

# Orchards on Hudson

103-137 Dock Road, Hamlet of Marlboro  
Town of Marlborough, Ulster County, New  
York

PREPARED FOR

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PREPARED BY



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# 1

## Description of the Proposed Action

### 1.1 Introduction

This document is an Expanded Environmental Assessment (Expanded EA) that has been prepared for the proposed Orchard on Hudson development (the "Proposed Action"), which involves the redevelopment of a 25±-acre property located at 103-137 Dock Road in the hamlet of Marlboro, Town of Marlborough (the "Town"), Ulster County (the "Subject Property") (**Figure 1**). The Subject Property is situated within the Town's Residential (R) zoning district and currently contains two single-family residences and land formerly used for the extraction of gravel and other construction aggregates and is proposed to be redeveloped with 103 townhomes and cottages with a clubhouse and pool. The Subject Property is designated on the Ulster County Tax Map as Section 108.4 – Block 3 – Lot 29.1 and Section 109.1 – Block 3 – Lots 13, 14.2, and 15 (**Figure 2**).

The Proposed Action involves an application for permissible uses pursuant to a special permit, site plan approval, and other approvals associated with the Proposed Action.

**Figure 1 - Site Location**

Orchards on Hudson

103-137 Dock Road, Hamlet of Marlboro, Town of Marlborough, Ulster County, New York

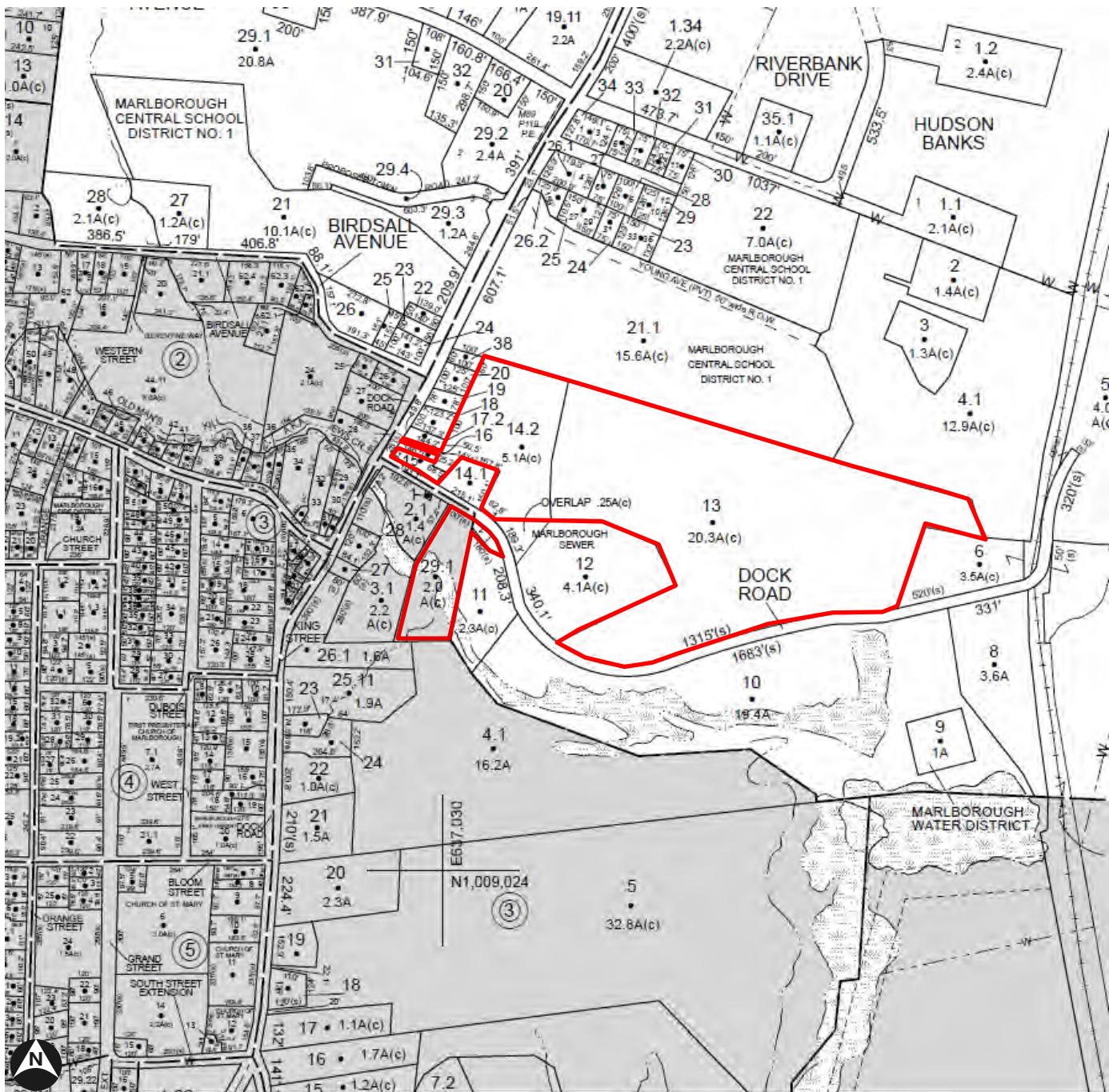


 Subject Property (boundaries are approximate)

**Figure 2 - Ulster County Tax Map**

Orchards on Hudson

103-107 Dock Road, Hamlet of Marlboro, Town of Marlborough, Ulster County



  Subject Property (boundaries are approximate)

This document has been prepared in accordance with the State Environmental Quality Review Act (SEQRA) and its implementing regulations at 6 NYCRR Part 617 for the action contemplated herein. It supplements information found in the Part 1 of the New York State Full Environmental Assessment Form (**Appendix A**).

