

May 24, 2024

Chairman Chris Brand
Town of Marlborough Planning Board
21 Milton Turnpike
Milton, NY 12547

**Re: Marlborough Resort
Briefing Document
626 Lattintown Road & 255 Ridge Road, Marlborough, NY
Tax Parcels 102.4-3-8.8.320; 102.4-2-12; 102.4-2-13; 102.4-2-29**

Dear Chairman Brand:

This briefing document is intended to introduce the project program and its adherence to the Town of Marlborough Zoning Ordinance, specifically Sections 155-18.B(1), 155-32.E, and 155-31.E(3).

Project Description

The property is an approximately 152.55-acre parcel comprised of four separate tax lots and classified within the Town of Marlborough's R-Ag-a Rural Agricultural District ("R-Ag-1 District"). The property is located at 626 Lattintown Road and has frontage and driveway access on Both Lattintown Road and Ridge Road. The St. Hubert's Lodge & Club, a recreational resort, occupies the property and includes a Bed & Breakfast, lodge, outdoor commercial recreation facility, and kennel. This Applicant now proposes to develop and expand on the current hospitality use of the property by re-purposing several of the existing structures and renovating the existing lodge. In addition, several new buildings will be constructed to provide sleeping accommodations, recreational amenities, and other hospitality services.

The project will include a hotel and spa, guest cabins, dining rooms, a bar, a distillery and tasting room, small event center, farm market and barbecue, pavilions, recreation space, restroom buildings, staff dorms, a welcome center, and various accessory storage buildings. The project will also include water and sewer extensions, a water storage tank, package wastewater treatment plant, solar arrays, and green infrastructure throughout. Together, these buildings and improvements make up the proposed Resort Hotel use. The plan includes 453 surface parking spaces throughout the property in support of the Resort Hotel use. A small accessory structure on the rear of building 7 will be removed and replaced in the same footprint by an addition. Small accessory structures that are no longer needed will be removed.

The project is anticipated to be constructed in three phases. Depending on market conditions, these phases may be executed continuously or in a staggered manner. Critical infrastructure for emergency access, water, and sewer will be included in the initial phase. The following tables outline the project program:

SITE DATA - PHASE 01				
BUILDING NAME	BUILDING NUMBER	No. of BUILDINGS	BUILDING AREA (S.F.)	TOTAL BUILDING AREA (S.F.)
WELCOME BUILDING	1	1	2077	2077
ENTRY COTTAGE - EXISTING CABIN	2	1	648	648
RENOVATED MAIN LODGE WITH 2 GUESTROOMS, A PRIVATE DINING AREA, AND SALOON	3	1	7223	7223
ORANGERIE - SMALL EVENTS CENTER	4	1	3168	3168
CABIN BAR	5	1	1022	1022
CLUBHOUSE DINING ROOM 1	6	1	8897	8897
FARM MARKET & BARBEQUE	7	1	1656	1656
POND CABIN - EXISTING CABIN	8	1	695	695
SPA AND GYM	9	1	19701	19701
EVENTS CENTER	10	1	15870	15870
28 ROOM HOTEL	11	1	17244	17244
WALLED GARDEN	12	1	15340	15340
BACK-OF-HOUSE OPERATION	13	1	2106	2106
POND PAVILION	14	1	1000	1000
TREE HOUSE -2 GUESTROOM CABINS	15	22	1161	25542
TREE HOUSE -1 GUESTROOM CABINS	16	8	774	6192
STORAGE/GENERATOR BUILDING	17	1	1000	1000
COVERED PARKING (ELEC. VEHICLES)	18	1	1550	1550
STAFF DORM & LOCKER ROOM	19	1	14672	14672
WASTEWATER MECHANICAL BLDG	20	2	288	576
ANIMAL PLANET - PETTING ZOO (BARN)	21	3	400	1200
TOTAL BUILDING AREA (S.F.)			147604	

SITE DATA - PHASE 02				
BUILDING NAME	BUILDING NUMBER	No. of BUILDINGS	BUILDING AREA (S.F.)	TOTAL BUILDING AREA (S.F.)
HILLSIDE - 2 GUESTROOM CABINS	22	15	1200	18000
5-BEDROOM GUEST HOUSES	23	8	4000	32000
ORCHARD - 2 GUESTROOM CABINS	24	8	1200	9600
TOTAL BUILDING AREA (S.F.)				59600

