

# Town of Marlborough, NY

## LOCAL WATERFRONT REVITALIZATION PROGRAM

### COMPREHENSIVE PLAN AND

### DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT



Draft – June, 2017

PREPARED BY:



PREPARED FOR:



## **Cover Page**

### Local Waterfront Revitalization Program (LWRP), Comprehensive Plan, and Draft Generic Environmental Impact Statement (GEIS)

For the

Town of Marlborough, New York

Title of the Action:	Adoption of the Town of Marlborough Local Waterfront Revitalization Program (LWRP) including a Harbor Management Plan, Local Consistency Review Law, and Harbor Management Law; and adoption of the Town of Marlborough Comprehensive Plan
Project Location:	Town of Marlborough, Ulster County, New York
Lead Agency:	Town of Marlborough Town Board 21 Milton Turnpike, Suite 200/ PO Box 305 Milton, NY 12547
Contact:	Alphonso Lanzetta, Town Supervisor 845-795-5100
Prepared by:	Town of Marlborough LWRP and Comprehensive Plan Advisory Committee, with assistance from Behan Planning and Design
Findings Adopted:	
LWRP Adopted:	
Comprehensive Plan Adopted:	

## Draft Generic Environmental Impact Statement

**Introduction and Orientation to the Documents.** These documents represent a coordinated effort by the Town of Marlborough to create and adopt a local waterfront revitalization program (LWRP) and to prepare and adopt an update to the town's comprehensive plan. The LWRP also includes a harbor management plan. To implement the LWRP and the harbor management plan contained herein the town has also drafted a local law to ensure future actions taken by agencies of the town are consistent with the waterfront revitalization policies. A harbor management local law has also been prepared to regulate the use of waters within the town in conformance with the LWRP including the harbor management plan.

This report also functions as the Draft Generic Environmental Impact Statement (GEIS) for review of the LWRP, comprehensive plan, the waterfront consistency review law and the harbor management law for the purposes of compliance with the regulations for State Environmental Quality Review (SEQR) at 6NYCRR Part 617. This DGEIS and associated process is to provide the Town of Marlborough Town Board as lead agencies, involved and interested agencies, and the public with an understanding of, and the opportunity to provide comment on, the potential environmental impacts that may result from the proposed actions.

The element required for an environmental impact statement can be found in the documents embodied herein as follows:

1. Cover Sheet	Inside Cover Page
2. Table of Contents	Preface to this LWRP Document
3. Summary	LWRP Appendix G
4. Description of the Proposed Action	LWRP Appendix G
5. Environmental Setting	Section II: Inventory and Analysis of this LWRP and Section III: Issues and Opportunities of the Comprehensive Plan attached as Appendix B
6. Impacts and Mitigation	LWRP Appendix G
7. Alternatives	LWRP Appendix G
8. Harbor Management Law	LWRP Appendix F
9. Waterfront Consistency Review Law	LWRP Appendix E
10. Comprehensive Plan	Appendix B

# Town of Marlborough

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**Appendix A: Town of Marlborough Harbor Management Plan**

**Appendix B: Town of Marlborough Draft Comprehensive Plan**

**Appendix C: Kingston – Poughkeepsie Deepwater Significant Fish and Wildlife Habitat**

**Appendix D: Guidelines for Notification and Review of Agencies Actions Where Local Waterfront Revitalization Programs are in Effect**

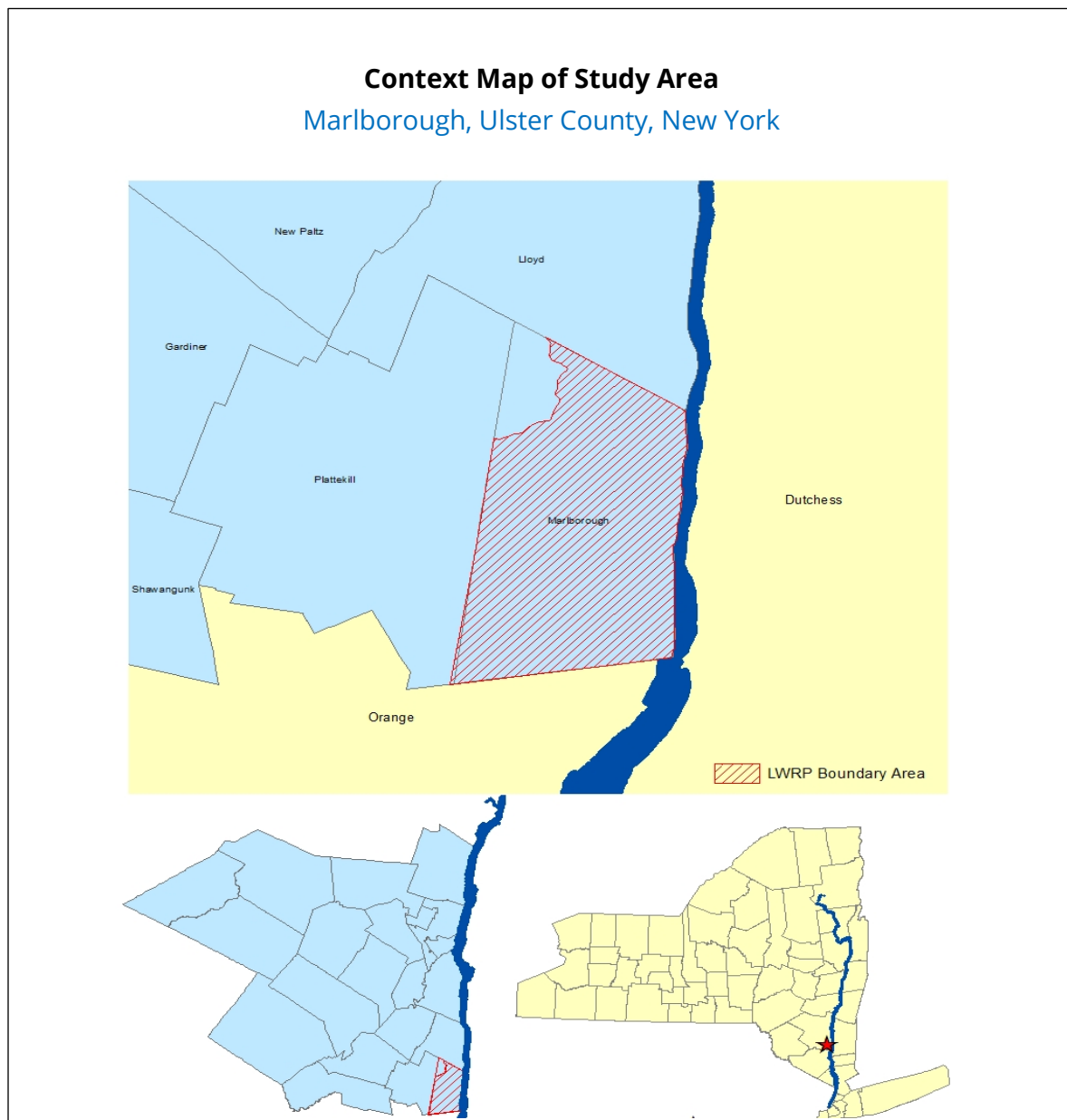
**Appendix E: Town of Marlborough Local Waterfront Revitalization Program Consistency Review Law**

**Appendix F: Town of Marlborough Harbor Management Law**

**Appendix G: Draft Generic Environmental Impact Statement**

## Introduction

The Town of Marlborough is located on the western shores of the Hudson River, in the area known as the Mid-Hudson Region. The town's history is tied to the river with evidence of riverfront settlement dating back to the Native American tribes who once lived in the area. Present day, however even with approximately 5.7 miles of shoreline, a rail line and challenging topography have precluded direct river access except for a few relatively small sites in the hamlets of Marlboro and Milton. Thus, enhancing the existing access points is a priority for the community and this Local Waterfront Revitalization Program (LWRP).





In an effort to reestablish its connection to the river and to encourage future development that enhances the community, the town has undertaken LWRP in conjunction with an update to its comprehensive plan. The Comprehensive Plan, attached as Appendix B, also serves as a stand-alone document with land use objectives and recommendations. The LWRP provides a strategy for revitalizing the community's waterfront and addressing issues of importance to the town. Combined, the LWRP and Comprehensive Plan will articulate a common vision for the future of Marlborough and its waterfront area.

This LWRP seeks to improve visual and physical access to the Hudson River, enhance agriculture, revitalize the town's hamlets, and improve safety and the aesthetic of the New York State Route 9W Corridor.

Upon approval of the LWRP, all State and Federal agencies are required to undertake proposed actions in the local waterfront area in a manner that is consistent to the maximum extent practicable with the policies and purposes of the approved LWRP. The town is similarly obligated by a local law enacted to assure consistency.

**Community Planning Process** - To date, there have been a significant number of plans and studies done within the town, some of which focuses on an individual hamlet, some on the entire town while others focus on the region as a whole. Each of these previous plans provided direction and goals for this LWRP and comprehensive plan.

**Previous Plans** - The previous comprehensive plan for the town was adopted in 2002 (Master Plan). While a lot has changed in the past 15 years, the general needs and goals of the community have remained the same and they are reflected in the goals of this LWRP and comprehensive plan. The goals of the 2002 Master Plan are as follows:

1. Absorb future growth in ways to preserve the Town's rural character;
2. Support the development of the hamlets as attractive, efficient centers for future development;
3. Anticipate and mitigate negative environmental impacts from future development;
4. Relate development to appropriate transportation access;
5. Establish a plan for the conservation of community and natural resources;
6. Encourage commercial development in appropriate places;
7. Encourage means to preserve agricultural lands and practices,
8. Develop a plan to protect water resources;
9. Develop a plan to protect historic resources.

New York State Route 9W is a significant corridor that runs north/south through the town, this corridor has been the focus of numerous studies including, the *Marlboro Hamlet Area Transportation Plan (2008)*, the *Marlboro Hamlet Master Plan (2010)*, and the *Marlboro Hamlet Enhancements Design Report (2015)*. Regional plans including the *Ulster County Main Streets: A Regional Approach (2011)* has also provided recommendations for this corridor. Recommendations from these plans include:

- Implement *Complete Streets* and *Safe Routes to School* policies;
- Improve pedestrian infrastructure along Route 9W, including sidewalks, crosswalks, and crossing signals;
- Establish gateways at the entrance and exit points of each hamlet. Use landscape and design elements to slow traffic upon entering the hamlets;
- Improve connections and public access to the Hudson River.

## Community Vision Statement and Goals

The previous planning initiatives combined with meetings of an appointed Advisory Committee and public meetings that were held led to the creation of the Town of Marlborough's vision statement and goals. A vision statement describes a community's values and aspirations and describes a shared idea of what the community could become in future.

**Vision Statement:** *Marlborough is a unique riverfront town that offers a diverse range of business opportunities, cultural attractions and housing options set in a beautiful Hudson Valley landscape where agriculture and history are highly-valued elements of our community and our small town quality of life is the centerpiece of multi-generational living and civic endeavors.*



Marlborough's agricultural landscape is a highly valued aspect of the community, and its importance is reflected in the goals of this Local Waterfront Revitalization Program.

**Goals** - The goals of this plan build upon the goals set forth in the 2002 Master Plan and mirror those of the 2017 Comprehensive Plan in order to:

***Strengthen Connections with the River*** - Integrate the waterfront into the community by improving both physical and visual access to the river.

***Revitalize Milton and Marlboro Hamlets*** - Restore and improve Marlboro and Milton hamlets as the commercial and cultural centers of the town through strategic public and private investments in streetscapes and private properties in and around the hamlet areas.

***Improve the NYS Route 9W Corridor*** - Collaborate with NYSDOT to improve the safety and aesthetics of the highway corridor, calm traffic in the hamlet centers, and create a system that can better accommodate pedestrians and bicyclists and address the needs of the mobility impaired.

***Celebrate and protect natural and cultural resources*** - Maintain and protect the town's natural resources and better document the towns historic and cultural resources and consider ways to protect and enhance these resources as a source of community revitalization.

***Enhance Agricultural Uses*** - Explore more ways to advance and promote agriculture within the town so that these traditions continue to be an important part of town life and the regional economy.

## Section I: LWRP Boundary Area

The LWRP boundary area follows the existing state coastal boundary and is coterminous with the boundary of the Town of Marlborough with the exception of the northwest corner. The boundary between the Town of Marlborough and the Town of Poughkeepsie in the Hudson River forms the eastern waterside boundary of the LWRP area while the western boundary of the Town of Marlborough and the roads at the base of the Marlborough Mountains delineate the western edge (**See Map 1**). There are two hamlets within the town, Milton to the north and Marlboro to the south. Both hamlets are situated along the Route 9W corridor and lie within the LWRP Boundary Area.

The existing land uses in the LWRP area are primarily residential and agricultural with scattered commercial uses in the hamlets and the 9W Corridor, and industrial uses along the riverfront. Steep hillsides and the railroad tracks run along the river, creating physical barriers between the town and the riverfront which limit options for access and development.

**A. Waterfront Revitalization Area Upland Boundary** - The upland boundary of the Town of Marlborough waterfront revitalization area begins at the intersection of the Town of Marlborough and the Town of Lloyd municipal boundaries and the mean high water line of the Hudson River;

- the boundary then proceeds northwesterly along the Town of Marlborough/Town of Lloyd municipal boundary to a point of intersection with Baily's Gap Road;
- then south and southeast along Baily's Gap Road to a point of intersection with Milton Cross Road;
- then south along Milton Cross Road to a point of intersection with Milton Turnpike;
- then west along Milton Turnpike to a point of intersection with the Town of Marlborough/Town of Plattekill municipal boundary;
- then south along said boundary to a point of intersection with the Town of Newburgh municipal boundary;
- then southeasterly along the Town of Marlborough/Town of Newburgh municipal boundary to a point of intersection with the mean high water line of the Hudson River;
- then north along the mean high water line of the Hudson River to the point of beginning.

**B. Waterfront Revitalization Area Waterside Boundary** - The waterside boundary for the Town of Marlborough begins at the intersection of the northern boundary of the Town of Marlborough and the western boundary with the Town of Poughkeepsie in Dutchess County, thence extending south along the western boundary with the Town of Poughkeepsie to its intersection with the southern boundary of the Town of Marlborough.

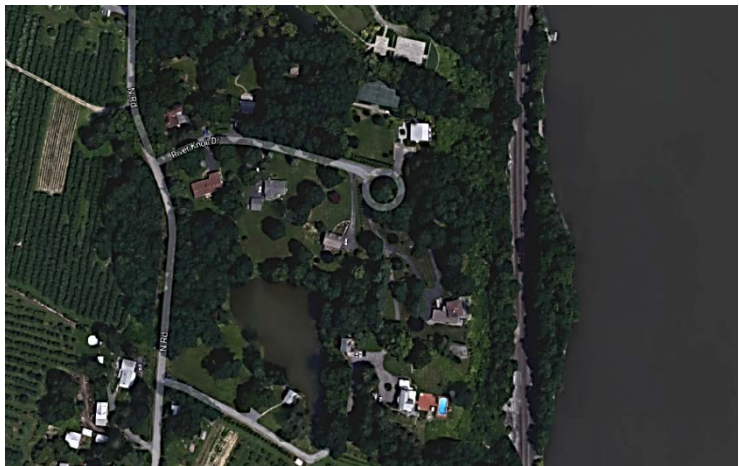
**C. Geographic Description of the Harbor Management Area. (See Harbor Management Plan attached as Appendix A)**

The harbor management area includes the portion of the Hudson River, its bays and navigable tidal inlets within the Town of Marlborough. The Harbor Management Area extends out into the Hudson River to a distance of 1500 feet or to the eastern boundary between the Town of Marlborough and the Town of Poughkeepsie if the



Northern Promontory near Buttermilk Falls. Google Earth, 2016

boundary is less than 1,500 feet. The harbor management area includes both surface waters and the lands adjacent to the surface waters. Very little of the shoreline remains in its natural state as the cut and fill associated with the construction of the West Shore Rail Road has created a man-made berm along the entire length of the river in the town.



Promontory near Peggs Point off Riverview Drive. Google Earth, 2016

The noteworthy areas include a few relatively small areas of upland, wooded landfill sections that will be termed "promontories" that extend east of the tracks, (see figures, right).

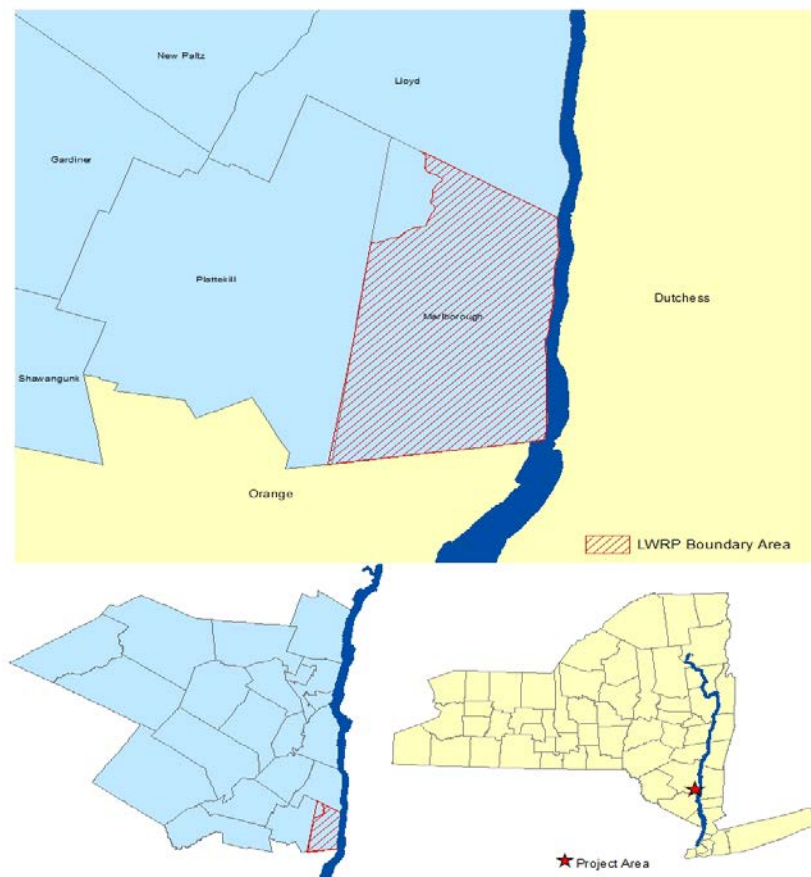


## Section II: Inventory and Analysis

**A. Location and Context** - The Hudson River is a defining natural feature for much of New York State and a great deal of the history of the state is tied to the river. Marlborough's history is equally tied to the river, but the community has long experienced limited public access to the important body of water.

Located on the west bank of the river in Ulster County, approximately 70 miles north of New York City and 90 miles south of Albany, Marlborough is part of the area known as the Mid-Hudson Region and is within the Hudson River Estuary zone. The town's eastern border, bounded by the Town of Poughkeepsie in Dutchess County, is located in the center Hudson River, and the western border follows the Marlborough Mountains, while the northern and southern borders are bounded by the Town of Lloyd and the Town of Newburgh (in Orange County), respectively.

**Regional Context Map:  
LWRP Boundary Area, Marlborough, NY**



The economy of the Mid-Hudson Region has traditionally been based in agriculture and tourism. For the second half of the twentieth century, manufacturing was an important economic driver in the region. IBM manufacturing facilities in Ulster County and neighboring Dutchess County were the dominant private employers in both counties until large-scale downsizing began in the 1990s. The IBM facility in Kingston, located 30 miles north of Marlborough employed over 7,000 people during its peak in 1985. While manufacturing has declined in the region, agriculture and tourism continue to play a vital role in the economy and identity of Marlborough.

The apple and grape industries hold important and historical roles in the agricultural sector in the town. In more recent years, agricultural operations have expanded to include organic vegetable farming and small fruit tree farming. A healthy agricultural tourism industry has emerged in the town, attracting tourists and maintaining the local identity as a farming community.

There are two established hamlets within the town, Milton and Marlboro. Both hamlets are within the New York State Route 9W Corridor, the town's principal transportation route that bisects the municipality north/south and serves as Main Street for the hamlet of Marlboro.

The town boasts sweeping views of the Hudson River, steep slopes, rolling hills, and numerous streams which serve as tributaries to the river. Marlborough is comprised of mainly agricultural and residential uses with commercial districts within the hamlets and industrial uses along the riverfront.

Marlborough encompasses approximately 25 square miles with nearly 6 miles of shoreline on the Hudson River. The town is over 8 miles north to south at its longest point and nearly 4 miles east to west at its widest point. The hamlets are located in the eastern portion of the town, within the Route 9W corridor. The hamlet of Marlboro is in the southern portion of town, while Milton lies in the northern end of town centered slightly to the east of Route 9W towards the river. The majority of the town's commercial uses and higher-density residential development is clustered in and around the hamlets with lower density development spreading out towards the western portion of the town.



## **B. Existing Land Use and Development Patterns**

Early historical narratives indicate that the town of Marlborough, like many towns in the region developed because of its proximity to the river. Over time, as dependence on the river and railroad for travel and shipping declined, development moved away from the river and began to center around more inland areas developed for motor vehicle transport and travel.

Agriculture has deep roots in the town, and this is reflected in the fact that Rural Agriculture (RAG) remains the principal zoning district, and the town is fortunate to have a large number of successful agricultural operations. The large acreage of productive farmlands in the town provides a critical mass that is important to maintain for long-term sustainability of agriculture in Marlborough.

A large proportion of the town is located within a New York State and Ulster County designated Agricultural District. A recent agricultural land use survey indicates that there are more than fifty active agricultural operations in the town, amounting to nearly 4,500 acres of farmland (Scenic Hudson, 2013).

Like most of New York State, there has been a continued long-term trend of a decline in active farmland in Marlborough for many years—from comprising 64% of the town in 1970 to 32% in 2015 (NYS Office of Real Property Tax Services). Statewide, farm consolidation, along with expanded competition for land from nonfarm uses, has resulted in continual decreases in farm acreage. Land in farms in New York State decreased from 16 million acres to just over 7 million acres between 1950 and 2007. In contrast to the decline in overall farm acreage, there are some formerly inactive agricultural lands in Marlborough that have been cleared and put back into production, a positive sign for agriculture in the town.

### C. Land Use Analysis

There are nine generalized categories of property type classifications developed by the New York State Office of Real Property Service (ORPS) that can lend insight into land use development patterns within the town. A brief analysis reveals that parcels classified as Residential Properties are most prevalent in the town by quantity, followed by properties classified as Vacant Land, Commercial Properties, and Agricultural. The following chart illustrates the number of parcels and number of acres associated with each land use.

ORPS Property Class and Description	Total Parcels	Land Use as % of Parcels	Total Land Area (Acres)	Land Use as a % of Total Land Area
<b>100-Agricultural Properties</b>	161	4.22%	4776.6	32.09%
<b>200-Residential Properties</b>	2766	72.43%	5484.03	36.84%
<b>300-Vacant Land</b>	617	16.16%	2859.25	19.21%
<b>400-Commercial Properties</b>	172	4.50%	1042.95	7.01%
<b>500-Recreation and Entertainment Properties</b>	5	0.13%	36.65	0.25%
<b>600-Community Services Properties</b>	48	1.26%	148.2	1.00%
<b>700-Industrial Properties</b>	5	0.13%	256.71	1.72%
<b>800-Public Service Properties</b>	43	1.13%	256.12	1.72%
<b>900-Public Parks, Wild, Forested and Conservation Properties</b>	2	0.05%	26.67	0.18%
<b>Total</b>	<b>3819</b>	<b>100.00%</b>	<b>14887.18</b>	<b>100.00%</b>

Source: NYS Office of Real Property Tax Services, 2015 Annual Assessment Rolls.

**Residential** - Residential uses account for both the greatest number of parcels and the greatest percentage of land area in the town. Residential development is scattered throughout the town with smaller lots concentrated in the hamlet areas where higher density development is encouraged. Outside the hamlets, residential development is split between subdivisions and large-lot rural housing.

**Agriculture** - Historically, agriculture has been a major driver of Marlborough's economy and a significant contributor to the town's character and quality of life, and it remains so today. Over 32% of the land area of the town is devoted to agriculture accounting for 161 parcels. This compares favorably from a county and regional perspective as Ulster County's land area is approximately 11% in agricultural uses and the Hudson Valley region as a whole is approximately 17% (State of Agriculture in the Hudson Valley, Glynwood Center, 2010). The small number of total parcels devoted to agriculture compared to other uses in the town is due to the large parcel sizes that are typical with agricultural operations.

Active agricultural properties are distributed throughout the town, mainly to the west of Route 9W. Additionally, there is active agriculture in and adjacent to both the Marlboro hamlet and the Milton hamlet which provides a unique and important aspect to the character of the hamlets.



Agricultural land adjacent to Milton hamlet adds to the unique character of the community.  
Photo courtesy of Rick Lashinsky, Meet Me in Marlborough.

Ulster County Agricultural District #1 covers the majority of the active agricultural properties in the town of Marlborough. Any property within a New York State Agricultural District that is at least 10 acres in size and is used only for cropland, pasture, orchards, or vineyards to produce agricultural products and produces at least \$10,000 average gross sales value is classified as a farm and eligible for an Agricultural Value Assessment through New York State which provides a partial abatement from real property taxation for eligible farmland. There are currently 217 Agricultural Land Exemptions and 11 Agricultural Replanted Farm Land Exemptions in the Town of Marlborough. When enrolled in the agricultural assessment program, those properties are assessed at the agricultural assessment rate rather than the full assessment. Despite the lower assessment, numerous fiscal impact studies have found that agricultural uses still typically generate more tax revenues than the cost of the services provided and hence are a net contributor to the fiscal benefit of taxing jurisdictions.

**Vacant and Underutilized Sites** - Marlborough contains nearly 620 vacant parcels, comprising almost 20% of the land area in the town. Of the vacant parcels, approximately

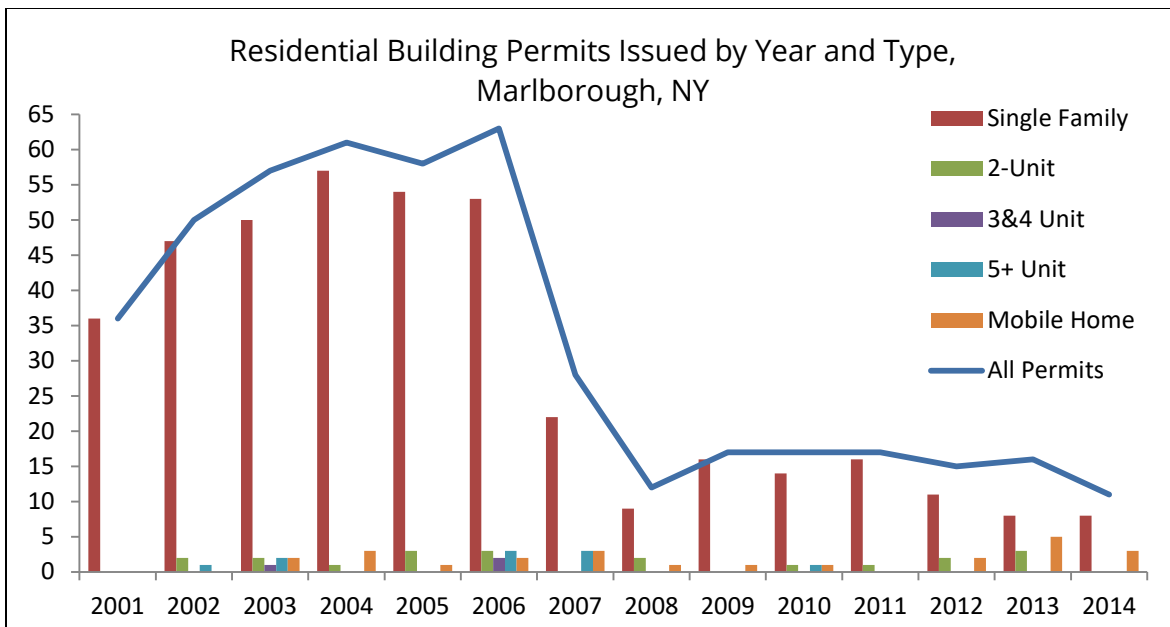
70% are classified as residential. Vacant residential land is comprised of both multi-parcel subdivision plats and single stand-alone parcels spread throughout the town. The vacant residential parcels are likely to be developed into new homes, indicating that residential growth is likely to continue to spread throughout the town. Appropriate zoning regulations and design guidelines should be established for these areas so that new residential development is in line with the community's vision and goals.

Some of the properties that are classified as vacant are owned by the Town of Marlborough and are important waterfront revitalization opportunities. One such property, the former Suburban Propane property adjacent to Milton Landing is slated for a town park that will advance the goal of improving the community's connection with the river.

**Industrial** - While there are relatively few industrial properties within Marlborough, most of them are located very near to the river or along the Route 9W corridor. Major industrial-classified properties include the Brooklyn Bottling Group plant, Copart, Inc. Auto Auction, the Tilcon New York, Inc. quarry site and the many wineries which include: Benmarl Winery, Brunel & Rafael Winery, Glorie Farm Winery, Royal Kedem Winery, Weed Orchards & Winery, and Nostrano Vineyards, among others.

**New Residential Building Permits** - Between the years 2001 and 2014, the majority of residential building permits issued in the town were for single family homes. The greatest number of permits was issued in 2006, 53 of which were for single family homes, three were for two-unit homes, and the remainder was issued for dwellings with over three-units and mobile homes. Since 2008, the number of residential building permits issued in the town has remained low. The decade of 1980-89 averaged 32 residential units per year and throughout the 1990's the town averaged approximately 28 permits for dwelling units each year.

Marlborough, NY – Residential Building Permits Issued By Year (2001 - 2014)						
Year	All Permits	Single Family	2 Unit Multifamily	3&4 Unit Multifamily	5+ Unit Multifamily	Mobile Home
2001	36	36	0	0	0	0
2002	50	47	2	0	1	0
2003	57	50	2	1	2	2
2004	61	57	1	0	0	3
2005	58	54	3	0	0	1
2006	63	53	3	2	3	2
2007	28	22	0	0	3	3
2008	12	9	2	0	0	1
2009	17	16	0	0	0	1
2010	17	14	1	0	1	1
2011	17	16	1	0	0	0
2012	15	11	2	0	0	2
2013	16	8	3	0	0	5
2014	11	8	0	0	0	3



Source: Town of Marlborough

**D. Existing Zoning** - The town is primarily zoned R-Ag 1 - Rural Agricultural, which allows for all agricultural land uses as well as one-family, two-family detached dwellings and roadside stands for the sale of agricultural products. Smaller sections of town are zoned for Highway Development, Commercial and Residential, particularly along the north-south 9W corridor (*A current copy of the Zoning Map is on file with the town*).

The zoning in the hamlets are a mix of commercial and residential. The R Residential district, found adjacent to the hamlets, allows for one and two-family detached dwellings, houses of worship, parks and playgrounds, and educational uses. The R-1 Residential district, which acts as a buffer between the more intense residential and commercial uses of the hamlets and the agricultural areas allows for all of the uses of the R Residential district, but in addition allows agricultural uses with a minimum parcel size of 10 acres.

The Commercial District (C-1) found in both hamlets allows for mixed-use residential, retail business and other services.

The land along the riverfront is zoned primarily R Residential and R-1 Residential with one Rural Agricultural area and three Industrial areas where light mechanical and industrial operations are allowed. These operations include Copart auto salvage, and the Tilcon New York, Inc. quarry. The Milton and Marlboro landings are both zoned Industrial as well.

Zoning Districts and Purpose	
District	District Purpose
<b>R - Residential</b>	To provide for the orderly growth of established residential centers.
<b>R1 - Residential</b>	To provide reasonable standards for the development of residential area in the vicinity of established residential centers.
<b>R-Ag-1 - Rural Agricultural</b>	To encourage the continuation of agriculture and uses; to preserve important natural and economic resources.
<b>C-1-Commercial</b> <b>C-2- Commercial</b>	To provide for the orderly expansion of retail and commercial uses and create conditions that support local business.
<b>HD - Highway Development</b>	To encourage the orderly functioning and expansion of transportation-related activities.
<b>I - Industrial</b>	To encourage the orderly expansion of industry in a way that is harmonious with surrounding uses.
<b>BC - Business Corridor Overlay</b>	To encourage business uses in the Route 9W corridor.

