	1	0	0	0	1	0	5
Civil Matter	5	1	2	1	0	0	3	1	0	0	1	0	21
Criminal Contempt	0	0	0	0	0	0	0	0	0	2	2	1	3
Criminal Misdemeanor	3	0	4	4	1	3	1	5	1	5	1	0	20
Custody Dispute	3	0	0	1	0	0	0	0	1	0	2	0	7
Disabled Vehicle	2	5	3	3	6	6	2	9	6	9	4	7	62
Disorderly	2	0	1	4	2	1	0	1	0	1	4	0	18
Domestic Dispute	7	5	0	0	8	14	15	18	6	5	8	2	83
Encon Violation	0	0	0	0	1	0	0	0	0	0	0	0	139



## Incident Breakdown By Month Report



Print Date/Time: 12/08/2023 12:20  
Login ID: jvananburgh.marpd  
Year: 2023

Marlborough Town Police Department  
ORI Number: NY0555800  
Incident Type: All

Incident Type	January		February		March		April		May		June		July		August		September		October		November		December		Yearly Totals
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	
Erratic Vehicle	9	7.7	8	6.8	7	6.0	9	7.7	13	11.1	14	12.0	8	6.8	12	10.3	9	7.7	15	12.8	9	7.7	4	3.4	117
Error	0	0.0	1	20.0	1	20.0	0	0.0	1	20.0	0	0.0	1	20.0	0	0.0	1	20.0	0	0.0	0	0.0	0	0.0	5
Fight	1	11.1	2	22.2	1	11.1	0	0.0	0	0.0	1	11.1	1	11.1	1	11.1	0	0.0	1	11.1	1	11.1	0	0.0	9
Fire Alarm	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	100.0	0	0.0	0	0.0	0	0.0	0	0.0	1
Fireworks	1	12.5	0	0.0	0	0.0	0	0.0	0	0.0	1	12.5	6	75.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	8
Foot Patrol	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2	40.0	1	20.0	0	0.0	0	0.0	1	20.0	1	20.0	0	0.0	5
Fraud	4	11.1	8	22.2	4	11.1	1	2.8	2	5.6	3	8.3	3	2.8	3	8.3	3	8.3	2	5.6	4	11.1	1	2.8	36
Harassment	3	4.6	4	6.2	9	13.8	7	10.8	2	3.1	12	18.5	3	4.6	6	9.2	5	7.7	3	4.6	9	13.8	2	3.1	65
Identity Theft	0	0.0	0	0.0	1	33.3	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	3
Information	7	9.3	10	13.3	11	14.7	3	4.0	8	10.7	4	5.3	9	12.0	6	8.0	6	8.0	3	4.0	8	10.7	1	33.3	75
Juvenile	0	0.0	0	0.0	1	50.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	50.0	0	0.0	2
Larceny	7	11.3	2	3.2	4	6.5	4	6.5	7	11.3	6	9.7	2	3.2	10	16.1	8	12.9	4	6.5	6	9.7	2	3.2	62
Local Law	0	0.0	0	0.0	0	0.0	4	80.0	0	0.0	1	20.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	5
Lock Out	3	3.9	5	6.5	3	3.9	3	3.9	11	14.3	9	11.7	10	13.0	6	7.8	12	15.6	9	11.7	6	7.8	0	0.0	77
Lost or Missing	2	8.0	2	8.0	0	0.0	1	4.0	2	8.0	3	12.0	1	4.0	1	4.0	2	8.0	4	16.0	6	24.0	1	4.0	25
Menacing	0	0.0	0	0.0	0	0.0	1	25.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	1	25.0	0	0.0	8
Mental Health Law	0	0.0	1	12.5	3	37.5	0	0.0	1	12.5	0	0.0	0	0.0	0	0.0	0	0.0	1	12.5	2	25.0	0	0.0	4
New Call	2	11.1	2	11.1	0	0.0	0	0.0	1	5.6	8	44.4	0	0.0	2	11.1	2	11.1	0	0.0	1	5.6	0	0.0	18
Noise Complaint	0	0.0	0	0.0	0	0.0	3	7.1	3	7.1	6	14.3	7	16.7	10	23.8	4	9.5	9	21.4	0	0.0	0	0.0	42
Open Door	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	0	0.0	2	100.0	0	0.0	0	0.0	0	0.0	0	0.0	2
Police Public	7	11.7	11	18.3	8	13.3	10	16.7	5	8.3	5	8.3	1	1.7	3	5.0	4	6.7	3	5.0	2	3.3	1	1.7	60
Police Station	1	6.7	0	0.0	0	0.0	2	13.3	4	26.7	2	13.3	0	0.0	3	20.0	2	13.3	1	6.7	0	0.0	0	0.0	15
Property Check	626	10.7	526	9.0	485	8.3	530	9.1	645	11.1	368	6.3	508	8.7	422	7.2	470	8.1	574	9.8	539	9.2	138	2.4	5831
Property Found	1	4.8	3	14.3	4	19.0	3	14.3	4	19.0	2	9.5	0	0.0	1	4.8	0	0.0	0	0.0	0	0.0	3	14.3	21
Property Lost	2	4.9	5	12.2	3	7.3	5	12.2	3	7.3	3	7.3	4	9.8	3	7.3	3	7.3	7	17.1	2	4.9	1	2.4	41
Property Retrieval	7	29.2	1	4.2	4	16.7	0	0.0	2	8.3	1	4.2	1	4.2	0	0.0	2	8.3	2	8.3	4	16.7	0	0.0	24





## Incident Breakdown By Month Report



Print Date/Time: 12/08/2023 12:20  
Login ID: jwanamburgh.marfpd  
Year: 2023

Marlborough Town Police Department  
ORI Number: NY0555800  
Incident Type: All

Incident Type	January	February	March	April	May	June	July	August	September	October	November	December	Yearly
	#	#	#	#	#	#	#	#	#	#	#	#	#
	%	%	%	%	%	%	%	%	%	%	%	%	%
Psychiatric	1	0	3	2	4	4	1	4	0	4	3	0	26
Railroad Incident	0	0	0	1	0	0	0	0	0	0	0	0	1
Road Hazard	6	7	12	8	12	9	19	14	20	16	10	1	123
Robbery	1	0	0	0	0	0	0	0	0	0	0	0	1
School Check	59	61	39	45	61	55	82	65	33	52	77	14	640
School Incident	5	8	2	5	8	2	0	0	5	12	4	0	40
Serve Papers	3	2	2	2	3	6	3	0	2	6	4	1	29
Sex Offense	0	0	0	1	0	0	0	0	0	0	0	0	1
Shots Fired	1	0	1	0	0	2	1	0	0	0	0	0	5
Special Detail	1	0	0	3	3	7	13	5	11	6	6	0	45
Suicide or	0	0	1	0	0	0	0	0	0	0	0	0	1
Suspicious	8	9	12	26	18	19	14	25	19	10	17	4	190
Traffic Complaint/	4	6	7	11	14	5	11	5	3	3	6	7	78
Traffic Stop	105	171	99	98	91	141	182	134	85	98	80	18	1302
Transport	0	1	0	0	0	0	0	0	0	0	0	0	1
Trespass	1	0	1	4	3	1	2	0	5	22	1	4	22
Unknown Police	1	0	4	3	1	1	1	0	1	7	1	0	14
Unwanted Subject	2	0	1	0	0	0	0	0	0	0	0	0	6
Vehicle and Traffic	0	0	0	0	0	0	0	1	0	0	2	0	4
Vehicle	2	0	0	1	0	1	0	1	2	0	1	0	4
Warrant Execution	1	0	1	3	2	1	2	3	2	9	4	0	21
Water Emergency	0	0	0	0	1	0	0	0	0	0	2	0	16
Welfare Check	17	13	13	11	21	25	19	24	24	23	15	8	213
Total:	1083	1013	919	969	1133	905	1085	976	941	1095	991	258	11369

C) HIGHWAY SUPERINTENDENT – JOHN ALONGE

**SUPERINTENDENT OF HIGHWAYS**

Town of Marlborough  
1650 Route 9W, P.O. Box 305  
Milton, New York 12547



**John Alonge**  
Highway Superintendent

**Phone:** 845-795-2272 x 6  
**Fax:** 845-795-6037  
**Cell:** 845-849-5549

Supervisor Corcoran  
Town Clerk Colleen Corcoran  
Town Board Members

**Monthly Report for November 2023**

We continued preparing our trucks for the snow season, installing sanders and prepping plows. We started mowing, cleaning, and removing leaves in the ditch lines and catch basins throughout the Town, also in preparation for the upcoming snow season.