SITE DATA - PHASE 03				
BUILDING NAME	BUILDING NUMBER	No. of BUILDINGS	BUILDING AREA (S.F.)	TOTAL BUILDING AREA (S.F.)
CLUBHOUSE DINING ROOM 2	25	1	5000	5000
ORCHARD POND PAVILION	26	1	1000	1000
DISTILLERY WITH TASTING ROOM	27	1	1260	1260
TOTAL BUILDING AREA (S.F.)				7260

GRAND TOTAL BUILDING AREA-ALL PHASES (S.F.)				214239
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Section 155-31 E.(3)(b) requires a description of whether the site design includes the possibility for interconnections with adjoining sites. Due to the existing curb cuts, wetlands, and topographic challenges, along with the neighboring agricultural and residential uses, interconnection to adjacent sites is neither practical nor feasible. However, considering the hospitality component of the project, it is anticipated that guests may venture off the property and patronize local businesses within the community.

Zoning Analysis

On May 8, 2024, the Applicant's land use counsel, Anthony B. Gioffre III of Cuddy & Feder LLP, submitted a letter titled "Use Description for Marlborough Resorts" to Thomas Corcoran, the Town Building Inspector and Code Enforcement Officer (enclosed). In response, the Applicant received a Letter of Determination from Thomas Corcoran on May 10, 2024 (enclosed). The Letter of Determination confirms that the proposal as a whole constitutes a Resort Hotel which is permitted as a Special Permit Use in the R-Ag-1 District.

Conformance with Town of Marlborough Sections 155-18.B(1) & 155-32.E:

The proposed Resort Hotel use is permitted as a Special Permit Use subject to approval by the Town Planning Board and conformance with the supplemental use criteria provided in Sections 155-18.B(1) specific to Tourist and Vacation Buildings as well as the general considerations for Special Permit Use in Section 155-32.E. The proposal's conformance with those supplemental use standards are detailed herein:

Section 155-18.B(1):

(a) There shall be filed with the application a map or plan of the entire property, showing the proposed location and dimensions of all structures, recreation grounds and community facilities proposed to be constructed thereon.

Response: Please see the enclosed Site Plan drawings prepared by Passero Associates dated May 24, 2024 which provide a map and plan of the entire property showing the proposed location and dimensions of all structures, recreation grounds, and facilities.

(b) There shall be presented with the application for this permit a certificate of the County Department of Health approving of the source and method of treatment of the proposed supply of potable water.

Response: The Applicant continues to work with the County Department of Health and other local officials to design the plans for expanding the Town's water district, including construction of a new 300,000-gallon water storage tank on the property. Any necessary approvals from the County Health Department and/or other local authorities will be obtained and provided at a later date.

(c) There shall be presented with the application for this permit two copies of a map or plan of the system of sewage and waste disposal, which said copies shall bear the

endorsement and approval of the County Department of Health.

Response: The Applicant continues to design the proposed sewage and waste disposal system which is expected to include a new package wastewater treatment plant onsite. The Applicant intends to continue working with the appropriate officials on this system design and will provide the necessary endorsement and approval from the County Health Department at a later date.

(d) No structure in such use shall be within 50 feet of any property line or within 100 feet of any watercourse which is a part of any public water supply system.

Response: No new structures are proposed within 50 feet of any property line or within 100 feet of any watercourse. The approximately 1,260 s/f pre-existing structure near Ridge Road is located within 50 feet of the property line, but the proposal does not contemplate expanding that building or otherwise reducing the building setback. Thus, this legal nonconforming structure is permitted to remain and the proposal conforms with this special permit criteria.

(e) The total number of units to be accommodated in such use shall not exceed one for each 2,000 square feet of area within such premises.

Response: The Applicant proposes a total of 170 bedrooms on the approximately 152.55-acre (6,645,078 s/f) lot. This equates to approximately 39,089 s/f per bedroom, which exceeds the required 2,000 s/f minimum.

(f) Within the total area of the lot, each principal building used for living purposes shall have the equivalent of lot area and width, yards and open spaces as follows: each principal building shall have appurtenant and adjacent thereto a portion of the total area of the lot to give it front and rear yards, each not less than 25 feet in depth, and side yards, each not less than 15 feet in width.

