

COUNTY OF ULSTER
TOWN OF MARLBOROUGH

-----X

In the Matter of:

Petition for Zoning Map Amendment on behalf of:

**PETITION FOR
ZONING MAP
AMENDMENT**

SDL MARLBOROUGH LLC

Petitioners.

-----X

The undersigned, MARK W, BLANCHARD, an attorney with the firm Blanchard & Wilson, LLP and on behalf of, SDL MARLBOROUGH LLC, (collectively, "Petitioner") submits this petition to amend the Zoning Map of the Town of Marlborough ("Petition") to the Town of Marlborough Town Board of Trustees ("Board").

The Property

This Petition is submitted in compliance with the requirements of Town Code Sections 155-48, 155-49 and 155-50. *See, Town Code Article X, Chapter 155 Zoning §§ 155-48-50157, Amendments.* This Petition is seeking an amendment to establish a uniform re-zoning to the **R District** of the following four parcels: (1) Section 109.1, Block 3, Lot 13; (2) Section 109.1, Block 3, Lot 14.200; (3) 109.1, Block 3, Lot 15; (4) Section 108.4, Block 3, Lot 29.10 (all parcels collectively referred to as "Property").

The Proposed Map Amendment

The Property is currently covered by three existing Zoning districts, the R, the R-1, and the I districts. This Petition requests that the Board take legislative action to adjust the existing zoning boundary by enlarging the boundary to cover the Property uniformly as R.

Summary of the Proposed Redevelopment Project

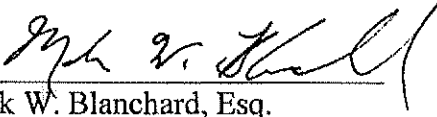
As mentioned above, the Petition seeks the district boundary line amendment to allow for an as-of-right residential townhouse development of approximately one hundred units, including new roadway and amenities, such as a shared clubhouse. Annexed hereto is the proposed site plan depicted on sheet []. The use is consistent with other townhome projects in the Town and is consistent with the Town's Comprehensive Plan and Zoning Code.

Conclusion

The Petitioner respectfully requests that the Town Board of Trustees accept this Petition as complete, and begin its legislative process toward consideration and approval as requested.

Dated: April 7, 2023
White Plains, New York

BLANCHARD & WILSON, LLP

By: 
Mark W. Blanchard, Esq.
Attorney for Petitioners
235 Mamaroneck Avenue, Suite 401
White Plains, NY 10605
Phone (914) 461-0287
mblanchard@blanchardwilson.com

cc: *(by electronic delivery)*

MARK W. BLANCHARD
PARTNER



ALAN H. ROTHSCHILD
OF COUNSEL

KRISTEN K. WILSON
PARTNER
**Also admitted in CT*

BLANCHARD & WILSON LLP

235 Mamaroneck Avenue . Suite 401 White Plains, NY 10605
P (914) 461-0280 F (914) 461-2369
BlanchardWilson.com

April 7, 2023

Town of Marlborough
Town Hall
21 Milton Turnpike, Suite 200
Milton, New York 12547
Attention: Supervisor Scott Corcoran

**Re: Petition for Zoning Map Amendment
Petition for Zoning Text Amendment**

Dear Supervisor Corcoran:

This letter is submitted to request that the accompanying Petition for Zoning Map Amendment and Petition for Zoning Text Amendment be placed on the Town of Marlborough Town Board meeting agenda for Monday, April 10. It is further requested that the Town Board make the necessary referrals to the Town Planning Board and the County of Ulster Planning Board. The petitions relate to the proposed multifamily residential development on Dock Road that has been the subject of numerous meetings with local officials, staff and board members.

Please do not hesitate to contact the undersigned should you have any questions or concerns. Thank you for your attention to this matter.

Very truly yours,

Mark W. Blanchard

Cc: Meghan Clemente, Esq. (*email only*)

COUNTY OF ULSTER
TOWN OF MARLBOROUGH

-----X

In the Matter of:

Petition for Zoning Text Amendment on behalf of:

**PETITION FOR
ZONING TEXT
AMENDMENT**

SDL MARLBOROUGH LLC

Petitioners.

-----X

The undersigned, MARK W, BLANCHARD, an attorney with the firm Blanchard & Wilson, LLP and on behalf of, SDL MARLBOROUGH LLC, (collectively, "Petitioner") submits this petition to amend the Zoning Map of the Town of Marlborough ("Petition") to the Town of Marlborough Town Board of Trustees ("Board").

Introduction

This Petition is submitted in compliance with the requirements of Town Code Chapter 155 Zoning, Sections 155-48, 155-49 and 155-50. *See, Town Code Article X, Chapter 155 Zoning §§ 155-48-50/157, Amendments (Town of Marlborough Code, 2023).* This Petition is seeking amendments to Chapter 155 Zoning; Article VI, Supplementary Regulations Governing Certain Uses, in order to further refine and facilitate the orderly development of planned, multi-unit residential dwelling projects. *See, Chapter 155 Zoning, Article VI, Supplementary Regulations Governing Certain Uses, Section 155-30 (Town of Marlborough Code, 2023).* The proposed Zoning Text Amendments are in accordance with the goals set forth in this Chapter, to wit, to promote the orderly development of land, to protect against hazards to the environment, to regulate the intensity of uses, and to regulate the placement of building. The proposed amendments herein are also consistent with the goals of the Town of Marlborough Comprehensive Plan as these

proposed amendments will facilitate continued community revitalization through the addition of appropriately increased density, by promoting smart-growth and reasonable expansion of population without detracting from the existing community and by enabling the construction of meaningful clustered development while preserving open space and protecting the environment.