## E. Housing

Marlborough has approximately 3,383 households averaging 2 to 3 people in size. Mid-Hudson Valley home prices fell significantly following the housing collapse in 2008-2009. At present, the average home value in Marlborough is approximately \$204,000 (Zillow). Unfortunately, the town has not been exempted from the damages of the recession and a number of homes have been foreclosed or are in the foreclosure process. The foreclosure rate in Ulster County was approximately 1 in 800 homes and the rate is similar for properties in Marlborough ([www.realtytrac.com](http://www.realtytrac.com)).

Renter occupied housing comprises roughly one-third of the total number of occupied housing units within the town. Low vacancy rates and high land value have led to increased housing costs across the region. According to the U.S. Department of Housing and Urban Development, an affordable home is classified as having monthly payments of no more than 30% of household monthly income. When a household pays more than 30%, housing is considered unaffordable and when payments exceed 50% of income, housing is categorized as severely unaffordable or cost burdened.

In Marlborough, approximately 37% of renters and nearly 39% of homeowners pay more than 30% of their income towards housing. The cost burden is caused by a combination of limited affordable housing inventory, stagnant wages, and increases in area rents. While average wages in the county have increased, the fair market rent for a 2 bedroom unit outpaced that increase by 0.82% between 2014 and 2015, keeping affordable housing out of reach for many residents.

Ulster County participated in a 3-county housing needs assessment in 2009 (with Orange and Dutchess Counties) that raised some important findings. This study forecasted that by 2020 the town of Marlborough would have an affordability gap for owner-occupied housing units of about 755 units and a gap of approximately 258 rental units (<http://ulstercountyny.gov>).

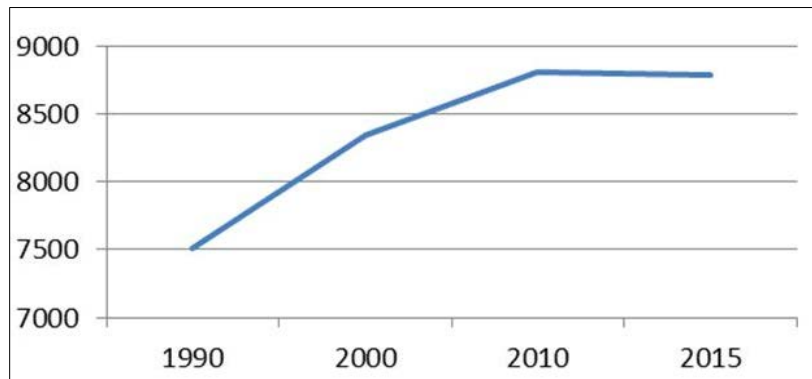
In and around the hamlets are the areas where residential development is the most concentrated. Here, residences are connected to services such as municipal water, sewer and electric and it is here where most new residential development should be directed. The current zoning within the hamlets consists of Residential, Residential-1, and Commercial Districts. While each of these districts allows for some form of housing, allowed lot sizes, setbacks and type of housing differs.



Zoning District	Allowed Housing Type
Residential	One and two family detached by right; Multiple dwellings, mobile home parks, residential cluster development and affordable senior citizen housing by special use permit (SUP).
Residential – 1	One and two family detached by right; Adult multiple dwellings, residential cluster development, affordable senior citizen housing and multiple dwellings by SUP.
Commercial	Dwelling units over ground floor commercial uses by right; Living quarters for owners or caretakers of structure housing permitted as accessory use.

## F. Demographics

The Town of Marlborough is a community with a population of approximately 8,800 in 2015. The town has experienced modest growth since 2000 with an increase in population of approximately 5.5%. The 2002 Comprehensive Master Plan describes a town with a growth rate of 11.2% between 1990 and 2000. While the population continues to grow, the rate at which it is growing as has slowed by nearly one-half in recent years.



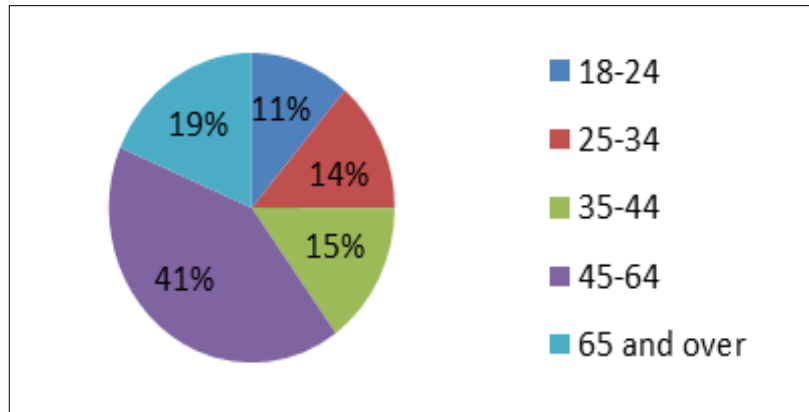
Change in Total Population Marlborough, NY Ulster County -1990 – 2015  
Source: American Community Survey (2015 data based on estimates)

The current growth rate of Marlborough is comparable to the neighboring towns Lloyd and Plattekill whose populations increased by 6.9% and 4.5% respectively since 2000. Marlborough's growth rate is approximately twice the growth rate of Ulster County as a whole over that same period (Center for Governmental Research).

While Marlborough has experienced a modest increase in overall population, it has also experienced the largest decline in the under 40 population in the region in recent years. In 2010 the median age was 37 years, while in 2015 the median age exceeded 40 with the largest percent of the population falling within the 45-64 years old range. This trend is exhibited at the county level as well, in Ulster County between 2000 and 2014 there was a 17% decrease in population under 20 years old and a 50% increase in the population over 85 years old (American Community Survey 5-year estimates, 2010-2014).



In addition to the changes in the age characteristics of the town, Marlborough has also become more diverse. Between 2000 and 2014, the population identifying as Asian increased by 187%, the Hispanic population grew by 132%, and the Black African American community increased by 55%. The increases in ethnic and racial



Age Distribution by Percentage Marlborough, NY Ulster County  
Source: American Community Survey 5-year estimates 2010-2014

diversity Marlborough has experienced is more than double that of Ulster County and greater than what the surrounding towns of Lloyd, Plattekill and Shawangunk experienced over that same period.

Married couples without children in the home comprise the predominant household type in Marlborough, followed by those who live alone, and couples that are married with children in the home. These household characteristics are consistent with an aging population and the findings that school enrollments for kindergarten through twelfth grade are projected to decrease in the town's school district. Household characteristics in Marlborough are similar to those of Ulster County as a whole where those who live alone make up the predominant household type followed by married couples without children in the home and then married with children at home.

The unemployment rate in Marlborough is nearly 4%, on par with the county and slightly below the New York State average of 4.7%. Educational services, health care and social assistance are the most common categories of employment, followed by retail trade (ACS 5-year estimates, 2010-2014).

By the year 2020, total non-farm employment in Ulster County is expected to grow at an annual rate of 0.8% per year reaching 73,070 jobs. The manufacturing sector and government employment are expected to lose about 170 jobs and 270 jobs respectively through 2020. During the same time period, the construction, trade-transportation-utilities, financial activities, education and health services, and leisure and hospitality sectors will add jobs. Most of the 8,260 additional jobs will be in the education and health services and leisure and hospitality sectors, with each adding 2,700 and 2,600 jobs respectively. Financial activities will grow by 900 jobs and trade-transportation-utilities will grow by 860 jobs (Orange, Ulster, and Dutchess Counties, 2009).

## **G. Natural Resources and Environmental Features**

Marlborough contains many important natural features that contribute to scenic beauty, the tourism economy and the ecological health of the region. Wetlands, open spaces, forested hillsides, and the Hudson River each play an important role in the town.

**Scenic Areas of Statewide Significance (SASS)** - Six stretches of the Hudson River and its shoreline between New York City and Troy have been designated SASS due to their scenic resources, geological characteristics and historical relevance. An area is designated as SASS because of its unique, highly scenic landscapes which are publically accessible and recognized for their scenic quality. The northern portion of Marlborough from the town border with Lloyd to Church Road in the hamlet of Milton is part of the Esopus/Lloyd SASS in the area known as Lloyd Bluffs.

The Lloyd Bluffs area is recognized for the steep wooded bluffs that rise up from the Hudson River, the rolling uplands and the remarkable views of the Hudson River. Furthermore, this area is the focal point of the viewshed of the Franklin D. Roosevelt Home National Historic Site on the east bank of the Hudson River.

Designation as a SASS provides special protection from potentially adverse federal or State actions which could negatively affect the scenic quality of the landscape, it does not however impinge on local government decisions.

**Hudson River Estuary** - An estuary is a body of water where fresh water running off the land meets salty ocean water. The estuary of the Hudson River extends from New York City's lower bay upriver 150 miles to Troy where the federal dam built on a natural waterfall impedes the Atlantic Ocean tides.

The Hudson River Estuary is a productive and globally-significant water body, supporting important populations of plants, fish and wildlife. Marlborough lies in the mid-Hudson River estuary and this reach of river supports a variety of marine, brackish, and freshwater communities including spawning migratory and nursery habitat for anadromous, estuarine, and freshwater fish, important winter feeding and roosting areas for the bald eagle and globally and regionally rare brackish and freshwater tidal communities and plants.

**Significant Fish and Wildlife Habitat** -The Marlborough waterfront revitalization area includes a portion of the Kingston-Poughkeepsie Deepwater Habitat, a 6,350 acre habitat encompassing 25 miles of the Hudson River (See Appendix C). This significant habitat area is a nearly continuous deepwater section of the river ranging in depth from 20 feet to 50 feet or greater. In a small area, the depth exceeds 125 feet. This deep area is one of the

largest spawning areas for Atlantic Sturgeon and provides wintering habitat for Shortnose Sturgeon. Striped Bass spawning is also observed here. This area also provides habitat for Blue Crab, concentrations of waterfowl and a diverse population of freshwater and migratory species each of which play a role in the special diversity of life that is supported by the river.

**Stream corridors and watersheds** - Most of the land area in the town drains generally across the town from the west along the ridge of the Marlborough Mountains to the east to the Hudson River. The Lattintown Creek watershed, including Jews Creek (that headwaters from the south in the town of Newburgh) and other tributary streams is the largest drainage basin in town covering about two-thirds of the land area in Marlborough. Historically, the Lattintown Creek supported several mills including the largest complex in the hamlet of Marlboro that took advantage of the more than 100-foot drop in elevation along the waterfalls. This stream and the watershed area today is an important resource in the town.



Aerial image of Lattintown Creek and its falls located in Marlboro hamlet

Jews Creek which joins Lattintown Creek near the outlet to the Hudson is also very important and is the site of the Gomez Mill House which is listed on the National Register of Historic Places. The mill, erected in the early 1700's was used as a saw mill and one could float a large boat or log raft up to the mill from the Hudson. Once established, the Gomez Mill House became an important trading post during the early settlement of the region. Today, the outlet of Jews Creek and Lattintown Creek form an important surface

water and wetland complex and are part of important fish and wildlife habitat for the larger Hudson River estuary.

In the northern part of town several smaller streams drain smaller watersheds including two unnamed streams, one that runs through Milton hamlet and another, further north and outlets to the Hudson near Buttermilk Falls Inn. The streams and drainage area in the northwestern part of town form a section of the headwaters of Black Creek watershed which runs generally north through the town of Lloyd and outlets to the Hudson in Esopus.

**Wetlands** - Wetlands are defined as areas covered with shallow water permanently or for periods long enough to support aquatic or semi-aquatic vegetation. Areas designated as wetlands may include bogs, swamps, marshes, wet meadows, flood plains, and water logged soils. In Marlborough, New York State Department of Environmental Conservation (NYSDEC) designated freshwater wetlands are found in association with stream courses and in other low lying areas (**See Map 2**). Large areas of wetlands lie in the northern, central and western portions of the town. NYSDEC designated tidal wetlands are found in low lying areas surrounding the Hudson River. Tidal wetland habitats play a critical role as nursery grounds for fish and shellfish species, as well as providing nesting sites and migration stops for birds. These wetlands also help filter pollutants, buffer shoreline properties, and help stabilize the river's shoreline.

The northern portion of the town is within the Esopus/Lloyd Wetland and Ridges area which contains an area of particular habitat importance to amphibian species and breeding waterfowl. This area is one of only 16 sites statewide where the state-threatened small flowered crowfoot has been documented. The Esopus/Lloyd Wetland also provides crucial habitat for the state-listed cricket frog and one of the largest dwarf shrub bog occurrences in the Hudson River Valley (NYSDEC).



The state-threatened small flowered crowfoot is found in the Esopus/Lloyd Wetland in the northern portion of Marlborough.

**Water Quality** - The quality of surface waters is rated by the NYSDEC according to their best potential use, which is a goal and not an assessment of actual quality. The classifications range from highest quality, AA and A to the poorest quality, D and N. The



Hudson River in Ulster County is classified as A in quality which would be acceptable for drinking water, culinary use, swimming, fish propagation and water sports. The actual water quality in the Hudson River ranges significantly by location and other factors such as recent rainfall. Recent water quality assessment data has indicated that the water quality within the local Hudson River is generally within the EPA's threshold for safe swimming. Samples taken near the shore at Marlboro Landing showed that only 7% of samples taken exceeded the EPA recommended thresholds, while 93% were below. More information regarding the water quality of the Hudson River can be found in the Marlborough Harbor Management Plan, provided in Appendix A.

Point-source pollutants are those coming from a single, definable source, such as a wastewater treatment facility. Point-source pollutants typically require a permit issued under the federal Clean Water Act to ensure the level of discharge that can be handled by the receiving body of water. Over the past 40-plus years, water quality in the Hudson River has been greatly improved under the National Pollutant Discharge Elimination System (NPDES) which is the U.S. Environmental Protection Agency's regulatory program to control the discharge of pollutants to waters and waterways of the United States. The town sewer districts operate two wastewater treatment facilities, each of which take flows from the sanitary sewer system and treat the wastewater, removing pollutants prior to discharge in compliance with these regulations.

Nonpoint-source pollutants can come from many diffuse sources whose origin is often difficult to identify. This pollution occurs as rain or snowmelt travels over the land surface and picks up pollutants such as fertilizer, pesticides, and chemicals along with petroleum-related pollutants from motor vehicles. This pollution is difficult to regulate due to its origin from many different sources. These pollutants enter waterways untreated and are a major threat to aquatic organisms and people who fish, use waters and waterways for recreational purposes or as an untreated drinking water source. For the southeastern portion of the town, Marlborough manages the discharge of stormwater under the State Pollution Discharge Elimination System (SPDES) Municipal Separate Storm Sewer (MS4) permit from New York State Department of Environmental Conservation.

The treatment of nonpoint-source pollutants is an area where continued water quality improvement is possible and in which every community—including Marlborough can pay more attention. Environmental scientists and planning and design professionals have greatly advanced ways to address nonpoint-source pollutants. Many of these tools are currently in place in town such as the requirement for the inclusion of a "storm water pollution prevention plan" or "SWPPP" whenever a large area of a site is proposed to be disturbed for construction.

**Woodlands** - The forested hills descending from the Marlborough Mountain range is part of a globally significant forest patch that extends into the Town of Plattekill. Globally significant forest patches range in size from 15,000 to 600,000 acres and represent the largest, most intact forests. The size and natural condition of these forests support ecological processes, natural communities, and populations of forest-interior plant and animal species. Smaller patches of forest are located in the southeastern and northwestern portions of town. Forests of this size, at least 200 acres in size, are considered the minimum threshold for intact forest ecosystems capable of supporting forest-interior bird species.

**Open spaces** - Open spaces are a vital part of Marlborough's landscape. Open spaces protect and buffer wildlife habitat and environmentally sensitive areas such as meadows, wetlands and streams and protect the local drinking water supply.

Much of Marlborough's open space is devoted to agriculture. The town has a history steeped in agriculture, primarily apple orchards, grape vineyards, and vegetables. The town is home to nearly 12% of all of Ulster County's active farms. Marlborough's farms are located within the area identified by Scenic Hudson as the New York City food shed, a 150-mile buffer surrounding the city from which produce can be transported quickly. In addition to providing food and a sound base for the town's thriving agritourism industry, open spaces help keep property taxes low by requiring fewer municipal services than lands in other uses.



Much of Marlborough's open space is devoted to agriculture.

The town unfortunately does not have much land permanently protected as open space, approximately 2% of the total land area is protected. The average for Ulster County towns is 31%. (Catskill Center for Conservation and Development and Open Space Institute, 2006, as cited in the Ulster County Open Space Plan, 2007). As a result, the town stands to be fully developed with no guarantee that the town will keep its open space character in the future. Communities seek to work with landowners to find mutually agreeable ways to protect open space resources for a number of reasons including conserving important farmland, maintaining clean streams and waters, providing wildlife habitat, and preserving scenic views and rural open landscapes.

**Topography and Steep slopes** - The town is framed in the west by the Marlborough Mountains that rise up over 1000 feet above sea level. The Hudson River forms the eastern edge and topographic low point in the town. In between is a rolling landscape that creates a natural interest and variety to the shape of the land.

These low mountains provide a watershed divide and are also headwaters to most of the streams that flow west to east through the town and outlet to the Hudson. Areas of steep slopes are sensitive to erosion when the natural vegetation is disturbed. Special consideration must be made when developing on slopes of a 15% grade or higher. Development should be avoided on slopes in excess of 25%. Steep slopes in Marlborough occur primarily between Route 9W and the Hudson River, in the western portion of the town in the Marlborough Mountains, and in various areas in the north central and south central portion of the town.

**Soil Quality** - Approximately 3 percent of the town land area is comprised of prime farmland soils while 33 percent is categorized as soils of statewide importance (**See Map 3**). The types of agriculture in Marlborough, such as orchards and vineyards, thrive in well-drained sandy soils and loams which are found throughout the town. In addition to USDA ranked prime soils and soils of statewide importance, suitable soils for crops in Marlborough include:

BgD-Bath gravelly silt loam, 15-25% slopes

BnC-Bath-Nassau complex, 8-25% slopes

BOD-Bath-Nassau-Rock outcrop complex, hilly

HgC-Hoosic gravelly loam, rolling

PIC-Plainfield loamy sand, 8-15% slopes

SmC-Stockbridge-Farmington gravelly silt loams, 8-15% slopes

**Species Habitat** - The Hudson Valley is home to 86% of New York State's bird, mammal, and reptile and amphibian species. Roughly 40% of New York's animals in greatest need of conservation are found here (Hudson River Estuary Program). Areas of significant natural communities and habitat cores are located within the town. Rare plant and animal species can be found in and along the Hudson River (Ulster County Natural Resources Inventory). Additionally, there are three known trout streams within Marlborough, including Lattintown Creek. These are streams with favorable conditions to support a sensitive trout population.



***The Problem of Resource Fragmentation*** - When we build out across the landscape, we fragment working farmland and wildlife habitats with our building footprints, lawns, roads and driveways. The problem is not one house or one development but in the cumulative impact over time. Fragmentation of farmland introduces a potential conflict between farm operations and residential uses and reduces efficiencies of farm operations. Wildlife habitat fragmentation results from the direct loss of habitat coupled with the breaking up of one large habitat “patch” and isolating it into two or more separate pieces which creates barriers for dispersal of seed and wildlife travel.

Fragmentation does not just affect wildlife. Many farms require large patches of working land, often with prime soils, to remain viable. However, prime farmlands are often just as suitable for growing houses as they are for growing crops. Thus, in many cases, the choice comes down to economics: will the land return more value if it is developed for homes or if it is used for agriculture? In most cases, over the long run, the economics of development are much more competitive. Unfortunately, one does not have to look far to see examples of this reality.

One of the major goals of any successful conservation program is to drastically reduce the rate of fragmentation of both wildlife habitat and farmland. This can be done in two major ways. The first is direct investment in conservation of important green infrastructure resources such as wildlife habitat or prime farmlands. This method is proactive and provides the best results, but most communities do not have the capital they need to conserve all of their important lands. Another important way to reduce fragmentation is to ensure that local land use tools do not promote settlement patterns that lead to fragmentation.



**Natural Hazards and Climate Change** - The Hudson River is a tidal system that is directly connected to the Atlantic Ocean. According to a 2009 report from the NYC Panel on Climate Change, the water levels in the Hudson River below Troy and in the river's tide-controlled tributaries can be expected to rise by two to three feet by the end of this century. In fact, the Hudson has risen 13 inches since 1990 and the rate of sea level rise has been accelerating as well.

Sea level rise combined with a pattern of more severe storms puts many Hudson riverfront communities at risk of more frequent and serious flooding events. Milton and Marlboro hamlets, the most developed areas of the town, are located approximately 180 feet above sea level and the other developed areas of town are typically located at higher elevations. Because of this elevation, most of Marlborough is typically spared from the river's flooding. In 2011, however, the river's water level following Hurricane Irene was so high that it flooded the basement and saturated the insulation of the Milton Train Station and nearly destroyed the newly restored floors. Additionally, the storm damage resulted in the need for a new roof for the station.

The Multi-Jurisdictional Natural Hazard Mitigation Plan prepared for Ulster County (2009) addresses several potential weather and climate related hazards. The plan makes a very thorough review of these hazards including:

- Atmospheric hazards: extreme temperatures, extreme wind, hurricanes and tropical storms, lightning, nor'easters, tornadoes, and winter storms;
- Hydrologic hazards: flooding, drought, and dam failures;
- Geologic hazards: earthquakes and landslides; and
- Other hazards: including wildfires.

From a waterfront and comprehensive planning perspective, the geology has been kind to the town as the sloping landscape leaves almost all of the town safe from both major inland flooding and coastal flooding—but, for those small low-lying areas, primarily at the base of the hamlets of Milton and Marlboro, the flooding has been severe in the past. Looking ahead, the level of the Hudson River is expected to continue to rise, which may cause increasing impact to the freight rail line and to these floodplain areas.

## **H. Historic and Cultural Resources**

Marlborough's rich history is reflected in its cultural resources—its historic architecture, landscapes, and archaeological sites. Marlborough's historical land use patterns are closely connected to its landforms. The west edge of town lies on the 1,000 ft high Marlborough Mountains which favorably influence airflow over the rolling agricultural plateau to the east, where the rocky soil is ideal for growing fruit. This area is drained by four eastward-

[illegible]

Historical map of Milton hamlet shows early development around Milton Landing. Image courtesy of Beers Ulster County Atlas

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Indians. Named for the Duke of Marlborough, the settlement officially became a town in 1788 and is considered one of the original “mother-towns” of Ulster County.

Like the Native Americans before, early settlers utilized the access to the Hudson River that Milton Landing provided. Crops were sent to New York City first by steamboat, then train and later by truck. The development of the Farmer’s Bridge and Turnpike Company in 1808 further established Milton as an important port as the road extended from the Milton dock to the town of Shawangunk to the west.

By the mid-1800s, the area was a busy and well-known port. Some of the first homes in the town were built in the vicinity of Milton Landing as were stores, taverns, a hotel, and a prosperous wheelbarrow factory. The bustling port attracted the attention of the rail road company. The railroad lines were established in 1882 and the Milton train station was built a year later.

In addition to farming, early settlers used the power of the streams and river to their advantage, establishing grist mills and saw mills as the first manufacturing industries in the town.

**Lattingtown Hamlet** - Marlborough’s earliest settlement concentrated in Lattingtown in the town’s west central agricultural lands, upland from the Hudson River. By 1800 Lattingtown had become the center of local economic, political and social activity. It was the site for town meetings, and included hotels and a school, a distillery and tannery, harness maker, hatter, tailor, wagon maker, and entertainment including boxing and horse racing. By 1825, Lattingtown’s importance faded in favor of the growing Milton and Marlboro hamlets, then expanding around grist and saw mills on Hallock and Lattintown creeks closer to the Hudson River. The Albany Post Road ran through those hamlets and became a focus of commercial growth. Local entrepreneurs promoted improved east-west roads, creating New York City and Albany markets for farm products from the interior via the Hudson River on ships launched from the Milton and Marlboro landings. Lattingtown was bypassed and became a crossroads by the 1880s. Today the most visible evidence of Lattingtown’s former importance is the 1810 Lattingtown Baptist Church, listed in the National Register of Historic Places (Cochrane, 1887; Woolsey, 1908).



**Marlboro Hamlet** - Marlborough's southernmost hamlet developed around the power of Lattintown Creek which drops 250 feet over a half a mile through the hamlet, ending in a 150-foot cataract, one of Ulster County's hidden gems. For almost 200 years the creek powered mills which served local agriculture, grinding grain, sawing wood and making containers. Owners' and workers' homes clustered around the mills, forming a small commercial village. Marlboro's biggest mill was the John F. Whitney & Sons fruit basket factory established 1853. Other Lattintown Creek mills made blankets, carpets, dyes, fruit cups, glue, paper and twine. Jew's Creek also powered a series of mills; the largest one, John Buckley's "Marlborough Woolen Factory" at Buckley Bridge, was a major area cloth supplier until 1855. The Marlboro Hamlet relied on the Hudson River for transportation and trade. Early docks were located on the east side of Jew's Creek and south side of Lattintown Creek, which



150-foot cataract of Lattintown Creek in Marlboro hamlet. Image courtesy of Matt Kierstead

was navigable until about 1835. A Hudson River steamship dock established at the end of Dock Road became a major shipping point for Marlborough's important fruit growing industry (Cochrane, 1887; Mahan, 2009; Plank, 1959; Sylvester, 1880; Woolsey, 1908).

In 1883 the New York, West Shore & Buffalo Railroad was built along Marlborough's Hudson River shore, greatly improving transportation. Trains offered fast passenger service to New York City and Albany, making Marlborough attractive to new residents. Refrigerated freight cars opened distant markets for agricultural products, and cold storage warehouses and processing plants were built around the train stations. Marlboro Hamlet growth took off in the 1880s, with residential neighborhoods expanding to the south and west making it the largest community in the town. The railroad benefitted Marlborough's ice and sand and gravel industries, and the NY Trap Rock Co. Cedar Cliff limestone quarry opened and became a major employer. The town's first hydroelectric plant, the Marlboro Electric Co. was established in 1898. The Marlboro Hamlet briefly incorporated 1906, however the cost of maintaining Dock Road became a drain on the local treasury, and the village unincorporated in 1922 (Mahan, 2009; Matthews, 1983; Plank, 1969; Woolsey 1908).

Many historic buildings survive in the Marlboro Hamlet. National Register-listed houses include the 1850 DuBois-Sarles Octagon House on South Street and the 1843 Elliot-Buckley House and 1850 Shady Brook Farm on Old Post Road. Other notable residences include the brick Hepworth House on King Street and the William Cromwell Young estate on Young Street. Churches include the National Register-listed 1858 Christ Episcopal Church by Richard Upjohn on Old Post Road, the 1874 First Presbyterian Church at West and DuBois streets, and the 1922 St. Mary's Catholic Church on Main Street. Commercial buildings include the 1862 Pleasant View Hotel, now the Raccoon Saloon, which is the oldest surviving hotel in Marlborough, the ca.1900 Hartshorn Building, now Pizza Town, the 1921 Marlboro Garage on Main Street, and the ca. 1830 Marlboro Hardware Store. The 1921 Marlboro Free Library stands at the intersection of King and Main streets. Marlboro Hamlet includes a cluster of surviving mill buildings where Rte.9W passes over Lattintown Creek on a 1930s concrete arch bridge, including two buildings and a rare surviving waterwheel at the Wright's Grist Mill site, and a former button factory, now The Falcon music club. The creek banks downstream contain stone ruins of the Apgar Grist Mill and Whitney Basket Factory. The Marlboro Electric Co.'s 1911 brick substation still stands on Western Avenue. The Cedar Cliff Quarry off Old Post Road includes remains of an historic rock crushing plant, and a well-preserved lime kiln.

**Milton Hamlet** - Milton Hamlet was first settled by Capt. William Bond about 1714. Industrial activity in Milton began about 1760 when Quaker minister Edward Hallock arrived and built grist and saw mills. Hallock and descendants constructed five mill ponds on Hallock Creek. Leonard

Smith arrived from Long Island in 1762 and his son Anning dammed Smith's (Craft's) Pond and ran a grist, saw and woolen mill at the head of the 100 ft "Buttermilk Falls" cataract. The mill village was named Milton in 1792, reportedly a contraction of "mill town." Milton landing was an important Hudson River port by 1800, and the Hallock, Powell, Sands, Smith



John Newman & Co.'s wheelbarrow factory dominated Milton Landing in the 1800s. Image courtesy of Beers Ulster County Atlas

and other concerns built sloops for river trade from their private docks. In 1812 the Farmer's Bridge and Turnpike Company completed the Milton-Shawangunk road, making Milton landing a vital river trade location for inland agricultural and lumber products. After development of steamboats in the 1820s, Milton, half way between New York City and Albany, became a regular stop for boats including the famously fast *Mary Powell*. By the 1850s, Milton was a busy village with stores, taverns, hotels, warehouses, docks and manufacturers of baskets, brass pins, bricks, burnt lime, hats, and soap. The John Newman & Co.'s wheelbarrow factory dominated Milton Landing until 1885, when it became the H.H. Bell & Sons woolen factory, makers of upholstery and glove linings. The factory became Milton Woolen Mills in the early 1920s. It was eventually demolished and replaced by a Hudson Valley Fruit Exchange cold storage warehouse, no longer extant (Cochrane, 1887; Mahan, 2009; Woolsey, 1908).

**Agriculture** - Agriculture was historically Marlborough's economic mainstay and is enjoying a resurgence today. Apples were grown here by the 1760s, mostly for making cider and applejack. Marlborough's fruit industry began in the 1830s when Edward Young planted and marketed "Antwerp" raspberries. Marlborough's rocky hills proved the best in the Hudson Valley for growing apples and small berries like blackberries, cherries, currants, raspberries and strawberries, and especially grapes for winemaking. In the 1860s noted Marlborough pomologist A.J. Caywood introduced Concord grapes and the "Minnewaska Black" blackberry to the area. Caywood's vineyards at what is now Marlborough's Benmarl Winery are reportedly the longest continuously-operating vineyards in the United States.



By the 1870s most Marlborough farmers abandoned traditional crops in favor of more lucrative fruit

*The Quimby Farm on Mt. Zion Road provides a glimpse into Marlborough's agricultural history. Image courtesy of Matt Kierstead*

crops to New York City. Marlborough shipped more fruit than any other Hudson Valley location and was well known in distant markets including Boston and Philadelphia. Fruit growing supported local industries including packaging makers, processing plants, and cold



storage ice houses. The coming of the railroad in 1883 opened up even more distant markets for Marlborough's crops.

At the start of the 20<sup>th</sup> century, Marlborough's fruit industry continued to expand, benefitting from new organization and technology. In 1912 several hundred fruit growers established the Hudson Valley Fruit Exchange (HVFE) at the former Knickerbocker Ice House at Marlboro landing. The HVFE became the biggest fruit growers' organization in eastern New York, marketing entire annual crops and processing and packing fruits. Growing focused on apples, cherries, peaches and plums. During World War I, the Women's Land Army of America, or "Farmerettes" stationed at Camp Young temporarily filled the need for farm workers while the men were off fighting. By the 1930s Marlborough farms hired over a thousand seasonal farm workers and shipped \$1 million in fruit annually. Advances in electrically-powered refrigeration equipment after 1900 changed agricultural storage and transportation. Marlborough's J.M. Hepworth Farms introduced modern refrigeration in 1924 and the Milton Cold Storage Plant was built in 1928. In 1959, Ulster County had 94 cold storage warehouses, 35 of them in Marlborough, more than any U.S. town, with total capacity of between 1.5 and 2 million bushels.

Today, evidence of Marlborough's historic fruit industry survives, although buildings and landscapes have been impacted by recent economic cycles. Development pressures have resulted in residential subdivision of agricultural lands. The Quimby Farm on Mt. Zion Road is a remarkable, surviving, unaltered historic agricultural landscape complete with an intact cluster of timber-framed barns dating to the 18<sup>th</sup> century.