Aside from providing the detailed description of the existing site conditions and history of the Subject Property, as well as a detailed description of the Proposed Action and its purpose, need and benefits, this Expanded EA evaluates the following environmental and planning topics:

- › Land Use and Zoning
- › Community Facilities
- › Utilities
- › Visual and Cultural Resources

## 1.2 Existing Site Conditions and History

The Subject Property is situated on the north side of Dock Road, east of Route 9W.<sup>1</sup> The Subject Property, now vacant, formerly operated as a gravel pit that was used for the extraction of gravel and other construction aggregates, resulting in varying and steep terrain across the site.

Additionally, two existing single-family residences with associated buildings (i.e., garages and sheds) are also on the property.

According to the Phase I Environmental Site Assessment (ESA) prepared by VHB Engineering, Surveying, Landscape Architecture, and Geology, P.C. (VHB) for the Subject Property in 2021, the Subject Property was formerly occupied by agricultural fields between 1940 and 1989, and by the residences since at least 1886 and 1905. Between 1975 and 1994, the agricultural fields were not in operation and significant earth disturbances and earth work were identified in the central portion of the Subject Property, likely associated with the gravel pit operations. Between 2006 and 2017, revegetation was noted on the site, indicating that gravel pit operations were no longer being conducted.

The Subject Property is located to the east of Route 9W with a row of commercial uses buffering the site from the roadway. The west side Route 9W consists of a mix of uses including commercial and residential. The Subject Property is located adjacent to the Marlboro Elementary School to the north and the Town of Marlborough Sewer Department to the south, with undeveloped, wooded land on the south side of Dock Road along with the Lattintown Creek. The topography of the area slopes significantly from Route 9W down to the Hudson River to the east, such that the Subject Property is elevated above a marina and associated parking lot to the east along the river.

The Subject Property is within the service area of the Marlborough Water District, the Town of Marlborough Sewer Improvement District, the Town of Marlborough Police Department, the Marlboro Firefighters and Milton Engine Company 1, Ambulnz, and the Marlboro Central School District.<sup>2</sup>

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<sup>1</sup> A small portion of the Subject Property is located to the south of Dock Road, however this area is undeveloped and would not be disturbed as part of the Proposed Actions.

<sup>2</sup> A portion of the Subject Property is located within the sewer district but the project would require an out-of-district service connection.

## 1.3 Description of the Proposed Action

The Proposed Action involves an application for permissible uses pursuant to a special permit, site plan approval, and other approvals associated with the proposed development of the 25±-acre Subject Property. As noted above, the Proposed Action involves the redevelopment of the Subject Property with 71 single-family townhomes and 32 cottages (103 homes in total). Each residential unit would have a garage, and visitor parking would be available throughout the site. A clubhouse and pool are proposed on the site towards the eastern property boundary for use by the residences and their guests. Entry to the Subject Property would be provided from Route 9W, with a limited permitted access from Dock Road for emergency vehicles only.

### 1.3.1 Site Access and Parking

Vehicular access to the proposed development would be provided from Route 9W via a single access point just north of the intersection of Dock Road and Route 9W. This access roadway would provide both ingress and egress for the proposed development. An internal, central roadway is proposed to connect the cottages along the western portion of the Subject Property with the townhomes and clubhouse to the east. A 20-foot-wide emergency only access roadway is proposed to connect the internal roadway to Dock Road, running along the south side of the Sewer Department property. A 30-foot-wide easement would be maintained to accommodate the proposed emergency access. A total of 254 parking spaces would be provided on the Subject Property with 48 spaces (including two Americans with Disabilities Act [ADA] spaces) made available throughout the site for visitors. Each of the proposed residences would have an enclosed garage providing two parking spaces for a total of 206 spaces.

A Traffic Impact Evaluation was prepared and submitted under a separate cover as part of this application to assess the potential traffic impacts associated with the Proposed Action. The Traffic Impact Evaluation includes an analysis of the existing traffic operations and future conditions with and without construction of the Proposed Action. Based on the results of the Traffic Impact Evaluation, no significant adverse impacts related to roadway capacity or levels of services are anticipated.

### 1.3.2 Utilities and Stormwater Runoff

Sanitary waste generated by the proposed development would be handled via an out-of-district connection to the municipal sewer district and potable water would be provided via connection to the Marlborough Water District. The development is proposed to utilize natural gas and electric, both to be provided by Central Hudson Gas & Electric Corp. A more detailed narrative regarding utilities can be found in **Section 4**, below.

Stormwater generated by the proposed development would be captured and filtered on the Subject Property. Specifically, the post development stormwater design will divide the Subject Property into two catchment areas – the western (upper) catchment area and the eastern (lower) catchment area. Runoff from each area will be collected via a system of catch basins and an on-site bioretention swale and directed to a proposed on-site underground detention chamber system which will be designed to store and infiltrate runoff. During heavy rain events, stormwater will discharge at the peak consistent with pre-development runoff rates.

The upper catchment area outfall will direct stormwater underground across Dock Road to a parcel owned by the Applicant (tax lot 29.1). The lower catchment area will discharge via a controlled outfall that will overflow to Dock Road.

### 1.3.3 Natural Resources

VHB prepared a wetland and watercourse Delineation Report in November 2021 (**Appendix B**), for which a site evaluation was performed to determine the presence/absence of wetlands onsite. Based the site evaluation, wetland scientists confirmed that there are no wetland resources on the Subject Property.