Several days were spent at the Dog Park removing fencing, clearing, and cutting brush around the garage. On 11/6 with assisted DiLorenzo Tree Care with removal of several trees. We installed a new flagpole and Christmas lights at the Town Park, which may be viewed from 9W. On 11/16 we removed the kayak launch and floating dock at Milton Landing. On 11/22 we chose 3 Christmas trees from Split Rail Tree Farm and installed them at the Police Department, Highway Department and in front of the Sarah Hull Hallock Library in Milton for their tree lighting event.

We assisted the Water Department with repairing lawns and blacktop on Old Post Rd., Jonathan Pl., South St., Marlboro and 9W.

We finished installing pipe and cleaning around the Highway yard.

One week was spent installing a new retaining wall at the intersection of Bloom St. and 9W. We installed a new guide rail and we blacktopped the swale in order to save the road.

**Fuel Usage:** Gas: 117.793 gal. Diesel: 1,153.674 gal.

Respectfully submitted,

John Alonge, Highway Superintendent

JA/cm

D) WATER SUPERINTENDENT - CHARLIE MUGGEO

WATER SUPERINTENDENT  
TOWN OF MARLBOROUGH  
1650 ROUTE 9W, PO BOX 305  
MILTON, NY 12547

CHARLES MUGGEO  
WATER SUPERINTENDENT

FAX (845) 795-2031  
PHONE (845) 795-5100

DATE: 12/11/2023

TO: SUPERVISOR SCOTT CORCORAN  
TOWN BOARD MEMBERS  
TOWN CLERK

RE: MONTHLY REPORT FOR NOVEMBER

Water consumption totaled 15,186,000 gallons, which is a daily usage of 506,200.  
Compared to last month 15,583,000 gallons, which is a daily usage of 502,677.  
Compared to a year ago water consumption was 15,884,000 gallons for the month, which is a daily usage of 529,466.

**SUMMARY FOR THE MONTH**

BILLING: Bills went out in the beginning of the month. We had to alleviate some of the calls about bills. If there are any problems with bills feel free to give us a call.

CURB BOXES: We had to repair a curb box and stem valves on Rt. 9W, South Rd. and also one on Ridge Rd.

HYDRANTS: We started flushing hydrants. We had to repair a hydrant on Prospect St.

METERS: We had to repair 4 meters.

SERVICE LINES: Repaired service line on North Rd. in Milton.

WATERMAINS: We had to repair a 6-inch water main on Jonathon Pl. with the help of the Highway Dept.

VALVES: We had to repair a water valve on Sands Ave. in Milton

TOWN PARKS: We winterized the Town parks, turned off the water and closed the bathroom. We also winterized the dog park.

SEWER LINE INSPECTIONS: 1

SERVICE LINE INSPECTIONS: 1

CLOSINGS: 0

MARKOUTS: 60

Gallons of Gas: 200

Gallons of Diesel: 30

Mileage for the month: 1,300

# E) TOWN CLERK - COLLEEN CORCORAN

12/01/2023

## Town Clerk Monthly Report Monthly Report November 01, 2023 - November 30, 2023

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Account Description	Fee Description	Account#	Qty	Local Share
building Dept/ Burn permits	Burn Permits	00-2110	1	55.00
			<b>Sub-Total:</b>	<b>\$55.00</b>
Conservation	Conservation	A1255	13	108.26
			<b>Sub-Total:</b>	<b>\$108.26</b>
Dog Licensing	Female, Spayed	A2544	1	5.00
Dog Licensing	Female, Unspayed	A2544	2	20.00
Dog Licensing	Male, Neutered	A2544	9	45.00
Dog Licensing	Male, Unneutered	A2544	1	10.00
			<b>Sub-Total:</b>	<b>\$80.00</b>
LANDFILL FEES	T/s Permits	00-2130	2	53.00
LANDFILL FEES	T/s Punch Cards	00-2130	16	1,056.00
			<b>Sub-Total:</b>	<b>\$1,109.00</b>
Marriage Lic.	MARRIAGE LICENSE FEE	00-1255	2	35.00
			<b>Sub-Total:</b>	<b>\$35.00</b>
Misc Fees	Building Fees\Building Dept	00-2110	1	15,088.00
Misc Fees	Fire Fees/Building Dept	00-2110	1	930.00
			<b>Sub-Total:</b>	<b>\$16,018.00</b>
MISC. FEES	Accident Reports	00-1255	7	35.00
MISC. FEES	Certified Copies	00-1255	8	210.00
MISC. FEES	Foi Requests	00-1255	1	1.00
MISC. FEES	Genealogy	00-1255	1	22.00
MISC. FEES	One-Day Marriage Officiant License	00-1255	1	25.00
			<b>Sub-Total:</b>	<b>\$293.00</b>
<b>Total Local Shares Remitted:</b>				<b>\$17,698.26</b>
Amount paid to:	NYS Ag. & Markets for spay/neuter program			19.00
Amount paid to:	NYS Environmental Conservation			1,855.74
Amount paid to:	State Health Dept. For Marriage Licenses			45.00
<b>Total State, County &amp; Local Revenues:</b>				<b>\$19,618.00</b>
<b>Total Non-Local Revenues:</b>				<b>\$1,919.74</b>

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Colleen Corcoran Town Clerk, Town of Marlborough during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.

Supervisor	Date	Town Clerk	Date
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## F) WASTEWATER TREATMENT FACILITY- JULIAN FALCO

Water Quality Management, Inc.  
P.O. Box 655  
Marlboro, NY 12542

December 5, 2023

For the month of November 2023, both the Marlboro and Milton Wastewater Treatment Plants complied with all of the SPDES requirements. The following are monthly statistics for both plants;

### Marlboro WWTP

- Average Daily Flow = **103,000** gallons per day.
  - (About **59%** of design capacity.)
- Average BOD removal = **99%**
- Average Suspended Solids removal = **99%**

### Milton WWTP

- Average Daily flow = **30,000** gallons per day.
  - (About **55%** of design capacity)
- Average BOD removal = **99%**
- Average Suspended Solids removal = **95%**

Both the Marlboro and Milton Treatment Plants operated normally during the month of November without any major changes or events. We are currently obtaining quotes for a Vac Truck to remove the large amount of settled grit and silt at the bottom of the EQ Tank at the Milton Treatment Plant. This will help with overall Influent quality and improve the pre-aeration that is now happening with the upgraded Aeration Line. Overall, both wastewater treatment plants are in good working order but are getting older. If you need any additional information, please do not hesitate to contact me.

Thank you,  
Julian Falco  
Water Quality Management, Inc.

G) DOG CONTROL OFFICER - ANDREW MCKEE

21 Milton Turnpike  
Marlborough, New York, 12547

## Town of Marlborough Dog Control

Andrew McKee-Dog Control Officer      Bethany Wager-McKee Deputy Dog Control Officer

Monday, December 4, 2023

November 2023 Monthly Report

### Monthly Report –11/1/2023 through 11/30/2023

#### Overview:

We received a total of 11 calls this month including 3 calls to service from the Marlborough Police, New York State Police or Ulster County Sherriff.

Responded to 3 active complaints and/or cases which are now closed or resolved

We currently have 2 open case or complaint.

We Impounded 0 stray dogs this month.

0 appearance tickets were issued this month

There were no dog bites reported this month

We have no Dangerous Dog cases under investigation

All dogs are required to be licensed with our town clerk. I urge residents who own dogs to please contact our Town Clerks office to find out how to obtain a license. If your dog is impounded and has a valid license tag, it will be returned promptly. Unlicensed dogs cannot be returned until it is during business hours and dog licensing process has been completed by the Town which can be costly as impound and kenneling fees apply.  
End of report.