**Immigration** - Immigration played an important role in Marlborough history. Until the mid-19<sup>th</sup> century, local inhabitants were descendants of original Dutch, English and Scottish settlers. Irish immigrants started to work Marlborough farms and mills in the 1850s and many owned farms after 1875. In the 1880s, Marlborough's seasonal farm workers included many Germans, who established a beer garden in the Lattintown Creek ravine. Italians, particularly Sicilians skilled at cultivating rocky hills for fruit, started coming to Marlborough in the 1890s. By 1910, many Italians were drawn by word of mouth to work at vineyards like Perrino's Marlboro Winery. Italian immigration peaked here in the 1920s, when 90 percent of land sales were to Italians, who have made major contributions to local agriculture, especially winemaking.

**Tourism** - With the coming of the railroad in 1883 and the automobile in the early 20<sup>th</sup> century, tourism became part of Marlborough's social and economic life. Many land owners supplemented their income by establishing boarding houses, guest cottages, inns, motels and restaurants. A notable surviving early automobile-age business is the Ship



Lantern Inn on Route 9W, established in 1925. The automobile fostered early agritourism including roadside fruit and produce stands, pick-your-own orchards, tree nurseries, and wineries. Hudson Valley winemaking enjoyed a revival in the late 1970s and has become a major regional agritourism attraction.

Marlborough now boasts seven wineries including Benmarl, Brunel & Rafael, Glorie, Nostrano, Royal Kedem and Stoutridge, all part of the Shawangunk Wine Trail. Today, Marlborough's fruit and wine businesses thrive with the rise of the farm-to-table movement, and agritourism has become important to the local economy. "Meet Me in Marlborough," a group of Milton and Marlboro farmers and businesspeople have created an organized farm trail to promote local agriculture and tourism to a regional market.

**Historic and Cultural Resources** - Marlborough's historical resources include individual properties that have been listed in the National Register of Historic places (NR) voluntarily by their owners. The following seven Marlborough properties are individually listed in the National Register of Historic Places:

<b>National Register building</b>	<b>Location</b>	<b>Date of Designation</b>
Chapel Hill Bible Church	49 Bingham Road Marlborough	2004
Christ Episcopal Church	426 Old Post Road Marlboro hamlet	2010
Dubois-Sarles Octagon house	16 South Street Marlboro hamlet	2002
Elliot-Buckley House	404 Old Post Road Marlboro hamlet	2011
Lattingtown Baptist Church	425 Old Indian Road Former Lattingtown hamlet	2010
Milton Railroad Station	41 Dock Road Milton hamlet	2007
Shady Brook Farm	351 Old Post Road Marlboro hamlet	2012

*Chapel Hill Bible Church* – Located at 49 Bingham Road in Marlborough, the Chapel Hill Bible Church was built about 1860 on 54<sup>th</sup> Street in New York City for the Amity Baptist Church. It is a modest example of mid-19<sup>th</sup> century Gothic Revival style parish churches. The church was moved for its original location and re-erected in Marlborough in 1905 and became a center of community activity with a large Sunday school. It was listed on the National Register for architectural significance in 2004.

*Christ Episcopal Church* – Located at 426 Old Post Road in Marlboro Hamlet, this Gothic Revival-style brick and stone church was consecrated in 1858. It is an example of the firm of Richard Upjohn & Co.'s popular mid-19<sup>th</sup>-century churches modeled on 18<sup>th</sup>-century English designs. It features stained glass windows by David Maitland Armstrong who was associated with John LaFarge and Louis Comfort Tiffany. The church is also significant for its role in the social history of Marlboro and the establishment of the Episcopal Church in the Hudson River Valley. It was listed on the Nation Register in 2010 for its architectural and social history significance.

*Dubois-Sarles Octagon house* – Located at 16 South Street in the hamlet of Marlboro, the Dubois-Sarles Octagon house was built around 1850 and renovated in 1872. The octagon house is a unique style of house briefly popular in the 1850s in the United States and Canada. This style of house can be traced back to architect Orson Squire Fowler who built his own octagon house across the river in Fishkill, New York around the same time period. It was listed on the National Register in 2002 for its architectural significance.



Dubois-Sarles Octagon house. Photo courtesy of Google Images

*Elliot-Buckley House* – Located at 404 Old Post Road in the hamlet of Marlboro, the Elliot-Buckley house was built in 1843 as the centerpiece of New York City businessman Daniel Elliot's 80-acre estate, "Riverview." The property was acquired by the Buckley family, prominent local pre-Civil War era mill owners, in 1863. The house is significant as an early representative example of the "Bracketed" Picturesque movement championed by Newburgh's Andrew Jackson Downing in the mid-Hudson River valley in the 1830s. The house was listed on the National Register for its architectural significance in 2011.

*Lattingtown Baptist Church* – Located at 425 Old Indian Road in the former Lattingtown Hamlet, was built about 1810 by a Baptist congregation established there in 1807. It is an early Federal period, timber-framed building with mid-19<sup>th</sup> century Victorian Gothic details. The property includes an early 19<sup>th</sup>-century cemetery with over 100 graves including five local American Revolutionary War soldiers. The Church is significant as the only remaining evidence the former agricultural hamlet, and is a distinctive example of a vernacular Federal period meeting house. It was listed for its architectural and social history significance in 2010.



Lattingtown Baptist Church. Photo courtesy of Matt Kierstead

*Milton Railroad Station* - Located at 41 Dock Road in Milton hamlet, was designed by architects Wilson Brothers & Co., of Philadelphia, PA and constructed by the New York, West Shore & Buffalo Railroad in 1883. It is Late Victorian Stick Style building with board-and-batten siding and a roof supported by prominent brackets with bargeboards with scroll-sawn letters spelling out "FREIGHT NYWS&B RR." The interior is divided into separate

passenger and freight rooms. It is the best survivor of a handful of remaining NYWS&B RR stations, and the only one of Marlborough's two stations to survive. It represents an important period of local development that came with late 19<sup>th</sup> century railroad construction, and is a well-preserved example of a vernacular late 19<sup>th</sup> century railroad passenger and freight station. The station has received New York State Historical Designation and was listed on the National Register for its architectural and transportation history significance in 2007.



Milton Railroad Station, Milton Landing.

*Shady Brook Farm*- Located at 351 Old Post Road in Marlboro hamlet, is a Greek Revival style house with Gothic trim built about 1850 for the Oddy family, with a ca. 1917 Colonial Revival addition by Middlehope architect Ali Pembroke. In 1877 the property was purchased by noted Hudson River valley horticulturalist and pomologist Andrew Jackson Caywood, first to cultivate Concord grapes in the Hudson Valley. After his death in 1889, the property became a seasonal boarding operation with cottages for 50 people. It was listed for its architectural and entertainment/recreation significance in 2012.

*Gomez Mill House*- Although physically located on the outside of the Town of Marlborough in the Town of Newburgh, the Gomez Mill House serves as an important reminder of the town's historical ties to its waterways, trade and milling. Built in the early 1700s, the original owner used the structure for trade and later a paper mill was established on the site. Listed on the National Register in 1973, the Gomez Mill House is also an established public museum and holds its place as the oldest standing Jewish dwelling in North America and the oldest building in Orange County.

Although not listed on the National Register, both Milton and Marlboro hamlets contain areas of historic significance that may be eligible for listing. The Milton hamlet retains several historic commercial buildings on Main Street, as well as surviving historic churches, houses and agricultural properties to the north, south and east. The Marlboro hamlet retains many historic commercial buildings on the short stretch of Route 9W between Western Avenue and Dock Road, where Marlboro's last three surviving water-powered mill buildings stand around a 1930s concrete arch bridge over Lattintown Creek. The creek banks in both directions contain the industrial archaeological ruins of several historic water-powered industries, including remarkable remains of a large waterwheel and drive gears.

**Arts and Culture** - The Hudson River has strong connections to the arts. The spectacular landscapes of the Hudson Valley were made famous by Thomas Cole and the other painters of the Hudson River School in the mid-19<sup>th</sup> century. Known as “The Birthplace of American Art”, the beautiful scenery and closeness to nature provided by the valley continues to inspire artists today and has attracted communities of authors, poets, painters and musicians.

In addition to the artists of the Hudson River School, author and naturalist John Burroughs found respite in the Hudson Valley at his home Slabside. In Milton, Sarah Hull Hallock established a boarding house where landscape painter George Inness summered in the 1880s and painted many area landscapes. Milton’s Mary Hallock Foote because a well-known author and illustrator



The Elverhoj Art Colony in Milton hamlet attracted artists and craftsmen who were inspired by nature. Source: Hudson River Valley Institute.

of life in the American West. Painter Alfred Maurer, called the “father of American Modernism” stayed at Shady Brook Farm in Marlborough in the 1920s and 1930s and painted colorful local farm landscapes. Marlborough had several notable connections to the early 20<sup>th</sup>-century Arts & Crafts Movement. David Maitland Armstrong and daughter Helen were prominent stained glass artists who worked for LaFarge and Tiffany, and made windows for Marlboro’s Christ Episcopal Church. Internationally-recognized typographer Frederic Goudy bought Marlboro’s Buckley Mill property on Jew’s Creek in 1923 and converted it into his home, “Deepdene” and studio, the Village Letter Foundry & Press. In the Milton hamlet of Marlborough, an artist colony called *Elverhoj* (“Hill of Elves”) was founded in the early 1900s and was home to a mix of artists and craftsmen whose motto “To live close to nature for inspiration” captures why the area is so meaningful to artists (Wadlin, 2016).

Today Marlborough continues to attract artists seeking refuge from nearby New York City and inspiration from the natural surroundings. The Falcon, located in a renovated button factory in Marlboro hamlet, attracts strong lineup of performers and serves as a powerful

regional attractor for jazz concerts and exhibits. In 2013, the Falcon was awarded an Ulster County Arts Award for outstanding contributions to cultural life in Ulster County.

In addition to attracting artists, the region also attracts residents and visitors seeking to engage in the art and cultural scene that is offered. In 2010, the Center for Research, Regional Engagement and Outreach (CRREO) published its Regional Well-Being report in which arts and culture was found to be significant for peoples' choice to live in and visit the Hudson Valley. In 2011, arts and culture events attracted 1.4 million visitors to Ulster County and injected \$161 million directly into the county's economy (SUNY New Paltz, 2013).

The New York State Film Tax Credit Program is designed to increase the film production and post-production industry presence and overall impact on the State's economy. Companies producing films or television shows in New York State are currently refunded between 30% and 55% of their costs including general expenses, qualified labor, and post production costs. These incentives have the ability to attract more artists and artistic ventures to the area and could be beneficial to Marlborough, whose Milton Piers has previously attracted the attention of a European soap opera which filmed a few scenes there.

**Archaeological Survey** - Results of archaeological surveys for proposed or completed development projects offer insight into Native American activity in Marlborough. Archaeological Survey in the Marlboro Hamlet yielded projectile points, tools, stone flakes, and pieces of fire-cracked rock in low densities suggesting seasonal hunting and temporary encampment from the Archaic period (8,000-1,000 years before European contact (BCE)) to Early Woodland (1,000-200 BCE) period. Archaeological survey at Milton Landing yielded no Native American evidence and noted little likelihood for finding any based on soil disturbance from railroad and industrial construction. However, documented Native American sites directly across the Hudson River from the Hallock and Lattintown creeks suggest they were possible river crossing sites. New York State archaeology protection protocols preclude mapping archaeological site locations.

**Marine Archaeology** - Hudson River waters off Marlborough include several abandoned historic shipwrecks. U.S. National Oceanic and Atmospheric Administration (NOAA) nautical chart 12347 indicates four shipwrecks off Marlborough, one south of Lattintown Creek, and three to the north near Peg's Point including what appear to be several barges lashed together. The waters off Peg's Point also cover the remains of the sidewheel



steamboat *Trojan*, later *New Yorker*. The 317 ft long, steel-hulled *Trojan* was built at Newburgh's Marvel Shipbuilding Company in 1909 for the Citizens' Steamboat Company's New York-Troy "Citizens' Line." It eventually came under ownership of Samuel B. Rosoff's "Night Line," and was the last operating Hudson River "night boat" between NYC and Albany. It was renamed the *New Yorker* in 1939 under Rosoff's New York Harbor Steamship Company to ferry passengers between Battery Park and the New York World's Fair. In fall of 1939 it was docked in winter quarters off the Rosoff Sand & Gravel pit, now Copart Auto Auction, in Marlborough. The steamship caught fire on March 1, 1940, burned to the hull and sank. The *New Yorker* hull, sidewheels and engine walking beam survive intact. The waters off Peg's Point also conceal the wreck of a sloop that sunk after colliding with the steamship *James Baldwin* sometime before 1865. The remains of that sloop and the *New Yorker* were mapped using high-resolution multibeam echo-sounding sonar as part of a survey, *Exploring the Maritime History of the Hudson River: The Importance of Hudson River Shipwrecks* by the NOAA Office of Ocean Exploration in 2004-2007.

## **I. Community Facilities and Services**

**Water and Sewer** - Municipal water and sewer service is available throughout the hamlets. Water service continues out of Marlboro hamlet along South Street to Lattintown Road and south to the Newburgh town line. Water and sewer service is not available along Route 9W south of Marlboro hamlet. A sewer treatment plant is located on Dock Road, between Marlboro hamlet and the Hudson River. Recent infrastructure upgrades in the Milton hamlet now incorporate water and sewer on Main Street and the surrounding roads. The town and individual developers have been working to extend sewer infrastructure to enable increased density for business and housing opportunities in and around Milton hamlet.

Water is supplied to the town of Marlborough from two sources. One water source is the New York City Delaware aqueduct where the Marlborough Water district has its own tap into the aqueduct. The aqueduct is supplied with water from four reservoirs in the Delaware watershed in the Catskill Mountains which is controlled by the New York City Department of Environmental Protection. In addition to the town's own tap of the aqueduct, in 2000, the town completed an interconnection with the town of Newburgh to utilize water from their tap of the aqueduct. The town has contractual rights to purchase a specified amount of water from the Town of Newburgh. The second source of water for the Town of Marlborough is the Chadwick Lake Filter Plant in Newburgh which sources its water from the Chadwick Lake reservoir. This reservoir is used during aqueduct shutdowns. The Delaware Aqueduct facility has the capacity to supply 6 million gallons of water per day. As of 2103 the treatment takes place at the aqueduct tap. The Chadwick

Lake Filter plant has a treatment capacity of 3.2 million gallons per day. In addition to treatment for potability, the water is also treated with fluoride for dental health and with phosphate based corrosion inhibitors to reduce corrosion of the distribution systems and reduce the leaching of lead and copper from private plumbing.

The Marlborough Water District serves approximately 3,480 people through 1,265 service connections. The service area tends to be the more densely populated areas of the town such as the Route 9W Corridor and the residential areas in the vicinity of the Marlboro and Milton hamlets. In 2015, approximately 170 million gallons were distributed with about 5% being unaccounted for -leaks, water main breaks, firefighting consumption, system flushes, etc.

The Town of Marlborough has two sewer improvement areas each with their own treatment facilities located in the hamlets of Marlboro and Milton. The town operates and maintains these two wastewater treatment plants which are located in and serve their respective hamlets of Milton and Marlboro. The Marlboro plant treats approximately 110,000 gallons of wastewater per day and the Milton plant treats approximately 30,000 gallons of wastewater per day.

The Marlboro Sewer Treatment Plant has an average daily flow capacity of 175,000 gallons per day and discharges to Lattintown Creek, a tributary to the Hudson River. The Marlboro Sewer Improvement Area was established in 1980-1982 and included the installation of a wastewater collection system throughout the hamlet and the construction of a wastewater treatment facility on Dock Road. Wastewater collection extensions were constructed for Jackson Avenue and a portion of Western Avenue in 1990-1992. The Marlboro Sewer Improvement area includes approximately 316 residential users, 53 commercial users, and 12 institutional users.

**Municipal Stormwater** - The town of Marlborough is a designated MS4 municipality and as such has a program in place to manage stormwater. The infrastructure of the stormwater systems generally consist of stormwater conveyance systems such as pipes and swales, and water quantity and quality mitigation appurtenances such as stormwater retention and detention areas. These are in addition to the natural stormwater resources of the town such as wetlands, streams, and water bodies.

**Roadways** - New York Route 9W is a north-south connector that is classified as a Principal Arterial roadway that runs along the eastern portion of the town. It is the most important traffic artery in the town and the only one that experiences any significant traffic congestion. Both the Marlboro and Milton hamlets are located within the 9W corridor,

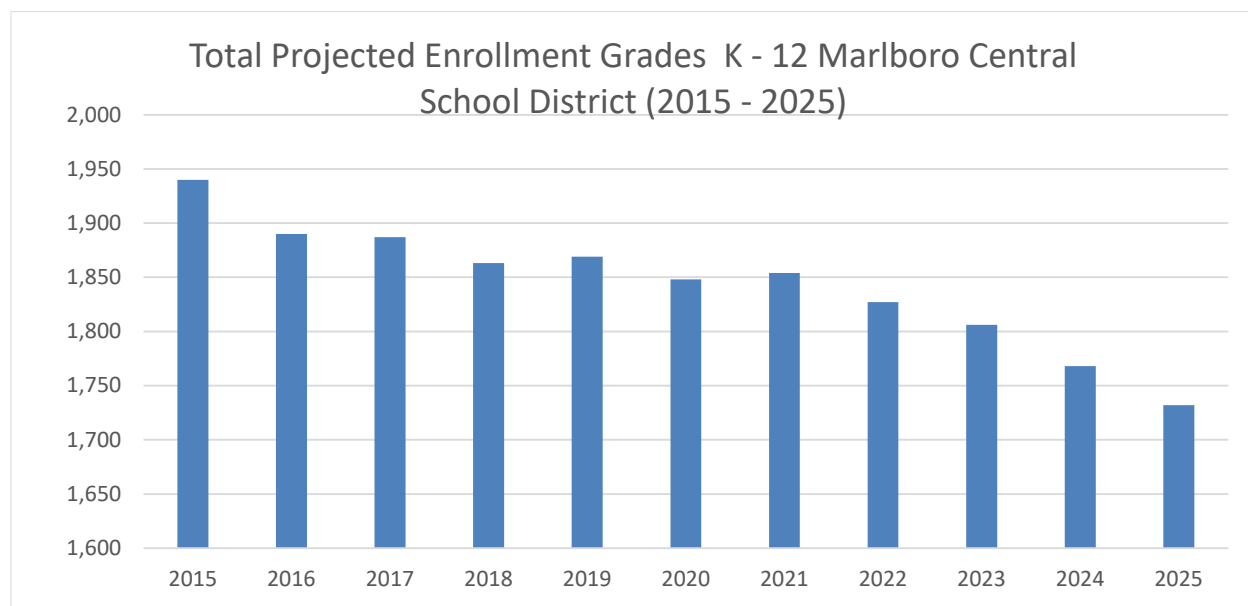
although Milton is set slightly east, decreasing the amount of through traffic in the hamlet while 9W runs directly through Marlboro hamlet and serves as its main street.

Other roads of importance are Lattintown Road, running north and south through the center of Marlborough, Plattekill Road and Milton Turnpike which run east and west, and U.S. Route 44/55 which crosses the northwest corner of the town (**See Map 4**).

**Schools** - The Town of Marlborough is served by two school districts; Marlboro and Highland. Approximately 95% of all parcels within the town are within the Marlboro School District. The school district has three buildings, the elementary, middle, and high school which house nearly 2,000 students from the Towns Marlborough and Plattekill in Ulster County and the Town of Middle Hope in Orange County.

In 2013, amidst budgetary concerns, the Marlboro Board of Education voted to close two of the three elementary schools in the district and to consolidate services.

Enrollment in the Marlboro School District is effected by numerous factors including birthrates, home sales and construction, and enrollment in non-public or charter schools. At its historical peak in 2005, the Marlboro Central School District had 2,137 students enrolled. By 2015 enrollment fell by 9.2% and this trend is expected to continue through 2025 when enrollment is project to have decreased by 10.7% (Marlboro Central School District, June 2016).



Data collected from the Marlboro Central School District – Demographic Study, June 2016

Year	Grade K – 5	Grade 6 -8	Grade 9 -12	Total K - 12
Actual 2015	868	438	634	1,940
Projected 2016	851	437	602	1,890
2017	826	474	587	1,887
2018	795	479	589	1,863
2019	803	465	601	1,869
2020	778	459	611	1,848
2021	762	447	645	1,854
2022	758	443	626	1,827
2023	750	421	635	1,806
2024	749	401	618	1,768
2025	728	414	590	1,732

Data collected from the Marlboro Central School District – Demographic Study June 2016

**Parks** - There are currently two established parks within the Town of Marlborough, the Cluett-Schantz Park and Milton Landing. The Cluett-Schantz Park is the larger of the two, encompassing approximately 20 acres with sports fields and walking paths. Milton Landing is much smaller and primarily used for access to the river. A third, Milton Riverfront Park, will soon be established on a large parcel adjacent to Milton Landing with facilities for community events and hiking trails.

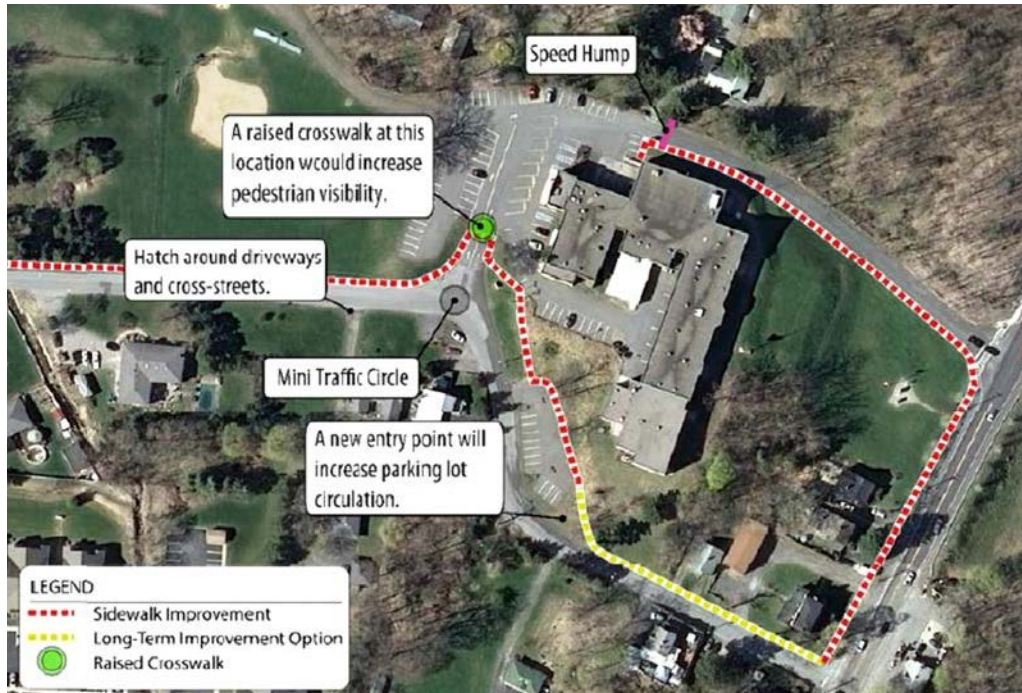
The town recently acquired a 14.5 acre site, formally the home of a Suburban Propane storage facility. The site has been remediated and will soon be the home to the Milton Riverfront Park. Adjacent to the 14.5 acre park site is Milton Landing, a 2.5 acre park operated by the town and home to the restored Milton Train Station and a pier that is used by the public for recreational fishing. When fully restored, the train station will be used for community events



Cluett-Schantz Park is Marlborough's largest established park.

like meetings, dances and educational programs. The town has recently secured grant monies to complete the renovation of the train station and has conducted a feasibility study on the park's southern pier to evaluate its restoration potential and the potential for a deep water docking facility at the site.

**Pedestrian and Bicycle Transportation** - Most pedestrian traffic within Marlborough occurs in the hamlets where pedestrians often face an inconsistent network of sidewalks and crosswalks with minimal buffers from traffic. Wide roadways make pedestrian crossing difficult with limited pedestrian accommodations. Portions of the sidewalks within the hamlets have been updated to meet current ADA guidelines; however, some areas are still lacking those amenities. The recent Safe Routes to School Study (2016) prioritizes areas of need for pedestrian infrastructure throughout the town.



Pedestrian improvement recommendations for Marlboro Middle School Campus.

Source: Alta Planning + Design, 2016

Locations recommended for sidewalk installation:

- Route 9W between Old Post Road and Young Avenue
- Dubois Street
- Orange Street
- Bloom Street
- Birdsall Avenue
- McLaughlin Drive
- Purdy Avenue



Locations recommended for crosswalk installation:

- Birdsall Avenue and 9W (West)
- Orange Street and Western Avenue (East)
- Purdy Avenue and 9W (West)
- Birdsall Avenue and Prospect Street (East)
- South Street and Bloom Street (North, East, South, West)

The main thoroughfare, Route 9W is generally challenging for pedestrian and bicycle activity due to heavy, fast moving traffic. In many parts of 9W, the shoulder is wide enough to provide a designated bike lane or to extend the sidewalk.

Pedestrian access to the riverfront is limited by steep slopes and train tracks. At-grade crossings provide the only access to the Milton Landing piers and the marinas in Marlboro.

**Public Mass Transit** - There is no significant mass transit facility in the town; however, the Ulster County Area Transit (UCAT) makes two daily stops in Marlboro hamlet via the Kingston-Poughkeepsie-Marlboro route with a connection to the Poughkeepsie Train Station for Metro North Service. UCAT also provides Para-transport for seniors and those with disabilities throughout the county.

**Parking** - Parking availability is a concern of citizens and business owners in the town. The majority of parking occurs around the hamlet centers. In April 2008, a parking study was conducted in the Marlboro hamlet and included observations of both on and off-street parking. The study indicated that within the hamlet center there are a total of 215 parking spaces. Of which, 83 are on-street and 132 are in parking lots. The peak demand time for parking occurred between 12:00 and 12:30 p.m., when 44% of the total supply was occupied. The parking study shows that overall parking supply in Marlboro hamlet is adequate although pedestrian connections from the parking areas to places of interest in the hamlet should be improved. Milton hamlet has some on-street parking and there are opportunities for shared parking lots with the church and fire station.

## **J. Water-Dependent and Water-Enhanced Uses**

**Existing Water Use Patterns** - The Hudson River plays an integral role in the town's past and present; however, public access to the river remains limited and is prevented in many areas by the CSX rail line that runs parallel to the river's shores and few at-grade crossings, as well as the very steep grade along its shore. The town has a history of shipping on the Hudson River where steamboats and tugboats once docked at Milton Landing. Since shipping practices have moved away from water-based modes of transport and placed on roadway freight travel, the facilities on the water are no longer adequate for



docking large vessels and commercial shipping is no longer an existing use in the town. The Marlborough riverfront now is used primarily for recreational boating and fishing from the Milton Landing piers and the marina in Marlboro.

**Water-Dependent Uses** - These uses are activities that can only be conducted on, in, over, or adjacent to a body of water. In Marlborough water-dependent uses are limited to recreational boating and fishing, Milton Landing, Marlboro Yacht Club, and West Marine located at Marlboro Landing. In early 2016, the town received a grant to perform a feasibility study for the restoration of the southern pier at Milton Landing to operational use. If restored, the pier would have the capabilities to provide a deep-water mooring location for larger craft, and enhance opportunities for water-based recreation, tourism and education.



The southern pier at Milton Landing. Image courtesy of Matt Kierstead.

From 1939 until 2001, Suburban Propane used a 14.5 acre property on the riverfront to store petroleum that was transported by ships and barges up the Hudson River. The site's access to deep water allowed large vessels to connect to a pipeline that pumped petroleum across the rail line up to aboveground storage tanks located on the upper part of the property. In 2001, the storage facility was dismantled and the storage tanks were removed. A remediation plan approved by the DEC was completed in 2006. In 2009, in collaboration with Scenic Hudson and The Trust for Public Land, the Town of Marlborough acquired this property which will soon be the home to the Milton Riverfront Park.

**Water-Enhanced Uses** – Water-enhanced uses are activities that do not require direct access to the water, but whose riverfront location adds to the public’s use and enjoyment of the water’s edge. In Marlborough, at present, there are many more of these uses associated with the river than there are water-dependent uses. These uses include the Milton-Riverfront Park and the newly renovated Milton-on-Hudson Train Station. Areas within the town with views of the river, including restaurants and hotels, should also be considered water-enhanced uses.

**Existing Ownership Patterns** - Land on the riverfront is almost entirely in private ownership with the exception of the Milton Riverfront Park which was recently acquired by the town from Suburban Propane and the Milton Train Station area. The existing CSX freight rail line along the river creates an additional barrier to access as it runs along the river for the entire length of the town.

There are many properties located between Route 9W and the riverfront that are classified as vacant by the New York State Office of Real Property Services including the former Tilcon New York, Inc. site located south of Marlboro hamlet. These properties should be explored as potential opportunities for development and to increase public access to and enjoyment of the Hudson River.

## Section III: Issues and Opportunities

Numerous issues and opportunities have been identified within the LWRP area by analyzing the existing uses and conditions and meeting with community groups and the advisory committee.

Marlborough's riverfront areas contain many of the uses common to the older Hudson River towns including the rail line that runs the length of the town along the river, historic buildings, deteriorating waterfront uses, lack of access to the waterfront, and lingering industrial uses along the riverfront. The riverfront also contains large swaths of undeveloped land although much of it is privately owned.

In the upland areas of the town, agriculture is the predominant land use and contributes to the economic base and the unique character of the town. In Marlborough, like many towns in New York State, active farmland is declining as farmers are aging without successors, and the increasing values of land makes selling to developers an attractive option for some. It is important for the town to establish programs and policies which provide support for farmers to ensure this valuable resource is retained and enhanced as much as possible.

**Mid-Hudson Regional Economic Development Priorities** - Marlborough's economy is a key contributor to the region's prosperity. For example, in the agricultural sector, Hepworth Farms, established in 1818 is a seventh-generation family farm that operates on a "whole systems approach" with over 400 acres of Northeast Organic Farming Association (NOFA)-certified production land yielding more than 400 varieties of organic vegetables. They specialize in tomatoes, peppers, eggplant, zucchini, cucumbers and many varieties of greens. (Recently, Hepworth Farms was awarded \$300,000 to be used for property acquisition, renovation, and purchase of machinery and equipment to expand farm operations.)

The Hepworth Farms operation together with the other agricultural operations throughout the town produce millions of dollars of high-quality agricultural products on lands that have been in production for many generations and even once fallow lands are being redeveloped back into production.

The Mid-Hudson Regional Economic Development Council has identified the "food and beverage manufacturing supply chain" as a manufacturing-based industry cluster for the purpose of state's manufacturing extension program. Employment in this sector grew

about 40% in the past 10 years in the Mid-Hudson region with average earnings at more than \$70,000. Example industries that are well matched to the town's agricultural base include:

- Fruit and vegetable preserving and manufacturing specialty
- Animal food manufacturing
- Bakeries and tortilla manufacturing
- Dairy products manufacturing
- Food product machinery
- Sugar and confectionary product

Example products include:

- Canning and bottling
- Farm-to-table
- Specialty foods
- Nutrients and food ingredients
- Nutraceuticals



Image from Glorie Farm Winery, one of the many excellent wine producers in Marlborough.  
<http://gloriwine.com/>

Opportunities for local companies in the food and beverage supply chain to potentially secure financial and other support through the state's economic development programs include:

- Assistance to companies and entrepreneurs to process and test food products.
- Participate in the outreach program of the Hudson Valley Technology Development Center (HVTDC) including seminars, events, and business assessment programs.
- Investment in expansion of companies in the Mid-Hudson region through the consolidated funding application (CFA) process.
- Assistance to regional food and beverage producers including the newly identified craft brew industry cluster.
- Continue and expand promotional tools through Hudson Valley Tourism.

Marlborough's local waterfront revitalization program advances priorities set forth in the Mid-Hudson region's Upstate Revitalization Plan to "Live, work and play":

**Live:** Investing in City, Town & Village Centers - The LWRP seeks to revitalize the hamlet centers in Milton and Marlboro.

**Work:** Agriculture, Food and Beverage - The LWRP seeks to continue to promote and expand these important parts of the local and regional economy.

**Play:** Premier Regional Tourist Destination - It builds upon the 100,000-plus annual visitors to the Shawangunk Mountains and along the Shawangunk Wine Trail that runs

through the town, the visitors to the other farm operations, and the growing tourism and arts industry in town including the Buttermilk Falls Inn, and the Falcon among other attractions. This plan will help identify additional catalyst tourism development opportunities for food, lodging, and related new investments in the hamlets and along NYS Route 9W.