### 1.3.4 Noise

#### Construction Noise

Construction hours associated with construction of the Proposed Action will be conducted in accordance with the Town of Marlborough's noise ordinance, Chapter 105, which limits activities at certain decibel levels between the hours of 7:00 a.m. through 10:00 p.m. Sunday through Thursday and 7:00 a.m. through 11:00 p.m. Friday and Saturday. Ambient noise levels would be temporarily exceeded during construction activities, which would be undertaken in accordance with the Town regulations.

#### Operational Noise

Upon completion of the Proposed Action, the proposed residential use would generate noise typical of residential developments in the Town of Marlborough, including vehicular noise, HVAC equipment, and noise associated with maintenance activities. The nearest sensitive receptors to the proposed residences on the Subject Property are the existing single-family homes along Route 9W. These receptors are a minimum of 160 feet away, and noise levels would not exceed existing ambient levels during operation of the Proposed Action at these receptors. In addition, the project would conform with all Town regulations related to noise levels.

Overall, significant adverse impacts related to noise are not anticipated to result from the Proposed Action.

## 1.4 Purpose, Need, and Benefit

The purpose of the Proposed Action is to redevelop a long-standing underutilized property formerly used largely as an industrial gravel storage facility. The location of the Subject Property proximate to both the waterfront and to the Route 9W corridor, in an area that is concentrated with a mix of uses including commercial, residential, and institutional, highlights the need for, and potential benefit associated with, redevelopment of the site. Additionally, the Subject Property is located within an area characterized as the "Hamlet Expansion" in the Marlboro

Hamlet Master Plan 2010<sup>3</sup>, which is an area identified for residential development with hamlet-style design qualities and additional road and pedestrian connectivity. The Proposed Action would serve as an extension of the "Hamlet Center," providing residential options in walking distance to the Hamlet Center and other local destinations such as parks and schools.

The proposed residential development would introduce a mix of housing options which would contribute to the diversified housing stock in the Town of Marlborough. Moreover, as identified in the Ulster County Housing Action Plan<sup>4</sup>, following the COVID pandemic there was an increase in the demand for housing while simultaneously a decrease in the housing supply in Ulster County, resulting in a tight housing market with increased prices. The demand for housing warrants increased development of residential offerings in the area.

The redevelopment of the Subject Property would transform an underutilized parcel located near the center of the hamlet in an area ripe for development and provide new residential opportunities, introducing a new population to the area with spending power to support local businesses. Additionally, the redevelopment of the site would provide fiscal benefits to the Town including increased taxes to all local taxing jurisdictions. Specifically, the Proposed Action is estimated to generate approximately \$603,100 in annual tax revenue.<sup>5</sup>

## 1.5 Permits and Approvals

Implementation of the Proposed Action requires the following permits, approvals, referrals, and reviews:

**Table 1 Required Permits and Approvals**

Agency	Approval/Permit
Town of Marlborough Planning Board	Special Use Permit; Site Plan Approval; LWRP Consistency Review
Town of Marlborough Fire Marshal	Fire Access
Town of Marlborough Wastewater Department	Sewer Connection
Town of Marlborough Water Department	Water Supply
Town of Marlborough Highway Department	Road Cut Applications
Ulster County Planning Board	239m Referral
New York State Department of Environmental Conservation	SPDES GP-0-20-001 (General Permit for Stormwater Discharges from Construction Activity)
New York State Department of Transportation	239f
Central Hudson Gas & Electric Corp	Electric and Gas Connections

<sup>3</sup> Behan Planning and Design. *Town of Marlborough, NY Marlboro Hamlet Master Plan*. Available at: [<sup>4</sup> Hudson Valley Pattern for Progress. \*Ulster County Housing Action Plan 2021\*. Available at: 2021\\_uc\\_hap.pdf \(ulstercountyny.gov\). Accessed April 2024.](https://www.townofmarlboroughny.org/DocumentCenter/View/688/Marlboro-Hamlet-Master-Plan---Final-Draft---March-2010-. Accessed April 2024.</a></p>
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<sup>5</sup> Estimated tax revenues to be generated by the proposed development were coordinated with the Town of Marlborough Assessor.

# 2

## Land Use and Zoning

### 2.1 Land Use, Zoning, and Comprehensive Plan Analysis

#### 2.1.1 Land Use

As previously mentioned, the majority of the 25±-acre Subject Property formerly operated as a gravel pit that was used for the extraction of gravel and other construction aggregates and is now vacant. Two existing single-family residences with associated buildings (i.e., garages and sheds) are also on the property. These residences would be vacated prior to construction of the proposed development.

Predominant land uses within a quarter-mile of the Subject Property include single- and multi-family residential, commercial, institutional, and utility uses. Commercial uses (e.g. restaurants, gas stations, and retail) are primarily concentrated along Route 9W and Western Avenue near the Subject Property. Single-and multi-family residential uses are located beyond these roadways. Nearby institutional uses include Marlboro Elementary School and Marlboro Middle School to the north of the Subject Property and the Town of Marlborough Sewer Department property located directly adjacent to the Subject Property to the south. The existing land uses in the surrounding area within a quarter-mile radius are further described below.

**North:** Marlboro Elementary School is located directly north of the Subject Property with single-family residences further north. Marlboro Middle School is located to the northwest of the Subject Property and the Hudson River along with water dependent uses such as the Marlboro Yacht Club is located to the northeast.

