

FIRST MEETING OF THE MONTH
(ZOOM VIDEO MEETING DUE TO THE
CORONAVIRUS PANDEMIC)
TOWN BOARD TOWN OF MARLBOROUGH
SEPTEMBER 14, 2020 7:00 PM

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

ITEM #4 Motion to approve minutes from the August 24, 2020 Town Board Meeting

ITEM #5 Authorize payment of bills

ITEM #6 Comments on the agenda

ITEM #7 Presentations

ITEM #8 Report of Departments and Boards

- A) SUPERVISOR - ALPHONSO LANZETTA
- B) BUILDING INSPECTOR - THOMAS CORCORAN
- C) POLICE CHIEF - GERALD COCOZZA
- D) HIGHWAY SUPERINTENDENT – JOHN ALONGE
- E) WATER SUPERINTENDENT - CHARLIE MUGGEO
- F) TOWN CLERK - COLLEEN CORCORAN
- G) WASTEWATER TREATMENT FACILITY- ANTHONY FALCO
- H) DOG CONTROL OFFICER - ANDREW MCKEE
- I) ASSESSOR - CINDY HILBERT
- J) PLANNING - CHRIS BRAND

ITEM #9 Report of Committees

- A) RECREATION COMMITTEE
- B) EMERGENCY MANAGEMENT PREPAREDNESS COMMITTEE
- C) CONSERVATION ADVISORY COMMITTEE
- D) IT COMMITTEE
- E) MILTON TRAIN STATION FOUNDATION
- F) MILTON LANDING CITIZENS COMMITTEE
- G) MARLBORO HAMLET ECONOMIC DEVELOPMENT COMMITTEE
- H) MEET ME IN MARLBOROUGH
- I) HAMLET OF MILTON ASSOCIATION COMMITTEE
- J) TRANSFER STATION REVIEW COMMITTEE

ITEM #10 Old Business

- A) Tomvac Rehabilitation Update
- B) LWRP
- C) Water District Improvements (Milton Turnpike/Cross Rd)
- D) Short Term rentals

ITEM #11 New Business

- A). Highway inventory out for bid
- B). South Pier update-Howard Baker
- C). Trunk or Treat
- D). Switch on Electric authorization to perform electrical inspections in the Town of Marlborough

ITEM #12 Correspondences

ITEM #13 Public Comments

ITEM #14 Resolutions

- A). Resolution # 67 To introduce a Local Law of the year 2020 Amending the zoning map for the Town of Marlborough to establish a business corridor overlay district

ITEM #15 Adjournment

September 14, 2020

A). Resolution # 67 To introduce a Local Law of the year 2020 Amending the zoning map for the Town of Marlborough to establish a business corridor overlay district

Supervisor Lanzetta proposes the following:

To Introduce the following proposed local law, to be known as Local Law No. 2020, entitled, A LOCAL LAW OF THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, AMENDING THE ZONING MAP OF THE TOWN OF MARLBOROUGH TO ESTABLISH A BUSINESS CORRIDOR OVERLAY DISTRICT UNDER TOWN CODE SECTION 155-12(H) COVERING LOT 2 OF A CONDITIONALLY APPROVED 3-LOT SUBDIVISION OF LAND WITH FRONTAGE ON NYS ROUTE 9W ALONG ITS EASTERN BOUNDARY AND PURDY AVENUE ALONG ITS NORTHERN BOUNDARY IN THE TOWN OF MARLBOROUGH, ULSTER COUNTY, NEW YORK, MORE PARTICULARLY DESCRIBED AS TAX PARCEL SECTION 109.1, BLOCK 4, LOT 29.200.