Tourism is considered an “export” industry to the extent to which dollars from outside the town and region come into the local economy from visitors. The export of products such as wine, produce, and locally-manufactured goods can be supported by the state trade export promotion (STEP) program. This program is a 3-year pilot trade and export initiative that makes matching grants for states to assist “eligible small business concerns” enter and succeed in the international marketplace. There may be good opportunities for local firms to expand their market internationally through this and other trade development programs in the future.

**Agricultural Economic Development and Farmland Protection** - In a report by Nelson Bills and Todd Schmidt of Charles H. Dyson School of Applied Economics and Management Cornell University, the challenge is summarized as follows:

“To remain successful, agricultural producers and associated agribusiness firms need to effectively and continuously adapt to changing economic conditions, consumer preferences, and technological advancements. To that end, firms are seeking innovative methods to attract new and growing markets for their commodities and products, vertically integrate their operations in both upstream and downstream markets, invest in value-added consumer-driven activities, and develop domestic and international joint ventures and strategic alliances. These activities suggest growing farm-to-food developments at the farm, as well as increased interaction and coordination with others in the agribusiness industry.” (Agriculture-Based Economic Development in NYS: Trends and Prospects, 2012).

The agriculture community in Marlborough has incorporated many of these concepts as noted above and that is part of the reason for their continued success. In the Mid-Hudson region, over 100,000 people are employed in what has been called the “agriculture and food systems” industry which includes agricultural producers, agricultural support businesses, and food and beverage manufacturing (e.g. bakeries, breweries, wineries, etc.), food and beverage retail, and eating and drinking establishments. Clearly, from this broad



perspective lies a tremendous opportunity for continued employment growth and economic development in the town of Marlborough.

**Promote and Enhance Agritourism Operations** - Agritourism encompasses a wide variety of on farm activities including educational events, tours and pick-your-own opportunities. The

practice allows farmers to generate additional income from existing farm assets, moderate seasonal income fluctuations and expands on-farm employment opportunities.

In addition to benefiting individual farmers, agritourism generates direct economic



Farmland vistas are an important element in the Town of Marlborough. Image courtesy of Matt Kierstead

opportunities for other businesses within the local economy like inns, bed and breakfasts and eateries.

Agritourism is a strong attraction for town organizations like *Meet me in Marlborough* and the *Shawangunk Wine Trail* which draw visitors from New York City and around the region for winery tours, pick-your-own days at local farms, and farm-to-table dining. The Meet me in Marlborough Farm Trail has been designated a New York State Farm Trail by the Department of Agriculture and Markets. This designation allows for the posting of signs along the state and county highways. An integrated system of wayfinding signs along major transportation routes directs visitors to area farms and enhances the programs that are already in place.

The Hudson Valley is one of the country's oldest wine making and grape growing regions, and grapes have been cultivated in the area since the late 1600s. Today, the region has been declared one of New York's four American Viticultural Areas recognized by federal Alcohol and Tobacco Tax and Trade Bureau. There are more than twenty operating wineries in the Hudson River Region and the Town of Marlborough is host to seven vineyards and wineries including Benmarl Winery at Slate Hill Vineyards in Marlboro hamlet which holds claim to being America's oldest vineyard. Other wineries in the town include



Nostrano Vineyards, Royal Kedem Winery, Stoutridge Vineyard, Glorie Farm Winery, Brunel & Rafael Winery, and Weed Orchards and Winery.

New York is the third largest wine and grape producing state in the country. According to a recent economic impact study, the wine industry attracts 5.3 million tourists to the state annually and is responsible for a \$4.8 billion economic impact statewide (New York State Agriculture and Markets Annual Report, 2014). In Marlborough, vineyards and wineries provide attractions for the agritourism market while the open space provided by active farmland provide scenic views to the public, and contributes to water quality and habitat protection for wildlife.

The town's policies and goals should reflect the importance of agriculture in the town. Between 2008 and 2015, properties classified as Agricultural decreased by more than 6% while Residential properties increased by approximately 4% over the same time period (New York State Office of Real Property Tax Services). In 2002, the town adopted a Right-to-Farm law which protects a farmer's ability to conduct farm operations. Community groups like *Meet me in Marlborough* provide resources for farmers and information on agritourism opportunities in Marlborough. To advance these efforts, the town should explore ways to further promote agritourism and other accessory farm businesses like farm stands and on-site value added processing.

Programs to enhance agriculture within the town such as expanding agritourism, encouraging farmers markets, and on-site retail operations as well as exploring programs like transfer of development rights (TDR) and purchase of development rights (PDR) would help landowners to derive capital from their land while keeping it in agricultural use.

TDR is a technique used to permanently protect farmland and other natural and cultural resources by redirecting development that would otherwise occur. Landowners within valuable agricultural and resource areas are financially compensated for choosing not to develop some or all of their lands. The right to build a house or other structure is transferred from an area where development is discouraged (the "sending zone") to an area where development is encouraged (the "receiving zone").

PDR is a voluntary program which involves purchasing a farmer's development rights which financially compensates willing landowners for not developing their land. Removing the development rights from a property not only provides the current landowner with a mechanism to derive capital from the land, but makes the possibility of purchasing the land more accessible for a new farmer. By removing the development potential, the land can be purchased at the lower agricultural value by someone seeking to continue farm operations

on the property. Options for TDR and PDR are discussed in greater detail in the town's Comprehensive Plan attached as Appendix B.

Overall, public support for farmland protection is strong. A 2011 public opinion poll of likely voters in New York State found that voters feel that the government has a responsibility to fund conservation projects, even in bad economic times. In the poll, 76% of voters indicated that protecting working farmland was "extremely important" (Scenic Hudson, n.d.). The same poll found that local voters would support legislation giving them the opportunity to vote on local ballot initiatives to fund economic development and conservation programs. Also, given the opportunity, three in five New York voters would increase their local sales tax to fund regional economic development programs including local conservation projects.

**Agriculture and Farmland Protection Plan** - An adopted agriculture and farmland protection plan works to assess acreage, sets goals for farmland preservation and provides a means to track progress towards these goals while providing a strong basis for decision making for the town. Not only do these plans help establish agriculture as a critical land use in the town through local policies, they also develop a framework for the town to promote farming and agritourism, and better position the town and local landowners to receive state and federal monies for farmland conservation.

The New York State Department of Agriculture and Markets offers Farmland Protection Planning Grants (FPPG) which assist municipal governments in the development of agricultural and farmland protection plans. These plans recommend policies and projects aimed at maintaining the economic viability of the agricultural industry throughout the state and its supporting land base.

**Value-Added Processing Facilities** - Direct market and value-added products are two of the best strategies farmers can employ to improve net profitability. Value-added processing offers farmers the potential to capture a larger share of the food dollar which has been decreasing in recent years due to a shift in consumer preferences to ready-to-eat foods. Shared use facilities allow farmers to purchase equipment cooperatively so that the cost is distributed. This model is also beneficial for products which require a commercial kitchen or other regulations for production.

**Other Funding Options** - Overall, public support for farmland protection is strong. A 2011 public opinion poll of likely voters in New York State found that voters feel that the government has a responsibility to fund conservation projects, even in bad economic times. In the poll, 76% of voters indicated that protecting working farmland was "extremely

important” (Scenic Hudson, n.d.). The same poll found that local voters would support legislation giving them the opportunity to vote on local ballot initiatives to fund economic development and conservation programs. Also, given the opportunity, three in five New York voters would increase their local sales tax to fund regional economic development programs including local conservation projects.

**Undeveloped and Underutilized land** - Many of the vacant lots within the town are residential and it should be assumed that future residential development will occur where these lots are located. As such, the town should review the zoning code to ensure new development is consistent with the future vision and goals of the town.

The former Tilcon Minerals site located at in the southern portion of the town represents an underutilized riverfront property that should be evaluated for potential redevelopment opportunities.

**Improve Public Access to the Riverfront** - Multiple town plans have echoed the need to improve accessibility to the riverfront. The railroad dominates the riverfront, limits public access to the river and has hindered efforts to link Marlboro hamlet and Milton hamlet—the “hamlets of Marlborough” to the riverfront. In addition to the railroad tracks, public access is hindered by steep slopes and private ownership along the waterfront. Public access is allowed in both Milton and Marlboro where there are two at-grade railroad crossings near the harbor areas. Active traffic control devices have proven an effective method of improving safety and operations at railroad grade crossings. The town and other partners have been working diligently over the past many years to improve public access to the river.



Railroad tracks running along the waterfront area are a hindrance to public access. Image courtesy of Matt Kierstead

The public desires increased public access to the riverfront for water dependent outdoor recreational purposes. The city holds the land surrounding the Milton Train Station and has recently acquired the adjacent 14.5 acre lot through partnerships with non-profit organizations. This new property will become the Milton Riverfront Park, which is a priority

project in the New York State Open Space Plan because it provides a means of creating public access to the river.

In addition to the railroad tracks, ownership patterns along the waterfront also decrease the availability of public access sites. The majority of lands along the riverfront are currently in private ownership. The town should seek to acquire additional lands from willing landowners and as parcels come up for sale, in particular in the areas near the Marlboro and Milton landing areas along the riverfront.

**Economic Enhancement of Hamlets** - The “hamlets of Marlborough” were traditionally the social and economic centers of the town. Although they were established at different times under different circumstances, their histories are similar. Both hamlets developed as centers of industry and gathering places for the rural town. Historical maps indicate that prior to the construction of Route 9W, the core of Milton hamlet was once more densely settled than it is now. Marlboro grew in a similar fashion as Milton with industry utilizing the power of the Lattintown Creek. Reestablishing the hamlets as gathering places for the community is vital to their revitalization. The town should continue work with entrepreneurs investing in the hamlets and seek to attract businesses that are needed and appropriate to the hamlet setting.

Investments continue to be made by the town, county, volunteers and private sector to improve the town’s hamlet areas. Perhaps the most important theme overall is continued and expanded public-private partnership. These partnerships will increasingly be capable of making the necessary physical improvements and provide events and activities to add to community life for local residents and businesses. A series of continued investments in infrastructure that are needed are very challenging to the town government due to the nature of the improvements needed and the limitations on raising local funds due to tax cap limits and fiscal restraint, hence it will likely be required that most large projects would need grant or other outside funding. Ideally, the town will be able to find a way to

The Cinque Terre (five landings) in Italy have made a world class destination capitalizing on their tremendous scenery, history, cuisine, and the pedestrian-friendly atmosphere in each town. The towns are connected by a dramatic and popular hiking path. [Image courtesy of Mike Albrecht.](#)



set aside funds for matching these grants to increase the local capacity to get improvements completed.

**Connectivity between the Hamlets** - The hamlets of Marlboro and Milton are within the same town, but very much separated physically. Establishing complementary services and other ways to connect the hamlets would serve to attract residents and visitors alike.

The Hudson River Greenway Water Trail has an established “Trailhead” at Milton Landing for the launching of non-motorized watercraft. Establishing a similar facility at the Marlboro docks would increase connectivity between the hamlets. Other concepts to explore include establishing a bike trail/path off 9W as much as possible connecting the hamlet and explore the interest and feasibility of a river view or riverfront path.

**Improve Pedestrian Accommodations** - The term “walkability” refers to the ease and enjoyment one experiences when walking around a community. Creating an environment where pedestrians feel more comfortable walking can lead to a number of benefits for the community. A walkable community can aide in stimulating an economy by attracting new businesses and tourists to the area which in turn can lead to job creation. Overall, businesses prefer to locate in more walkable communities, in fact, investments in pedestrian infrastructure have been tied to increases in retail sales and decreases in storefront vacancies. Additionally, when streets are more walkable, residents are happier, healthier, and more connected to their communities (Croft, 2014).

More walkable hamlet areas can complement the agritourism economy that already exists in Marlborough by attracting visitors not only to wineries and farms but also to the hamlets to visit local businesses and restaurants. An integrated system of

Historic preservation and economic development are great partners in revitalizing local economies. One of the best examples of the rebirth of a small city can be learned from the Saratoga Springs story. In the 1960’s and 70’s, Saratoga was suffering from high unemployment, disinvestment, and old buildings neglected and losing value. By partnering preservation with entrepreneurship, the city has made a 180-degree turn around.





strategic wayfinding can be implemented to guide visitors between areas of interest including wineries, farm stands, local businesses and public parks.

**Enhance and Protect Scenic Vistas** - Although physical access to the river is often hampered by the topography of the town, the visual access to the river is enhanced by town's topography that rises up to 1000 feet in the Marlborough Mountains and along the slopes and highpoints throughout the town. The areas within the town with scenic vistas should be identified and enhanced through tree trimming and beautification practices. The creation of viewing areas with benches and other amenities would further enhance public enjoyment.

**Protect Historic and Cultural Resources** - Marlborough's waterfront area includes many historic properties that are important to the town. Buildings and structures that are presently listed on the National Register of Historic Places include the Chapel Hill Bible Church, Christ Episcopal Church, the Dubois-Sarles Octagon House, the Elliot-Buckley House, Lattingtown Baptist Church, Milton Railroad Station and Shady Brook Farm. Many other buildings, landscapes, structures and objects like the Raccoon Saloon and the Benmarl Winery are not listed on the Register, but still provide important historical significance for the town. Efforts should be made to identify, designate, protect and preserve these properties that hold historical relevance for Marlborough.

Marlborough has a rich history and is a treasure trove of historic properties. These could be documented on a formal basis by conducting a historic resource survey to determine the importance, nature and geographic extent of historic resources in the town. At the New York State level, Federal preservation legislation and review is administered by the Office of Parks, Recreation and Historical Preservation (OPRHP). Locally, the Town of Marlborough has participated in the environmental review process in reaction to proposed local projects and steps should be taken to take advantage of the benefits of historical preservation planning or programming opportunities.

**Cultural Resource Survey** - Marlborough's latest official historic buildings survey was conducted in 1969. Marlborough should consider conducting a new survey to identify all historic buildings and structures and all prehistoric and visible historic archaeological sites. These resources should be located, researched, photographed, described and mapped according to current accepted OPRHP methodologies and entered into OPRHP's CRIS database. The survey should include a report containing a local history context narrative, recommendations including a list of properties for evaluation for National Register listing, and discussion of appropriate applicable historical preservation planning incentives and programs such as preservation tax credits and easements. Educating property owners

about the benefits of the survey, and also preservation planning, the protection advantages of National Register listing, rehabilitation tax credit incentives, etc. will be important for gathering local support for funding the survey, which could be followed up with public conversation with the community about the benefits of creation of National Register Historic Districts.

**Archaeological Site Protection** - Marlborough has several identified Native American archaeological sites and potential to contain many more. Marlborough's Hudson River waters host several marine archaeological sites. Marine archaeological sites are an important and dramatic component of Marlborough's history and cultural resources, and are protected under New York Navigation Law and the Abandoned Shipwrecks Act. The presence and sensitivity of marine archaeological sites should be recognized and protected from threats ranging from looting by divers to dredging for navigation, proposed docks, and other development in the waterfront area.

**Public History Interpretation and Heritage Tourism** - Like agricultural tourism, Marlborough's unique history presents an opportunity for the town to attract new visitors through history interpretation and heritage tourism. It is a widely-recognized phenomenon that communities with public trails and historical sites are more attractive to home buyers, and that trails have significant public physical and mental health benefits. The Marlborough Economic Development Committee is planning a "Marlboro Mills Waterfall Walkway" following Lattintown Creek that will include interpretation of local history themes including the mills and early industries and the farms-to-river port connection. The Milton Landing Committee is planning a trail system and park improvements in that Hamlet. These trail systems will increase public open space access and reconnect the commercial villages to the Hudson River waterfront. These trail routes pass through historic business districts, landscapes and industrial ruins that could become destinations for visitors and residents interested in learning about Marlborough's history while exercising and enjoying views of the Hudson River.

The benefits of historic preservation are many. Recognition of history through restored buildings and streetscapes demonstrates a tangible sense of community pride to people visiting or passing through a town. Enhancement of community appearance and character is part of "placemaking" which can create destinations for heritage tourism and increased commercial activity. Significant tangible benefits can be realized through the Federal and New York State historical rehabilitation tax credit programs. Tax credits are available for owners of National Register-listed income-producing properties. Rehabilitating an existing building can be less expensive and more attractive than new construction. One of the

more tangible opportunities can be realized as part of a revitalization project. For example, the Montour House, a historic former hotel built in 1854 in Mountour Falls in Schuyler County underwent major renovations to be converted into retail and residential uses. The approximately \$1.0 million rehabilitation investment was offset by \$400,000 in federal and state tax credits available due to the property's designation on the National Register of Historic Places and its location in a low income census tract. New York State also offers historic preservation tax credits for qualified renovations of residential properties regardless of location.

**Environmental Concerns** - The Hudson River estuary is a part of a sensitive ecosystem that should be protected and restored whenever possible. Development on Marlborough's riverfront should take into account the five actions recommended in the NYSDEC's Hudson River Estuary Habitat Restoration Plan of 2014:

- Preserve existing estuary habitats and adjacent uplands where wetlands may become established as sea levels rise;
- Restore side channels, vegetated shallows, backwater and other habitats altered by dredging and other human activity;
- Implement fish passage, dam removal, and culvert right-sizing projects in Hudson tributaries;
- Promote use of ecologically enhanced shoreline stabilization methods of protecting property, infrastructure, and other assets;
- Implement programs to control and prevent introduction of invasive species (NYSDEC, 2015).

The Atlantic Sturgeon has been chosen to represent the symbol of the Hudson River Estuary Program of New York State Department of Environmental Conservation.

Marlborough's reach of the river is one of the largest spawning areas for Atlantic Sturgeon and provides wintering habitat for Shortnose Sturgeon. (Image NYSDEC)



**Fiscal Issues** - Property taxes are an increasing burden on property owners yet provide the primary source of revenue required to provide local community services. Education services are the largest single expense to the local property tax payer. The Marlboro Central School District relies upon the local tax levy for approximately 68 percent of its revenue requirements and, short of legislative changes to school aid formula, is expected

to continue around that same proportion over the coming years. It will be increasingly important for the community to work with its state representatives to secure modifications to the school aid formula so that district taxpayers are relieved of this tax burden which is perceived as a major constraint to economic development in the town.

Further, the town will need to continue to seek commercial and other net tax generating enterprises to help increase the town's tax base. At the same time, incentive programs that will help attract new job-creating enterprises to the town should continue to be utilized to diversify the town's economic base.

**Demographic Issues** - Three trends that need to be considered include:

1. The sharp projected decline in enrollment in the Marlboro Central School District.
2. Projected relative decline in the "under 40" population.
3. Projected increase in the senior and elderly population.

These trends are not unique to Marlborough, but they are important to the town nonetheless and can contribute to increasing challenges in terms of the cost of community services for education and well-care for an aging population. Addressing these trends proactively will take increasing, multi-level efforts to encourage new and young households to remain/move into town, to reduce the cost of home ownership/home rental and to increase the base of younger generations to balance the growth of an aging population and provide the needed services for these populations.

**Zoning & Land Use** - Overall, the current zoning and land use patterns strongly help to support the agricultural theme of the town, with a significant portion of the town allotted for this activity amid rural development. By their nature, these areas are not anticipated to significantly change in character in the near future; however, the town should consider options to reduce the impact of residential development on the farmland and natural woodland habitats and the scenic character of the rural areas in town while at the same time encourage the growth of residential population in town—in particular young households/first-time homebuyers.

The town has witnessed a significant slow-down in growth since the recession hit and has yet to fully recover. Residential permits are far below average. That being said, there seems to be a potential disconnect between the zoning code and the overall vision for the town in that the permitted density in the rural parts of town is quite high considering the potential impact such density, if built out, would have on the rural, agricultural, and natural features of the town. The permitted that level of density may also have a negative impact on property values as folks who purchased homes thinking they were in a rural, low-

density setting learn that the actual development potential around them is much greater than meets the eye. Equally important is the fact that all land owners have an appropriate need to protect the value of their property. Given that growth pressure is not at the levels of earlier times, the present is a good time to discuss creative ways to review the town zoning code and consider appropriate adjustments that would more appropriately help maintain and strengthen property values, protect important rural resources, and create the overall long-term land use patterns that the property owners desire.

**NYS Route 9W corridor** - The commercial corridor of Route 9W however—which is in many ways the public face of the town to many travelers—is understandably geared toward more commercial growth and is more likely to experience ongoing changes and development/redevelopment over time. The town should investigate creating a set of highway development design guidelines to help shape how the corridor is developed. These guidelines could address highway access management and safety; plantings, lighting, and landscape treatments; and overall design goals and opportunities to protect and strengthen the town’s sense of place—which is also important to the economy and for creating a positive setting for investment. It is important for the town to continue to grow and build a sustainable economic foundation, while at the same time being careful not to lose the desired character that is uniquely “Marlborough”.

Some observations of this unique highway character follow (Images run from south to north—the last image introduces the idea of a shared use path from the Safe Routes to School study (Alta Planning + Design, 2016), sponsored by Ulster County. A shared-use path would more safely accommodate bicyclists and pedestrians separated from the highway/breakdown lanes.

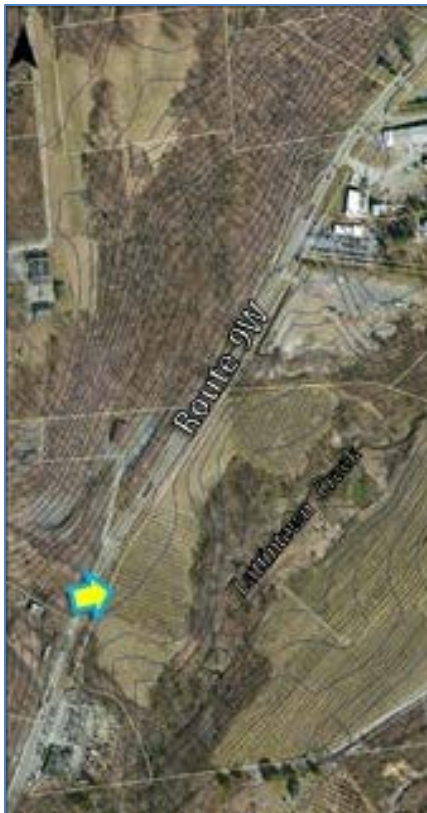
To help protect this character, to maintain the highway function, and to manage highway access while supporting economic development, a complete look at this corridor will be initiated in collaboration with NYSDOT and the Ulster County Transportation Committee as part of an upcoming NYS Route 9W Corridor Study.





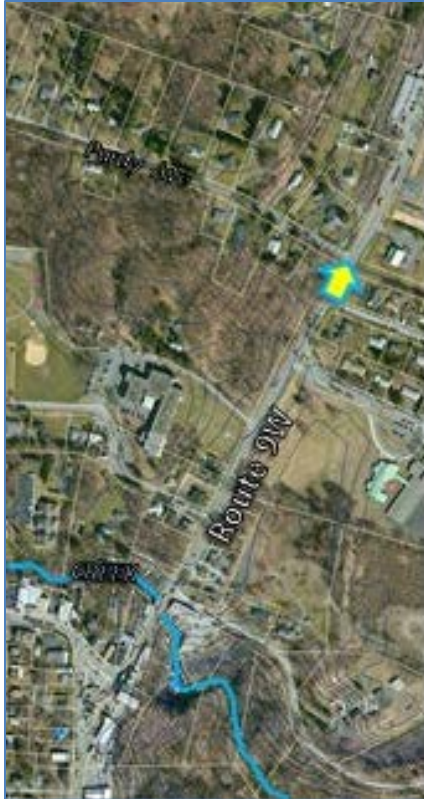
### Vineyard

- Should showcase some vines within sight of roadway to highlight local role in winemaking.
- Potential adaptive reuse of older homesteads as tasting venues or farm to table restaurants.



### Views

- Open views to the northeast and valley
- Want to showcase farming activity
- Views of creek corridor
- Possible Trail along creek



## Stone Wall Theme

- Attractive stone wall, theme can be continued along corridor.
- Steep slopes on left, rock outcropping.
- Consider bike and pedestrian options

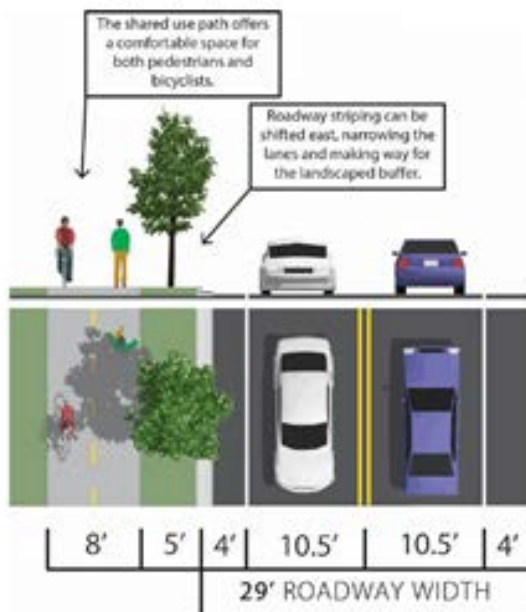


Image courtesy Alta Planning + Design

## Shared Use Path

- Marlboro Safe Routes To School Action Plan.
- Proposed from Western Ave up to Young Ave.

## Section IV: Local Policies and Applicable State Policies

The Local Waterfront Revitalization Program (LWRP) policies presented in this chapter consider the economic, environmental, and cultural characteristics of Marlborough's waterfront. They represent the enforceable policies of the New York State Coastal Management Program for the waterfront area subject to this LWRP. The policies are comprehensive and reflect existing State laws and authorities. They represent a balance between economic development and preservation that will permit beneficial use of and prevent adverse effects on coastal resources. The policies are the basis for Federal and State consistency determinations for activities affecting the local waterfront area. Definitions of terms used in the policies appear at the end of the chapter.

The policies are organized under four headings: developed waterfront policies, natural waterfront policies, public waterfront policies, and working waterfront policies.

### Developed Waterfront Policies

**Policy 1: Foster a pattern of development in the waterfront area that enhances community character, preserves open space, makes efficient use of infrastructure, makes beneficial use of a waterfront location, and minimizes adverse effects of development.**

**Policy 1.1: Concentrate development and redevelopment in or adjacent to traditional waterfront communities.**

**Policy 1.2: Ensure that development or uses take appropriate advantage of their waterfront location.**

**Policy 1.3: Protect stable residential areas.**

**Policy 1.4: Maintain and enhance natural areas, recreation, open space and agricultural lands.**

**Policy 1.5: Minimize adverse impacts of new development and redevelopment.**

Explanation of Policy 1: The Town of Marlborough's character is defined by open agricultural land and development focused around two hamlet centers and the NYS Route 9W corridor that runs north/south through the town. Marlborough is a town that grew due to its proximity to the Hudson River. Overtime however, attention has shifted away from the river leaving a marked disconnect between the two. It is the goal of the LWRP to



preserve this community character by reestablishing the community's connection with the Hudson River, revitalizing the hamlet centers and enhancing agricultural uses throughout the town.

The collection of natural, recreational, commercial, ecological, cultural, and aesthetic resources in the community, or landscape, defines its character; and the distribution of developed and open lands establishes a pattern of human use that reflects an historic choice between economic development and preservation of waterfront resources.

Development that does not reinforce the traditional pattern of human use would result in an undesirable loss of the community and landscape character of the region. Development, public investment, and regulatory decisions should preserve open space and natural resources and sustain the historic waterfront communities as centers of activity. Water-dependent uses generally should locate in existing centers of maritime activity in order to support the economic base and maintain the maritime character of these centers, and to avoid disturbance of shorelines and waters in open space areas.

The policy is intended to foster a development pattern that provides for beneficial use of waterfront resources. The primary components of the desired development pattern are: strengthening the hamlets as traditional centers of activity, encouraging water-dependent uses to expand in maritime centers, enhancing stable residential areas, and preserving agricultural and open space resources.

Explanation of Policy 1.1: Concentrate development and redevelopment in or adjacent to traditional waterfront communities.

- Maintain traditional waterfront communities and ensure that development within these communities supports and is compatible with the character of the community.
- Focus public investment, actions, and assistance in waterfront redevelopment areas to reclaim unused waterfront land and brownfields for new purposes.
- Locate new development where infrastructure is adequate or can be upgraded to accommodate new development.

Explanation of Policy 1.2: Ensure that development or uses take appropriate advantage of their waterfront location.

- Reserve the immediate waterfront for water-dependent uses and activities.

All uses proposed for the riverfront should relate to the unique character of the riverfront and should be appropriate for the location. Water-dependent uses and activities should be

given precedence over other types of development in the immediate waterfront area. Existing water-dependent uses should be protected.

- Accommodate water-enhanced uses where they are compatible with surrounding development, do not displace or interfere with water-dependent uses, and reflect the unique qualities of a waterfront location through appropriate design and orientation.

Development that is not dependent of a waterfront location or that cannot make beneficial use of such a location should be discouraged. Water-enhanced uses may be encouraged where they are compatible with surrounding development and ecological resources and are designed to make beneficial use of their location along the river, particularly if they reinforce a nearby water-dependent use.

- Avoid uses on the waterfront which cannot by their nature derive economic benefit from a waterfront location.

Development inconsistent with the intended goals of waterfront development should be discouraged.

Explanation of Policy 1.3: Protect stable residential areas.

- Maintain stable residential areas and allow for continued compatible residential and supporting development in or adjacent to such areas.

Two hamlets within the LWRP Area provide nodes of moderately dense residential development and services. The hamlets are vital to the community character and are the historic social and economic centers of the town. It is a goal of this LWRP to revitalize the hamlets of Marlborough to ensure that these areas remain important population centers for the town.

New residential development should be directed to the hamlet areas to take advantage of the already existing utilities and infrastructure. While the hamlets are separated from the river by steep slopes, there are many areas within the hamlets that provide visual connections to the river that should be maintained and improved upon. Additionally, public access improvements like sidewalks should be installed along Dock Road in Milton and Dock Road in Marlboro to better connect the hamlets with the riverfront.

Explanation of 1.4: Maintain and enhance natural areas, recreation, open space and agricultural lands.



Marlborough is a town with significant natural resources. It is a goal of the LWRP and the comprehensive plan to improve upon the existing resources by conserving natural areas and agricultural lands while also seeking to create additional recreational and open spaces.

- Avoid loss of economic, environmental, and aesthetic values associated with these areas.
- Avoid expansion of infrastructure and services which would promote conversion of these areas to other uses.
- Maintain natural, recreational, and open space values

Explanation of Policy 1.5: Minimize adverse impacts of new development and redevelopment.

New development in Marlborough should be directed toward the hamlet areas where there are existing public services and impacts can be minimized.

- Minimize potential adverse land use, environmental, and economic impacts that would result from proposed development.
- Minimize the potential for adverse impacts of types of development which individually may not result in a significant adverse environmental impact, but when taken together could lead to or induce subsequent significant adverse impacts.

**Policy 2: Preserve historic resources of the waterfront area.**

**Policy 2.1: Maximize preservation and retention of historic resources.**

**Policy 2.2: Protect and preserve archeological resources.**

**Policy 2.3: Protect and enhance resources that are significant to the waterfront culture.**

Explanation of Policy 2: The historic resources in the Town of Marlborough are a reminder of the community's history of utilizing the river for shipping and harnessing the power of the streams for milling.

On the riverfront, the historic Milton-on-Hudson Train Station has been restored to be utilized as a community space and mill ruins along Lattintown Creek show evidence of early industrial use of the waterways. Buildings within the LWRP Area listed on the National Register of Historic Places include the Milton-on-Hudson Train Station, the Dubois-Sarles Octagon House, Chapel Hill Bible Church, Christ Episcopal Church, the Elliot-Buckley House,

Lattingtown Baptist Church, and Shady Brook Farm. Other historic sites not listed on the register provide important historical significance for the town and should also be preserved, as identified in Section III.H. Inventory and Analysis, Historic and Cultural Resources.

The intent of this policy is to preserve the historic and archaeological resources of the waterfront area. Concern extends not only to the specific site or resource but to the area adjacent to and around specific sites or resources. The quality of adjacent areas is often critical to maintaining the quality and value of the resource. Effective preservation of historic resources must also include active efforts, when appropriate, to restore or revitalize. While the LWRP addresses all such resources within the waterfront area, it actively promotes preservation of historic, archaeological, and cultural resources that have a waterfront relationship.