**East:** The Subject Property is located adjacent to the West Shore Marine Services and the Hudson River beyond.

**South:** Directly south of the Subject Property is the Town of Marlborough Sewer Department property and a single-family residence. The area beyond Dock Road to the south consists of undeveloped, vegetated land with the Lattintown Creek running through.

**West:** A portion of the Subject Property abuts Route 9W and is adjacent to the commercial uses that front Route 9W. On the western side of Route 9W, land uses consist of commercial and single- and multi-family residential.

As a result of the Proposed Action, the land use of the site would change from primarily vacant (with two single-family residences) to fully residential. Specifically, the Proposed Action consists of the development of 103 single-family townhomes and cottages. An accessory clubhouse and pool is proposed on the site towards the eastern property boundary for use by the residents of the Subject Property. Entry to the proposed development would be provided from Route 9W, with a limited permitted access on Dock Road for emergency vehicles only. The proposed residential development would be consistent with the residential land uses within the surrounding area, and compatible with the mix of uses including commercial and institutional uses. The Proposed Action would facilitate the development of new residential units proximate to the Hamlet Center along Route 9W and Western Avenue. Future residents of the proposed development would have access to the nearby commercial uses including retail and restaurants within walking distance from the site. Additionally, the proposed development would share similar characteristics with the residential character of the community, including several existing multifamily residential uses in the surrounding area (examples include the multifamily development on Bayside Drive and the Jenny's Garden senior housing development off of Carafano Lane). Overall, the development of a largely vacant, underutilized site to a vibrant residential development that is compatible with the surrounding uses is expected to result in an overall positive effect on the land use patterns of the local neighborhood.

## 2.1.2 Zoning

The Subject Property is located within the Residential ("R") zoning district of the Town of Marlborough. According to the Town of Marlborough Town Code ("Town Code"), permitted uses within the R zoning district include one-family or two-family detached dwellings, parks and playgrounds, houses of worship, and educational uses, amongst others related uses. Additionally, special uses within this zoning district, pursuant to authorization by the Town of Marlborough Planning Board, include residential cluster development, multiple dwellings, community buildings, essential services, mobile home parks, home occupations, bed-and-breakfasts, affordable senior citizen housing, neighborhood stores, and short-term rentals. R district bulk and dimensional regulations are outlined in the table below.

Zoning within this portion of the Town follows a similar pattern to the generalized land use pattern noted above. The surrounding area contains a mix of zoning districts including commercial, residential and industrial. Specifically, the zoning of the areas adjoining and surrounding the Subject Property (i.e., within an approximately quarter-mile radius) includes the Residential (R-1), Industrial (IND), Commercial (C-1), and the Highway Development District (HD).

**Table 2 Bulk and Dimensional Requirements of the Existing R Zoning District**

Dimension	Permitted/Required	Provided
Minimum Lot Area*	7,500 square feet	25± acres
Minimum Lot Width	75 feet	1,839± feet
Maximum Lot Depth	100 feet	559± feet
Maximum Building Coverage	30%	14%
Maximum Building Height	2.5 stories/35 feet	2.5 stories/35 feet
Minimum Front Yard Setback	10 feet	98.90± feet

Minimum Side Yard Setback (one/both)	10/25 feet	18.30± feet
Minimum Rear Yard Setback	20 feet	50.50± feet

\*Minimum lot area with public water and sewer and natural gas.

As identified in **Table 2**, the Proposed Action would conform to all applicable bulk and dimensional requirements of the R zoning district. According to the Town Code, the Proposed Action is a permitted use with the issuance of a special permit by the Town Planning Board pursuant to § 155-12(A)(4). In reviewing special permit applications, the Town Planning Board may issue a special permit after consideration of conditions and standards as applied to a specific application in accordance with § 155-32(E) of the Town Code. These conditions and standards relate to traffic access and parking; landscaping and screening; character and appearance; historic and natural resources; roadway levels of service; location and size; and emergency services. With consideration of these conditions and standards, the proposed residential development has been carefully designed to minimize impacts on the surrounding area and to facilitate a cohesive development. As detailed below, no significant adverse impacts to natural or historic resources are anticipated as a result of the Proposed Action. The residential development would connect to existing public utilities, and would be developed on a previously disturbed property. Access to the Subject Property has been designed in coordination with the New York State Department of Transportation (NYSDOT) as well as the Town of Marlborough Highway Department to provide adequate access in regard to width, grade, alignment, and visibility. Additionally, the proposed development includes more than the required number of parking spaces on the site to accommodate both the residents and visitors. As indicated in the Traffic Impact Evaluation (submitted under separate cover), a capacity analysis was conducted for the Proposed Action showing no change in levels of service at the study intersection or proposed site access, and that the site access as designed would operate adequately with single lanes entering and exiting the site and stop control. Based on the results of the Traffic Impact Evaluation, no significant adverse impacts related to roadway capacity or levels of services are anticipated.

As detailed below, the proposed development would be screened from surrounding properties both by existing vegetation to be maintained and landscaping along each property boundary, providing significant buffering. Through the implementation of a cohesive landscaping plan and design concept, the proposed residential development would be consistent with the character and appearance of the neighborhood. Lastly, the proposed development has been designed to provide adequate maneuvering throughout the site for emergency service apparatus and includes a 20-foot-wide emergency only access roadway to connect Dock Road to the interior of the Subject Property. Overall, the redevelopment of the Subject Property has been designed to comply with the conditions and standards set forth by the Town Code related to the granting of special permit uses.