H) ASSESSOR - CINDY HILBERT  
*No report.*

I) PLANNING - CHRIS BRAND

# November 2023

## TOWN OF MARLBOROUGH PLANNING BOARD REVIEW

CHAIR: Chris Brand, MEMBERS: Fred Callo, James Garofalo, Steve Jennison, Cindy Lanzetta, Joe Lofaro, Bob Troncillito,

November 2023 Financial Report	
Application Fees	\$5,997
Escrow Fees	\$21,8882.50
Recreation Fees	\$6,000
Invoices	\$9,148.80

**November 6, 2023**  
**Regular Meeting 7:30 PM**

### Approval of Minutes

The minutes for the October 6, 2023, Meeting were approved unanimously.

### Announcements

Members Joe Lofaro and Chris Brand submitted continuing education credits.  
Chairman Brand also proposed a tentative Planning Board Meeting Calendar for the 2024 year.

### Communications

None

### Public Hearings

RIVER VISTA 2 LOT  
River Vista Dr., Marlboro

23-1022 PUBLIC HEARING  
103.3-3-28.123

SUBDIVISION

### Technical Comments

1. The applicant's representative has clarified that the current private roadway serves 4 residential lots. The tax lot sections for the existing lots are identified and the two lots resulting from this subdivision.
2. Comments from the Office of Parks, Recreation and Historical Preservation should be received.
3. Copies of the Ulster County Department of Health approved sub-surface sanitary sewer disposal system has been received.

4. Zoning Bulk Table has been updated on the plans.
5. The applicants have confirmed that the driveway lengths are compliant with the NYS Fire Code.
6. The project requires a Public Hearing for the two lot subdivision.

#### **Board Actions**

The Board opened and closed the Public Hearing with limited input. The Board reviewed the technical comments noted above. The Board discussed existing roadway maintenance agreements, existing rights of way, and cul-de-sac requirements. The Board approved a motion to authorize their attorney to draft a Resolution of Approval for the next meeting.

#### **Ongoing Application Review**

<b>MOHEGAN FARMS</b>	<b>23-1010</b>	<b>FINAL SITE PLAN</b>
271 Milton Tpke, Marlboro	95.4-3-12.200	

#### **Technical Comments**

1. The fence has been extended along the property line abutting the residential parcel to 60 feet.
2. The side yards have been updated in the bulk table.
3. Note 10 has been added to the plans identifying the site being accessible for 24 hours a day, however no overnight parking is to be permitted.

#### **Board Actions**

The Board Board reviewed the technical comments noted above. The Board approved a SEQR Negative Declaration and Notice of Nonsignificance as well as a Resolution of approval.

<b>BUSH AND WATSON</b>	<b>23-1015</b>	<b>FINAL LOT LINE</b>
548&550 Lattintown Rd, Marlboro	108.2-3-1, 47	
<i>Applicant is seeking: Bush to convey 1.46 acres to Watson</i>		

#### **Board Actions**

The Board tabled further review on the application until the applicant can provide well and septic locations, completes the required agricultural statement, and updates the zoning tables and metes and bounds information on maps.

<b>SOME PLACE UPSTATE</b>	<b>23-1008</b>	<b>SKETCH SITE PLAN</b>
20 Mt Rose, Marlboro	109.1-4-57, 58, 71	

#### **Technical Comments**

1. The parcels of property appear to not be in common ownership.
2. None of the parcels has the minimum 10 acre lot size. The Planning Board Attorney's comments regarding the need to combine the parcels under similar use should be received.
3. Zoning Bulk Table should be complete with all existing and proposed setback lines labeled.
4. Water and Sewer provisions for the entire site should be addressed.
5. All permitted parking should be detailed on the plans.
6. We question the use of summer event lawn parking.
7. A Narrative Report should be submitted. The application references a letter of Intent, however this was not received by this office.
8. Boulder piles are labeled in the twenty (20) parking spots located in the summer event lawn parking.
9. Traffic and access may be an issue on the site. Vehicle access through the existing farm lane may be problematic. Rights of this parcel to utilize the farm lane should be addressed.



10. The applicants are requested to address all items in Section 155-18 B(10) (a-i) .
11. 155-18B1(d) "No structure in such use shall be within 50 feet of any property line or within 100 feet of any water course which is part of a public water supply system. A couple of the structures are within 50 feet of the property line." Once Bulk Tables have been complete referral to the Zoning Board of Appeals may be required.
12. Future plans should address noise from amplified music and lighting on the site.
13. The parcel boundary between Tax Lot 58 and Tax Lot 71 appears to be a stream. No access is depicted across the stream.
14. Item in the Legend of Use refers to "possible event space" and "flex space," etc. should be defined use not "possible".
15. The item I on the plan identifies a retail Gift Shop. Retail component does not appear in the R-1 Zoning District allowable uses.
16. Access to all uses on the site should be depicted. Access to proposed parking in the area of Buildings J, K and L should be detailed.
17. The EAF submitted identifies the project in an Archaeologically sensitive area. Coordination with NYSOPRHP is required.
18. Provision for potable water for the uses must be approved by the Ulster County Health Department.  
Similar comment for sanitary sewer disposal.
19. The width of all internal roadways should be identified. Minimum fire access road width of 20 feet is required for structures less than 30 feet high.
20. The Fifty Scale Plan does not address items to the westerly most portion of the site.
21. Accessible parking and access must be provided in compliance with ADA Standards.
22. Summer events space lawn parking should have defined access. The intensity of the use on the site appears to be in excess of that which would be supported by year round parking or by parking on the lawn areas. Permanent uses should have permanent dust free parking surfaces.
23. Parking and access for large vehicles should be addressed.
24. Loading docks are required. Locations of loading docks and delivery truck access on the site should be identified. Large vehicles/Bus turning radius plans should be identified.
25. Height of all existing structures should be provided to determine compliance with fire access road requirements.
26. Comments from Jurisdictional Emergency Services should be received.
27. The applicant's representative is asked to explain Note 10. Is a dedication parcel proposed?
28. All structures within 100 feet of the parcel are to be depicted on the plans. Adjoining residential uses should be depicted to assist with any Public Hearing to be held in the future.
29. Details of all delineated parking spots should be added to the plans.
30. Status of the ownership of Mount Rose Road and James Street should be identified.
31. Highway Superintendent's comments regarding access should be received. Parking spots which back out into roadways should not be permitted.
32. The use of Structure M on tax parcel 56.1 should be further clarified. Use is identified as a farmhouse.
33. Property lines are depicted extending into the roadways. Roadway dedication should be provided on all existing Town roadways.
34. Confirmation should be provided determining if the parcel is in the water district. Water supply to all structures on the site should be identified.
35. Sanitary sewer disposal for the site should be addressed. All uses should be considered when identifying sanitary sewer.
36. The structure identified as Structure J does not appear to have any parking associated with it. Access and parking for this structure as well as potable water and sanitary sewer should be addressed.
37. The Planning Board may wish to declare its intent for Lead Agency for review of the project as an unlisted action coordinated review.

38. A site lighting plan should be provided identifying existing and proposed security and safety lighting for all proposed uses on the site.

39. We would recommend a separate plan sheet be developed for review by Jurisdictional Emergency Services which identifies emergency vehicle access to all structures and uses on the site, water supply and fire protection facilities on the site.

40. The applicants are requested to identify the maximum intensity use on the site. Numerous event spaces are depicted as well as temporary tent areas.

#### **Board Actions**

The Board reviewed the extensive technical comments noted above. The Board discussed the parcels in question not being held in common ownership and the ramifications this issue presents to the application moving forward. The site's previous activity and concerns with emergency personnel access, noise, and traffic were all discussed. The Board allowed the applicant to host an informal informational Q&A session to be held at the Town Hall prior to its next meeting. The Board also moved to complete an on site visit. The Board approved its intent to act as lead agent for this project.

#### **New Application Review**

None

#### **Special Topics Discussion**

Subdivision Lot Line Application

#### **Adjournment**

**NEXT DEADLINE: Friday November 10, 2023**

**NEXT SCHEDULED MEETING: Monday November 20, 2023**

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**November 20, 2023**

**Regular Meeting 7:30 PM**

#### **Approval of Minutes**

The Minutes for October 16, 2023, Meeting were approved unanimously.