Response: The proposal includes an array of hospitality uses, including several used for living purposes including the various cabins/guesthouses, the 28-room hotel, and the proposed staff dorm building. These proposed structures each provide the minimum setbacks from the property lines as required by this section and ensure the appropriate separation from other buildings for the safe, efficient operation of the Resort Hotel use. The proposal therefore complies with this requirement.

(g) Any building designed or used as a place for entertainment, such as a clubhouse,

pavilion, casino or for a similar purpose, or for bathhouses for guests of the premises shall have appurtenant and adjacent thereto a portion of the total area of the lot to give it front and rear yards, each not less than 50 feet in depth, and side yards, each not less than 40 feet in width.

Response: The proposal includes an array of hospitality uses, including the proposed events spaces to be used for entertainment. The events space is proposed to be located amongst the existing and proposed structures at the western portion of the property which include the main amenities for the Resort Hotel use. These existing and proposed structures all provide the minimum setbacks from the property lines as required by this section and ensure the appropriate separation from other buildings for the safe, efficient operation of the Resort Hotel use. The proposal therefore complies with this requirement.

(h) If swimming facilities are proposed to be provided in such use, plans showing the extent and location of such facilities and proposed source of water and method of treatment, if any, shall be submitted with the application for the above permit, and such plans shall bear the approval of the County Department of Health.

Response: The proposed gym and spa building will provide swimming facilities for use by guests and visitors. Details of these pools and their location are included in the enclosed plans. The Applicant intends to source the water from the proposed Town of Marlborough water district expansion. Department of Health approvals will be obtained.

(i) No certificate of occupancy shall be issued for any such use until the Building Inspector has made a personal examination and satisfied himself that all of the requirements herein set forth have been complied with. No such use shall be used or occupied until a certificate of occupancy has been issued.

Response: Comment noted.

Section 155-32.E:

(1) Traffic access. All proposed traffic access shall be adequate but not excessive in number, adequate in width, grade and alignment and visibility, and sufficiently separated from street intersections and other places of public assembly and shall meet other similar safety considerations.

Response: The Applicant includes its Traffic Generation Technical Letter prepared by Passero Associates dated May 9, 2024, (enclosed) which evaluates the potential traffic

impacts on the surrounding roadways. That preliminary assessment concludes that the proposed project is unlikely to result in any potential significant adverse impacts on surrounding roadways. The Traffic Generation Technical Letter further evaluates the potential site distances and concludes that adequate site distance is provided to ensure sufficient visibility for safe entrance and access to the site.

(2) Parking. Parking areas will be of adequate size for the particular use, and the entrance and exit drives shall be laid out so as to achieve maximum safety.

Response: The project includes 331 on-site surface parking spaces which are anticipated to be sufficient to support the needs of the Resort Hotel guests, visitors, and staff. These parking areas and internal roadways are designed to provide suitable circulation for both vehicles and pedestrians on site for maximum safety. The proposed 331 surface parking spaces also exceed the minimum parking requirement established by Town Code Section 155-27 of 1 space per dwelling unit required for Resort Hotel uses. Nevertheless, the additional parking is proposed for adequate parking for the various services spread throughout the property.

(3) Landscaping and screening. All parking and service areas shall be reasonably screened from the view of adjacent residential lots and streets, and the general landscaping of the site shall be in character.

Response: A dense vegetated buffer encircles the entire property and provides screening from all nearby properties and roadways. The existing vegetation on-site is being retained to the greatest extent possible and any added landscaping will maintain and enhance the character of the area. In the cabin areas clearing will be limited to select clearing, maintaining the forested characteristics of the inner site. A dense landscape buffer will be provided to screen the package wastewater treatment plant area from the neighboring parcel.

(4) Character and appearance. The character and appearance of the proposed use, buildings, structures, outdoor signs and lighting shall be the character of the surrounding neighborhood and that of the Town of Marlborough.

Response: The proposal has been designed to provide a harmonious balance between hospitality, agriculture, and nature with its intended rustic ambiance and resort-style amenities. The design utilizes the existing buildings and paved surfaces to the greatest extent possible and intends to design the new construction and renovated buildings in a way that enhances and reflects the natural characteristics of the property and nearby properties.

(5) Historic and natural resources. The proposed use shall be designed and shall be carried out in a manner that protects historic and natural environmental features on the site and in adjacent areas.