Overall, as demonstrated above, the Proposed Action complies with the bulk and dimensional requirements under the R zoning district and is consistent with the Special Permit conditions and standards. Overall, no significant adverse impacts are expected as a result of the implementation of the Proposed Action with respect to zoning.

## 2.1.3 Comprehensive Plan Analysis

### 2.1.3.1 Local Waterfront Revitalization Program Comprehensive Plan and Draft Generic Environmental Impact Statement (2020)

The Town of Marlborough's *Local Waterfront Revitalization Program Comprehensive Plan and Draft Generic Environmental Impact Statement* ("Local Waterfront Revitalization Plan") was prepared by Behan Planning and Design, Milestone Heritage Consulting and Kevin Dwarka, LLC; it was adopted in May 2020 and formally approved by the New York State Secretary of State in November 2020. The *Local Waterfront Revitalization Plan* provides a strategy for revitalizing the community's waterfront and addressing issues of importance to the Town. The issues and important topics identified in the *Local Waterfront Revitalization Plan* fall into several categories, such as land use and existing zoning, community facilities and services, and water-dependent and water-enhanced uses. The plan identifies goals that build upon the framework set forth in the Town 2017 Comprehensive Plan. Relevant goals related to the Proposed Action include the following:

- › Strengthening Connections with the River
- › Revitalizing Milton and Marlboro Hamlets
- › Improve the NYS 9W Corridor

The goals above are interconnected and together contribute to the strategic plan for revitalization within the Town of Marlborough. According to *Local Waterfront Revitalization Plan*, the hamlet of Marlboro features coastline that is vital to developing the economy and infrastructure of the hamlet. One of the strategies identified to help strengthen connections between the river and upland communities includes developing underutilized land and improving public access to the riverfront. The topography of the hamlet and the location of railroad tracks causes a unique challenge for the development of the waterfront, emphasizing the importance of encouraging efficient use of routes that access the river. Beyond physical barriers to development, the *Local Waterfront Revitalization Plan* outlines societal factors such as demographics of the hamlet which have become a barrier to economic development. Introducing new populations into the hamlet through new residential offerings was outlined as a key factor to overcoming this boundary. Finally, regulatory barriers such as inefficient zoning historically has slowed growth and created a disconnect from the vision for the hamlet.

The Subject Property is located within the bounds of the local waterfront revitalization area and therefore is subject to the Town of Marlborough Waterfront Revitalization Program Consistency Review Law. The Applicant believes the Proposed Action meets the goals identified above. With the Subject Property's location situated between Route 9W and the railroad tracks, new development would serve to better activate properties proximate to the waterfront. The introduction of a new residential development offering different housing types would encourage new residents to move to the Town, contributing to the vibrancy of the area. In addition, the proposed development is located in proximity to Marlboro's Hamlet Center and would contribute to the existing consumer base of the restaurants and retail offerings.

Overall, the Proposed Action is consistent with the Town's vision and goals included in the *Local Waterfront Revitalization Plan*. A completed Waterfront Assessment Form is appended to this document (**Appendix D**).

### 2.1.3.2 Town of Marlborough Comprehensive Plan (2017)

The Town of Marlborough Comprehensive Plan ("Comprehensive Plan") was prepared by Behan Planning and Design and was adopted in November 2017. This 2017 *Comprehensive Plan* was prepared to update the 2002 Marlborough Comprehensive Master Plan to reflect the current needs, goals and opportunities in the Town. The *Comprehensive Plan* serves as guidance for the future redevelopment and revitalization of the Town while also providing development strategies specific to the hamlet of Marlboro. The areas of community revitalization, improving demographics, and creating efficient land use strategies were identified as issues and opportunities within the *Comprehensive Plan*, with the following specific goals identified as relevant to the Proposed Action:

- › Continued Community Revitalization
- › Demographics
- › Improving land use

As detailed above, the Proposed Action meets the goals identified for the hamlet of Marlboro by creating an attractive development on a currently vacant and underutilized property, at a key location proximate to Marlboro's Hamlet Center. The Proposed Action would also provide new and diversified housing options to existing and future residents. The *Comprehensive Plan* specifically identified the Subject Property as a parcel to be considered for a potential multi-family, mixed-use development that could take advantage of the Hudson River views. The Proposed Action creates an opportunity for the hamlet of Marlboro to accomplish its development goals through the introduction of the proposed residential development.

### 2.1.3.3 Ulster County Open Space Plan (2007)

The *Ulster County Open Space Plan* (*Open Space Plan*) prepared by the Ulster County Environmental Management Council and the Ulster County Planning Board was adopted in December 2007. The *Open Space Plan* provides a detailed inventory of existing open space resources in the County and identifies the vision, goals, and benefits associated with the preservation of open space. As the Subject Property is located between vital water resources within the County (Lattintown Creek and the Hudson River), the Proposed Action presents an opportunity to leverage private development as a way to enhance waterfront accessibility. The Proposed Action would contribute to the *Open Space Plan*'s strategic plan to create stronger links between communities and the surrounding natural resources. As the Subject Property is currently a vacant, underutilized site that is not considered an open space area per the plan, the change of use on the Subject Property would not impact or hinder the goals of the *Open Space Plan*. Rather, the proposed development would provide housing opportunities that take advantage of the important local resources inventoried in the *Open Space Plan*.

# 3

## Community Facilities

### 3.1 Educational Resources

The Subject Property is located within the Marlboro Central School District (CSD). The Marlboro CSD spans Orange and Ulster Counties and serves the Town of Marlborough along with the Towns of Milton, Plattekill, and Middle Hope.<sup>6</sup> The Marlboro CSD maintains three schools, Marlboro High School (grades 9-12), Marlboro Middle School (grades 6-8), and Marlboro Elementary School (grades K-5).