#### **Announcements**

None

#### **Communications**

None

#### **Public Hearings**

**DEBORAH JONES SD  
98 Orange St, Marlboro**

**23-1017  
108.4-6-29.110**

**PUBLIC HEARING SUBDIVISION**

#### **Technical Comments**

1. The proposed project has been reduced in scope. Project is now a 3 Lot Subdivision. The original proposal was for 5 lots. The 3 Lot Subdivision eliminates the need to provide for water and sewer

main extensions as laterals will be proposed to serve each of the lots from the existing municipal system.

2. Common Driveway Easement is required. Common Driveway Easements should be submitted to Meghan Clemente's office for review.
3. The sewer invert in the vicinity of Lot #1 identifies a twenty-three foot deep manhole. This should be evaluated.
4. Detail for modifications to the manhole serving Lot #2 should be provided on the plans if the Town of Marlborough Sewer Department permits connections to manholes.
5. Information pertaining to the fifty foot right-of-way identified per filed Map 11-37 should be submitted to Meghan Clemente's office for review. Common Driveway Access and Maintenance Agreement should be provided if not addressed in the fifty foot right-of-way as a shared driveway is now proposed.
6. Application materials should be revised to identify the three lot subdivision currently proposed.
7. A Public Hearing is required for the subdivision.
8. Recreation fees for the two new lots are required as a condition of any approval.

#### **Board Actions**

The Board opened and closed the Public Hearing, hearing from several residents before reviewing the technical comments noted above.

<b>STRALOW FARM</b>	<b>23-1023</b>	<b>PUBLIC HEARING SITE PLAN</b>
<b>551 Lattintown Rd, Marlboro</b>	<b>108.2-2-45</b>	

#### **Technical Comments**

1. Responses to the 16 October 2023 Planning Board comments should be received. A Site Plan at a scale which was more legible was to be provided. The 8 ½ x 11 sheet is not to scale and was difficult to read.
2. The Planning Board requested that parking spaces on the site be in compliance with the 9 x 18 parking spots currently permitted by the Town of Marlborough.

#### **Board Actions**

The Board opened and closed the Public Hearing with no input from the public before reviewing the technical comments noted above. The Board discussed the structures on the site, parking, proximity to neighboring agricultural operations, water and sewer systems in place, compliance with local building codes, and driveway access. The Board approved a Resolution of Approval to be prepared for the next meeting.

#### **Ongoing Application Review**

<b>RIVER VISTA 2 LOT</b>	<b>23-1022</b>	<b>FINAL SUBDIVISION</b>
<b>River Vista Dr., Marlboro</b>	<b>103.3-3-28.123</b>	

#### **Technical Comments**

1. Comments from the 16 October 2023 Planning Board meeting are outstanding. (Copy of 16 Oct. Comment attached). Actual Survey Map of the lot line change must be provided including a Location Map, survey notes, surveyor's certification, metes and bounds description, owner's endorsement and other information required by the lot line change application.
2. Zoning Bulk Table should be provided for each lot existing and proposed. Pre-existing non-conforming Bulk Requirements should be identified. Any new Bulk Requirements should be identified.
3. The location of water and sewer serving each of the parcels must be identified on the map. Wells and septic locations should be depicted on the Lot Line Survey.

**Board Actions**

The Board approved both a Negative Declaration and Determination of Non-Significance as well as Resolution of Approval. The Board also approved \$2,000 in Recreation Fees.

**BUSH AND WATSON**  
548&550 Lattintown Rd, Marlboro

**23-101**  
108.2-3-1, 47

**FINAL LOT LINE**

**Board Actions**

The applicant was removed from the agenda.

**New Application Review**

**VITO TRIOLO PIZZA TOWN**  
1326 Route 9W Marlboro

**23-1024**  
108.4-3-28

**SKETCH SITE PLAN**

**Technical Comments**

1. Project proposes the addition of two new apartments on the third floor of an existing structure. The project is located in the C-1 Commercial Zone.
2. Several bulk deficiencies exist on the lot including;
  - Front yard- 5 foot required where zero (0) exists
  - Rear yard- 20 foot required where 2.1 foot exists
  - Building height- 2.12 stories, 35 ft. max where 3 stories at 37.5 +/- height existing
3. A parking calculation has been provided identifying thirty (30) occupants of the commercial space and five (5) apartments total identifying the required parking of 18 spaces.
4. One accessible parking spot is required. The change of use will negate the existing condition where no accessible spot exists. Confirm parking space size meets Town Code.
5. Comments from the Jurisdictional Emergency Services should be received. It is noted the building is identified as being retrofitted with fire sprinkler system. Location of the FD connection should be depicted on the plans.
6. Fourteen spots are identified in the proposed parking lot while credit for five spots is available in the hamlet parking calculation.
7. The Planning Board may wish to evaluate the existing dumpster enclosures along the property frontage.
8. Coordination with NYSDOT and Ulster County Planning is required.

**Board Actions**

The Board reviewed an overview of the proposed project and discussed the removal of the existing fire escape as a result of the proposed sprinkler system being installed. The Board also discussed the technical comments noted above. The Board also discussed proposed parking, floor plans, dumpster location, and fencing. The board referred this application to the ZBA for existing non-conformities.

**LYNNDAVID PROPERTIES**  
397&405 Willow Tree Rd, Milton

**23-1025**  
102.2-5-23, 26

**SKETCH SUBDIVISION**

**Technical Comments**

1. The application should be revised to state it is four (4) lot subdivision with lot line change.
2. Lot lines are depicted to the center lines of the roadway. Roadway dedication parcels should be provided and the revised property lines for all bulk setbacks.
3. Topography is required to be shown on the entire parcel.
4. Highway Superintendents comments regarding the location of all driveways should be received. Consideration for combining the driveways on Lots 2 & 4 should be addressed.
5. Numerous pre-existing non-conformities exist on the site. Front yard setbacks for two existing

structures on Lot 1. Front yard setback on existing structure on new Lot A, the lot line parcel.

6. Section 155-12.2A Additional Restrictions on Use states "in all zones other than the C-1 and C-2 zones, residential use of a lot shall be limited to one single family residence or if the density allows one two family residence on an individual lot. Three existing residential structures will be located on proposed Lot 1. These structures will lose their pre-existing non-conforming protections based on a significant reduction in lot size.

7. Wells and septic locations must be approved by the Ulster County Health Department.

8. Sight distance on all driveways existing and proposed should be depicted.

9. The amount of land disturbed by the Grading Plan to be provided must be addressed. If greater than one acre disturbance is proposed coverage under the NYSDEC Stormwater SPDES Permit is required.

10. A Grading Plan supporting access and construction of each lot should be submitted. It is requested that the revised plan depicting the roadway dedication parcels be submitted including updated Bulk Tables based on the revised property lines prior to any referrals to the ZBA.

#### **Board Actions**

The Board reviewed the technical comments noted above. The board discussed the number of lots being proposed, the width of adjacent roadways, and the possibility of the project requiring ZBA review,

**DIVIESTI MICHAEL JENNIFER**  
**6-8 DiViesti Dr, Marlboro**

**23-1026**  
**108.4-7-14**

**SKETCH SUBDIVISION**

#### **Technical Comments**

1. Applicant proposes to subdivide two existing single-family residences located on a 2+/- acre parcel of property.

2. Existing and proposed bulk issues are identified for the two-lot subdivision:

- Lot A- side yard setback
- Lot B- both side yards: minimum lot width, minimum lot depth,
- Lot B has a front yard issue as front yard is measured where the lot has the minimum lot width of 150 feet. Lot does not have 150 feet at the house location, front yard setback is also required.

3. The Planning Board should discuss whether topography should be provided for the subdivision or a waiver can be granted upon request.

4. Existing easement to adjoining parcel Tax Lot 15 should be identified.

5. Proposed easement documentation should be submitted to Planning Board Attorney's office for review.

6. The subdivision may trigger the need for an additional variance for the number of lots accessing a private roadway.

7. The project surveyor is requested to discuss the adjacent deed overlap identified on proposed Lot B. Information pertaining to this should be submitted to the Planning Board Attorney's office for review.

8. The location of the subsurface sanitary sewer disposal systems must be depicted on the plans.

9. A review of the 2001 aerals of Ulster County Parcel identifies out buildings and additional driveways not depicted on the survey sheet. In addition, it appears that the private roadway depicted as Diviesti Drive on the sheet may not be located within the 50 foot strip as depicted.