This policy is applicable, to the historic resources identified in Section III. H. Inventory and Analysis, Historic and Cultural Resources. This Inventory is indicative rather than definitive, and it is expected that additional significant resource will be discovered through future research and preservation planning.

Explanation of Policy 2.1: Maximize preservation and retention of historic resources.

- Preserve the historic character of the resource by protecting historic materials and features for by making repairs using appropriate methods.
- Provide for compatible use or reuse of the historic resource, while limiting and minimizing inappropriate alterations to the resource.
- Minimize loss of historic resource or historic character when it is not possible to completely preserve the resource.
  - Relocate historic structures only when the resource cannot be preserved in place.
  - Allow demolition only where alternatives for retention are not feasible.
- Avoid potential adverse impacts of development on nearby historic resources.

Explanation of Policy 2.2: Protect and preserve archeological resources.

- Minimize potential adverse impacts by redesigning projects, reducing direct impacts on the resources, recovering artifacts prior to construction and documenting the site.
- Prohibit appropriation of any object of archaeological or paleontological interest situation on or under lands owned by New York State, except as provided for in Education Law, § 233.

Explanation of Policy 2.3: Protect and enhance resources that are significant to the waterfront culture.

- Protect historic shipwrecks.
- Prevent unauthorized collection of artifacts from shipwrecks.
- Protect the character of historic maritime communities.
- Preserve and enhance historic lighthouses and other navigational structures by providing for their long-term protection through the least degree of intervention necessary to preserve the structure. Consider extensive shoreline stabilization only if relocation of historic lighthouses is not feasible.

There are no historic shipwrecks or lighthouses in the Marlborough waterfront area.

**Policy 3: Enhance visual quality and protect scenic resources in the waterfront area.**

**Policy 3.1: Protect and improve the visual quality throughout the waterfront area.**

**Policy 3.2: Protect aesthetic values associated with recognized areas of high scenic quality.**

Explanation of Policy 3. In many place in the Town of Marlborough, public access to the Hudson River is precluded by other uses such as the rail road and private property. While historically the town centered on the river, the introduction of the rail road and the shift in shipping from steamships to trucks shifted development inland around Route 9W.

While in many locations throughout the town physical public access is prohibited, there are many places where visual access remains. The scenic vistas of open agricultural land, the Hudson River and the Hudson Valley that are viewed from Route 9W and the Marlborough Mountains are important resources for the town and should be improved, maintained and protected.

The intent of this policy is to protect and enhance visual quality and protect recognized scenic resources of the waterfront area. The policy is applicable to the scenic resources identified in Section III. Inventory and Analysis - Natural Resources and Environmental Features.

Explanation of Policy 3.1: Protect and improve the visual quality throughout the waterfront area.

- Enhance existing scenic characteristics by minimizing introduction of discordant features.

- Restore deteriorated and remove degraded visual elements, and screen activities and views which detract from visual quality.
- Preserve existing vegetation and establish new vegetation to enhance scenic quality.
- Group or orient structures to preserve open space and provide visual organization.
- Improve the visual quality associated with urban areas and historic maritime areas.
- Anticipate and prevent impairment of dynamic landscape elements that contribute to ephemeral scenic qualities.
- Recognize water-dependent uses as important additions to the visual interest of the waterfront.
- Protect scenic values associated with public lands, including public trust lands and waters, and natural resources.

Explanation of Policy 3.2: Protect aesthetic values associated with recognized areas of high scenic quality.

- Protect aesthetic and scenic values associated with the waterfront, and any areas designated as Scenic Areas of Statewide Significance.
- Prevent impairment of scenic components that contribute to high scenic quality.

### **Natural Waterfront Policies**

**Policy 4: Minimize loss of life, structures, and natural resources from flooding and erosion.**

**Policy 4.1: Minimize loss of human life and structures from flooding and erosion hazards.**

**Policy 4.2: Preserve and restore natural protective features.**

**Policy 4.3: Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.**

**Policy 4.4: Manage navigation infrastructure to limit adverse impacts on coastal processes.**

**Policy 4.5: Ensure that expenditure of public funds for flooding and erosion control projects result in a public benefit.**

**Policy 4.6: Consider sea level rise when siting and designing projects involving substantial public expenditures.**

Explanation of Policy 4: In response to existing or perceived erosion and flood hazards, many landowners have constructed erosion protection structures. While some erosion control structures are necessary to protect development, there are many erosion control structures located along the shore that are not necessary for erosion protection or may cause erosion.

Erosion protection structures often contribute to erosion both on and off the site due to poor design and siting and lack of downdrift remediation. Increased erosion, aesthetic impairments, loss of public recreational resources, loss of habitats, and water quality degradation can result from erosion protection structures. The cumulative impact of these structures can be large. Before a permit is granted to allow construction of erosion protection structures, the purpose, function, impact, and alternatives to a structure need to be carefully evaluated to determine that the structures are necessary and to avoid adverse impacts.

Although some sections of the shoreline have been heavily fortified, significant stretches of the waterfront remain in a natural state. The natural shoreline has an inherent natural, social, and economic value that should be respected to ensure continuing benefits to the State and the region. Consequently, those portions of the shoreline that are not fortified should generally remain in a natural condition to respond to coastal processes.

Development and redevelopment in hazard areas needs to be managed to reduce exposure to coastal hazards. Hardening of the shoreline is to be avoided except when alternative means, such as soft engineering alternatives, are not effective. Beach nourishment, revegetation, offshore bar building, or inlet sand bypassing are preferred approaches to control erosion because of fewer environmental impacts than hard structures. Hard structures may be more practical to protect principal structures or areas of extensive public investment. Areas of extensive public investment are found in developed centers.

Barrier landforms that protect significant public investment or natural resources should be maintained. Soft structural protection methods are to be used to conform to the natural coastal processes. Barrier beach landforms should be maintained by using clean, compatible dredged material, when feasible, for beach nourishment, offshore bar building, or marsh creation projects.

Sea level rise relative to the shore is another significant factor in the incidence of erosion and flooding over time. As a result, sea level rise should be considered when projects involving substantial investments of public expenditures are designed.



This policy seeks to protect life, structures, and natural resources from flooding and erosion hazards throughout the waterfront area. The policy reflects State flooding and erosion regulations and provides measures for reduction of hazards and protection of resources.

Explanation of Policy 4.1: Minimize loss of human life and structures from flooding and erosion hazards. This policy will be achieved by using the following recommended management measures, presented in order of priority:

- Avoid development other than water-dependent uses in coastal hazard areas;
- Locate new development and structures as far away from hazards as practical;
- Use vegetative non-structural measures which have a reasonable probability of managing flooding and erosion, based on shoreline characteristics including exposure, geometry, and sediment composition;
- Enhance existing natural protective features and processes, and use non-structural measures which have a reasonable probability of managing erosion;
- Use hard structural erosion protection measures for control of erosion only where the above measures are not sufficient to protect the principal use; or the use is water-dependent or reinforces the role of a maritime center or a waterfront redevelopment area.
- Mitigate the impacts of erosion control structures.
- Manage development in floodplains outside of coastal hazard areas so as to avoid adverse environmental effects, to minimize the need for structural flood protection measures, and to meet Federal flood insurances program standards.

Explanation of Policy 4.2: Preserve and restore natural protective features.

- Prevent development in natural protective features except development as specifically allowed in 6 NYCRR Part 505.8.
- Maximize the protective capabilities of natural protective features by:
  - avoiding alterations or interferences with shorelines in a natural condition;
  - enhancing existing natural protective features;
  - restoring impaired natural protective features; and
  - managing activities to minimize interference with, limit damage to, or reverse damage which has diminished the protective capacities of the natural shoreline.
- Minimize interference with natural coastal processes by:
  - providing for natural supply and movement of unconsolidated materials;

- minimizing intrusion of structures into coastal waters and interference with coastal processes; and
- mitigating any unavoidable intrusion or interference.

Explanation of Policy 4.3: Protect public lands and public trust lands and use of these lands when undertaking all erosion or flood control projects.

- Retain ownership of public trust lands which have become upland areas due to fill or accretion resulting from erosion control projects.
- Avoid losses or likely losses of public trust lands or use of these lands, including public access along the shore, which can be reasonably attributed to or anticipated to result from erosion protection structures.
- Mitigate unavoidable impacts on adjacent property, natural coastal processes and natural resources, and on public trust lands and their use.

Explanation of Policy 4.4: Manage navigation infrastructure to limit adverse impacts on coastal processes.

- Manage navigation channels to limit adverse impacts on coastal processes by designing channel construction and maintenance to protect and enhance natural protective features and prevent destabilization of adjacent areas; and make beneficial use of suitable dredged material.
- Manage stabilized inlets to limit adverse impacts on coastal processes.

Explanation of Policy 4.5: Ensure that expenditure of public funds for flooding and erosion control projects result in a public benefit.

- Give priority in the expenditure of public funds to actions that will protect public health and safety; mitigate flooding and erosion problems caused by previous human intervention; protect areas of intensive development; and protect substantial public investment in land, infrastructure, and facilities.
- Expenditure of public funds is limited to those circumstances where public benefits exceed public cost and is prohibited for the exclusive purpose of protecting private development, except where actions are undertaken by an erosion protection district.

**Policy 5: Protect and improve water quality and supply in the waterfront area.**

**Policy 5.1: Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards.**

**Policy 5.2: Manage land use activities and use best management practices to minimize nonpoint pollution of the Town of Marlborough waterfront area.**

**Policy 5.3: Protect and enhance the quality of the Town of Marlborough waterfront area waters.**

**Policy 5.4: Limit the potential for adverse impacts of watershed development on water quality and quantity.**

**Policy 5.5: Protect and conserve the quality and quantity of potable water.**

Explanation of Policy 5: The purpose of this policy is to protect the quality and quantity of water in the waterfront area. Quality considerations include both point source and nonpoint source pollution management. The primary quantity consideration is the maintenance of an adequate supply of potable water in the region.

Water quality protection and improvement in the region must be accomplished by the combination of managing new and remediating existing sources of pollution. In some areas with existing water quality impairments, more aggressive remediation measures will be needed.

Explanation of Policy 5.1: Prohibit direct or indirect discharges which would cause or contribute to contravention of water quality standards. Prevent point source discharges into the Town of Marlborough waterfront area and avoid land and water uses which would:

- Exceed applicable effluent limitations; or
- Cause or contribute to contravention of water quality classification and use standards; or
- Materially adversely affect receiving water quality; or
- Violate a vessel waste no-discharge zone prohibition.

Ensure effective treatment of sanitary sewage and industrial discharges by maintaining efficient operation of treatment facilities, providing secondary treatment of sanitary sewage, improving nitrogen removal capacity, incorporating treatment beyond secondary for new wastewater treatment facilities, reducing demand on facilities, reducing loading of toxic materials, reducing or eliminating combined sewer overflows, and managing on-site disposal systems.

Explanation of Policy 5.2: Manage land use activities and use best management practices to minimize nonpoint pollution of the Town of Marlborough waterfront area.

Non-point source pollution is that which originates from sources that are not localized or easily identifiable. In general, non-point source pollution results from various land uses such as run-off from farms and agricultural operations or drainage and runoff from impervious surfaces such as roads and parking lots. As such, measures can be taken which can reduce the introduction of non-point source pollution into the surface waters of the LWRP Area. Implement pollution prevention and education programs to reduce discharge of floatables and litter into the Hudson River and municipal storm drains.

Explanation of Policy 5.3: Protect and enhance the quality of the Town of Marlborough waterfront area waters.

To the greatest extent possible, improve the water quality of the Hudson River and associated wetlands complex based on an evaluation of physical factors (Ph., dissolved oxygen, dissolved solids, nutrients, odor, color, and turbidity), health factors (pathogens, chemical contaminants, and toxicity), and aesthetic factors (oils, floatables, refuse, and suspended solids).

Minimize disturbance of streams, including their beds and banks, in order to prevent erosion of soil, increased turbidity, and irregular variation in velocity, temperature, and level of water.

Protect water quality of the waterway waters from adverse impacts associated with excavation, fill, dredging, and disposal of dredged material.

Explanation of Policy 5.4: Limit the potential for adverse impacts of watershed development on water quality and quantity.

Protect water quality by ensuring that watershed development protects areas that provide important water quality benefits, maintains natural characteristics of drainage systems, and protects area that are particularly susceptible to erosion and sediment loss.

Limit the impacts of individual development projects to prevent cumulative water quality impacts upon the watershed which would result in a failure to meet water quality standards.

Explanation of Policy 5.5: Protect and conserve the quality and quantity of potable water.

Prevent contamination of potable waters by limiting discharges of pollutants and limiting land uses which are likely to contribute to contravention of surface and groundwater quality classifications for potable water supplies.

Prevent depletion of existing potable water supplies by limiting saltwater intrusion in aquifers and estuaries through conservation methods or restrictions on water supply use and withdrawals and allowing for recharge of potable aquifers.

Limit cumulative impacts of development on groundwater recharge areas to ensure replenishment of potable groundwater supplies.

**Policy 6: Protect and restore the quality and function of the waterfront area ecosystem.**

**Policy 6.1: Protect and restore ecological quality.**

**Policy 6.2: Protect and restore Significant Coastal Fish and Wildlife Habitats.**

**Policy 6.3: Protect and restore tidal and freshwater wetlands.**

**Policy 6.4: Protect vulnerable fish, wildlife, and plant species, and rare ecological communities.**

**Policy 6.5: Protect natural resources and associated values in identified regionally important natural areas.**

Explanation of Policy 6: Certain natural resources that are important for their contribution to the quality and biological diversity of the ecosystem have been specifically identified by the State for protection. These resources include regulated freshwater wetlands; designated Significant Coastal Fish and Wildlife Habitats; and rare, threatened and endangered species. The Hudson River Estuary supports a variety of marine, brackish, and freshwater communities including spawning, migratory and nursery habitat for anadromous, estuarine, and freshwater fish and regionally rare brackish and freshwater title communities and plants.

The significant fish and wildlife habitats, wetlands and other natural resources and sensitive areas within the LWRP Area shall be protected to the maximum extent practicable, recognizing that development will occur within the LWRP Area. Implementation of this policy requires balancing development uses with habitat conservation. The intent is not to prevent development; rather it is to ensure important habitats are protected as part of the development process.

This policy also recognizes and provides for enhancement of natural resources within regionally important natural areas for which management plans have been prepared.

Explanation of Policy 6.1: Protect and restore ecological quality.

- Avoid significant adverse changes to the quality of the ecosystem as indicated by physical loss, degradation, or functional loss of ecological components.
- Maintain values associated with natural ecological communities.
- Retain and add indigenous plants.
- Avoid fragmentation of natural ecological communities and maintain corridors between ecological communities. Maintain structural and functional relationships between natural ecological communities to provide for self-sustaining systems.
- Avoid permanent adverse change to ecological processes.
- Reduce adverse impacts of existing development when practical.
- Mitigate impacts of new development; mitigation may also include reduction or elimination of adverse impacts associated with existing development.

Explanation of Policy 6.2: Protect and restore Significant Coastal Fish and Wildlife Habitats.

Protect designated Significant Coastal Fish and Wildlife Habitats from uses or activities which would destroy habitat values or significantly impair the viability of the designated habitat beyond its tolerance range which is the ecological range of conditions that supports the species population or has the potential to support a restored population where practical.

Where destruction or significant impairment of habitat values cannot be avoided, minimize potential impacts through appropriate mitigation.

Wherever practical, enhance or restore designated habitats so as to foster their continued existence as natural systems.

Within the vicinity of Marlborough is the Kingston-Poughkeepsie Deepwater Significant Coastal Fish and Wildlife Habitat which provides habitat for both Atlantic and Shortnose Sturgeon populations. This significant habitat should be protected and preserved to maintain its viability and value to the Town of Marlborough and the region.

Explanation of Policy 6.3: Protect and restore tidal and freshwater wetlands.

Comply with statutory and regulatory requirements of the State's wetland laws, Articles 24 and 25 of the Environmental Conservation Law.



Use the following management measures, which are presented in order of priority:

1. Prevent the net loss of vegetated wetlands by avoiding fill or excavation;
2. Minimize adverse impacts resulting for unavoidable fill, excavation, or other activities; and
3. Provide for compensatory mitigation for unavoidable adverse impacts. Provided and maintain adequate buffers between wetlands and adjacent or nearby uses and activities to protect wetland values.

Restore tidal and freshwater wetlands wherever practical to foster their continued existence as natural systems.

Explanation of Policy 6.4: Protect vulnerable fish, wildlife, and plant species, and rare ecological communities.

Marlborough is located along the Hudson River below the Troy Dam in the areas known as The Hudson River Estuary. The Estuary is a productive and globally-significant water body, supporting important population of fish and wildlife, as well as rare communities and plants. This reach of river supports a variety of marine, brackish, and freshwater communities including spawning migratory and nursery habitat for anadromous, estuarine, and freshwater fish, important winter feeding and roosting areas for the bald eagle and globally and regionally rare brackish and freshwater tidal communities and plants.

Explanation of Policy 6.5: Protect natural resources and associated values in identified regionally important natural areas.

- Protect natural resources comprising a regionally important natural area.
- Focus State actions on protection, restoration, and management of natural resources.
- Protect and enhance activities associated with sustainable human use or appreciation of natural resources.
- Provide for achievement of a net increase in wetlands when practical opportunities exist to create new or restore former tidal wetlands.
- Adhere to management plans prepared for regionally important natural areas.

**Policy 7: Protect and improve air quality in the waterfront area.**

**Policy 7.1: Control or abate existing, and prevent new air pollution.**

**Policy 7.2: Limit discharges of atmospheric radioactive material to a level that is as low as practicable.**

**Policy 7.3: Limit sources of atmospheric deposition of pollutants to the waterway, particularly from nitrogen sources.**

Explanation of Policy 7: This policy provides for the protection of the Town of Marlborough from air pollution generated within the waterfront area or from outside the waterfront area which adversely affects air quality.

This is achieved through enforcement of State and Federal air quality standards and permit requirements. The air quality within the Town of Marlborough is considered to be within federal regulatory standards. Since the Town does not have any heavy industry, air pollution from stationary sources is not a current threat. The most likely sources of air pollution stem from increasing levels of automobile use and freight shipping via truck.

A potential concern for air quality is the garbage incinerator located across the river in Poughkeepsie, Dutchess County. Although the incinerator is not currently active, if it were to be reactivated, there is potential for Marlborough's air quality to be negatively affected.

Explanation of Policy 7.1: Control or abate existing, and prevent new air pollution.

- Limit pollution resulting from new or existing stationary air contamination sources consistent with applicable standards, plans, and requirements.
- Recycle or salvage air contaminants using best available air cleaning technologies.
- Limit pollution resulting from vehicle or vessel movement or operation, including actions which directly or indirectly change transportation uses or operation resulting in increased pollution.
- Restrict emissions of air contaminants to the outdoor atmosphere that are potentially injurious to human, plant and animal life, or that would unreasonably interfere with the comfortable enjoyment of life or property.
- Limit new facility or stationary source emissions of acid deposition precursors consistent with achieving final control target levels for wet sulfur deposition in sensitive receptor areas, and meeting New Source Performance Standards for the emissions of oxides of nitrogen.

**Policy 8: Minimize environmental degradation in the waterfront area from solid waste and hazardous substances and wastes.**

**Policy 8.1: Manage solid waste to protect public health and control pollution.**

**Policy 8.2: Manage hazardous waste to protect public health and control pollution.**

**Policy 8.3: Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.**

**Policy 8.4: Prevent and remediate discharge of petroleum products.**

**Policy 8.5: Transport solid waste and hazardous substances and waste in a manner which protect the safety, well-being, and general welfare of the public; the environmental resources of the State; and the continued use of transportation facilities.**

**Policy 8.6: Site solid and hazardous waste facilities to avoid potential degradation of waterfront resources.**

Explanation of Policy 8: The intent of this policy is to protect people from sources of contamination and to protect waterfront resources from degradation through proper control and management of wastes and hazardous materials. In addition, this policy is intended to promote the expeditious remediation and reclamation of hazardous waste sites in developed centers to permit redevelopment. Attention is also required to identify and address sources of soil and water contamination resulting from landfill and hazardous waste sites and in-place sediment contamination.

Explanation of Policy 8.1: Manage solid waste to protect public health and control pollution.

- Plan for proper and effective solid waste disposal prior to undertaking major development or redevelopment activities that generate solid wastes.
- Manage solid waste by:
  - a. Reducing the amount of solid waste generated.
  - b. Reusing or recycling material.
  - c. Using land burial or other approved methods to dispose of solid waste that is not otherwise being reused or recycled.
- Prevent the discharge of solid wastes into the Hudson River and tributary streams by using proper handling, storage, management, and transportation practices.
- Operate solid waste management facilities to prevent or reduce water, air, and noise pollution and other conditions harmful to the public health.

Explanation of Policy 8.2: Manage hazardous waste to protect public health and control pollution.

- Manage hazardous waste in accordance with the following priorities:
  - a. Eliminate or reduce generation of hazardous wastes to the maximum extent practicable;

- b. Recover, reuse, or recycle remaining hazardous wastes to the maximum extent practicable;
- c. Use detoxification, treatment, or destruction technologies to dispose of hazardous wastes that cannot be reduced, recovered, reused, or recycled;
- d. Where practical, phase out land disposal or industrial hazardous wastes;
- e. Use land disposal as a last resort.
- Ensure maximum public safety through proper management of industrial hazardous waste treatment, storage, and disposal.
- Remediate inactive hazardous waste disposal sites.

Explanation of Policy 8.3: Protect the environment from degradation due to toxic pollutants and substances hazardous to the environment and public health.

- Prevent release of toxic pollutants or substances hazardous to the environment that would have a deleterious effect of fish and wildlife resources and human health.
- Prevent environmental degradation due to persistent toxic pollutants by limiting discharge of bio-accumulative substances; and by avoiding resuspension of toxic pollutants and hazardous substances and wastes, and avoiding reentry of bio-accumulative substances into the food chain from existing sources.
- Prevent and control environmental pollution due to radioactive materials.
- Protect public health, public and private property, and fish and wildlife from inappropriate use of pesticides.
- Take appropriate action to correct all unregulated releases of substances hazardous to the environment.

Explanation of Policy 8.4: Prevent and remediate discharge of petroleum products.

- Minimize adverse impacts from potential oil spills by appropriate siting of petroleum storage and distribution facilities.
- Have adequate plans for prevention and control of petroleum discharges in place at any major petroleum-related facility.
- Prevent discharges of petroleum products by following methods approved for handling and storage of petroleum products and by using approved design and maintenance principles for storage facilities.
- Clean up and remove any petroleum discharge, giving first priority to minimizing environmental damage.

## **Public Waterfront Policies**

**Policy 9: Provide for public access to, and recreational use of, waterfront waters, public lands, and public resources of the waterfront area.**

**Policy 9.1: Promote appropriate and adequate physical public access and recreation throughout the waterfront area.**

**Policy 9.2: Provide public visual access from public lands to waterfront lands and waters or open space at all sites where physically practical.**

**Policy 9.3: Preserve the public interest in and use of lands and waters held in public trust by the State, and other public entities.**

**Policy 9.4: Assure public access to public trust lands and navigable waters.**

Explanation of Policy 9: Along many stretches of the shoreline, physical and visual access to waterfront lands and waters is limited for the general public. Limitations on reaching or viewing the waterfront are further heightened by a general lack of opportunity for diverse forms of recreation at those sites that do provide access. Often access and recreational opportunities that are available are limited to local residents. Existing development has made much of the waterfront inaccessible and new development has diminished remaining opportunities to provide meaningful public access. In addition to loss of opportunities for physical access, visual access has also been lost due to the loss of vantage points or outright blockage of views. Access along public trust lands of the shore has been impeded by long docks, and shoreline fortification has led to physical loss of access.

Existing public access and opportunities for recreation are inadequate to meet the needs of the residents of the State. Given the lack of adequate public access and recreation, this policy incorporates measures needed to provide and increase public access throughout the waterfront area. The need to maintain and improve existing public access and facilities is among these measures, and is necessary to ensure that use of existing access sites and facilities is optimized in order to accommodate existing demand. Another measure is to capitalize on all available opportunities to provide additional visual and physical public access along with appropriate opportunities for recreation.

A critical component of this LWRP is to provide public access to the town's riverfront. Physical and visual access to the Hudson River is limited along Marlborough's riverfront with the exception of Milton Landing Park and the marinas at Marlboro Landing. Privately owned land, steep slopes and the railroad running parallel to the river impede access to

the Hudson River along much of the town's shoreline. Upland areas provide sweeping views of the river and the Hudson River Valley. These views provide visual access where physical access is severely limited. Scenic vistas and physical access should be maintained and enhanced within the Waterfront Area.

Explanation of Policy 9.1: Promote appropriate and adequate physical public access and recreation throughout the waterfront area.

- The primary goal of this LWRP is to strengthen connections, both physical and visual, between the Town of Marlborough and the Hudson River.
- Provide convenient, well-defined, physical public access to and along the shoreline for water-related recreation.
- Provide a level and type of public access and recreational use that takes into account proximity to population centers, public demand, natural resource sensitivity, accessibility, compatibility with on-site adjacent land uses, and needs of special groups.
- Protect and maintain existing public access and water-related recreation.
- Provide additional physical public access and recreation facilities at public sites.
- Provide physical access linkages through the waterfront.
- Include physical public access and/or water-related recreation facilities as part of development whenever development or activities are likely to limit the public's use and enjoyment of public waterfront lands and waters.
- Provide incentives to private development which provides public access and/or water-related recreation facilities.
- Restrict public access and water-related recreation on public lands only where incompatible with public safety and protection of natural resources.
- Ensure access for the general public at locations where State or Federal funds are used to acquire, develop, or improve parkland.

Revitalization projects in the waterfront area will strengthen the connections between the Town of Marlborough and the Hudson River with the goal of enhancing waterfront access. These projects include the expansion of Milton Waterfront Parks, the creation of the Marlboro Mills Waterfall Walkway along Lattintown Creek, and the restoration of the southern pier at Milton Landing.

Explanation of Policy 9.2: Provide public visual access from public lands to waterfront lands and waters or open space at all sites where physically practical.



The Town of Marlborough's LWRP Area offers steep slopes and a diverse topography that create spectacular views of the Hudson River and the Hudson River Valley from upland areas including the Route 9W Corridor and the Marlborough Mountains. Creating more opportunities for public visual access is important to allow full appreciation of the beauty and resources of the area, and to increase the attractiveness of the waterfront area for residents and visitors alike.

- Avoid loss of existing visual access by limiting physical blockage by development or activities.
- Minimize adverse impacts on visual access.
- Mitigate loss of visual access by providing for on-site visual access or additional and comparable visual access off-site.
- Increase visual access wherever practical.

Explanation of Policy 9.3: Preserve the public interest in and use of lands and waters held in public trust by the State, and other public entities.

The LWRP furthers the goal of the state on promoting the river as a public amenity for community residents and visitors. Therefore no policy or development proposal shall contravene the public interest in and use of lands and waters held in public trust by the state and other governmental entities.

- Limit grants, easement, permits, or lesser interests in lands underwater to those instances where they are consistent with the public interest in the use of public trust lands.
- Determine ownership, riparian interest, or other legal right prior to approving private use of public trust lands under water.
- Limit grants, including conversion grants, in fee of underwater lands to exceptional circumstances.
- Reserve such interests or attach such conditions to preserve the public interest in use of underwater lands and waterways which will be adequate to preserve public access, recreation opportunities, and other public trust purposes.
- Evaluate opportunities to re-establish public trust interest in existing grants which are not used in accordance with the terms of the grant, or are in violation of the terms of the lease, or where there are significant limitations on public benefits resulting from the public trust doctrine.

Explanation of Policy 9.4: Assure public access to public trust lands and navigable waters.

- Ensure that the public interest in access below mean high water and to navigable waters is maintained.
- Allow obstructions to public access when necessary for the operation of water-dependent uses and their facilities.
- Permit interference with public access for riparian non-water-dependent uses in order to gain the minimum necessary reasonable access to navigable waters.
- Use the following factors in determining the minimum access necessary: the range of tidal fluctuation, the size and nature of the water body, the uses of the adjacent waters by the public, the traditional means of access used by surrounding similar uses, and whether alternative means to gain access are available.
- Mitigate substantial interference or obstruction of public use or public trust lands and navigable waters.

### **Working Waterfront Policies**

**Policy 10: Protect water-dependent uses and promote siting of new water-dependent uses in suitable locations.**

**Policy 10.1: Protect existing water-dependent uses.**

**Policy 10.2: Promote maritime centers as the most suitable locations for water-dependent uses.**

**Policy 10.3: Allow for development of new water-dependent uses outside of maritime centers.**

**Policy 10.4: Improve the economic viability of water-dependent uses by allowing for non-water-dependent accessory and multiple uses, particularly water-enhanced and maritime support services.**

**Policy 10.5: Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation, and maintain regionally important uses.**

**Policy 10.5: Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation, and maintain regionally important uses.**

**Policy 10.6: Provide sufficient infrastructure for water-dependent uses.**

**Policy 10.7: Promote efficient harbor operations.**

Explanation of Policy 10: The intent of this policy is to protect existing water-dependent commercial, industrial and recreation uses and to promote future siting of water-

dependent uses at suitable locations. It is also the intent of this policy to enhance the economic viability of water-dependent uses by ensuring adequate infrastructure for water-dependent uses and their efficient operation.

Water-dependent uses are vital to the economic health of the region and are identified in Section III.J. Inventory and Analysis, Water-Dependent and Water Enhanced Uses.

Explanation of Policy 10.1: Protect existing water-dependent uses.

Avoid actions which would displace, adversely impact, or interfere with existing water-dependent uses. Water-dependent uses are activities which can only be conducted on, in, over or adjacent to the water because such activity requires direct access to water and the use of water is an integral part of the activity. Very few water-dependent uses now occur on the Town of Marlborough's waterfront. Existing water-dependent uses in the Waterfront Area include recreational boating and fishing – activities that are promoted by this LWRP.

Explanation of Policy 10.2: Promote maritime centers as the most suitable locations for water-dependent uses.

- Ensure that public actions enable maritime centers to continue to function as centers for water-dependent uses.
- Protect and enhance the economic, physical, cultural, and environmental attributes which support each maritime center.

There is relatively little development along the Town of Marlborough's waterfront. Public access is limited to two points, one at Milton Landing and one at Marlboro Landing. The majority of the land along the river is in private ownership, and challenging topography further restricts sites where development may be appropriate. New water-dependent uses should be guided towards areas with already existing water-dependent and water-enhanced uses.

Explanation of Policy 10.3: Allow for development of new water-dependent uses outside of maritime centers.

New water-dependent uses may be appropriate outside maritime centers if the use should not be located in a maritime center due to the lack of suitable sites; or has unique locational requirements that necessitate its location outside maritime centers; or would adversely impact the functioning and character of the maritime center if located within the maritime center; or is of a small scale and has a principal purpose of providing access to the waterway.

Explanation of Policy 10.5: Minimize adverse impacts of new and expanding water-dependent uses, provide for their safe operation, and maintain regionally important uses.

- Site new and expanding existing marinas yacht clubs, boat yards, and other boating facilities where there is adequate upland for support facilities and services; sufficient waterside and landside access; appropriate nearshore depth to minimize dredging; suitable water quality classification; minimization of effects on wetlands, shellfish beds, or fish spawning grounds; and adequate water circulation.
- Maintain existing ferry services and promote new ferry services to increase the transportation efficiency of passengers and cargo.
- Improve protection of natural resources when importing, transshipping, or storing petroleum products by promoting inland storage and offshore transshipment of product.
- Maintain regionally important aggregate transshipment facilities.

Explanation of Policy 10.6: Provide sufficient infrastructure for water-dependent uses.

- Protect and maintain existing public and private navigation lanes and channels at depths consistent with the needs of water-dependent uses.
- Provide new or expanded navigation lanes, channels, and basins when necessary to support water-dependent uses.
- Use suitable dredged material for beach nourishment, dune reconstruction, or other beneficial uses.
- Avoid placement of dredged material in waterbodies when opportunities for beneficial reuse of the material exist.
- Allow placement of suitable dredged material in nearshore locations to advance maritime or port-related functions, provided it is adequately contained and avoids negative impacts on vegetated wetlands and significant coastal fish and wildlife habitats.
- Avoid shore and water surface uses which would impede navigation.
- Give priority to existing commercial navigation in determining rights to navigable waters.
- Provide for services and facilities to facilitate commercial, industrial, and recreational navigation.
- Foster water transport for cargo and people.
- Maintain stabilized inlets.