Based on publicly-available resources from the New York State Education Department (NYSED)<sup>7</sup>, the total enrollment of the Marlboro CSD was approximately 1,822 students for the 2022-2023 school year (data was not available for the current school year – 2023-2024). Enrollment data over the last ten years is shown in **Table 3** below. As shown, total enrollment has decreased overall by almost 100 students since the 2014-2015 school year.

**Table 3 Marlboro CSD Enrollment by Year**

School Year	Enrollment	Increase (+)/Decrease (-) From Prior School Year
2022-23	1,822	-35
2021-22	1,857	+48
2020-21	1,809	-82
2019-20	1,891	-4
2018-19	1,895	+23
2017-18	1,872	-23
2016-17	1,891	-49
2015-16	1,940	+49
2016-17	1,891	-30
2014-15	1,921	

<sup>6</sup> Marlboro Central School District. *About Marlboro Schools*. Available at: <https://www.marlboroschools.org/page/about-marlboro-schools>. Accessed April 2024.

<sup>7</sup> New York State Education Department. *Marlboro CSD Enrollment (2022-23)*. Available at: <https://data.nysed.gov/enrollment.php?year=2023&instid=800000036180>. Accessed April 2024.

Correspondence was sent to the Marlboro CSD on December 26, 2024 and a response from the Marlboro CSD Superintendent was received on January 10, 2024 (refer to **Appendix C**). The analysis below reflects the responses received.

To estimate the number of Public School Age-Children (PSAC) generated from the Proposed Action, the *Residential Demographic Multipliers Estimates of the Occupants of New Housing*, published June 2006 by the Rutgers University, Center for Urban Policy Research (referred hereafter as the "Rutgers Study") was used.<sup>8</sup> The Rutgers Study, prepared based on the 2000 Census and 2005 housing values, has been widely used in the metropolitan area as a standard for projecting the number of PSAC from new developments. **Table 4** below indicates the expected PSAC population generation for the proposed residential units using the appropriate corresponding factors from the Rutgers Study. Calculations were rounded up to the nearest whole number.

**Table 4 PSAC Generation**

Type of Unit	Unit Count	PSAC Multiplier	PSAC Generated
Townhomes	71	0.28 <sup>(1)</sup>	20
Cottages	32	0.22 <sup>(2)</sup>	7

(1) Single-Family Attached, 3 BR (more than \$269,500)

(2) Single-Family Attached, 2 BR (all values). Note, though the cottages would have three bedrooms, these units are smaller than the proposed townhomes and therefore are anticipated to have a lower PSAC generation rate.

Based upon the factors described above, the number of PSAC expected to be generated by the Proposed Action is approximately 27. If every PSAC were to attend the Marlboro CSD, this would be an approximately 1.5 percent increase in the student population. This is not a substantial increase and would not be discernible from typical annual enrollment fluctuations, as shown in the table above. Therefore, based on the analysis above, implementation of the Proposed Action would not be expected to have significant adverse impact on the capacity of the Marlboro CSD.

The cost to educate the estimated 27 Marlboro CSD students can be determined through a review of the 2022-2023 School District Budget.<sup>9</sup> The total Marlboro CSD budget for 2022-2023 is \$61,498,000. Based on a total school district enrollment of 1,822 students, the cost per pupil for 2022-2023 school year was approximately \$33,753.

When calculating the true impact of the development, it is the marginal expense for new students that must be analyzed. Simply using the per pupil cost as a basis for estimating the total cost of additional students generates overestimates the marginal cost of educating an additional student. The marginal cost is defined as all of the actual costs of educating these students. There are many items in the school budget that are fixed and would not be affected by a modest increase of additional students. These fixed items include all the administrative services such as district clerk, district meetings, central administration, business administration, auditing and treasurer, public information, data processing, curriculum development and supervision.

The budget specifies the costs for administrative, program and capital costs. Approximately 73% of the total budget, or \$45,146,076, is allocated for program costs. Based on a total school

<sup>8</sup> Rutgers University, Center for Urban Policy Research. *Residential Demographic Multipliers Estimates of the Occupants of New Housing*. June 2006.

<sup>9</sup> Marlboro Central School District, Proposed\_Budget\_2022-23

district enrollment of 1,822 students, the program cost per pupil for 2022-2023 would be approximately \$24,778.

Approximately 53.8 percent of the per pupil cost is paid by local tax levy; the remainder of the budget comes from New York State and other sources. Therefore, the per pupil program costs paid by local tax levy is \$13,330. For the proposed residential development with 27 public school students projected from the Proposed Action, the marginal cost to educate the new students would be an additional \$359,910 per year. Based on the anticipated property taxes to be generated by the Proposed Action, the Marlboro CSD would receive an additional \$379,541 annually in property taxes, resulting in a net fiscal benefit to the Marlboro CSD.

## 3.2 Fire and Emergency Services

The Subject Property is within the service area of the Marlboro Fire District (Marlboro FD), a volunteer-run fire department, which provides fire protection. The headquarters and Marlboro Hose Co. No. 1 is located at 14 Grand Street in Marlboro, approximately 1,200 feet west of the Subject Property.<sup>10</sup>

According to the Marlboro Hose Co. No. 1's website, the fire department consists of approximately 50 active members serving as officers, drivers, fire police, interior and exterior firefighters. They respond to over 200 fire related emergency calls a year consisting of fires, automatic fire and carbon dioxide alarms, gas odors, rescues, hazmat, car accidents, and mutual aid. The Marlboro Hose Co. No. 1 does not respond to medical calls unless specifically requested. Specifically, in 2023, the Marlboro Hose Co. No. 1 received 247 calls.