10. A wood patio is depicted as an encroachment extending from Lot A.

#### **Board Actions**

The Board reviewed the technical comments noted above. The board discussed the maps provided by the applicant, road frontage, existing driveway location, and the possibility of the project requiring ZBA review,

**BUTTERMILK FALLS HOTEL**  
**220 North Rd, Milton**

**23-1019**  
**103.1-2-12.200, 13, 11.200, 10, 11.100, 75, 71, 72**

**SKETCH SITE PLAN**

**Technical Comments**

1. The project narrative identifies that the proposal is to add a 65 room hotel, 35 individual cabins, a 60 seat restaurant and a 300 seat banquet hall along with accessory facilities on a total site area of combined lots of 62 acres. The existing Buttermilk Falls facility is located on a 50.7 acre parcel which will have the balance parcels added from adjoining lots to be combined.

2. The Bulk Table should be completed to assist in review of any zoning compliance issues.

3. The applicants have submitted a Full Environmental Assessment Form for the project. Project is a Type I Action under SEQRA as it proposes an 111,700 square feet of new structures, greater than 10 acres disturbance. Greater than 2.5 acres disturbance in an AG District. Comments will be on the Long Form EAF submitted:

-B Government Approvals, i.- the project is located in a community with an approved local waterfront revitalization program. Town was awarded a Certificate of

Approval from the State of New York Department of State on 12 November 2020.

-C.4.B. Police and Public Protection Forces identify the Town of Marlborough Police Department.

-Page 4 G; approximate extent of building space to be heated or cooled identifies 87,000 sq. feet while greater than 111,000 sq. feet was identified on the narrative.

-Page 6; identify that stormwater will flow to adjacent properties. Answer does propose plan that minimizing impervious surfaces use pervious materials or collect and reuse stormwater.

-Page 13. F; Letter from SHPPO identifies the site is in a sensitive area for archeological resources and a Phase I AB Assessment has been requested.

4. After revisions to the Long Form EAF the Planning Board may wish to circulate its Intent to be Lead Agency for the review of the project.

5. The height of any proposed structure should be identified. Buildings exceeding 3 stories or 30 feet in height require two means of fire apparatus access for each structure. Fire apparatus access roads must be provided for aerial fire apparatus with a minimum unobstructed width of 26 feet.

6. Future plans should identify hydrant locations proposed. Access roads with hydrants must comply with NYS Fire Code, Appendix D.

7. Access roads to the cabin structures should be evaluated with regard to compliance with Fire Code Access. Fire apparatus access roads are 20 feet in width. Comments from the authority having jurisdiction should be received.

8. The project narrative identifies a requirement for 495 parking spaces. The total parking calculated required for the site is 495 spots. There is no provision for reduction of required off-street parking in the Town Code Section 155-27. Section 155-27 2(b) #4 states the Planning Board in its discretion may increase the parking spaces necessary as part of the Site Plan review process. No permitted reduction in parking spaces is permitted. Zoning Board of Appeals approval may be required for reduction in required parking spaces.

9. This office would recommend that the Planning Board have the Traffic Analysis reviewed by the Traffic Consultant typically used by the Planning Board, Creighton Manning Engineering, Ken Wersted, P.E.

10. A list of involved agencies has been identified. We would recommend adding the Health Department for water main extension with hydrants. Revise the Town of Marlborough Fire Department to the Milton Fire District.

11. The project must comply with NYSDEC and Town of Marlborough Stormwater Management Regulations. A Stormwater Pollution Prevention Plan should be provided for the Planning Board to review.

12. The Planning Board may wish to have a Visual Addendum to the EAF provided in order to evaluate impacts from views from the Hudson River and other sensitive receptors.
13. In a Stormwater Facilities Maintenance Agreement will be required to assure the long-term operation and maintenance of stormwater management facilities implemented under the SWPPP.

#### **Board Actions**

Member Garofalo noted his written comments provided addressing his concerns on traffic. The Board reviewed the technical comments noted above. The Board discussed scheduling an on-site visitation and moved for additional traffic review to be completed by Creighton Manning. The Board moved to circulate intent to act as lead agency for the project, The Board also discussed combining this application with the proposed lot line change proposed by the applicant.

**BUTTERMILK FALLS HOTEL**  
**220 North Rd, Milton**

**23-1019**  
**103.1-2-**

**SKETCH LOT LINE**

#### **Technical Comments**

1. The applicants have applied for a lot line change between two lots involved in the Buttermilk Falls Hotel application. This application should be combined and be reviewed under SEQRA. Segmenting the lot line revisions from the Special Use/Site Plan portion of the project may result in a segmentation issue regarding SEQRA. This office recommends the lot line change be processed along a parallel path with the Hotel Site Plan, Special Use and Lot Consolidation application before the Board.

#### **Special Topics Discussion**

None

#### **Adjournment**

**NEXT DEADLINE: Monday November 27, 2023**  
**NEXT SCHEDULED MEETING: Monday December 4, 2023**

*Respectfully Submitted,*

***Chris Brand, Chairman, Town of Marlborough Planning Board***

ITEM #8 Report of Committees

A) RECREATION COMMITTEE

*Councilwoman Sessa reported that the Recreation Committee held their last event of the year; The Polar Express Event. There were 2 showings, one at 11:00 a.m. and the next at 2:00 p.m. (50) Tickets were sold out. The children came in their pajamas. There were some craft stations. They received a ticket for the movie. They put their blankets down and received a bell, hot chocolate and popcorn.*

*Supervisor Corcoran stated that when the recreation center opens, they could do both showings at the same time. He also stated that there is a process to show a movie.*

*Councilwoman Sessa suggested looking into a movie license for the recreation center building. She also stated that the committee has already started working on events for next year.*

*Supervisor Corcoran thanked the Recreation Committee for a successful year. All events were extremely well attended.*

B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE

*Supervisor Corcoran stated that Deputy Supervisor Gael Appler Jr. has been very active with the county in getting all the emergency management updates done for the town and the countywide plan. Once they complete the updates, FEMA has to check it.*

C) CONSERVATION ADVISORY COMMITTEE

**CONSERVATION ADVISORY COMMITTEE**

**REPORT TO TOWN BOARD**

**December 11, 2023**

The November, 2023 CAC meeting celebrated one year of participation by a group of motivated and loyal committee members. I want to publicly thank them all for their work, support, and energy: Secretary Niki Stureski, Climate Smart Community Representative Jannelle Kozarek, members Joseph Caserto, Joan Delatorre, Jeff Eckes, Naseem Haidaoui, Maribeth King, Ted Millar, Matt Sabia, Don Smerdon, and Brian Simonofsky,

Member Maribeth King and I met with the members of the Recreation Committee to explore possible events for collaboration. As was explained, their goal is to reach children, and our messages appeal more to adults in many ways, so the CAC will look to create our own events as well as see when our message can be delivered in a fun way to school aged children in one of their future events. Their hospitality was appreciated.

Member Matt Sabia and I explored the Milton Landing Park as a location for the Arbor Day Tree Grant.

We began early planning for the year of 2024 and have targeted participation in or creating 4 events. We also hope to organize a ribbon cutting ceremony for the kayak launch sometime in April, hopefully, to coincide with Earth Day recognition.

Both Jannelle Kozarek and I completed the four session Cohort meeting and I look forward to their guidance in completing the Town Greenhouse Gas Inventory.