Explanation of Policy 10.7: Promote efficient harbor operations.

- Limit congestion of harbor waters, conflict among uses, foster navigational safety, and minimize obstructions in the waterway to reduce potential hazards to navigation.
- Prohibit any increase or additional use of waterway if such an increase or addition poses a public safety hazard, which cannot be mitigated.
- Prohibit intrusions or encroachments upon navigation channels and other identified vessel use areas.

The Marlborough waterfront is not host to an active harbor, although there is potential for deep water docking capabilities that may open the area up to larger water-craft.

**Policy 11: Promote sustainable use of living marine resources in the waterfront area.**

**Policy 11.1: Ensure the long-term maintenance and health of living marine resources.**

**Policy 11.2: Provide for commercial and recreational use of marine resources.**

**Policy 11.3: Maintain and strengthen a stable commercial fishing fleet.**

**Policy 11.4: Promote recreational use of marine resources.**

**Policy 11.5: Promote managed harvest of shellfish originating from uncertified waters.**

**Policy 11.6: Promote aquaculture.**

Explanation of Policy 11: Although commercial fishing plays no role in the local economy, recreational fishing is popular at the public access points to the river. The Hudson River Estuary provides habitat for many important marine resources including Shortnose and Atlantic sturgeon and the Striped Bass. These resources provide recreational experiences and important accompanying economic activity.

Continued use of living marine resources depends on maintaining long-term health and abundance of marine fisheries resources and their habitat in the Hudson River, and ensuring that the resources are sustained in usable abundance and diversity for future generations. This requires the State's active management of marine fisheries, protection and conservation of habitat, restoration of habitats in areas where they have been degraded, and maintenance of water quality at a level that will foster occurrence and abundance of living marine resources. Allocation and use of the available resources must: be consistent with the restoration and maintenance of healthy stocks and habitats, and maximize the benefits of resource use so as to provide valuable recreational experiences



and viable business opportunities for commercial and recreational fisheries. Based upon ownership of underwater lands, many communities also provide for the direct management of marine resources.

The Town of Marlborough is a designated MS4, as defined by the Phase II Stormwater Regulations. The town will comply with state permit requirements and preserve and improve non-point source pollution impacts on water quality to the extent practical. The LWRP shall promote sustainable public uses of the living marine resources like improving amenities and public access to the river for recreational fishing.

Explanation of Policy 11.1: Ensure the long-term maintenance and health of living marine resources.

Ensure that commercial and recreational uses of living marine resources are managed in a manner that results in sustained useable abundance and diversity of the marine resource, does not interfere with population and habitat maintenance and restoration efforts, and uses best available scientific information in managing the resources, and minimizes waste and reduces discard mortality of marine fishery resources.

Ensure that the management of the State's transboundary and migratory species is consistent with interstate, State-Federal, and inter-jurisdictional management plans.

Protect, manage, and restore sustainable populations of indigenous fish, wildlife species, and other living marine resources.

Foster occurrence and abundance of marine resources by protecting spawning grounds, habitats, and water quality, and enhancing and restoring fish and shellfish habitat, particularly for anadromous fish, oysters, and hard clams.

Explanation of Policy 11.2: Provide for commercial and recreational use of marine resources.

Maximize the benefits of marine resources use so as to provide a valuable recreational resource experience and viable business opportunities for commercial and recreational fisheries.

Where fishery conservation and management plans require actions that would result in resource allocation impacts, ensure equitable distribution of impacts among user groups giving priority to existing fisheries in the State.

Protect the public health and the marketability of marine and fishery resources by maintaining and improving water quality.

Promote development of and maintain existing artificial reefs to improve marine resources habitat and expand nearshore fishing opportunities.

Explanation of Policy 11.3: Maintain and strengthen a stable commercial fishing fleet.

There are no commercial fishing operations in the waterfront area.

Explanation of Policy 11.4: Promote recreational use of marine resources.

- Provide opportunities for recreational use of marine resources.
- Provide adequate infrastructure to meet recreational needs, including appropriate fishing piers, dockage, parking, and livery services.
- Promote commercial charter and party boat businesses in maritime centers.

Explanation of Policy 11.5: Promote managed harvest of shellfish originating from uncertified waters.

- Allow for harvest of shellfish from uncertified waters, provided shellfish sanitation protocols are adhered to for protection of public health.
- Limit environmental disturbances of the harvest area by using the scale or method of shellfish harvesting operations that is most appropriate to the resource and the physical characteristics of the harvest area. Allow sufficient shellfish spawning stock to remain in the harvest area to maintain the resource while reducing the likelihood of illegal harvesting.
- Promote hand-harvesting of stock for depuration and for relays by nearshore harvesters.

Explanation of Policy 11.6: Promote aquaculture.

- Encourage aquaculture of economically important species.
- Protect native stocks from potential adverse biological impacts due to aquaculture.
- Provide leases of State-owned underwater lands for aquaculture only in areas which are not significant shellfish producing areas or which are not supporting significant shellfish hand-harvesting, and only where aquaculture operations would not significantly impair natural resources or water quality.

**Policy 12: Protect agricultural lands.**

**Policy 12.1: Protect existing agriculture and agricultural lands from conversion to other land uses.**

**Policy 12.2: Establish and maintain favorable conditions which support existing or promote new agricultural production.**

**Policy 12.3: Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land.**

**Policy 12.4: Preserve scenic and open space values associated with agricultural lands.**

Explanation of Policy 12: Agriculture is a primary land use in the Town of Marlborough and plays an important role in the character and economy of the town. The intent of this policy to conserve and protect agricultural land by preventing conversion of prime farmland to other uses and protecting existing and potential future agricultural production. Agricultural acreage has sharply reduced over a relatively short period of time. This loss has occurred primarily due to residential development which has rapidly transformed the landscape from one dominated by agrarian uses and activities to one dominated by single family residences. Protecting the remaining agricultural land is necessary to ensure preservation of the agricultural economy, farming heritage, open space, and scenic quality.

Explanation of Policy 12.1: Protect existing agriculture and agricultural lands from conversion to other lands uses.

Protect existing agricultural use and production from adverse impacts due to public infrastructure and facility development, creation of other conditions which are likely to lead to conversion of agricultural lands, and environmental changes which are likely to reduce agricultural productivity or quality, including, but not limited to, quantitative and qualitative changes to groundwater resources.

Provide sufficient buffer as part of new development when it is located near agricultural land.

Although Marlborough's agricultural acreage has been declining over the last 50 years, it still retains approximately one-third of the town's entire land base. This loss has occurred primarily due to residential development.

Explanation of Policy 12.2: Establish and maintain favorable conditions which support existing or promote new agricultural production.

- Promote new and maintain existing local services and commercial enterprises necessary to support agricultural operations.
- Provide economic support of existing agriculture by allowing mixed uses which would assist in retention of the agricultural use.
- Promote activities and market conditions that would likely prevent conversion of farmlands to other land uses.

The town's Right-to-Farm law, Section 115 of the Town of Marlborough Code, protects a farmer's ability to conduct farm operations and Ulster County's Agriculture and Farmland Protection Plan seeks to create an atmosphere that fosters successful farming now and in the future.

Explanation of Policy 12.3: Minimize adverse impacts on agriculture from unavoidable conversion of agricultural land.

When farmland is converted to residential or other non-agricultural land use, techniques like site design should minimize potential conflicts between new residential or commercial uses and the agricultural use.

- Minimize encroachment of commercial, industrial, institutional, or residential development of agricultural lands.
- Retain or incorporate opportunities for continuing agricultural use.
- Locate and arrange development to maximize protection of the highest quality agricultural land in large contiguous tracts for efficient farming.

Explanation of Policy 12.4: Preserve scenic and open space values associated with agricultural lands.

Agricultural land as an element of the town's landscape makes a particularly important contribution to the community character of Marlborough and should be protected.

- Locate and arrange development to maximize protection of agricultural land in large contiguous tracts to protect associated scenic and open space values.
- Allow farms to operate using appropriate modern techniques and structures without consideration of scenic values.

**Policy 13: Promote appropriate use and development of energy and mineral resources.**

**Policy 13.1: Conserve energy resources.**

**Policy 13.2: Promote alternative energy sources that are self-sustaining, including solar and wind powered energy generation.**

**Policy 13.3: Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities.**

**Policy 13.4: Minimize adverse impacts from fuel storage facilities.**

**Policy 13.5: Minimize adverse impacts associated with mineral extraction.**

Explanation of Policy 13: In dealing with energy problems, the first order of preference is the conservation of energy. Energy efficiency in transportation and site design, and efficiency in energy generation are the best means for reducing energy demands. Reduced demand for energy reduces the need for construction of new facilities that may have adverse impacts on waterfront resources.

In addition to the impacts of construction of new energy generating facilities, the potential impacts of oil and gas extraction and storage and mineral extraction must be considered. In particular are the potential adverse impacts of mining activities on aquifers.

The intent of this policy is to foster the conservation of energy resources by seeking alternative energy sources, providing for standards to ensure maximum efficiency and minimum environmental impacts when siting energy facilities, minimizing the impact of fuel storage facilities and addressing mineral extraction.

Explanation of Policy 13.1: Conserve energy resources.

Conservation of energy resources shall be encouraged to the extent practicable in the LWRP Area. The Town of Marlborough will promote and maintain energy efficient modes of transportation and energy efficient building design where feasible.

- Promote and maintain energy efficient modes of transportation, including rail freight and intermodal facilities, waterborne cargo and passenger transportation, mass transit, and alternative forms of transportation.
- Plan and construct sites using energy efficient design.
- Capture heat waste from industrial processes for heating and electric generation.
- Improve energy generating efficiency through design upgrades of existing facilities.

Explanation of Policy 13.2: Promote alternative energy sources that are self-sustaining, including solar and wind powered energy generation.

In siting such facilities, avoid interference with waterfront resources including migratory birds, wetland and woodland habitats, scenic resources, and agricultural lands with prime soils.

Explanation of Policy 13.3: Ensure maximum efficiency and minimum adverse environmental impact when siting major energy generating facilities.

- Site major energy generating facilities in a waterfront location where a clear public benefit is established.
- Site major energy generating facilities close to load centers to achieve maximum transmission efficiency.
- Site and construct new energy generating and transmission facilities so they do not adversely affect natural and economic waterfront resources.

Explanation of Policy 13.4: Minimize adverse impacts from fuel storage facilities.

From 1939 until 2001, Suburban Propane used a 14.5 acre property on the riverfront to store petroleum that was transported by ships and barges up the Hudson River. The site's access to deep water allowed large vessels to connect to a pipeline that pumped petroleum across the rail line up to aboveground storage tanks located on the upper part of the property. In 2001, the storage facility was dismantled and the storage tanks were removed. A remediation plan approved by the DEC was completed in 2006. In 2009, in collaboration with Scenic Hudson and The Trust for Public Land, the Town of Marlborough acquired this property which will soon be the home to the Milton Riverfront Park.

For any future fuel storage facilities, policies and development shall minimize detrimental effects on the waterway as a result of fuel storage facilities.

- Regional petroleum reserve facilities are inappropriate in the waterfront area.
- The production, storage, or retention of petroleum products in earthen reservoirs is prohibited.
- Protect natural resources by preparing and complying with an approved oil spill contingency plan.

Explanation of Policy 13.5: Minimize adverse impacts associated with mineral extraction.

- Commercial sand and aggregate mining is generally presumed to be an inappropriate use in the waterfront area.
- Preserve topsoil and overburden using appropriate site preparation techniques and subsequent site reclamation plans.



Tilcon New York, Inc. previously operated a trap rock quarry in the southern portion of the town, but it is unlikely that the company or any other will resume extraction operations in Marlborough.

## Definitions

Selected terms used in the policies are defined as follows:

**Accretion** means the gradual and imperceptible accumulation of sand, gravel, or similar material deposited by natural action of water on the shore. This may result from a deposit of such material upon the shore, or by a recession of the water from the shore.

**Agricultural land** means land used for agricultural production, or used as part of a farm, or having the potential to be used for agricultural production. Agricultural lands include lands in agricultural districts, as created under Article 25-AA of the Agricultural and Markets Law; lands comprised of soils classified in soil groups 1, 2, 3, or 4 according to the New York State Department of Agriculture and Markets Land Classification System; or lands used in agricultural production, as defined in Article 25-AA of the Agriculture and Markets Law.

**Aquaculture** means the farming of aquatic organisms, including fish, mollusks, crustaceans, and aquatic plants. Farming implies some form of intervention in the rearing process to enhance production, such as regular stocking, feeding, protection from predators, etc. Farming also implies ownership of the stock being cultured.

**Best management practices** means methods, measures, or practices determined to be the most practical and effective in preventing or reducing the amount of pollutants generated by nonpoint sources to a level compatible with water quality standards established pursuant to section 17-0301 of the Environmental Conservation Law. Best management practices include, but are not limited to, structural and non-structural controls, and operation and maintenance procedures. Best management practices can be applied before, during, or after pollution-producing activities to reduce or eliminate the introduction of pollutants into receiving waters.

**Boating facility** means a business or accessory use that provides docking for boats and encompasses 4,000 square feet or greater of surface waters, as measured by the outermost perimeter of the dock, and is designed to accommodate six (6) or more boats.

**Coastal Barrier Resource Area** means any one of the designated and mapped areas under the Coastal Barrier Resources Act of 1982, (P.L. 97-348), and any areas designated and mapped under the Coastal Barrier Improvement Act of 1990 (P.L. 101-591), as administered by the U.S. Fish and Wildlife Service, and any future designations that may occur through amendments to these laws.

**Coastal Hazard Area** means any coastal area included within an Erosion Hazard Area designated by the New York State Department of Environmental Conservation pursuant to the Coastal Erosion Hazard Areas Act of 1981 (Article 34 of the Environmental Conservation Law), and any coastal area included within a V-zone as designated on Flood Insurance Rate Maps prepared by the Federal Emergency Management Agency pursuant to the National Flood Insurance Act of 1968 (P.L. 90-448) and the Flood Disaster Protection Act of 1973 (P.L. 93-234).

**Development, other than existing development**, means any construction or other activity which materially changes the use, intensity of use, or appearance of land or a structure including any activity which may have a direct and significant impact on coastal waters. Development shall not include ordinary repairs or maintenance or interior alterations to existing structures or traditional agricultural practices. The term shall include division of land into lots, parcels, or sites.

**Historic maritime communities** are historic centers of maritime activity identified in Chapter 587, Laws of 1994, for the purpose of fostering the protection and beneficial enjoyment of the historic and cultural resources associated with maritime activity on Long Island Sound.

**Historic resources** means those structures, landscapes, districts, areas or sites, or underwater structures or artifacts which are listed or designated as follows: any historic resource in a Federal or State park established, solely or in part, in order to protect and preserve the resource; any resource on, nominated to be on, or determined eligible to be on the National or State Register of Historic Places; any cultural resource managed by the State Nature and Historic Preserve Trust or the State Natural Heritage Trust; any archaeological resource which is on the inventories of archaeological sites maintained by the Department of Education or the Office of Parks, Recreation, and Historic Preservation; any resource which is a significant component of a Heritage Area; any locally designated historic or archaeological resources protected by a local law or ordinance.

**Maritime center** means a discrete portion or area of a harbor or bay that is developed with, and contains concentrations of water-dependent commercial and industrial uses or essential support facilities. The harbor or bay area is a center for waterborne commerce, recreation, or other water-dependent business activity and, as such, is an important component of the regional transportation system. A maritime center is characterized by: sheltered and suitable hydrologic conditions; land- and water-based infrastructure, essential for the operation of water-dependent commercial and industrial uses, extant or easily provided; physical conditions necessary to meet the siting and operational requirements of water-dependent uses; close proximity to central business districts; and

limited high value natural resources.

**Maritime support services** are industrial, commercial, or retail uses which provide necessary goods and services to water-dependent businesses, thus enabling these businesses to operate in an efficient and economically viable manner.

**Native or indigenous stock** means fish, shellfish, and crustaceans originating in and being produced, growing, living, or occurring naturally in the coastal waters.

**Natural ecological community** means a variable assemblage of interacting plant and animal populations that share a common environment.

**Natural protective features** means a nearshore area, beach, bluff, primary dune, secondary dune, or wetland, and the vegetation thereon.

**Public trust lands** are those lands below navigable waters, with the upper boundary normally being the mean high water line, or otherwise determined by local custom and practice. Public trust lands, waters, and living resources are held in trust by the State or by the trustees of individual towns for the people to use for walking, fishing, commerce, navigation, and other recognized uses of public trust lands.

**Rare ecological communities** are ecological communities which, according to the State Natural Heritage Program, qualify for a Heritage State Rank of S1 or S2; and those which qualify for a Heritage State Rank of S3, S4 or S5 and an Element Occurrence Rank of A.

**Traditional waterfront communities** means communities which historically have contained concentrations of water-dependent businesses; possess a distinctive character; and serve as a focal points for commercial, recreational, and cultural activities within the region.

**Vulnerable fish and wildlife species** means those listed in 6 NYCRR Part 182.5 as Endangered Species, Threatened Species, and Special Concern Species.

**Vulnerable plant species** means those listed in 6 NYCRR Part 193.3 as Endangered Species, Threatened Species, Exploitable Vulnerable Species, and Rare Species.

**Water-dependent use** means a business or other activity which can only be conducted in, on, over, or adjacent to a water body because such activity requires direct access to that water body, and which involves, as an integral part of such activity, the use of the water.

**Water-enhanced use** means a use or activity which does not require a location adjacent to coastal waters, but whose location on the waterfront adds to the public use and enjoyment of the water's edge. Water-enhanced uses are primarily recreational, cultural, retail, or entertainment uses.

**Waterfront Redevelopment Area** is the waterfront area which is part of or near a business district and contains blighted or underutilized properties which are adequate in size to accommodate significant redevelopment of regional or statewide benefit. The following factors shall be considered in identification of waterfront redevelopment areas: (1) evidence of community commitment and initiative; (2) participation in the Local Waterfront Revitalization Program; (3) adequacy of local land and water use regulations; (4) adequacy of infrastructure; (4) opportunities for local and regional economic growth; and (5) opportunities for improved public access, environmental quality, and creation of local activity centers.

## Section V: Proposed Land and Water Uses and Proposed Projects

Through the LWRP planning process and community involvement, priority projects have been identified to address several objectives of this LWRP. The areas of greatest interest for these projects are the Milton and Marlboro hamlet areas as well as the Milton Landing Park, located along the Hudson River in the Milton hamlet.

**I. Hamlet Area Enhancements** – Two hamlets exist within the town, Milton hamlet to the north and Marlboro hamlet to the south. Though each hamlet has its own individual needs and character, the following recommendations are generalized for both hamlets and followed by more specific recommendations for each.

- a. Establish Hamlet Gateways on NYS Route 9W at entry and exit points to each Hamlet.** Community gateways are landscaped sign installations that announce to motorists that they are entering a community. Gateways on Route 9W will communicate to motorists that they are making the transition from a highway type roadway to a community street where land use, pedestrian, and motor vehicle activities will be more intense. Ideally, the motorists will respond by slowing down. A community gateway should be placed close to the boundary of the community and where a reduction in traffic speed is desired. The gateway sign needs to be large enough to attract the attention of drivers and must clearly convey the message that the character of the roadway is changing from highway to municipal.



Figure 1: Community gateways use landscaping, crosswalk enhancements, and other design elements to convey to motorists to slow down.

**Milton Hamlet-** The four corners area at the intersection of Route 9W and Milton Turnpike has been identified as the appropriate location for the northern gateway to Milton Hamlet. A sign for the hamlet already exists on the southeastern corner of this intersection, however a larger sign, more appropriate for the speed of traffic, and some strategic landscaping and other intersection improvements would make the gateway more visible for motorists. A southern gateway for Milton has yet to be determined, but its location should be chosen based on the same criteria.

**Marlboro Hamlet-** The parking lot across Route 9W from St. Mary's Church on the southern end of Marlboro hamlet has been identified by previous studies as the appropriate location for the southern gateway sign. The intersection of Purdy Avenue and Route 9W to the north of the hamlet appears to be an appropriate place for the northern gateway area.



Figure 2: Marlboro hamlet southern gateway concept design, courtesy of Barton and Loguidice, 2015.

Ideally, gateway signs are installed on the right-hand side of the street so that they are more visually accessible for motorists. In the case of the Milton and Marlboro gateway signs, they should be installed on both sides of the street if possible, as their intention is to indicate both the entrance and exit of each hamlet for traffic traveling both north and south along Route 9W.

The gateway examples shown in Figure 1 depict gateway areas with medians installed in the center of the roadway. While this is an effective approach for slowing traffic, medians may not be feasible for the 9W Corridor. Gateway areas should be designed with road and traffic type in mind. In addition, contextually relevant design elements should be incorporated into the gateway signs and landscaping, like the stone wall feature in the conceptual rendering shown in Figure 2 above.

The most appropriate application for a community gateway would be as an integral part of a larger traffic calming and corridor beautification project. The 2017-2018



Ulster County 9W Corridor study for the Town of Marlborough includes this type of transportation planning.

- b. Streetscape improvements.** Improvements to the streetscape are a key component in creating safe, walkable streets in Marlborough. Installation of pedestrian scale lighting, connected sidewalks and shared use paths, as well as landscaping improvements can help create an environment where pedestrians and bicyclists feel safe.

**Lighting** – Pedestrian-scale lighting is lower in height than standard street lighting and is spaced closer together, creating a safer and more comfortable environment for pedestrians. Shielded, downward facing LED street lighting will reduce electricity costs compared to traditional sodium street lights, as well as minimize light pollution that may be disruptive to hamlet residents.

**Marlboro Hamlet** – Pedestrian-scale lighting should be installed in the core area along Route 9W and expand along King Street and Western Avenue.

**Milton Hamlet** - Pedestrian-scale lighting should be installed in the core commercial area on Main Street, and expand upward along Milton Turnpike to Route 9W, creating a welcoming atmosphere as pedestrians and motorists approach the hamlet.



Figure 3: Streetscape improvements can create a safer environment for pedestrians

**Landscaping** – Similar to the Hamlet Gateway Areas, landscaping options can be used throughout the hamlets to slow traffic and create a more welcoming atmosphere for pedestrians.

**Street Trees** - The benefit of planting trees along a road side are plenty. Street trees are beneficial to the environment, signal to motorists to slow down, and add to the aesthetics of the area. Ideally, street trees are planted between the sidewalk and the roadway, consideration should be given to the height of the tree species, the size of the leaves and canopy, and the depth of the roots so that they do not interfere with the sidewalk and road surfaces. Cornell University provides a guide for selecting the appropriate trees based on a variety of factors, the guide can be found at: <http://www.hort.cornell.edu/uhi/outreach/recurbtree/pdfs/~recurbtrees.pdf>. A recent study and grant proposal identified areas along 9W in each hamlet where street trees should be located.

**Sidewalks** – The town currently suffers from a disconnected grid of sidewalks. In order to create a safer and more welcoming atmosphere for walking, steps must be taken to fill in the gaps. Sidewalk construction and improvements are best done in conjunction with larger road improvement projects, the ability to coordinate with the town and county public works department on future projects is critical. Areas identified in the town’s Safe Route to School Study (Alta Planning + Design, 2016) for sidewalk installation include:

- Route 9W between Old Post Road and Young Avenue
- Dubois Street
- Orange Street
- Bloom Street
- Birdsall Avenue
- McLaughlin Drive
- Purdy Avenue

In addition to these identified areas, there are many places throughout the town that would benefit from improvements in pedestrian accommodations, a more thorough study should be performed to identify these places.



Figure 4: Conceptual rendering of intersection improvements in Marlboro Hamlet

**Intersection Improvements** - In addition to installing sidewalks, there are improvements that can be made to intersections along the 9W corridor. These adjustments can improve safety for pedestrians, bicyclists and motorists. Intersections that were identified in the town's Safe Routes to School Study (Alta Planning + Design, 2016) as intersections recommended for crosswalk installation are the following:

- Birdsall Avenue and 9W (West)
- Orange Street and Western Avenue (East)
- Purdy Avenue and 9W (West)
- Birdsall Avenue and Prospect Street (East)
- South Street and Bloom Street (North, East, South, West)

**Milton Hamlet** – The four corners intersection is where NYS Route 9W meets Milton Turnpike and acts as the northern gateway area for Milton hamlet. Improvements such as sidewalks, signalized crossings, and strategic landscaping would work to improve the safety and aesthetics of this intersection while also incorporating features that naturally slow traffic by way of traffic calming.

**Marlboro Hamlet** - The Intersection of Route 9W, Western Avenue and King Street is well known throughout the area as a problem intersection, it was identified as “one of the largest barriers for pedestrian and bicycle travel in Marlborough” by the town's Safe Routes to School Study (Alta Planning + Design, 2016). Here, Western

Avenue and King Street converge with NYS Route 9W forming an odd traffic predicament for motorists, pedestrians and bicyclists alike. The Marlboro Hamlet Area Transportation Plan (2008) identified six different alternatives for the intersection one Route 9W, Western Avenue and King Street. These alternatives should be revisited and reevaluated to coincide with the Ulster County 9W Corridor Study that will be completed later in 2017-2018.

**c. Parking improvements** – Parking availability is a concern of citizens and business owners in the town, and the majority of parking occurs around the hamlet centers. Recent and proposed commercial development has the potential to further decrease parking availability. In both hamlets, opportunities for shared parking arrangements should be explored between establishments that have different peak hours of operations. Potential opportunities exist with St. Mary's Church in Marlboro and St. James' Church and Town Hall in Milton, all have predictable hours of operation. Although these parking lots may already be used in an informal way, establishing a formal agreement and clearly posted directional signs for parking would reduce some of the parking pressures in the hamlets.

An additional option to explore is to improve and expand on-street parking on the side streets surrounding each hamlet. Providing on street parking on a designated side of the street, with a time limitation would allow for additional parking near the commercial areas of the hamlet without affecting the neighborhood's environment.

**II. Increase riverfront accessibility** – A stated goal of this LWRP and of the town's 2002 Master Plan is to *strengthen connections with the Hudson River* by integrating the waterfront into the community by improving both physical and visual access to the river. Creating safe non-motorized accommodations to connect the community with the River is the first step to achieving this goal.

**a. Milton Landing Park** – Implement the design standards and recommendations from the Milton Landing Park Master Plan.



Figure 5: Milton Waterfront Parks Master Plan (Behan Planning & Design, 2017)

**b. Milton Landing Pier** - In 2016, the town received a \$40,000 grant from New York State for an engineering study to evaluate the condition of the pier. Specific recommendations for the future use of the pier are found in the 2017 Milton Waterfront Master Plan. The next step is for the town to secure funding to rehabilitate and construct new south pier and related pier improvements.

**c. Milton Turnpike Shared Use Path** –Milton Turnpike serves as the main entrance into the hamlet of Milton from Route 9W, this county road winds down a gradual hill from Route 9W and intersects Main Street in the Milton hamlet. Although this is a highly used road for pedestrians and motorists alike, it is only partially served by a sidewalk. The completion of the sidewalk by installing a shared use path along the remainder of the road would secure safety for those who currently walk along this road, and



encourage walking for those who currently perceive it to be unsafe. To continue on to the riverfront, the route utilizes the existing sidewalk on Main Street for one block and then turns east down Dock Road, also a county road, that winds down varied terrain, passing a pond and offering fantastic views of the Hudson River before entering Milton Landing Park home of the town's historic train station and publically accessible piers.

The completion of the Milton Turnpike shared use path would not only create a safer environment for pedestrians, it would also serve to increase the physical connections between Milton hamlet and the Hudson Riverfront, a primary goal of the town and this LWRP.

**d. Marlboro Mills Waterfall Walkway** – The Marlboro Hamlet Economic Development Committee (MEDC) has developed the proposed Marlboro Mills Waterfall Walkway (MMWW) as a recreation and heritage trail project. The proposed trail will create a pedestrian experience and connection between the Marlboro Hamlet and the Hudson River waterfront. The trail will follow Lattintown Creek which winds past the commercial center's historic buildings and mill sites. The trail would provide dramatic views of the creek splashing over rocky ledges and include interpretive signage telling the story of the agricultural community, its water-powered industry, and connections to river transportation.

The social and economic history of the Marlboro hamlet is directly tied to the geographical features of Lattintown Creek and its Hudson River confluence. For almost 200 years spanning the 18<sup>th</sup> to 20<sup>th</sup> centuries the many shorter falls along the Creek powered mills serving the local agricultural economy by grinding grain, making baskets for produce and containers for fruit preserves, and sawing wood, making textiles and even cutting and storing ice. Today, the important historical and physical connections between Marlboro's industrial history, the modern Hamlet and the Hudson River have been

Communities with public trails and historical sites are viewed as more attractive to home buyers and potential visitors. Additionally, access to trails has been shown to have significant public physical and mental health benefits.

Currently, the Town of Marlborough has limited outdoor public recreational facilities and no alternative transportation corridors or publicly interpreted historic or natural landscapes. Only two percent of Marlborough's land is public open space, well below the Ulster County average of 31 percent. The MMWW trail would be the Marlboro Hamlet's first public trail system, and the Town of Marlborough's second public trail and recreational opportunity.



lost. The MMWW trail and its public history interpretation elements is an opportunity reestablish those lost connections.

The MMWW trail is part of a town-wide vision to make Marlborough and its hamlets a destination with more attractive buildings and an appealing mix of shopping and other cultural, historical and recreational experiences. The trail, when completed, will link the town's natural and industrial history sites

with a mix of on- and off-street trails, with existing and proposed bridges creating a variety of routes in a mix of urban and wooded environments. Signage would interpret the natural, social and industrial history of the creek, Marlboro Hamlet and mills, making the trail a heritage tourism destination as well as a recreational amenity.



Figure 6: The proposed trail brings visitors past a rare surviving waterwheel and drive gears from Wright's Grist Mill. Image courtesy of Matthew Kierstead.

**e. Hamlets of Marlborough shared use path** – In an effort to form a greater connections between the hamlets, the town should explore the potential of connecting Milton and Marlboro by a shared use path. Ideally, this path would be separated from Route 9W in order to increase safety for bicyclists and pedestrians. Where possible, this path would diverge from Route 9W and follow alternative routes and back roads.

In the longer term, the town should seek to collaborate with the Hudson River Valley Greenway and the Town of Lloyd. The town should explore the potential of a non-motorized connection from Milton hamlet, through the Town of Lloyd via Main Street/North Road that connects to Franny Reese Park and the Walkway over the Hudson to the Hudson River Valley Greenway Trail.

**f. Collaborate with Tilcon New York** – Coupled with the formation of the MMWW trail, collaborating with Tilcon New York, Inc. for the possible donation, purchase, or use of a portion of the company's property in Marlborough would create additional opportunities for public access to the Hudson River and greenspace.

The site of a former Tilcon New York, Inc. quarry lies in the southern portion of the town and encompasses approximately 244 acres along the Hudson River waterfront.

The northern portion of the property is adjacent to the proposed site of the MMWW trail that follows Lattintown Creek and also the Marlboro Marina area.

**g. Marlboro Waterfront Park** –The town should evaluate the option of establishing an additional waterfront park in the hamlet of Marlboro. The Marlboro Marina area should be explored as a possible location. An additional park would increase access to the Hudson River by creating a nature preserve park along the shores of the river in the area south of Marlboro Landing.

**h. The Hudson River Greenway Water Trail** - The Hudson River Greenway Water Trail connects access points along the Hudson River with land-based “trail heads”. An existing Blue trail head has been established at Milton Landing Park; the creation of an additional trail head in Marlboro would attract more recreational visitors, but also serve to connect the hamlets in a non-motorized way. Improving and promoting water-based recreation access points along the Greenway Water Trail and connecting them to the hamlets would increase visitation from canoeists and kayakers and contribute to the local economy.

### **III. Feasibility study for youth center or youth drop-in facility**

Through community forums and group discussions with Marlborough’s school age population, the idea of a youth center and drop-in facility arose. The nearby Town of Woodstock has been successful with a popular similar facility.