With regard to emergency medical services (EMS), Ambulnz, a contracted ambulance and telehealth service company, provides 24/7 EMS and standby services to the Town of Marlborough. Ambulnz has one Advanced Life Support (ALS) ambulance and crew, staffed with an emergency medical technician (EMT) and paramedic exclusively for the Town.<sup>11</sup> Ambulnz provides services in over 26 states and across the United Kingdom with approximately 3,500 field-based paramedics and EMTs.<sup>12</sup>

The Proposed Action would be constructed to meet the most recent New York State Uniform Fire Prevention and Building Code, and the site plans would be sent to the Town of Marlborough Fire Marshal for approval prior to implementation of the Proposed Action. Each of the proposed buildings on-site would be fitted with fire alarms and sprinklers and the Subject Property has been configured to allow for adequate fire access and to accommodate emergency service vehicles. Vehicular access to the proposed development would be provided from Route 9W. This access point would provide both ingress and egress for the proposed development. An internal driveway is proposed to connect the cottages along the western portion of the Subject Property with the townhomes to the east, as well as the clubhouse. All internal roadways would be compliant with regulations and standards for firefighting equipment and emergency service vehicle access, and full vehicular circulation would be provided throughout the Subject Property. A 20-foot-wide emergency only access/egress road is proposed to connect the internal driveway

<sup>10</sup> Marlboro NY Fire Department. About Us. Available at: Hose Co. No. 1. Available at: Marlboro, NY Fire Department (Ulster County) ([marlboronyfd.com](http://marlboronyfd.com)). Accessed April 2024.

<sup>11</sup> Hudson Valley Times. *Marlborough Hires New EMS*. Available at: [Marlborough\\_hires\\_new\\_EMSS\\_My\\_Hudson\\_Valley\\_\(timeshudsonvalley.com\)](http://Marlborough_hires_new_EMSS_My_Hudson_Valley_(timeshudsonvalley.com)). Accessed April 2024.

<sup>12</sup> Ambulnz. *About*. Available at: [About\\_Ambulnz](http://About_Ambulnz). Accessed June 2024.

to Dock Road. A 30-foot-wide easement would be maintained to accommodate the proposed emergency access/egress.

As the Proposed Action includes the introduction of 103 residences, the projected residential population is anticipated to be 259 people.<sup>13</sup> Per planning standards published in the *Development Impact Assessment Handbook* (ULI 1994), impacts to fire protection services are estimated at 1.65 fire personnel per 1,000 population, 0.2 vehicles per 1,000 population, and 250 square feet (sf) of facilities per 1,000 population. With a projected residential population of 259 residents, the Proposed Action would generate a demand for less than one additional volunteer associated with the fire department, less than one vehicle and approximately 64.75 sf of facility space to serve the population. This potential need for additional personnel, vehicle and facility space represents a negligible impact to resources of the Marlboro FD.

As the Marlboro FD is volunteer based, the introduction of a new population under the Proposed Action represents a new pool of potential volunteers.

With respect to ambulance/EMS services, planning standards published in the *Development Impact Assessment Handbook* (ULI, 1994) are estimated at 36.5 EMS calls per 1,000 population, 1 EMS vehicle per 30,000 population, and 4.1 full time EMS personnel per 30,000 population. With a projected residential population of 259 residents, the Proposed Action would generate approximately 10 calls and the demand for less than one vehicle and full time EMS personnel to serve the population. Therefore, demand on ambulance/EMS services provided by Ambulnz would not be significant.

The introduction of the Proposed Action would also increase the amount of property tax revenues generated to all local tax jurisdictions, including the Marlboro FD, which would support fire and EMS services.

Based on the above, the Proposed Action would not have a significant adverse impact with respect to fire protection and EMS services.

### 3.3 Police

The Subject Property is situated within the jurisdiction of the Town of Marlborough Police Department (Marlborough PD). The Marlborough PD is located at 21 Milton Turnpike, approximately 3.6 miles south of the Subject Property.

According to the *Report of Findings and Recommendations* prepared by the Marlborough Police Reform Committee in 2021<sup>14</sup>, the Marlborough PD is comprised of a chief, seven full time officers, 19 part-time officers, and three full-time and seven part-time dispatchers. In addition to responding to calls and complaints, police department personnel attend all EMS calls and frequently respond to car lock out calls. In 2020, the Marlborough PD responded to 262 motor vehicle accidents, issued 964 tickets, responded to 15,833 complaints, and performed 168 arrests. The dispatcher staff handled 19,982 calls which breaks down to 10,200 property checks, 948 school checks, 870 traffic stops, and 660 EMS assists.

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<sup>13</sup> Based on an estimate of 2.51 average household size for owner-occupied residences in the Town of Marlborough.

<sup>14</sup> Town of Marlborough Police Reform Committee. *Report of Findings and Recommendations*. Available at: [Marlborough-Police-Rules-and-Regulations-\(townofmarlboroughny.org\)](http://Marlborough-Police-Rules-and-Regulations-(townofmarlboroughny.org).). Accessed June 2024.

Specific to the Proposed Action, per planning standards published in *the Development Impact Assessment Handbook* (ULI, 1994), the anticipated need for police protection services is estimated at two police personnel and 0.6 vehicles per 1,000 population, and 200 sf of facility space per 1,000 population. Based on these factors, 259 residents are projected to generate a need for less than one additional police personnel and vehicle and approximately 51.8 sf of facility space.