WHEREAS, on June 4, 2018, the Town of Marlborough Planning Board (the “Planning Board”) granted conditional subdivision approval of a 3-lot subdivision of the lands of Bayside Construction, LLC at 18 Birdsall Avenue, Marlborough, New York; and

WHEREAS, the subdivision plat entitled “Subdivision Plat for Bayside Construction, LLC” was filed on August 6, 2020 in the Ulster County Clerk’s Office as Filed Map No. 20-148 (the “Subdivision Plat”); and

WHEREAS, on May 7, 2018 the Planning Board granted conditional site plan approval for the lands shown on the Subdivision Plat to be devoted to multi-family

residential use and a 12,600 square foot commercial building and supportive site development; and

WHEREAS, the commercial building and site development on Lot 2 of the Subdivision Plat identified as Tax Parcel 109.1-4-29.200 on the Tax Map of the Town of Marlborough (the “Property”) requires an amendment of the zoning map to establish a Business Corridor Overlay District under Section 155-12(H) of the Town Code to such Lot 2.

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

Section 1. The zoning map of the Town of Marlborough established within Section 155-8 of the Town Code is amended to change the district designation of Marlborough Tax Parcel 109.1-4-29.200 (Lot 2 on the Subdivision Plat, [the “Property”]) from its current zoning district designation to the Business Corridor Overlay District.

Section 2. This local law is conditioned that use and development of the Property shall be limited to the use and development specifically described in the site plan approved by the Planning Board on June 4, 2018.

Section 3. This local law is conditioned on the owner’s fulfillment of all conditions attached to the conditional site plan approval and the conditional subdivision approval.

Section 4. This local law is based on findings by the Town Board that the standards set forth in Section 155-12(H) (5)(f) (1) through (7) are satisfied.

Section 5. The Town Board hereby establishes that the lot, height, yard, bulk, and area requirements for the use of the Property shall be as they appear within the conditionally approved site plan.

Section 6. If any section of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this local law.

Section 7. This local law shall take effect immediately upon filing with the New York Secretary of State.

Supervisor Lanzetta advised the Town Board that, pursuant to the Municipal Home Rule Law of the State of New York, it will be necessary to hold a public hearing upon this law. He offered the following resolution which was seconded by Councilman _____, who moved its adoption:

WHEREAS, on September 14, 2020, _____ has introduced this local law for the Town of Marlborough, to be known as "Town of Marlborough Local Law No. __ of the Year 2020, a local law of the Town of Marlborough, Ulster County, New York amending the Zoning Map of the Town of Marlborough to establish a Business Corridor Overlay District Under Town Code Section 155-12(H) covering Lot 2 of a conditionally approved 3-Lot Subdivision of Land with frontage on NYS Route 9W along its eastern boundary and Purdy Avenue along its northern boundary in the Town of Marlborough, Ulster County, New York.

RESOLVED, that a public hearing be held in relation to the proposed changes as set forth in the form of notice, hereinafter provided, at which hearing parties of interest and citizens shall have an opportunity to be heard. The public hearing will be held remotely

via the video conferencing platform Zoom in accordance with the Governor's Executive Order No. 202.1, on September 28, 2020 at 7:00 o'clock p.m., Prevailing Time, and that notice of said meeting shall be published in the official newspaper of general circulation in the Town of Marlborough, by the Town Clerk, at least ten (10) days before such hearing and that notice shall be in the following form:

NOTICE OF PUBLIC HEARING

TAKE NOTICE, that the Town Board of the Town of Marlborough will hold a public hearing on September 28, 2020 at 7:00 o'clock, p.m., on a proposed Local Law of the Town of Marlborough, Ulster County, New York, amending the Zoning Map of the Town of Marlborough to establish a Business Corridor Overlay district under Town Code Section 155-12(H) covering Lot 2 of a conditionally approved 3-Lot Subdivision of Land with frontage on NYS Route 9W along its eastern boundary and Purdy Avenue along its northern boundary in the Town of Marlborough, Ulster County, New York. The public hearing will be held remotely via the video conferencing platform Zoom in accordance with the Governor's Executive Order No. 202.1. The meeting ID and password, as well as a call-in phone number will be posted on the Town's website at least 10 days before the public hearing.

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

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

DATED: Milton, New York
 September 14, 2020

COLLEEN CORCORAN, TOWN CLERK

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

Supervisor Lanzetta _____

Councilman Molinelli _____

Councilman Corcoran _____

Councilman Baker _____

Councilman Koenig _____

DATED: Milton, New York
September 14, 2020

COLLEEN CORCORAN, TOWN CLERK