Our next meeting will be held this week, Thursday, December 14 at the Marlboro Free Library Community Room at 6:30. Those who wish to attend virtually can use this link:

<https://us06web.zoom.us/j/84352294057?pwd=UzNFQWFBSGwxUkU5eFRRM0Jmcjl1Zz09>

Respectfully submitted,  
Mici Simonofsky, Chair

*Supervisor Corcoran reported that the Nexamp project began, but is on hold for now. The cap needs to be repaired and Nexamp is waiting for a PILOT program from the Highland School District. The Town is looking into getting a grant to get solar at the community center.*

*The Bayside Apartment project will include the installation of 10 Electric Vehicle Stations.*

*There was a brief discussion about how the EV stations could count toward the Climate Smart Community program and where other stations may be placed in town. Ms. Simonofsky offered to help with speeding up the process with the projects so they are on schedule for 2024. Supervisor Corcoran thanked the CAC.*

**D) IT COMMITTEE**

*Supervisor Corcoran reported that the Town will be switching from Spectrum to Crown Castle which is about half the price. They will start at the community center and once the contracts are up for the other town buildings, they will likely switch them over too.*

**E) MILTON TRAIN STATION FOUNDATION**

*No report.*

**F) MILTON LANDING CITIZENS COMMITTEE**

*No report.*

**G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE**

*No report.*

**H) MEET ME IN MARLBOROUGH**

*No report.*

**I) HAMLET OF MILTON ASSOCIATION COMMITTEE**

*No report.*

**J) TRANSFER STATION REVIEW COMMITTEE**

*Supervisor Corcoran reported that Larry Fuhrmann is not at the Transfer Station; he hasn't been well. The park helper, Riley, has been filling in at the Transfer Station.*

**ITEM #9 Presentation**

*No presentations.*

ITEM #10 Old Business

A). Tomvac Rehabilitation Update

*Supervisor Corcoran reported that the sheetrock is just about done. The main doors should be installed this week. The heat pumps are on; they are waiting for Central Hudson to install a meter for the gas furnace. Electrical work and inspections are complete.*

*Next will be paint, spackle, drop ceilings and floors. Then all of the IT will be installed which will be state of the art.*

*Supervisor Corcoran stated that the closing for Young's Field will be December 12, 2023 at 12:00 p.m. He thanked the Young family and the Aldrich family for their donation and the Board for their support. The Town can start to bid out the lighting.*

*Supervisor Cocoran updated the public about the Ambulnz contract. The parent company was having financial difficulty but the contract with the Town was looked over and is ok. When the Town signed with Ambulnz the budget was already in place and it was agreed that the Town would pay what was budgeted for and make up the difference (\$100,000.00) over 4 years. Ambulnz asked that the Town pay the full \$100,000.00 now which can be done. We will still have the same service.*

ITEM #11 New Business

A). Antea Group-motion to sign agreement for landfill well monitoring

*Supervisor Corcoran explained that Noel Russ, Consultant for Antea Group, is trusted and familiar with our landfill and the towns needs because he used to work for Miller Environmental who monitored the wells at the landfill in the past. NYS DEC had done the monitoring once at no charge which was a one-time thing. The Antea Group would charge \$5,135.00 for the labs and reports and \$690.00 per sample; there will likely be about 3-4 samples. There is \$7,000.00 budgeted for 2024 for this purpose.*

*Councilman Molinelli questioned if there were any other quotes.*

*Supervisor Corcoran stated that Mr. Russ knows the landfill and is trusted to do the job.*

***Councilman Cauchi made a motion to sign the agreement with Antea Group for landfill well monitoring. Motion seconded by Councilman Zambito.***

***Yeas: 4      Nays: 1 (Molinelli)      Carried***

ITEM #12 Correspondence

*Supervisor Corcoran read correspondence from the Marlboro-Milton Lions Club requesting use of the Train Station on January 3, 2023 at no charge for a meeting.*

***Councilwoman Sessa made a motion to allow the Marlboro-Milton Lions Club to hold their meeting at the Train Station on January 3, 2023 and waive the fee. Motion seconded by Councilman Zambito.***

***Yeas: 5      Nays: 0      Carried***

*There was a brief discussion about the construction at the Milton Landing.*

ITEM #13 Public Comments

*Mici Simonofsky asked what is going on with Old Indian Trail, how it is being handled and is there an engineer working on it.*

*Supervisor Corcoran explained that the lawyers are handling the situation, there isn't cooperation with the neighbors which makes things difficult as to what can or can't be done, there is not an engineer at this time.*

*There was a disagreement about attorney information.*

*Maryanne Quick reiterated information she stated at a Town Board meeting a few months back and stated that they have had hardships and explained the dangers because of the collapsed road. She suggested the town take the neighbors property by eminent domain. She explained why she hired an attorney, why they deserve to have the road fixed, and that they can't sell their house because of the road.*

**ITEM #14 Resolutions**

- A). Resolution # 113 To re appoint a member to the Ethics Board
- B). Resolution # 114 To re appoint a member to the Ethics Board
- C). Resolution # 115 To re appoint a member to the Zoning Board
- D). Resolution # 116 To re appoint a member to the Zoning Board
- E). Resolution # 117 To re appoint a member to the Planning Board
- F). Resolution # 118 To fund the Town of Marlborough Cultural Resources Survey – Phase II Project.  
*Supervisor Corcoran stated that the town needs to pay the bill that is due but the group is still working to get more donations. He thanked Howard Baker for all of his work on the project.*  
*Councilwoman Sessa asked for a copy of the report.*
- G). Resolution # 119 To introduce a local law of the year 2024  
*Councilwoman Sessa stated that she would like to discuss at the public hearing whether the 500-foot radius is enough.*
- H). Resolution # 120 To introduce a local law of the year 2024  
*Supervisor Corcoran stated that one of the reasons for this law is because larger projects take longer than 2 years; approvals are still at the discretion of the Planning Board. Another part is that one cannot build above the predominant tree line instead of 50 feet.*

**ITEM #15 Adjournment**

*Supervisor Corcoran thanked the Board for another great year. He wished the Board and the public a Merry Christmas and Happy Holidays. He stated the Board got a lot done and assured Mrs. Quick they are doing their best with regard to the road even though they disagree.*

*There was a brief discussion and disagreement between some of the Board members and Mrs. Quick in regards to how the repair of Old Indian Trail should be handled.*

*There was a brief discussion about ads for positions in our local newspaper.*

***Councilman Molinelli wished all a Happy Holiday and adjourned the meeting at 8:06 p.m. Motion seconded by Councilman Cauchi.***

***Yeas: 5              Nays: 0              Carried***

*Respectfully submitted,  
Danielle Cherubini  
Deputy Town Clerk*

December 11, 2023

A). Resolution # 113 To re appoint a member to the Ethics Board

Supervisor Corcoran proposes the following

Whereas, there is a seat open on the Town of Marlborough Ethics Board

Whereas, the Town Clerk has posted an ad in the official newspaper seeking interested persons to fill the vacancy.

Whereas, the Town did not receive any new letters of interest.

Be it resolved that the following be re-appointed

Vince Mannese effective 01/01/2024 with a term ending date of 12/31/2026

And it moves for adoption

Councilman Molinelli	Yes
Councilwoman Sessa	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Supervisor Corcoran	Yes

December 11, 2023

B). Resolution # 114 To re appoint a member to the Ethics Board

Supervisor Corcoran proposes the following:

Whereas, there is a seat open on the Town of Marlborough Ethics Board

Whereas, the Town Clerk has posted an ad in the official newspaper seeking interested persons to fill the vacancy.

Whereas, the Town did not receive any new letters of interest.

Be it resolved that the following be re-appointed

Justin Pascale effective 01/01/2024 with a term ending date of 12/31/2026

And it moves for adoption

Councilman Molinelli	Yes
Councilwoman Sessa	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Supervisor Corcoran	Yes

December 11, 2023

C). Resolution # 115 To re appoint a member to the Zoning Board

Supervisor Corcoran propose the following:

Whereas, there is an open seat on the Town of Marlborough Zoning Board

Whereas, the Town Clerk has posted an ad in the official newspaper seeking interested persons to fill the vacancy.

Whereas, the Town did not receive any new letters of interest.

Now therefore be it resolved, that Lenny Conn is hereby re-appointed to fill the Zoning Board seat effective January 1, 2024 until December 31, 2028.

And it moves for adoption

Councilman Molinelli	Yes
Councilwoman Sessa	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Supervisor Corcoran	Yes

December 11, 2023

D). Resolution # 116 To re appoint a member to the Zoning Board

Supervisor Corcoran proposes the following:

Whereas, there is an open seat on the Town of Marlborough Zoning Board

Whereas, the Town Clerk has posted an ad in the official newspaper seeking interested persons to fill the vacancy.

Whereas, the Town did not receive any new letters of interest.

Now therefore be it resolved, that Andrew Nikola is hereby re-appointed to fill the Zoning Board seat effective January 1, 2024 until December 31, 2028.