In Marlborough, with limited pedestrian infrastructure, steep terrain and narrow shoulders, teens feel unsafe walking very many places. Without access to a car, many are left with minimal after-school activities save for school sanctioned sports and other after-school clubs. Teens and community members alike have expressed interest in evaluating the possibility of opening a drop-in facility for after school and weekend hours. This facility would be a safe place where teens can drop in for as long as they like, socialize with friends, use the internet, collaborate on homework assignments and meet new people. A high school group is currently putting together a survey to give to their peers to further explore interest in this sort of facility.

This facility would require a space; in Woodstock the town acquired an old house. The facility must be located in an area that is easily accessible from the high school and an employee or volunteer would be required in order to staff it.

**III. Economic Development** – A stated goal of this LWRP is to *Revitalize Milton and Marlboro Hamlets*. Historically, the hamlets served as the commercial center for the town.

Since then, development patterns have shifted consumer attention away from these traditional centers. There exists an opportunity in Marlborough to refocus commercial attention back to the hamlets.

**a. Collaboration between each hamlet’s economic development committee** – there is considerable economic investment and potential in each hamlet. A collaborative approach to economic development throughout the town could make the town more desirable for investors. The Hamlet of Milton Associates is an alliance of community members engaged in revitalizing and beautifying Milton hamlet. The Hamlet of Marlboro Economic Development Committee shares similar goals, but is based in Marlboro hamlet. While these committees do meaningful work for their respective hamlets, a joint effort may result in a powerful approach to revitalizing the hamlets of Marlborough.

**b. Develop a town plan to work with investors** – The town should develop a plan to collaborate with investors in order to help them secure any incentives that are available through the county, state and IDA.

**IV. Develop a Historic Resources Survey for the town** - A Historic Resource Survey provides the means by which to identify and document historic resources and evaluate their significance. The town has not conducted a professional comprehensive survey of its historical assets since the enacting of the National Historic Preservation Act of 1966. Marlborough has numerous buildings already lists on the National Register of Historic Place, adding to this list would not only give the town a more comprehensive look at its historic resources, but would also help develop heritage tourism in the area – a growing and popular market that would seamlessly add to the already popular agritourism industry in the town.

Heritage tourism is the fastest growing of New York’s visitor industry. The National Trust for Historic Preservation defines heritage tourism as “traveling to experience the places, artifacts and activities that authentically represent the stories and



Image courtesy of: Hasting-on-Hudson Historical Society

The Historical Society of Hastings-on-Hudson has developed a self-guided history walking tour through the village. The tour features 34 descriptive signs at sites of historic interest including the industrial waterfront, local churches and historic homes and buildings.

people of the past.” Heritage tourism can include cultural, historic, and natural resources, all of which Marlborough has an abundance of. In addition to the proposed MMWW, there is an opportunity to establish a historic walking tour that connects the towns historical resources with the town’s existing agricultural resources, they themselves an important part of the town’s history.

**a. Historic walking tour** – Marlborough is a town steeped in history – in addition to its vast array of historical buildings, landmarks and vistas, there are tales and relicts of Revolutionary War cannon fire, and early water-powered mill industries. A benefit to residents and tourists alike, a historical walking tour throughout the town and its hamlets would create a stimulating educational experience. This is an endeavor that Milton and Marlboro hamlets should undertake together to promote the hamlets as parts of the larger, historic Town of Marlborough.

- Interpretive signage at historic sites, buildings, vistas, and ruins;
- Integrated wayfinding points serve as a visual and creative way to direct visitors through the town. These signs also serve as an opportunity to develop and establish a brand identity for the town;
- Promotional brochures serve as an effective way to distribute information about the town’s history, as well as a way to promote businesses and other services the town has to offer.

## **Section VI: Techniques for Local Implementation of the Local Waterfront Revitalization Program**

### **Existing Land Use Policies and Regulations:**

**Comprehensive Plan**--The Town of Marlborough Comprehensive Plan is a policy guide for the area's long term development and conservation of resources. The town's comprehensive plan is being updated in coordination with the LWRP.

**Zoning Ordinance** - The Town of Marlborough Zoning Ordinance regulates the use and intensity of law within the municipality. Within the LWRP boundary area, the following zoning districts occur:

C-1	Commercial
R	Residential
R-1	Residential – 1
RAG	Rural Agricultural
IND	Industrial
HD	Highway Development

**Subdivision Regulations** – The Planning Board of the Town of Marlborough is authorized and empowered to approve, approve with modifications and disapprove of the subdivision of any lot, tract or parcel of land as part of a plan for the orderly, efficient and economical development of the town. Subdivision regulation, as a means of land use control, will enforce the same policies enforced by zoning regulations.

**State Environmental Quality Review Act (SEQRA)** - All activities must conform to the State Environmental Quality Review Act (SEQRA).

### **New or Revised Town Laws and Regulations:**

**Adoption of a Local Consistency Review Law** - To implement the LWRP, the Town of Marlborough adopted Local Consistency Review Law. The Waterfront Consistency Law provides a framework for agencies of the Town of Marlborough to consider the policies and purposes of the Local Waterfront Revitalization Program when reviewing applications for actions or direct agency actions located in the coastal area; and to insure that such actions and direct actions are consistent with the said policies and purposes. This local law helps implement all LWRP Policies and the proposed land and water uses identified within the LWRP.

**Harbor Management Law** – The Harbor Management Law (HML) regulates the speed, use, operation, anchoring, and mooring of vessels, and the use of waters within the jurisdiction of the Town of Marlborough in a manner to protect and promote the public health, safety and general welfare. (This law can be found in Appendix F.)

## **Management Structure to Implement the LWRP:**

### **A. Responsibility for Overall Management and Coordination of LWRP and Specific Responsibilities for Implementation.**

Official Overall LWRP Coordination: The Town Board is the Lead Agency for all LWRP activities, and the Town Supervisor is designated as the local official responsible for overall management and coordination of the LWRP. Successful implementation of the Local Waterfront Revitalization Program will require the participation of the Town Board, the Planning Board, the Zoning Board of Appeals, the Building Inspector/Code Enforcement Officer, and other town departments, boards, along with town consultants including Town Engineer, Town Attorney and Town Planner.

1. The Town Supervisor is the local official responsible for overall management and coordination of the LWRP. The Supervisor will apply for funding on behalf of the town to implement projects and programs identified in the LWRP. Any proposed grant agreements with any State, Federal, or other sources to support projects under the LWRP shall require Town Board approval.
2. The Town Clerk will be responsible for correspondence, communications, and record keeping for town government actions pertaining to the implementation of the LWRP.
3. The Planning Board shall be responsible for undertaking site plan and subdivision reviews within the town, including the Waterfront Area. The Planning Board will coordinate review of actions in the town's waterfront area for consistency with the LWRP, and will advise, assist and make consistency recommendations to other town agencies in the implementation of the LWRP, its policies and projects.
4. The Zoning Board of Appeals is the designated agency for the determination of consistency for variance applications subject to the Town of Marlborough Waterfront Consistency Review Law. The ZBA will hear and render decision on variance applications and appeals involving property or activities within the waterfront area.
5. The Building Inspector and Code Enforcement Officer shall be responsible for enforcing the zoning regulations and identifying violations of the Town of Marlborough Waterfront Consistency Review Law.



All agencies of the town will maintain their present responsibilities for programs, projects and regulations.

### **B. Procedures for Reviewing Local Actions for Consistency with LWRP**

The Local Consistency Law requires all proposed Actions, as defined in the Town of Marlborough Waterfront Consistency Review Law, directly undertaken, approved or funded by the town or village within the waterfront area are consistent with the policies of this LWRP. Consistency review and certification procedures are set forth in the town's Consistency Review Law.

The review process for all projects will be two-fold. Local projects will require review for consistency with the LWRP in accordance with procedures set forth in the Local Consistency Review Law. Proposed State actions will be reviewed in accordance with guidelines established by the New York State Department of State (DOS). *See LWRP Appendix D: New York State Department of State Coastal Management Program – Guidelines for Notification and Review of State Agency Actions Where Local Waterfront Revitalization Programs are in Effect.*

### **C. Financial Resources Necessary to Implement the LWRP**

Financing the implementation of the LWRP falls into two broad categories: day-to-day management of the program; and development of long-term projects.

The town often relies on resident volunteers on its boards and committees. This LWRP was prepared by such a volunteer citizen group.

The long-term projects, such as those proposed in Section V will qualify for funding and support from State, Federal and private sources. The town will pursue support from these sources in the form of grants and other forms of financial and technical assistance. Town representatives will work in collaboration with the DOS Division of Coastal Resources and Waterfront Revitalization and other agencies as appropriate to secure these funds to secure these funds.

The town highway department as well as local volunteers have also provided labor, equipment and materials to make improvements to the waterfront areas including the Milton Landing Park and Train Station, among other areas. This collaborative effort will be an important part of continuing the community's effort the make improvements to public spaces for the benefit of both current and future generations.

**Other Funding Options** – Public support for farmland protection is strong, and New York State has been a leader in the support. In addition to funding from New York State, funding for open space and farmland protection can be derived from the municipality itself or the county through the following strategies:

- *Municipal Bonds.* Municipal bonds are among the most common sources of funds for the public financing of open space projects in the Hudson Valley. Twelve Hudson Valley municipalities have approved ballot measures authorizing general obligation and serial bonds since the late 1990s, creating more than \$40 million in new funding to protect open space and farms.
- *County Sales Tax.* Counties may direct sales tax revenue toward open space projects. New York State sales tax is fixed at 4 percent. Counties can levy a tax of up to 3 percent, or higher with approval of the Legislature and governor. The New York State Comptroller's 2015 Annual Report on Local Governments notes that sales taxes have regained an upward trend but have yet to meet the average growth experienced prior to the Great Recession. Tax revenue statewide grew 3.1 percent in the first three quarters of 2015 compared to the same period in 2014. In the Mid-Hudson Region, sales tax collections grew by 0.7 percent in the first ten months of 2015 (Office of the New York State Comptroller, 2016).
- *Community Preservation Acts.* These acts create a mechanism for localities to enact a real estate transfer tax dedicated to protect natural, historic, recreational and agricultural land. Only communities with approval by the state Legislature, governor and local voters may create a Community Preservation Fund (CPF). In New York State, \$1 billion in new funding has been generated, including \$20 million by the towns of Red Hook and Warwick, and the remainder in Suffolk County, Long Island. The Hudson Valley CPA legislation passed in 2007 granted Ulster County the authority to create a CPF.

## **Section VII: Federal and State Actions Likely to Affect Implementation of the Program**

State and Federal actions will affect and be affected by implementation of the Town of Marlborough LWRP. Under State Law and the U.S. Coastal Zoning Management Act, certain State and Federal actions within or affecting the local waterfront area must be consistent or consistent to the maximum extent practicable with the enforceable policies and purposes of the LWRP. This consistency requirement makes the LWRP a unique, intergovernmental mechanism for setting policy and making decisions and helps to prevent detrimental actions from occurring and future options from being needlessly foreclosed. At the same time, the active participation of State and Federal agencies is also likely to be necessary to implement specific provisions of the LWRP.

The first part of this section identifies the actions and programs of State and Federal agencies which should be undertaken in a manner consistent with the LWRP. This is a generic list of actions and programs, as identified by the NYS Department of State; therefore, some of the actions and programs may not be relevant to this LWRP. Pursuant to the State Waterfront Revitalization of Coastal Areas and Inland Waterways Act (Executive Law, Article 42), the Secretary of State individually and separately notifies affected State agencies of those agency actions and programs which are to be undertaken in a manner consistent with approved LWRPs. Similarly, Federal agency actions and programs subject to consistency requirements are identified in the manner prescribed by the U.S. Coastal Zone Management Act and its implementing regulations. This list of State and Federal actions and programs included herein are informational only and do not represent or substitute for the required identification and notification procedures. The current official lists of actions subject to State and Federal consistency requirements may be obtained from the NYS Department of State.

The second part of this section is a more focused and descriptive list of State and Federal agency actions which are necessary to further implementation of the LWRP. It is recognized that a State or Federal agency's ability to undertake such actions is subject to a variety of factors and considerations; that the consistency provisions referred to above, may not apply; and that they consistency requirements cannot be used to require a State or Federal agency to undertake an action it could not undertake pursuant to other provisions of law. Reference should be made to Section VI and Section VII, which also discuss State and Federal assistance needed to implement the LWRP.

**A. State and Federal Actions and Programs which should be undertaken in a Manner Consistent with the LWRP**

**1. State Agencies**

Office for the Aging

- 1.00 Funding and/or approval programs for the establishment of new or expanded facilities providing various services for the elderly.

Department of Agriculture and Markets

- 1.00 Agricultural Districts Program
- 2.00 Rural Development Program
- 3.00 Farm Worker Services Programs
- 4.00 Permit and approval programs:
  - 4.01 Custom Slaughters/ Processor Permit
  - 4.02 Processing Plant License
  - 4.03 Refrigerated Waterhouse and/or Locker Plant License

Division of Alcoholic Beverage Control/ State Liquor Authority

1.00 Permit and Approval Programs:

- 1.01 Ball Park – Stadium License
- 1.02 Bottle Club License
- 1.03 Bottling Permits
- 1.04 Brewer’s Licenses and Permits
- 1.05 Brewer’s Retail Beer License
- 1.06 Catering Establishment Liquor License
- 1.07 Cider Producer’s and Wholesaler’s Licenses
- 1.08 Club Beer, Liquor, and Wine Licenses
- 1.09 Distiller’s Licenses
- 1.10 Drug Store, Eating Place, and Grocery Store Beer Licenses
- 1.11 Farm Winery and Winery Licenses
- 1.12 Hotel Beer, Wine, and Liquor Licenses
- 1.13 Industrial Alcohol Manufacturer’s Permits
- 1.14 Liquor Store License
- 1.15 On-Premises Liquor Licenses
- 1.16 Plenary Permit (Miscellaneous-Annual)
- 1.17 Summer Beer and Liquor Licenses
- 1.18 Tavern/Restaurant and Restaurant Wine Licenses
- 1.19 Vessel Beer and Liquor Licenses
- 1.20 Warehouse Permit

- 1.21 Wine Store License
- 1.22 Winter Beer and Liquor Licenses
- 1.23 Wholesale Beer, Wine, and Liquor Licenses

#### Division of Alcoholism and Substance Abuse Services

- 1.00 Facilities, construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certificate of approval (Substance Abuse Services Program)
- 3.00 Permit and approval:
  - 3.01 Letter Approval for Certificate of Need
  - 3.02 Operating Certificate (Alcoholism Facility)
  - 3.03 Operating Certificate (Community Residence)
  - 3.04 Operating Certificate (Outpatient Facility)
  - 3.05 Operating Certificate (Sobering-Up Station)

#### Council on the Arts

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Architecture and environmental arts program.

#### Department of Banking

- 1.00 Permit and approval programs:
  - 1.01 Authorization Certificate (Bank Branch)
  - 1.02 Authorization Certificate (Bank Change of Location)
  - 1.03 Authorization Certificate (Bank Charter)
  - 1.04 Authorization Certificate (Credit Union Change of Location)
  - 1.05 Authorization Certificate (Credit Union Charter)
  - 1.06 Authorization Certificate (Credit Union Station)
  - 1.07 Authorization Certificate (Foreign Banking Corporation Change of Location)
  - 1.08 Authorization Certificate (Foreign Bank Corporation Public Accommodations Office)
  - 1.09 Authorization Certificate (Investment Company Branch)
  - 1.10 Authorization Certificate (Investment Company Change of Location)

- 1.11 Authorization Certificate (Investment Company Charter)
- 1.12 Authorization Certificate (Licensed Lender Change of Location)
- 1.13 Authorization Certificate (Mutual Trust Company Charter)
- 1.14 Authorization Certificate (Private Banker Charter)
- 1.15 Authorization Certificate (Public Accommodation Office – Banks)
- 1.16 Authorization Certificate (Safe Deposit Company Branch)
- 1.17 Authorization Certificate (Safe Deposit Company Change of Location)
- 1.18 Authorization Certificate (Safe Deposit Company Charter)
- 1.19 Authorization Certificate (Savings Bank Charter)
- 1.20 Authorization Certificate (Savings Bank De Novo Branch Office)
- 1.21 Authorization Certificate (Savings Bank Public Accommodations Office)
- 1.22 Authorization Certificate (Savings and Loan Association Branch)
- 1.23 Authorization Certificate (Savings and Loan Association Change of Location)
- 1.24 Authorization Certificate (Savings and Loan Association Charter)
- 1.25 Authorization Certificate (Subsidiary Trust Company Charter)
- 1.26 Authorization Certificate (Trust Company Branch)
- 1.27 Authorization Certificate (Trust Company Change of Location)
- 1.28 Authorization Certificate (Trust Company Charter)
- 1.29 Authorization Certificate (Trust Company Public Accommodations Office)
- 1.30 Authorization to Establish a Life Insurance Agency
- 1.31 License as a Licensed Lender
- 1.32 License for a Foreign Banking Corporation Branch

#### New York State Bridge Authority

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

#### Department of Commerce

- 1.00 Preparation or revision of statewide or specific plans to address State economic development needs.
- 2.00 Allocation of the state tax-free bonding reserve.

#### Department of Correctional Services



- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

Dormitory Authority of the State of New York

- 1.00 Financing of higher education and health care facilities.
- 2.00 Planning and design services assistance program.

Education Department

- 1.00 Facilities construction, rehabilitation, expansion, demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certificate of Incorporation (Regents Charter)
  - 2.02 Private Business School Registration
  - 2.03 Private School License
  - 2.04 Registered Manufacturer of Drugs and/or Devices
  - 2.05 Registered Pharmacy Certificate
  - 2.06 Registered Wholesale of Drugs and/or Devices
  - 2.07 Registered Wholesalers-Repacker of Drugs and/or Devices
  - 2.08 Storekeeper's Certificate

Energy Planning Board and Energy Office

- 1.00 Preparation and revision of the State Energy Master Plan.

New York State Energy Research and Development Authority

- 1.00 Issuance of revenue bonds to finance pollution abatement modifications in power-generation facilities and various energy projects.

Department of Environmental Conservation

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of lands under the jurisdiction of the Department.
- 2.00 Classification of Waters Program; classification of land areas under the Clear Air Act.

- 3.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 4.00 Financial assistance/grant programs:
  - 4.01 Capital projects for limiting air pollution
  - 4.02 Cleanup of toxic waste dumps
  - 4.03 Flood control, beach erosion and other water resource projects
  - 4.04 Operating aid to municipal wastewater treatment facilities
  - 4.05 Resource recovery and solid waste management capital projects
- 5.00 Funding assistance for issuance of permits and other regulatory activities (New York City only).
- 6.00 Implementation of the Environmental Quality Bond Act of 1972, including:
  - (a) Water Quality Improvement Projects
  - (b) Land preservation and Improvement Projects including Wetland Preservation and Restoration Projects, Unique Area Preservation Projects, Metropolitan Park Projects, Open Space Preservation Projects and Waterways Projects.
- 7.00 Marine Finfish and Shellfish Programs.
- 8.00 New York Harbor Drift Removal Project.
- 9.00 Permits and approval programs:
  - Air Resources
    - 9.01 Certificate of Approval for Air Pollution Episode Action Plan
    - 9.02 Certificate of Compliance for Tax Relief – Air Pollution Control Facility
    - 9.03 Certificate to Operate: Stationary Combustion Installation; Incinerator; Process, Exhaust or Ventilation System
    - 9.04 Permit for Burial of Radioactive Material
    - 9.05 Permit for Discharge of Radioactive Material to Sanitary Sewer
    - 9.06 Permit for Restricting Burning
    - 9.07 Permit to Construct: a Stationary Combustion Installation; Incinerator; Indirect Source of Air Contamination; Process, Exhaust or Ventilation System
  - Construction Management
    - 9.08 Approval of Plan and Specifications for Wastewater Treatment Facilities

Fish and Wildlife

- 9.09 Certification to Possess and Sell Hatchery Trout in New York State
- 9.10 Commercial Inland Fisheries Licenses
- 9.11 Fishing Preserve License
- 9.12 Fur Breeder's License
- 9.13 Game Dealer's License
- 9.14 License to Breed Domestic Game Animals
- 9.15 License to Possess and Sell Live Game
- 9.16 Permit to Import, Transport and/or Export under Section 184.1 (11-0511)
- 9.17 Permit to Raise and Sell Trout
- 9.18 Private Bass Hatchery Permit
- 9.19 Shooting Preserve Licenses
- 9.20 Taxidermy License

Lands and Forest

- 9.21 Certificate of Environmental Safety (Liquid Natural Gas and Liquid Petroleum Gas)
- 9.22 Floating Object Permit
- 9.23 Marine Regatta Permit
- 9.24 Mining Permit
- 9.25 Navigation Aid Permit
- 9.26 Permit to Plug and Abandon (a non-commercial, oil, gas or solution mining well)
- 9.27 Permit to Use Chemicals for the Control or Elimination of Aquatic Insects
- 9.28 Permit to Use Chemicals for the Control or Elimination of Aquatic Vegetation
- 9.29 Permit to Use Chemicals for the Control or Extermination of Undesirable Fish
- 9.30 Underground Storage Permit (Gas)
- 9.31 Well Drilling Permit (Oil, Gas, and Solution Salt Mining)

Marine Resources

- 9.32 Digger's Permit (Shellfish)
- 9.33 License of Menhaden Fishing Vessel
- 9.34 License for Non-Resident Food Fishing Vessel
- 9.35 Non-Resident Lobster Permit
- 9.36 Marine Hatchery and/or Off-Bottom Culture Shellfish Permits
- 9.37 Permits to Take Blue-Claw Crabs
- 9.38 Permits to Use Pond or Trap Net
- 9.39 Resident Commercial Lobster Permit
- 9.40 Shellfish Bed Permit

- 9.41 Shellfish Shipper's Permits
- 9.42 Special Permit to Take surf clams from Waters other than the Atlantic Ocean Regulatory Affairs
- 9.43 Approval – Drainage Improvement District
- 9.44 Approval – Water (Diversion for) Power
- 9.45 Approval of Well System and Permit to Operate
- 9.46 Permit – Article 15, (Protection of Water) – Dam
- 9.47 Permit – Article 15, (Protection of Water) – Dock, Pier or Wharf
- 9.48 Permit – Article 15, (Protection of Water) – Dredge or Deposit Material in a Waterway
- 9.49 Permit – Article 15, (Protection of Water) – Stream Bed or Bank Disturbances
- 9.50 Permit – Article 15, Title 15 (Water Supply)
- 9.51 Permit – Article 24, (Freshwater Wetlands)
- 9.52 Permit – Article 25, (Tidal Wetlands)
- 9.53 River Improvement District Approvals
- 9.54 River Regulatory District Approvals
- 9.55 Well Drilling Certificate of Registration

Solid Wastes

- 9.56 Permit to Construct and/or Operate a Solid Waste Management Facility
- 9.57 Septic Tank Cleaner and Industrial Waste Collector Permit

Water Resources

- 9.58 Approval of Plans for Wastewater Disposal Systems
- 9.59 Certificate of Approval for Realty Subdivision Plans
- 9.60 Certificate of Compliance (Industrial Wastewater Treatment Facility)
- 9.61 Letters of Certification for Major Onshore Petroleum Facility Oil Spill Prevention and Control Plan
- 9.62 Permit – Article 36, (Construction in Flood Hazard Areas)
- 9.63 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.64 Permit for State Agency Activities for Development in Coastal Erosion Hazards Areas
- 9.65 State Pollutant Discharge Elimination System (SPDES) Permit 9.66 401 Water Quality Certification

10.00 Preparation and revision of Air Pollution State Implementation Plan.

11.00 Preparation and revision of Continuous Executive Program Plan.

12.00 Preparation and revision of Statewide Environmental Plan.

13.00 Protection of Natural and Man-made Beauty Program.

14.00 Urban Fisheries Program.

15.00 Urban Forestry Program.

16.00 Urban Wildlife Program.

#### Environmental Facilities Corporation

1.00 Financing program for pollution control facilities for industrial firms and small businesses.

#### Facilities Development Corporation

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

#### Office of General Services

1.00 Administration of the Public Lands Law for acquisition and disposition of lands, grants or land and grants of easement of land under water, issuance of licenses for removal of materials from lands under water, and oil and gas leases for exploration and development.

2.00 Administration of Article 4-B, Public Buildings Law, in regard to the protection and management of state historic and cultural properties and State uses of buildings of historic, architectural or cultural significance.

3.00 Facilities construction, rehabilitation, expansion, or demolition.

#### Greenway Heritage Conservancy for the Hudson River Valley

1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

2.00 Permit and approval programs:

2.01 Approval of Completed Works for Public Water Supply Improvements

2.02 Approval of Plans for Public Water Supply Improvements

2.03 Certificate of Need (Health Related Facility – except Hospitals)

2.04 Certificate of Need (Hospitals)

2.05 Operating Certificate (Diagnostic and Treatment Center)

- 2.06 Operating Certificate (Health Related Facility)
- 2.07 Operating Certificate (Hospice)
- 2.08 Operating Certificate (Hospital)
- 2.09 Operating Certificate (Nursing Home)
- 2.10 Permit to Operate a Children's Overnight or Day Camp
- 2.11 Permit to Operate a Migrant Labor Camp
- 2.12 Permit to Operate as a Retail Frozen Dessert Manufacturer
- 2.13 Permit to Operate a Service Food Establishment
- 2.14 Permit to Operate a Temporary Residence/Mass Gathering
- 2.15 Permit to Operate or Maintain a Swimming Pool or Public Bathing Beach
- 2.16 Permit to Operate Sanitary Facilities for Realty Subdivisions
- 2.17 Shared Health Facility Registration Certificate

Division of Housing and Community Renewal and its Subsidiaries and Affiliates

1.00 Facilities construction, rehabilitation, expansion, or demolition.

2.00 Financial assistance/grant program:

- 2.01 Federal Housing Assistance Payments Programs (Section 8 Programs)
- 2.02 Housing Development Fund Programs
- 2.03 Neighborhood Preservation Companies Program
- 2.04 Public Housing Programs
- 2.05 Rural Initiatives Grant Program
- 2.06 Rural Preservation Companies Program
- 2.07 Rural Rental Assistance Program
- 2.08 Special Needs Demonstration Projects
- 2.09 Urban Initiatives Grant Program
- 2.10 Urban Renewal Programs

3.00 Preparation and implementation of plans to address housing and community renewal needs.

Housing Finance Agency

1.00 Funding programs for the construction, rehabilitation, or expansion of facilities.

2.00 Affordable Housing Corporation

Hudson River Valley Greenway Communities Council



- 1.00 Greenway planning and review
- 2.00 Greenway Compact activities
- 3.00 Financial assistance/grants program
  - 3.01 Model Community Program

#### Job Development Authority

- 1.00 Financing assistance programs for commercial and industrial facilities.

#### Medical Care Facilities Financing Agency

- 1.00 Financing of medical care facilities.

#### Office of Mental Health

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Operating Certificate (Community Residence)
  - 2.02 Operating Certificate (Family Care Home)
  - 2.03 Operating Certificate (Inpatient Facility)
  - 2.04 Operating Certificate (Outpatient Facility)

#### Office of Mental Retardation and Development Disabilities

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Establishment and Construction Prior Approval
  - 2.02 Operating Certificate Community Residence
  - 2.03 Outpatient Facility Operating Certificate

#### Division of Military and Naval Affairs

- 1.00 Preparation and implementation of the State Disaster Preparedness Plan.

#### Natural Heritage Trust

- 1.00 Funding program for natural heritage institutions.

Office of Parks, Recreation and Historic Preservation (including Regional State Park Commission)

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Office.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 3.00 Funding program for recreational boating, safety and enforcement.
- 4.00 Funding program for State and local historic preservation projects.
- 5.00 Land and Water Conservation Fund programs.
- 6.00 Nomination of properties to the Federal and/or State Register of Historic Places.
- 7.00 Permit and approval programs:
  - 7.01 Floating Objects Permit
  - 7.02 Marine Regatta Permit
  - 7.03 Navigation Aide Permit
  - 7.04 Posting of Signs Outside State Parks
- 8.00 Preparation and revision of the Statewide Comprehensive Outdoor Recreation Plan and the Statewide Comprehensive Historic Preservation Plan and other plans for public access, recreation, historic preservation or related purposes.
- 9.00 Recreation services program.
- 10.00 Urban Cultural Parks Program

Power Authority of the State of New York

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.

New York State Science and Technology Foundation

- 1.00 Corporation for Innovation Development Program.
- 2.00 Center for Advanced Technology Program.

Department of Social Services

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Homeless Housing and Assistance Program.
- 3.00 Permit and approval Programs:
  - 3.01 Certificate of Incorporation (Adult Residential Care Facilities)
  - 3.02 Operating Certificate (Children's Services)
  - 3.03 Operating Certificate (Enriched Housing Program)
  - 3.04 Operating Certificate (Home for Adults)
  - 3.05 Operating Certificate (Proprietary Home)
  - 3.06 Operating Certificate (Public Home)
  - 3.07 Operating Certificate (Special Care Home)
  - 3.08 Permit to Operate a Day Care Center

Department of State

- 1.00 Appalachian Regional Development Program.
- 2.00 Coastal Management Program.
- 3.00 Community Services Block Grant Program.
- 4.00 Permit and approval programs:
  - 4.01 Billiard Room License
  - 4.02 Cemetery Operator
  - 4.03 Uniform Fire Prevention and Building Code

State University of New York

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the University.

- 2.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.

Division of Substance Abuse Services

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding of such activities.
- 2.00 Permit and approval programs:
  - 2.01 Certificate of Approval (Substance Abuse Services Program)

New York State Thruway Authority

- 1.00 Acquisition, disposition, lease, grant or easement and other activities related to the management of land under the jurisdiction of the Authority.
- 2.00 Facilities construction, rehabilitation, expansion, or demolition.
- 3.00 Permit and approval programs:
  - 3.01 Advertising Devise Permit
  - 3.02 Approval to Transport Radioactive Waste
  - 3.03 Occupancy Permit

Department of Transportation

- 1.00 Acquisition, disposition, lease, grant of easement and other activities related to the management of land under the jurisdiction of the Department.
- 2.00 Construction, rehabilitation, expansion, or demolition of facilities, including but not limited to:
  - (a) Highways and parkways
  - (b) Bridges on the State highways system
  - (c) Highway and parkway maintenance facilities
  - (d) Barge Canal
  - (e) Rail facilities
- 3.00 Financial assistance/grant programs:
  - 3.01 Funding programs for construction/reconstruction and reconditioning/preservation of municipal streets and highways (excluding routine maintenance and minor rehabilitation)

- 3.02 Funding programs for rehabilitation and replacement of municipal bridges
- 3.03 Subsidies program for marginal branchlines abandoned by Conrail
- 3.04 Subsidies program for passenger rail service
- 4.00 Permits and approval programs:
  - 4.01 Approval of applications for airport improvements (construction projects)
  - 4.02 Approval of municipal applications for Section 18 Rural and Small Urban Transit Assistance Grants (construction projects)
  - 4.03 Approval of municipal or regional transportation authority applications for funds for design, construction and rehabilitation of omnibus maintenance and storage facilities
  - 4.04 Approval of municipal or regional transportation authority applications for funds for design and construction of rapid transit facilities
  - 4.05 Certificate of Convenience and Necessity to Operate a Railroad
  - 4.06 Highway Work Permits
  - 4.07 License to Operate Major Petroleum Facilities
  - 4.08 Outdoor Advertising Permit (for off-premise advertising signs adjacent to interstate and primary highway)
  - 4.09 Permits for Use and Occupancy of NY State Canal Lands (except Regional Permits [Snow Dumping])
  - 4.10 Real Property Division Permit for Use of state-Owned Property
- 5.00 Preparation of revision of the Statewide Master Plan for Transportation and subarea or special plans and studies related to the transportation needs of the State.
- 6.00 Water Operation and Maintenance Program – Activities related to the containment of petroleum spills and development of an emergency oil-spill control network.

Urban Development Corporation and its subsidiaries and affiliates

- 1.00 Acquisition, disposition, lease, grant of easement or other activities related to the management of land under the jurisdiction of the Corporation.
- 2.00 Planning, development, financing, construction, major renovation or expansion of commercial, industrial, and civic facilities and the provision of technical assistance or financing for such activities, including, but not limited

to, actions under its discretionary economic development programs such as the following:

- 3.00 Administration of special projects.
- 4.00 Administration of State-funded capital grant programs.