The Proposed Text Amendments

In order to promote to the goals as set forth above with large multi-family residential projects, the Town Board has determined that greater flexibility in the site-plan approval process promotes the creation of projects that have the potential for greater benefit to the community; the following text amendments are proposed to be deleted and added to Article VI as Follows:

Section 155-30 Multiple Dwellings.

(B) Design Standards.

(2) Minimum distances between structures in all zones except C-1. Where there are two or more structures on a single lot devoted to multiple dwellings, the minimum distance between structures ~~shall be 1 ½ times the height of the highest structure~~ (foundations) shall not be less than 15 feet for three to five multiple dwelling units, 35 feet for 6 or 7 multiple dwelling units, and 50 feet for 8 multiple dwelling units. The building height on all multiple dwelling units shall be 3 stories or 35 feet. Whichever is less restrictive.

Section 155-30 Multiple Dwellings

(D) Waiver.

Notwithstanding the above, when considering site plan approval for Multiple Dwellings in the R and R-1 districts of a proposed project of 85 Multiple Dwelling Units or greater, the Planning Board shall have the discretion to grant a waiver of

up to twenty-five (25%) percent of the Supplementary Regulations set forth in Article V and Article VI of this Chapter.

Conclusion

The Petitioner respectfully requests that the Town Board of Trustees accept this Petition as complete, and begin its legislative process toward consideration and approval as requested.

Dated: April 7, 2023
White Plains, New York

BLANCHARD & WILSON, LLP

By: 

Mark W. Blanchard, Esq.

Attorney for Petitioners

235 Mamaroneck Avenue, Suite 401

White Plains, NY 10605

Phone (914) 461-0287

mblanchard@blanchardwilson.com

cc: (by electronic delivery)

April 24, 2023

B). Resolution #57 To authorize the Town Board to declare intent to Act as Lead Agency and to Refer to the Planning Board and the Ulster County Department of Planning the Application of SDL Marlborough LLC for Proposed Petitions for a Zoning Map Amendment and Zoning Text Amendment for the multifamily residential development on Dock Road

Supervisor Corcoran proposes the following:

WHEREAS, on or about April 7, 2023, SDL Marlborough, LLC (the “Developer”) by its Attorney submitted a Petition for Rezoning to the Town Board of the Town of Marlborough in connection with a development project proposed for certain real property located on Dock Road in the Town of Marlborough (the “Property”); and

WHEREAS, the Developer wishes to construct a multi-family residential project at the property; and

WHEREAS, to develop the Property, the Developer must obtain various land use approvals, including, without limitation, a zoning change and site plan approval (collectively, the “Approvals”); and

WHEREAS, applications for the Approvals shall be the subject of independent review by the Town Board, the Planning Board, and any other involved agencies; such review shall include, without limitation, SEQRA review; and

WHEREAS, the proposed rezoning consists of the following:

- Petition to rezone certain lots owned by SDL Marlborough, LLC from R-1 (Residential District) and I (Industrial District) to R (Residential District);
- Petition to amend § 155-30 of the Town of Marlborough Zoning Code as it pertains to the regulations governing Multiple Dwellings.

WHEREAS, the Application is classified as a Type I action under the New York State Environmental Quality Review Act and its implementing regulations, 6 NYCRR Part 617, (“SEQRA”); and

WHEREAS, the Town Board shall declare its intent to be lead agency pursuant to 6 NYCRR Part 617 for the review of a petition to amend the zoning code; and

WHEREAS, upon receipt of a petition to amend the zoning code, such as the petition submitted by SDL Marlborough, LLC, the Town Board is required to refer said application to the Planning Board for its review and recommendation pursuant to Section 155-49 of the Town Code; and

WHEREAS, Section 155-49 of the Town Code requires the Planning Board, within a maximum of 30 days of receipt of an application from the Town Board, to issue its report before the required public hearing occurs;

WHEREAS, the Town Board desires to (i) declare its intent to act as Lead Agency for a coordinated review of the Application under SEQRA, (ii) direct the Town to circulate notice of its intent to all involved and interested agencies, and (iii) refer the Application to the Planning Board for its review and recommendation pursuant to Town Code Sections 155-48 and 155-49; and

NOW THEREFORE BE IT RESOLVED THAT:

1. The Town Board declares its intent to act as Lead Agency for a coordinated review under SEQRA for SBL Marlborough, LLC's Petition for Rezoning; and
2. The Town is directed to circulate notice of its intent to act as Lead Agency for the Application to all involved and interested agencies pursuant to 6 NYCRR Part 617; and
3. The Town Board refers SBL Marlborough, LLC's Petition for Rezoning for the proposed development project at property located at Dock Road to the Planning Board for its review and recommendation pursuant to Town Code Section 155-49.

The foregoing resolution was voted upon with all councilpersons voting as follows:

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