And it moves for adoption

Councilman Molinelli	Yes
Councilwoman Sessa	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Supervisor Corcoran	Yes

December 11, 2023

E). Resolution #117 To re appoint a member to the Planning Board

Supervisor Corcoran proposes the following:

Whereas, there is an open seat on the Town of Marlborough Planning Board

Whereas, the Town Clerk has posted an ad in the official newspaper seeking interested persons to fill the vacancy.

Whereas, the Town did not receive any new letters of interest.

Now therefore be it resolved, that Fredrick Callo is hereby re-appointed to fill the Planning Board seat effective January 1, 2024 until December 31, 2028.

And it moves for adoption

Councilman Molinelli	Yes
Councilwoman Sessa	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Supervisor Corcoran	Yes



December 11, 2023

F). Resolution # 118 To fund the Town of Marlborough Cultural Resources Survey – Phase II Project

Supervisor Corcoran proposes the following:

Whereas the Town of Marlborough has a rich history particularly as it relates to agriculture, and

Whereas the Town has identified one of its main goals in the updated Comprehensive Plan is to:

*“– Maintain and protect the town’s natural resources and better document the town’s historic and cultural resources, and consider ways to protect and enhance these resources as a source of community revitalization.”*

And whereas the Town has been awarded a grant of \$10K from the Preservation League of New York to conduct a survey and build an inventory of historic buildings and places in our town, and

Whereas, the total cost of this project is \$20K to be funded by the \$10K grant, \$5K from the town and \$5K from private donations, and

Whereas private donations have been received to date totaling \$3050.00, and the outstanding bill is \$4500,

Be it resolved that the Town will cover the remaining donations due of \$1950 and pay the balance due of \$4500 to Neil Larson Associates who have submitted the final report and inventory data for the town’s future planning needs.

And it moves for adoption

Councilman Molinelli	Yes
Councilwoman Sessa	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Supervisor Corcoran	Yes

December 11, 2023

G). Resolution # 119 To introduce a local law of the year 2024

Supervisor Corcoran proposes the following:

A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 “ZONING” OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-1 ADDING DEFINITIONS FOR “CANNABIS”, “CANNABIS ESTABLISHMENT”, “CANNABIS ON-SITE CONSUMPTION ESTABLISHMENT”, “CANNABIS PRODUCTS” AND “CANNABIS RETAIL DISPENSARY”, SECTION 155-12 “USE REGULATIONS”, AND ADDING SECTION 155-32.5 “CANNABIS/MARIJUANA RETAIL SALES AND LOUNGES.”

BE IT ENACTED by the Town Board of the Town of Marlborough that the Town Code is amended as follows:

Section 1. Section 155-1 of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

### **CANNABIS**

As used herein, cannabis shall have the same definition as that found in New York Cannabis Law (Chapter 7-A of the Consolidated Laws of New York) in § 3 thereof. Cannabis may also be referred to as “marijuana” or “marihuana.”

### **CANNABIS ESTABLISHMENT**

A single physical location where a licensed Cannabis retailer engages in the retail of cannabis, any other type of licensed cannabis-related business, or any combination thereof.

### **CANNABIS ON-SITE CONSUMPTION ESTABLISHMENT**

A single location where an entity or individual licensed by the New York State Office of Cannabis Management to allow for the on-site consumption of cannabis products on the premises. A “cannabis on-site consumption establishment” does not include a “cannabis retail dispensary.”

## **CANNABIS PRODUCTS**

Cannabis, concentrated cannabis, and cannabis-infused products, and includes made or manufactured products that contain either cannabis or concentrated cannabis and other ingredients and are intended for personal use or consumption.

## **CANNABIS RETAIL DISPENSARY**

An establishment that is licensed by the New York State Office of Cannabis Management to sell or otherwise distribute cannabis products directly to consumers for use off the premises. A cannabis retail dispensary may be licensed to operate as an adult-use cannabis retail dispensary or as a medical cannabis dispensary, or both. A “cannabis retail dispensary” does not include a “cannabis on-site consumption establishment.”

### **A. CANNABIS DISPENSARY, MEDICAL**

A cannabis retail dispensary that sells or otherwise distributes cannabis products and related supplies to registered practitioners, certified patients, or designated caregivers for medical use in accordance with Title 5-A of Article 33 of the New York Public Health Law and Article 3 of the New York Cannabis Law.

### **B. CANNABIS RETAIL DISPENSARY, ADULT-USE**

A cannabis retail dispensary that sells or otherwise distributes cannabis products and related supplies to consumers for non-medical use in accordance with Article 4 of the New York Cannabis Law.

Section 2. Section 155-12(E)(4) of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

- (n) Cannabis On-Site Consumption Establishment.
- (o) Cannabis Retail Dispensary.

Section 3. Section 155-32.5 of the Town Code of the Town of Marlborough is added to read as follows [deletions are stricken and additions are underscored]:

### **Section 155-32.5 Cannabis/marijuana retail sales and lounges**

Each owner of a Cannabis Retail Dispensary or Cannabis On-Site Consumption Establishment must be licensed in accordance with New York State Law, must obtain an annual operating permit from the Building Department, must pay any related permitting/inspection fees, and shall comply with each of the requirements of this section.

- A. Findings. The Town of Marlborough finds that the orderly development of commercial business is essential to maintaining and protecting the health, safety and welfare of the

residents of the Town. The Town also finds that businesses which cater to adults should be located and regulated to minimize the potential adverse impact to residents.

- B. Purpose. The purpose of this section is to regulate the siting, design, placement, security, safety, monitoring and modification of cannabis establishments to insure the placement of cannabis establishments in appropriate locations and to minimize the adverse impacts of cannabis establishments on residential neighborhoods, schools and other such places where children commonly frequent and congregate.
- C. Applicability. These regulations shall apply to all structures and uses of retail sales and/or consumption lounges where cannabis can be purchased and/or consumed. D. General Requirements.

- (1) No Cannabis Establishment shall be operated except in compliance with the provisions of this chapter.
- (2) When a Cannabis Establishment is proposed to be in an existing building, regardless of any prior site plan approval (including but not limited to approval for retail sales on the property), the owner shall be required to obtain a special use permit/site plan approval for cannabis related use, retail or onsite consumption establishments.
- (3) The location of Cannabis Establishments shall be authorized in conformity with § 15512, Use Regulations, of the Town of Marlborough Zoning Code.
- (4) A Cannabis Establishment shall be wholly contained within a building or structure. No outdoor onsite consumption establishments shall be permitted.
- (5) The hours of operation of Cannabis Establishments shall be set by the Town of Marlborough Planning Board as a condition of the special use permit and/or site plan approval.
- (6) Cannabis Establishments shall not be located within a 500-foot radius from:
  - (a) Any school pre-k through grade 12;
  - (b) Any day-care center, or any facility where children commonly congregate. A facility is not, however, limited to a building. Such a facility may include but is not limited to: a public park; a playground; a public swimming pool; a library; or a center or facility where the primary purpose of which is to provide recreational opportunities or services to children or adolescents;
  - (c) Any other Cannabis Establishment;
  - (d) Any drug or alcohol rehabilitation facility;
  - (e) Any correctional facility, half-way house or similar facility; or (f) Any building containing a place of worship.
- (7) No Cannabis Establishment shall be located inside a building containing residential units, including transient housing which includes but is not limited to hotels, motels, dormitories, bed and breakfasts and short-term rentals.
- (8) Cannabis Establishments shall be located within a permanent building and may not be located in a trailer, cargo container, motor vehicle or other similar nonpermanent enclosure.
- (9) No outside storage of Cannabis, related supplies or promotional materials shall be permitted. Any signage must be in conformity with this chapter.
- (10) On-site consumption of Cannabis Products is prohibited within or on the grounds of a permitted Cannabis Retail Dispensary.