Division of Youth

- 1.00 Facilities construction, rehabilitation, expansion, or demolition or the funding or approval of such activities.

**2. Federal Agencies – Direct Federal Activities and Development Projects**

Department of Commerce

National Marine Fisheries Services

- 1.00 Fisheries Management Plans

Department of Defense

Army Corps of Engineers

- 1.00 Proposed authorizations for dredging, channel improvements, break-waters, other navigational works, or erosion control structures, beach replenishment, dams or flood control works, ice management practices and activities, and other projects with potential to impact coastal lands and waters.
- 2.00 Land acquisition for spoil disposal or other purposes
- 3.00 Selection of open water disposal sites.

Army, Navy and Air Force

- 4.00 Location, design, and acquisition of new or expanded defense installations (active or reserve status, including associated housing, transportation or other facilities).
- 5.00 Plans, procedures and facilities for landing or storage use zones.



- 6.00 Establishment of impact, compatibility or restricted use zones.

Department of Energy

- 1.00 Prohibition orders.

General Services Administration

- 1.00 Acquisition, location and design of proposed Federal Government property or buildings, whether leased or owned by the Federal Government.
- 2.00 Disposition of Federal surplus lands and structures.

Department of Interior

Fish and Wildlife Service

- 1.00 Management of National Wildlife refuges and proposed acquisitions.

Mineral Management Service

- 2.00 OCS lease sale activities including tract selection, lease sale stipulations, etc.

National Park Service

- 3.00 National Park and Seashore management and proposed acquisitions.

Department of Transportation

Amtrak, Conrail

- 1.00 Expansions, curtailments, new construction, upgrading or abandonments of railroad facilities or services, in or affecting the State's coastal area.

Coast Guard

- 2.00 Location and design, construction or enlargement of Coast Guard stations, bases, and lighthouses.
- 3.00 Location, placement or removal of navigation devices which are not part of the routine operations under the Aids to Navigation Program (ATNP).

- 4.00 Expansion, abandonment, designation or anchorages, lightening areas or shipping lands and ice management practices and activities.

Federal Aviation Administration

- 5.00 Location and design, construction, maintenance, and demolition of Federal aids to air navigation.

Federal Highway Administration

- 6.00 Highway construction.

St. Lawrence Seaway Development Corporation

- 7.00 Acquisition, location, design, improvement and construction of new and existing facilities for the operation of the Seaway, including traffic safety, traffic control and length of navigation season.

Federal Licenses and Permits Department of Defense

Army Corps of Engineers

- 1.00 Construction of dams, dikes or ditches across navigable waters, or obstruction or alteration of navigable waters required under Sections 9 and 10 of the Rivers and Harbors Act of 1899 (33 U.S.C, 401, 403).
- 2.00 Establishment of harbor lines pursuant to Section 11 of the Rivers and Harbors Act of 1899 (33 U.S.C. 404, 405).
- 3.00 Occupation of seawall, bulkhead, jetty, dike, levee, wharf, pier, or other work built by the U.S. pursuant to Section 14 of the Rivers and Harbors Act of 1899 (33 U.S.C. 408).
- 4.00 Approval of plans for improvements made at private expense under USACE supervision pursuant to the Rivers and Harbors Act of 1902 (33 U.S.C. 565).
- 5.00 Disposal of dredge spoils into the waters of the U.S., pursuant to the Clean Water Act, Section 404, (33 U.S.C. 1344).
- 6.00 All actions for which permits are required pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

- 7.00 Construction of artificial islands and fixed structures in Long Island Sound pursuant to Section 4(f) of the River and Harbors Act of 1912 (33 U.S.C.).

Department of Energy

Economic Regulatory Commission

- 1.00 Regulation of gas pipelines, and licensing of import or export of natural gas pursuant to the Natural Gas Act (15 U.S.C. 717) and the Energy Reorganization Act of 1974.
- 2.00 Exemptions from prohibition orders.

Federal Energy Regulatory Commission

- 3.00 Licenses for non-Federal hydroelectric projects and primary transmission lines under Sections 3(11), 4(e) and 15 of the Federal Power Act (16 U.S.C. 796(11), 797(11) and 808).
- 4.00 Orders for interconnection of electronic transmission facilities under Section 202(b) of the Federal Power Act (15 U.S.C. 824a(b)).
- 5.00 Certificates for the construction and operation of interstate natural gas pipeline facilities, including both pipelines and terminal facilities under Section 7(c) of the Natural Gas Act (15 U.S.C. 717f(b)).
- 6.00 Permission and approval for the abandonment of natural gas pipeline facilities under Section 7(b) of the Natural Gas Act (15 U.S.C. 717f(b)).

Environmental Protection Agency

- 1.00 NPDES permits and other permits for Federal installations, discharges in contiguous zones and ocean waters, sludge runoff and aquaculture permits pursuant to Section 401, 402, 403, 404, and 318 of the Federal Water Pollution Control Act of 1972 (33 U.S.C. 1341, 1342, 1343, and 1328).
- 2.00 Permits pursuant to the Resources Recovery and Conservation Act of 1976.
- 3.00 Permits pursuant to the underground injection control program under Section 1424 of the Safe Water Drinking water Act (42 U.S.C. 300h-c.).
- 4.00 Permits pursuant to the Clean Air Act of 1976 (42 U.S.C. 1857).

Department of the Interior

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Fish and Wildlife Services

- 1.00 Endangered species permits pursuant to the Endangered Species Act (16 U.S.C. 153(a)).

Mineral Management Service

- 2.00 Permits to drill, rights of use and easements for construction and maintenance of pipelines, gathering and flow lines and associated structures pursuant to 43 U.S.C. 1334, exploration and development plans, and any other permits or authorizations granted for activities described in detail in OCS exploration, development, and production plans.
- 3.00 Permits required for pipelines crossing federal lands, including OCS lands, and associated activities pursuant to the OCS Lands Act (43 U.S.C. 1334) and 43 U.S.C. 931(c) and 20 U.S.C. 185.

Interstate Commerce Commission

- 1.00 Authority to abandon railway lines (to the extent that the abandonment involves removal of trackage and disposition of right-of-way); authority to construct railroads; authority to construct coal slurry pipelines.

Nuclear Regulatory Commission

- 1.00 Licensing and certification of the siting, construction and operation of nuclear power plants pursuant to Atomic Energy Act of 1954, Title II of the Energy Reorganization Act of 1974 and the National Environmental Policy Act of 1969.

Department of Transportation

Coast Guard

- 1.00 Construction or modification of bridges, causeways or pipelines-over navigable waters pursuant to 49 U.S.C. 1455.
- 2.00 Permits for Deepwater Ports pursuant to the Deepwater Ports Act of 1974 (33 U.S.C. 1501).

Federal Aviation Administration

- 3.00 Permits and licenses for construction, operation or alteration of airports.

**Federal Assistance:**

Department of Agriculture

- 10.068 Rural Clean Water Program
- 10.409 Irrigation, Drainage, and Other Soil and Water Conservation Loans
- 10.410 Low to Moderate Income Housing Loans
- 10.411 Rural Housing Site Loans
- 10.413 Recreation Facility Loans
- 10.414 Resource Conservation and Development Loans
- 10.415 Rural Renting Housing Loans
- 10.416 Soil and Water Loans
- 10.418 Water and Waste Disposal Systems for Rural Communities
- 10.422 Business and Industrial Loans
- 10.424 Industrial Development Grants
- 10.426 Area Development Assistance Planning Grants
- 10.429 Above Moderate Income Housing Loans
- 10.430 Energy Impacted Area Development Assistance Program
- 10.901 Resource Conservation and Development
- 10.902 Soil and Water Conservation
- 10.904 Watershed Protection and Flood Prevention
- 10.906 River Basin Surveys and Investigations

Department of Commerce

- 11.300 Economic Development – Grants and Loans for Public Works and Development Facilities
- 11.301 Economic Development – Business Development Assistance
- 11.302 Economic Development – Support for Planning Organizations
- 11.304 Economic Development – State and Local Economic Development Planning
- 11.305 Economic Development – State and Local Economic Development Planning
- 11.307 Special Economic Development and Adjustment Assistance Program – Long Term Economic Deterioration
- 11.308 Grants to States for Supplemental and Basic Funding of Titles I, II, DI, IV, and V Activities
- 11.405 Anadromous and Great Lakes Fisheries Conservation
- 11.407 Commercial Fisheries Research and Development
- 11.417 Sea Grant Support
- 11.427 Fisheries Development and Utilization – Research and Demonstration Grants and Cooperative Agreements Program
- 11.501 Development and Promotion of Ports and Intermodal Transportation
- 11.509 Development and Promotion of Domestic Waterborne Transport Systems

Department of Housing and Urban Development

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- 14.112 Mortgage Insurance – Construction or Substantial Rehabilitation of Condominium Projects
- 14.115 Mortgage Insurance – Development of Sales Type Cooperative Projects
- 14.117 Mortgage Insurance – Homes
- 14.124 Mortgage Insurance – Investor Sponsored Cooperative Housing
- 14.125 Mortgage Insurance – Land Development and New Communities
- 14.126 Mortgage Insurance – Management Type Cooperative Housing
- 14.127 Mortgage Insurance – Mobile Home Parks
- 14.218 Community Development Block Grants/ Entitlement Grants
- 14.219 Community Development Block Grants/ Small Cities Program
- 14.221 Urban Development Action Grants
- 14.223 Indian Community Development Block Grant Program

Department of the Interior

- 15.400 Outdoor Recreation – Acquisition, Development and Planning
- 15.402 Outdoor Recreation – Technical Assistance
- 15.403 Disposal of Federal Surplus Real Property for Parks, Recreation, and Historic Monuments
- 15.411 Historic Preservation Grants-in-Aid
- 15.417 Urban Park and Recreation Recovery Program
- 15.600 Anadromous Fish Conservation
- 15.605 Fish Restoration
- 15.611 Wildlife Restoration
- 15.613 Marine Mammal Grant Program
- 15.802 Minerals Discovery Loan Program
- 15.950 National Water Research and Development Program
- 15.951 Water Resources Research and Technology – Assistance to State Institutes
- 15.952 Water Research and Technology – Matching Funds to State Institutions

Department of Transportation

- 20.102 Airport Development Aid Program
- 20.103 Airport Planning Grant Program
- 20.205 Highway Research, Planning, and Construction
- 20.309 Railroad Rehabilitation and Improvement – Guarantee of Obligations
- 20.310 Railroad Rehabilitation and Improvement – Redeemable Preference Shares
- 20.506 Urban Mass Transportation Demonstration Grants
- 20.509 Public Transportation for Rural and Small Urban Areas

General Services Administration

- 39.002 Disposal of Federal Surplus Real Property

Community Services Administration

- 49.002 Community Action
- 49.011 Community Economic Development



- 49.013 State Economic Opportunity Offices
- 49.017 Rural Development Loan Fund
- 49.018 Housing and Community Development (Rural Housing)

Small Business Administration

- 59.012 Small Business Loans
- 59.013 State and Local Development Company Loans
- 59.024 Water Pollution Control Loans
- 59.025 Air Pollution Control Loans
- 59.031 Small Business Pollution Control Financing Guarantee

Environmental Protection Agency

- 66.001 Air Pollution Control Program Grants
- 66.418 Construction Grants for Wastewater Treatment Works
- 66.426 Water Pollution Control – State and Area-wide Water Quality Management Planning Agency
- 66.451 Solid and Hazardous Waste Management Program Support Grants
- 66.452 Solid Waste Management Demonstration Grants
- 66.600 Environmental Protection Consolidated Grants Program Support Comprehensive Environmental Response, Compensation and Liability (Super Fund).

\* Numbers refer to the Catalog of Federal Domestic Assistance Programs, 1980 and its two subsequent updates.

**B. Federal and State Actions and Programs Necessary to Further the LWRP**

The development of a viable, successful waterfront program depends on all levels of government working to implement the policies stated in Section III of this document. The following indicate actions of the State and Federal governmental agencies necessary for implementation of Marlborough's LWRP.

1. State Agencies

Department of Economic Development

- A. Any action or provision of funds for the development or promotion of tourism related activities.

Department of Environmental Conservation

- A. Development, construction, renovations, or expansion of recreational facilities/projects.

Office of General Services

- A. Prior to any development occurring in in the water or on the immediate waterfront, OGS should be consulted for a determination of the State's interest in underwater or formerly underwater lands and for authorization to use and occupy these lands.

Greenway Heritage Conservancy for the Hudson River Valley

- A. Provision for funding for the greenway projects and planning, including the Hudson River Trail.

Hudson River Valley Greenway Communities Council

- A. Provision of funding Greenway projects and planning.

Office of Parks, Recreation and Historic Preservation

- A. Planning, construction, renovation, expansion or provision of funding for recreational facilities.
- B. Provision of funding for State and local activities from the Land and Water Conservation Fund.
- C. Provision of funding for recreation services programs.
- D. Provision of funding for State and local historic preservation activities in order to aid the preservation, restoration and adaptive reuse of Marlborough's historic structures.

Department of State

- A. Provision of funding for the implementation of the Local Waterfront Revitalization Program.

## Section VIII: Local Commitment

A Comprehensive Plan and LWRP Advisory Committee was created to inform the direction of this LWRP and Comprehensive Plan. The committee is comprised of volunteers representing the Town Board, the agricultural community, the Marlboro Economic Development Committee, the Hamlet of Milton Association as well as LWRP area residents and business owners. This committee met on a regular basis to review draft work products, and provide input on the direction and recommendations for LWRP and Comprehensive Plan. The town planning board will review the draft LWRP and Comprehensive Plan and provide input to the town board. The town board is ultimately responsible for the final review and adoption of these important policy documents for the town.

The Advisory Committee met on the following dates:

- June 15, 2016
- September 22, 2016
- October 20, 2016
- January 19, 2017
- March 30, 2017
- April 6, 2017

In addition to regular Advisory Committee meetings, the town also held four community forums, each focused on s specific topics, and well as two public meetings. These meetings were held as follows:

- |                     |   |
|---------------------|---|
| • November 17, 2016 | Town Meeting  |
| • December 1, 2016  | Community Forum - Economic Development, Hamlet Revitalization and Waterfront Access |
| • December 15, 2016 | Community Forum - Housing & Community and Youth Services                            |
| • February 23, 2017 | Community Forum - Linking Land Use, Historic Preservation & Community Character     |
| • March 9, 2017     | Community Forum - Planning for Agriculture  |
| • April 20, 2017    | Town Meeting  |
| • May 24, 2017      | Stakeholder Meeting   |
| • June 12, 2017     | Town Board Presentation   |

These meetings helped to inform the direction of this LWRP and the goals of the community.

Regional Consultation. Regional organizations including the Ulster County Planning Department and the Ulster County Soil and Water Conservation District were consulted during the development of the LWRP.

State Agency Consultation. State agencies including the New York State Department of State and the Hudson River Estuary Program, part of the New York State Department of Environmental Conservation were consulted throughout the LWRP process.

New York State Environmental Quality Review Act (SEQRA). In order to simplify and coordinate the required state environmental quality review (SEQR) process, this LWRP along with the Comprehensive Plan have been developed simultaneously and were reviewed together as part of a draft generic environmental impact statement (DGEIS). The Town of Marlborough intends to adopt the LWRP and Comprehensive Plan update pursuant to the requirements of New York State law and will also be considering local laws to implement these planning documents.

The local adoption of an LWRP is a Type 1 Action pursuant to SEQRA. In accordance with Part 617 of the implementing regulations of Article 8 of the New York State Environmental Conservation Law, the Town of Marlborough Town Board was designated as the SEQR Lead Agency. A Draft Generic Environmental Impact Statement (DGEIS) has been prepared to identify and evaluate the potential impacts of adopting the LWRP and supporting local regulations. The findings of the DGEIS indicate that the adoption of the LWRP and proposed supporting regulations will not adversely affect the natural resources of the State and/or the health, safety and welfare of the public.

The Town Board, as Lead Agency has determined that adoption of the LWRP and its associated Consistency Review Law is not anticipated to result in any significant adverse impacts on the environment. To conclude the process, the town issued a Negative Declaration Notice of Determination of Non-Significance, and formally adopted the LWRP.

# Town of Marlborough, NY




## Local Waterfront Revitalization Program

### Map Book

- Map 1:** Local Waterfront Revitalization Area Boundary Map
- Map 2:** Streams and Wetlands Map
- Map 3:** Soil Quality Map
- Map 4:** Roadways Map

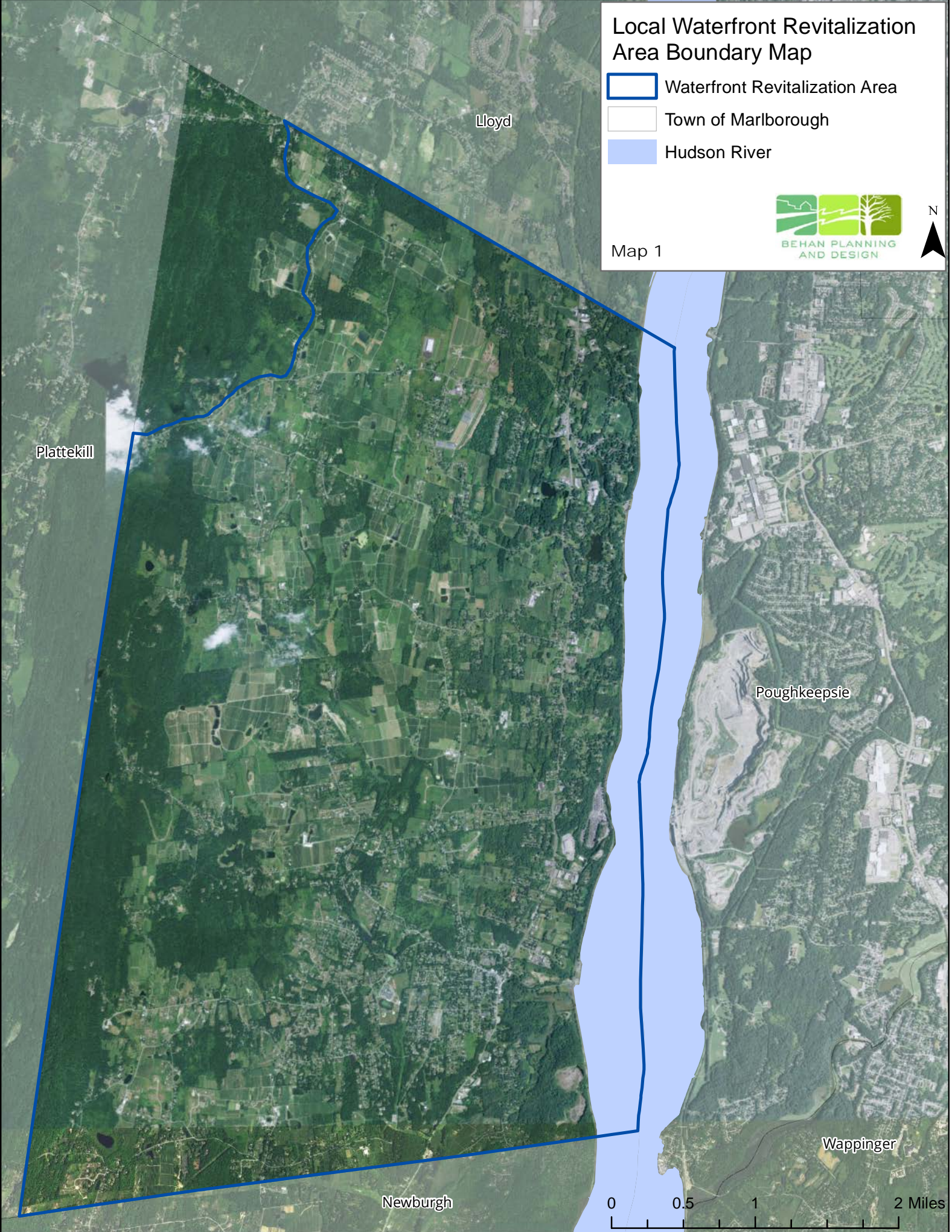


Local Waterfront Revitalization  
Area Boundary Map

-  Waterfront Revitalization Area
-  Town of Marlborough
-  Hudson River



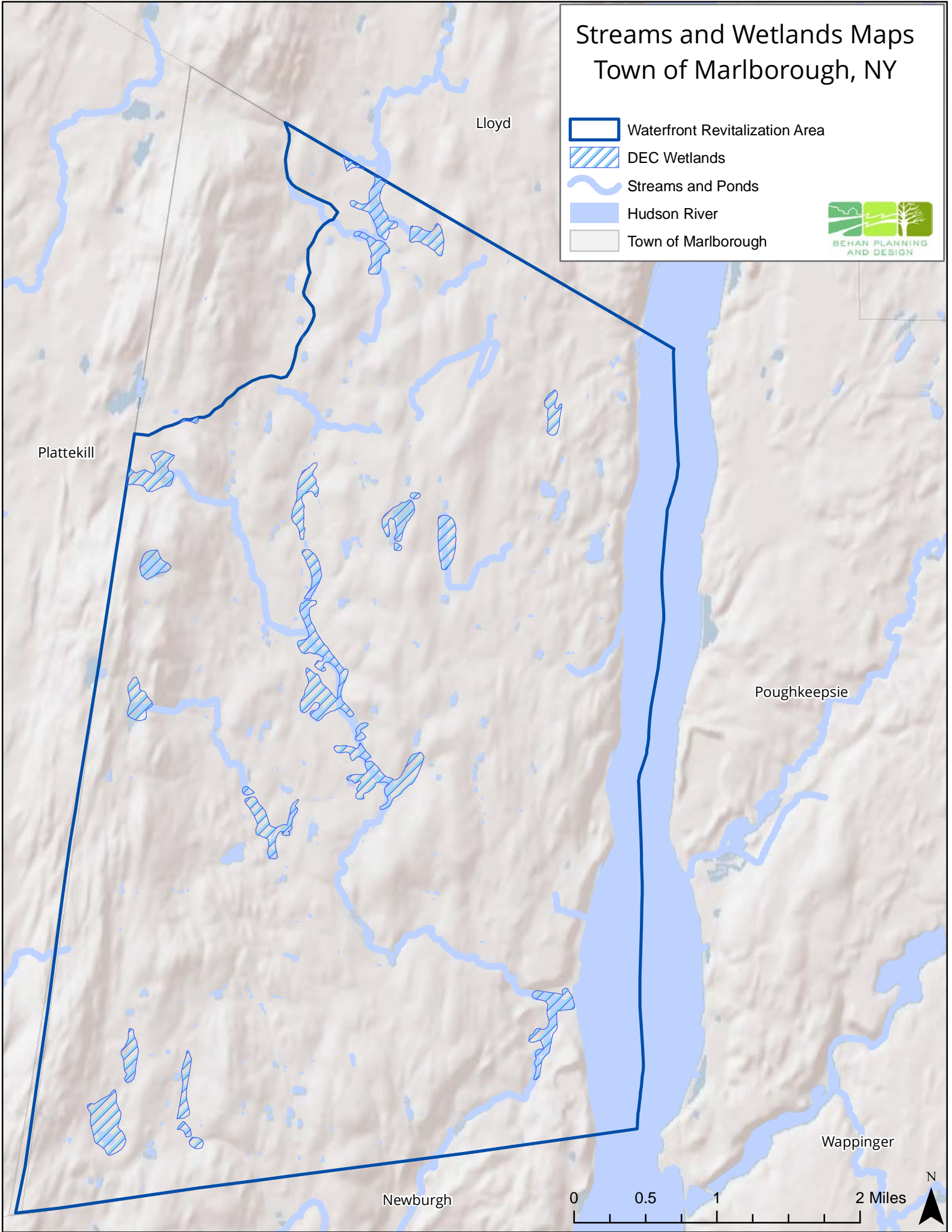
Map 1





# Streams and Wetlands Maps Town of Marlborough, NY

- Waterfront Revitalization Area
- DEC Wetlands
- Streams and Ponds
- Hudson River
- Town of Marlborough



Plattekill

Lloyd

Poughkeepsie






Wappinger

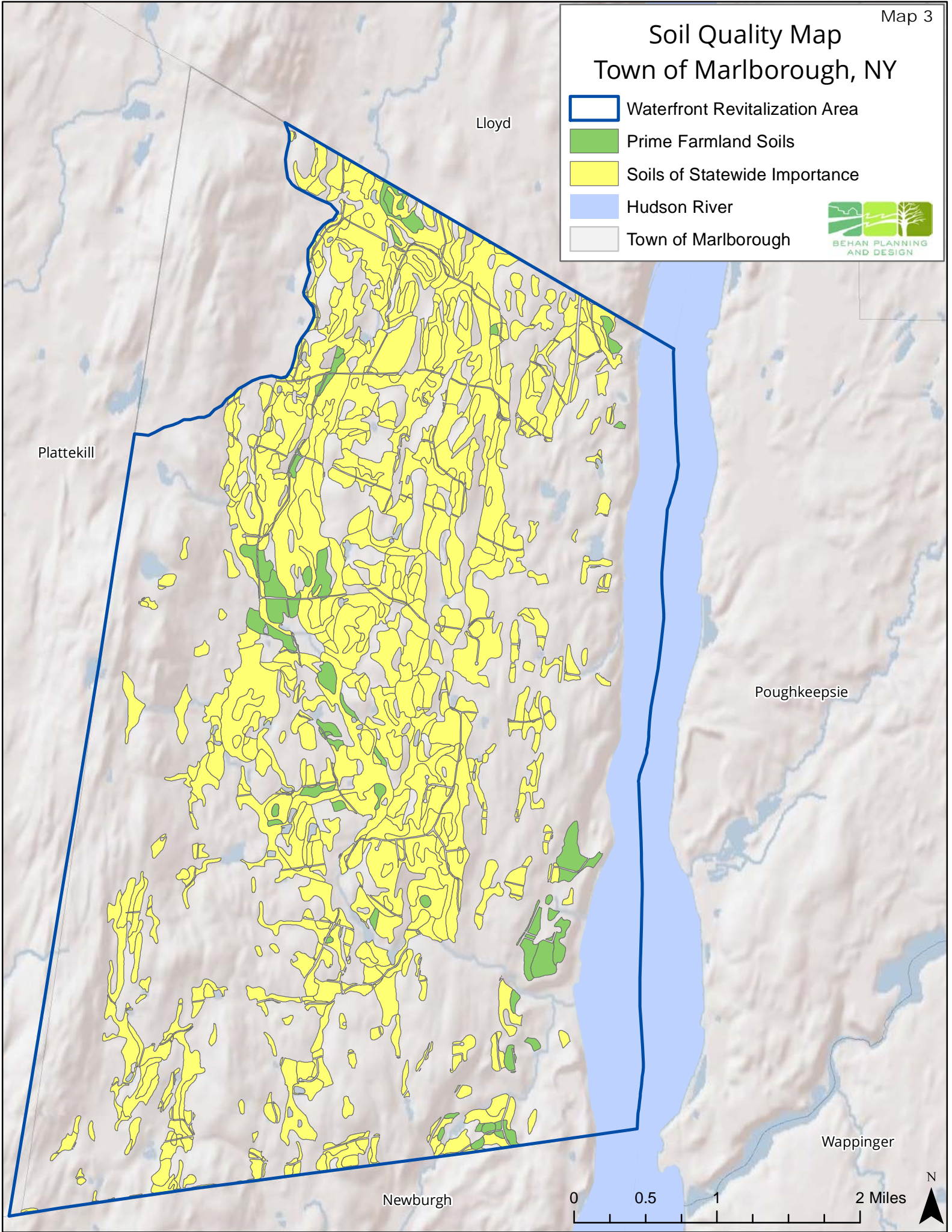
Newburgh

0 0.5 1 2 Miles

N

# Soil Quality Map Town of Marlborough, NY

-  Waterfront Revitalization Area
-  Prime Farmland Soils
-  Soils of Statewide Importance
-  Hudson River
-  Town of Marlborough



Plattekill

Lloyd

Poughkeepsie

Wappinger

Newburgh

0 0.5 1 2 Miles





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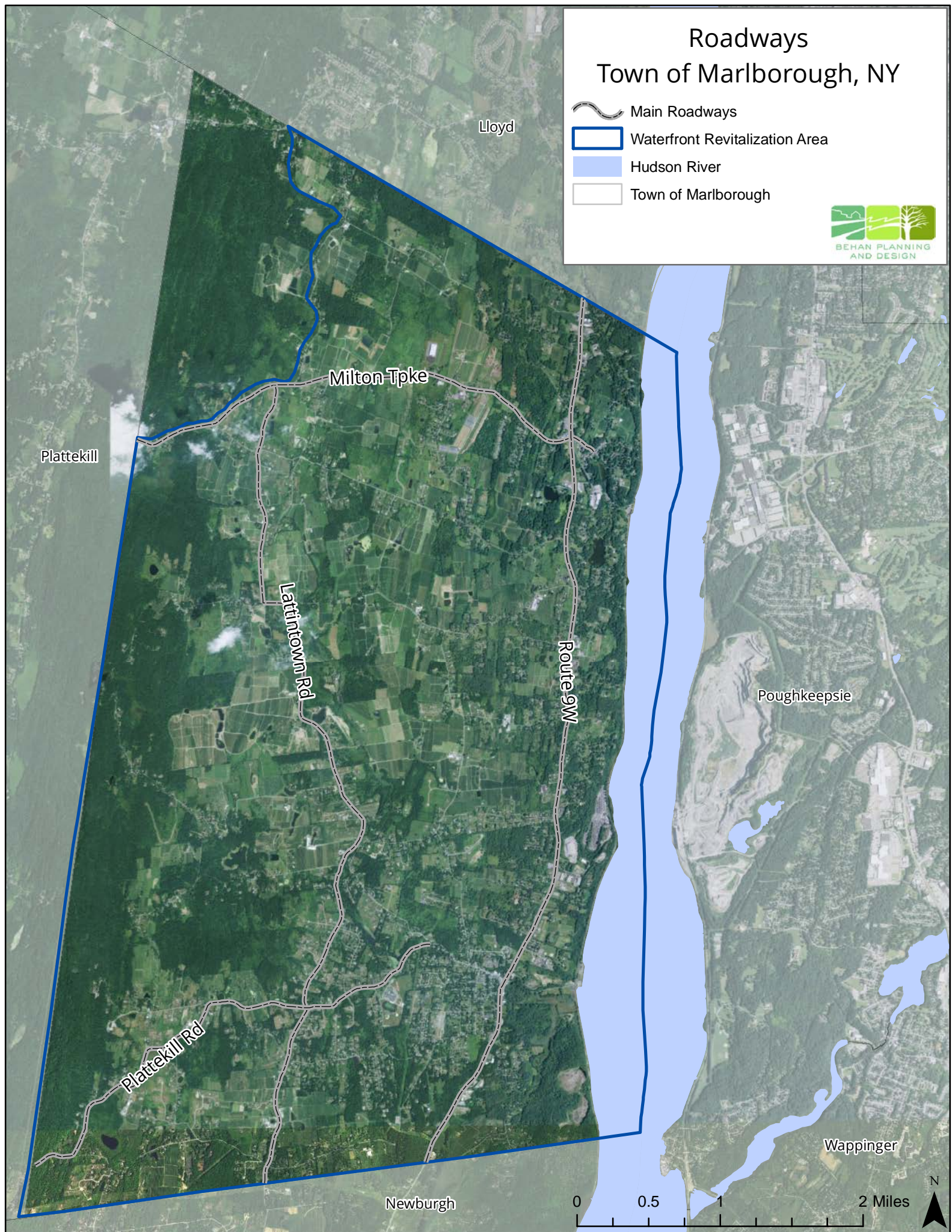




# Roadways

## Town of Marlborough, NY

-  Main Roadways
-  Waterfront Revitalization Area
-  Hudson River
-  Town of Marlborough



## **Map 1: Local Waterfront Revitalization Area Boundary Map**

Appendix B: Comprehensive Plan

Complete- to be inserted

## **Map 2: Streams and Wetlands Map**

Appendix C: Poughkeepsie-Deepwater Significant Fish and Wildlife Habitat

Complete – to be inserted

### **Map 3: Soil Quality Map**

Appendix D: Guidelines for Notification and Review

Appendix D: Local Consistency Review Law



## Map 4: Roadways Map