Response: The proposal has been designed to enhance and preserve the important natural resources on site and to create conditions conducive with rural life. Further, the proposal is not located within or adjacent to any known archaeological sites. Also, the project site is not located within any historical district nor are there any historical resources onsite. The Thomas & Mary Bloomer House at 601 Lattintown Road is the nearest resource eligible for listing on any historic resource registry. The Thomas & Mary Bloomer House was identified during in the Town of Marlborough's Phase II Reconnaissance-Level Historic Resource Survey as eligible due to its ornate design which attracted boarders and was historically advertised as a summer home and resort. The proposal is not expected to have any potential adverse impacts or detriments to that resource or any other potentially significant resources in the area.

(6) Level of service. The level of services required to support the proposed activity or use is or will be available to meet the needs of the proposed activity or use. This consideration shall include the suitability of water supply and sanitary sewage facilities and protection from pollution of surface water or groundwater.

Response: The Applicant expects the level of services required for the proposed Resort Hotel to be sufficient based on the significant improvements being offered by the Applicant. These improvements include the proposed water district improvements, such as the new 300,000-gallon water storage tank, and the proposed package sewage treatment facility proposed.

(7) Emergency services. All proposed buildings, structures, equipment and/or material shall be readily accessible for fire, police, and other emergency service protection.

Response: All proposed buildings, structures, equipment, and material will be readily accessible for fire, police, and emergency service protection. The Applicant has met with local emergency response staff and has incorporated preliminary comments into the project design, including truck turn-arounds near the buildings and the appropriate fire protection systems within the buildings. The proposed fire protection systems will be aided by the new water storage system on site. The Applicant will continue to work with Town staff to ensure the site is designed and operated in a safe condition.

(8) In or adjacent to a residence district. In addition to the above criteria, in the case of any

use located in or directly adjacent to a residence district:

(a) The location and size of such use, the nature and intensity of operations involved in or conducted in connection therewith, the size of the site in relation to the use, its site layout and its relation to existing and future access streets shall be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient to or incongruous with said residence district or conflict with the normal traffic of the neighborhood.

Response: The property is neither located in nor located adjacent to any residential district. The underlying zoning classification for the property and all adjacent properties is the Rural Agricultural District (R-Ag-1 District).

(9) The use of best management practices in the protection of streams, steep slopes, wetlands, floodplains and other natural features.

Response: Best management practices will be used to protect streams, steep slopes, wetlands, and other natural features.

To the extent that the proposal is determined not to comply with any of the above-referenced supplemental requirement, the Applicant hereby requests a waiver pursuant to Town Code Section 155-32.K as the waiver would be insubstantial given the lack of potential adverse impacts to the general public or nearby property owners.

Conformance with Town of Marlborough Comprehensive Plan

The proposed hospitality project, which focuses on renewing and expanding the existing hospitality use while preserving on-site nature and the surrounding agriculture character, aligns with the Town of Marlborough's Comprehensive Plan goals. The project emphasizes green infrastructure practices and minimizes disturbances by utilizing already cleared areas and existing roadways. This approach supports the Town's goal of maintaining its agricultural heritage and natural resources while fostering economic development through enhanced hospitality infrastructure.

Furthermore, in partnership with Marlborough, the project's dedication of a 300,000-gallon onsite water storage tank at grade on the hilltop not only ensures exceptional fire protection for the resort but also significantly benefits the Town's water district. This improvement aligns with the town's objectives to enhance community facilities and utilities, thus contributing to overall

community safety and resilience. Also, as outlined in the attached 'Water Distribution System' letter, the Town could accept a payment of \$200,000 instead of the water tank. This provides an alternative for the scenario that as engineering develops, the tank proves to be infeasible or a poor use of capital.

By promoting agritourism and leveraging local agricultural resources, the project enhances Marlborough's identity and stimulates economic growth, which are core elements of the Town's comprehensive plan. Additionally, the project's alignment with regional planning and environmental protection goals further reinforces its conformance with the town's vision for sustainable development and community enhancement.

Conclusion

The applicant team is thrilled to submit this briefing and the other project materials for your review and approval. If you have any questions or require additional information, I may be reached at 585-455-0157 or CLaporta@passero.com

Sincerely,

A handwritten signature in black ink that reads "Christopher J. LaPorta". The signature is written in a cursive, slightly stylized font.

Christopher J. LaPorta, P.E.
Regional Director | Sr. Engineer