- (11) Cannabis-related land uses shall not be permitted as home occupations or accessory uses in any zoning district. E. Approvals required.
- (1) All Cannabis On-Site Consumption Establishments and Cannabis Retail Dispensaries shall be subject to the granting of a special use permit pursuant to § 155-32 of this Chapter.
- (2) All Cannabis On-Site Consumption Establishments and Cannabis Retail Dispensaries shall be subject to site plan review pursuant to § 155-31 of this Chapter.
- F. Additional requirements for Cannabis On-Site Consumption Establishments and Cannabis Retail Dispensaries.
  - (1) Provide sufficient lighting during and after hours of operation.
  - (2) Adequate facilities and personnel for secure disposal of trash and other debris.
  - (3) Continuing maintenance of the exterior of the building and the grounds, including landscaping, signs and policing of litter.
  - (4) Sales product and paraphernalia items related to the preparation or consumption of cannabis products shall not be visible offsite or from a public right of way.
  - (5) Outdoor use of sound reproduction devices, including but not limited to loudspeakers and amplifiers on the premises shall be prohibited. G. Signs.
  - (1) Any signs shall be governed by the signage requirements applicable to the zoning district where the Cannabis Establishment is located pursuant to § 155-28 of this Chapter.
  - (2) No image depicting any part of a marijuana plant or any product or use of the marijuana plant shall be allowed on any outdoor signage.
- H. State approval. All Cannabis Establishments approved pursuant to this section must be licensed in accordance with Article 4 of the New York State Cannabis Law. An expiration or revocation of a license by the State shall be deemed to automatically terminate the special use permit or other Planning Board approvals permitting use.

Section 4. If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

Section 5. Pursuant to Section 22 of this state's Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 6. This local law shall be effective upon filing with the Secretary of State.

WHEREAS, the Town Board has determined that the action to amend the Town of Marlborough Zoning Law is a Type I Action under the New York State Environmental Quality Review Act (SEQRA).

WHEREAS, that because only the Town Board can consider and adopt changes to the Town Code, that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law.

WHEREAS, the Town Board has determined that the amendments must be referred to the Ulster County Planning Board for review and recommendation pursuant to General Municipal Law § 239-m.

WHEREAS, the Town Board refers this matter to the Town of Marlborough Planning Board pursuant to Town Code § 155-49.

Supervisor Corcoran advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law.

WHEREAS, on December 11, 2023, a Local Law was introduced to be known as “Town of Marlborough Local Law No. \_\_\_\_ of the Year 2024, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 “ZONING” OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-1 ADDING DEFINITIONS FOR “CANNABIS”, “CANNABIS ESTABLISHMENT”, “CANNABIS ON-SITE CONSUMPTION ESTABLISHMENT”, “CANNABIS PRODUCTS” AND “CANNABIS RETAIL DISPENSARY”, SECTION 155-12 “USE REGULATIONS”, AND ADDING SECTION 155-32.5 “CANNABIS/MARIJUANA RETAIL SALES AND LOUNGES.”

RESOLVED, that a public hearing will be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard. The public hearing will be held on January 8, 2024, at 7:00 o’clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Marlborough, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing at the Town Hall facilities at 21 Milton Turnpike, Milton, New York on January 8, 2023 at 7:00 o'clock, p.m., prevailing time, on proposed Local Law No. \_\_\_\_ of the Year 2024, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 "ZONING" OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-1 ADDING DEFINITIONS FOR "CANNABIS", "CANNABIS ESTABLISHMENT", "CANNABIS ON-SITE CONSUMPTION ESTABLISHMENT", "CANNABIS PRODUCTS" AND "CANNABIS RETAIL DISPENSARY", SECTION 155-12 "USE REGULATIONS", AND ADDING SECTION 155-32.5 "CANNABIS/MARIJUANA RETAIL SALES AND LOUNGES."

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Marlborough, 21 Milton Turnpike, Milton, New York, 12547 between the hours of 8:00 a.m. to 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED:       Milton, New York  
              December 11, 2023

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COLLEEN CORCORAN, TOWN CLERK

The foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Councilwoman Sessa	Yes

DATED: Milton, New York  
December 11, 2023

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COLLEEN CORCORAN, TOWN CLERK



December 11, 2023

H). Resolution # 120 To introduce a local law of the year 2024

Supervisor Corcoran proposes the following:

Local Law No. \_\_\_\_ of 2024, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 "ZONING" OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-31 "SITE PLAN REVIEW", AND SECTION 155-41.1 "RIDGELINE AND STEEP SLOPE PROTECTION".

BE IT ENACTED by the Town Board of the Town of Marlborough that the Town Code is amended as follows:

Section 1. Section 155-31(K) of the Town Code of the Town of Marlborough is amended as follows [deletions are stricken and additions are underscored]:

K. Expiration of approval. Site plan review and approval shall be void if construction is not started within one year and completed within ~~two~~four years of the date of the final site plan approval. Each of these respective periods of expiration may be extended in the Planning Board's discretion for up to ~~two~~three additional periods of one year each. The Planning Board's authority to extend the respective periods of expiration shall apply to any project which requested such an extension, in writing, filed with the Town no later than on or after January 1, 2008.

Section 2. Section 155-41.1(F)(4) of the Marlborough Town Code is amended to read as follows [deletions are stricken and additions are underscored]:

(4) Applicants for construction on properties to which this section applies shall demonstrate to the reviewing board or Town Engineer, as the case may be, that the proposed buildings or structures will not extend above the predominant treeline. ~~No structure that is the subject of this section shall be located closer than 50 feet in elevation to the ridgeline affected by the application, as determined by the Town Engineer.~~

(a) If, in the Town Engineer's opinion, such requirements would render an existing lot unbuildable, the Town Engineer may recommend the issuance of, and the Building Department may issue, a construction permit for an existing lot of record which does not meet the requirements of this section upon his determination that no suitable conforming location is available.

~~(b) There shall be no disturbance within this fifty foot area except for access driveways when said driveway cannot be reasonably located outside the fifty foot area.~~

Section 3. If any of this section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

Section 4. Pursuant to Section 22 of this state's Municipal Home Rule Law, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 5. This local law shall be effective upon filing with the Secretary of State.

WHEREAS, the Town Board has determined that the action to amend the Town of Marlborough Zoning Law is a Type I Action under the New York State Environmental Quality Review Act (SEQRA).

WHEREAS, that because only the Town Board can consider and adopt changes to the Town Code, that it is the only involved agency, and the Board hereby declares that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law.

WHEREAS, the Town Board has determined that the amendments must be referred to the Ulster County Planning Board for review and recommendation pursuant to General Municipal Law § 239-m.

WHEREAS, the Town Board refers this matter to the Town of Marlborough Planning Board pursuant to Town Code § 155-49.

Supervisor Corcoran advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law.

WHEREAS, on December 11 2023, a Local Law was introduced to be known as "Town of Marlborough Local Law No. \_\_\_\_ of the Year 2024, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK AMENDING VARIOUS PROVISIONS OF CHAPTER 155 "ZONING" OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 "ZONING" OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-31 "SITE PLAN REVIEW", AND SECTION 155-41.1 "RIDGELINE AND STEEP SLOPE PROTECTION".

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard. The public hearing will be held on January 8, 2024, at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the

official newspaper of general circulation in the Town of Marlborough, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

**NOTICE OF PUBLIC HEARING**

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing at the Town Hall facilities at 21 Milton Turnpike, Milton, New York on January 8, 2023 at 7:00 o'clock, p.m., prevailing time, on proposed Local Law No. \_\_\_\_ of the Year 2024, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING VARIOUS PROVISIONS OF CHAPTER 155 "ZONING" OF THE MARLBOROUGH TOWN CODE AS FOLLOWS: AMENDING SECTION 155-31 "SITE PLAN REVIEW", AND SECTION 155-41.1 "RIDGELINE AND STEEP SLOPE PROTECTION".

TAKE FURTHER NOTICE, that copies of the aforesaid proposed local law will be available for examination at the office of the Clerk of the Town of Marlborough, 21 Milton Turnpike, Milton, New York, 12547 between the hours of 8:00 a.m. to 4:00 p.m. on all business days between the date of this notice and the date of the public hearing.

TAKE FURTHER NOTICE, that all person interested and citizens shall have an opportunity to be heard on said proposal at the time and place aforesaid.

DATED: Milton, New York  
December 11, 2023

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COLLEEN CORCORAN, TOWN CLERK

The foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Corcoran	Yes
Councilman Molinelli	Yes
Councilman Cauchi	Yes
Councilman Zambito	Yes
Councilwoman Sessa	Yes

DATED: Milton, New York  
December 11, 2023