The introduction of the Proposed Action would also increase the amount of property tax revenues generated to all local tax jurisdictions, which would support police protection services.

Overall, no significant adverse impacts upon police protection services are expected from implementation of the Proposed Action.

# 4

## Utilities

### 4.1 Water

The Subject Property is located within the service area of the Marlborough Water District. Water, sourced from the New York City Delaware Aqueduct, is currently supplied to the site through existing water infrastructure maintained by the Marlborough Water District and the Proposed Action would continue to use existing infrastructure. The aqueduct originates at the Roundout Reservoir in the Catskills Mountains and is vigorously protected by the New York City Department of Environmental Protection to maintain its high quality. The Marlborough Water District has its own tap to the Aqueduct but has also completed an interconnection with the Town of Newburgh to receive water from their reservoir that can be used in emergencies.<sup>15</sup> As of 2022, the Marlborough Water District system served approximately 3,480 people through 1,365 service connections. Per the Water District, approximately 196 million gallons of water were pumped annually in 2022 and approximately 540,000 gpd were distributed daily.

The estimated total anticipated water demand per day generated by the Proposed Action would be 33,990 gallons per day (gpd) without irrigation and approximately 37,389 gpd (plus 10 percent [i.e., 3,399 gpd]) for irrigation during the growing season. This estimate is based on New York State Department of Health (NYSDOH) sanitary calculations for dwelling units. Water connections from the proposed residential development would be made at two points along Dock Road – one closer to Route 9W and the second off the proposed emergency access roadway near the adjacent Sewer Department Property. These two connections into Dock Road would form a loop around the Subject Property and connect into an eight-inch main located in the roadway. The proposed development would have a master meter and master RPZ at each connection point.

The water consumption would be mitigated through water conservation measures introduced into the proposed development, including the potential for incorporating native plantings into the site's landscaping and the installation of plumbing fixtures that help to conserve water (i.e., low flow water fixtures).

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<sup>15</sup> Marlborough Water District. *Annual Drinking Water Quality Report for 2022*. Available at: [irections for completing \(townofmarlboroughny.org\)](http://townofmarlboroughny.org). August 2024.

Overall, as the Proposed Action will generate a water demand that represents less than one percent of the overall water currently supplied by the Marlborough Water District, it is anticipated that the Proposed Action will not induce any significant impacts for the Water District.

## 4.2 Sanitary Sewage Disposal

A portion of the Subject Property is located within the Town of Marlborough Sewer Improvement District, but the project would require an out-of-district service connection. The Town of Marlborough operates and maintains two wastewater treatment plants which are located in the hamlets of Milton and Marlboro. The Marlboro district treats approximately 110,000 gpd of wastewater whereas the Milton plant treats approximately 30,000 gpd.<sup>16</sup> Based on review of Town of Marlborough sewer documentation, there is a 10-inch sewer main in Dock Road that runs from Route 9W to the adjacent Sewer Department property. The sewer district is in the process of updating the current system, which will involve among other things, the installation of a 60,000 gpd EA Aerator Plant and a new entrance channel with a flow splitter.<sup>17</sup>

Similar to water demand, it is estimated that the Proposed Action will generate 33,990 gpd in additional sanitary sewage flow, based upon the NYSDOH rates. It is noted that the NYSDOH assumes a flow rate of 110 gpd per bedroom and as the proposed development includes 103 three-bedroom single-family residences, the Proposed Action would yield an estimate of 33,390 gpd for the anticipated additional sanitary sewage flow. As the Subject Property is partially located outside of the Town of Marlborough Sewer Improvement District, the Applicant and the Town have executed a Reservation Agreement to reserve and eventually to receive collection and treatment capacity of up to 35,000 gpd for the Proposed Action in exchange for payment of a reserved capacity charge. This agreement was executed in February 2023 and a partial payment has been made by the Applicant to the Town. The proposed residential development would connect into the existing 10-inch sewer main in Dock Road via a connection on the site just west of the adjacent Sewer Department Property. Based on old record drawings from the property deeds, there's a potential for the existing single-family residences on the Subject Property have on-site septic systems that would be abandoned and removed in accordance with state and local regulations as part of the Proposed Action.

Based on the estimated quantity of sanitary sewage to be generated, it is likely that the Proposed Action will produce little to no significant impacts on the capacity of the Town of Marlborough Wastewater district.

Moreover, as the Subject Property is located adjacent to the existing Sewer Department property, it should be noted that the Marlboro Wastewater Treatment Facility is required to comply with the regulations set forth in 6 NYCRR Part 360 (Solid Waste Management Facilities General Requirements), including the requirement that the operator must "ensure that odors are effectively controlled so that they do not constitute a nuisance."

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<sup>16</sup> Marlborough New York. *Wastewater Department*. Available at: [Wastewater Department | Marlborough, NY \(townofmarlboroughny.org\)](http://townofmarlboroughny.org). Accessed August 2024.

<sup>17</sup> Based on correspondence with Dennis M. Larious, P.E., from Brinnier and Larioos, P.C.

## 4.3 Gas and Electricity

The Subject Property is currently serviced by and would continue to be served by Central Hudson Gas & Electric Corp for electrical and gas demand generated on the site. Overhead transmission lines currently run parallel to the site on both Dock Road and Route 9W. The Proposed Action will require electricity for all lighting and power needs for the residences and clubhouse. As the Proposed Action consists of the development of 103 single-family residences and a clubhouse, the amount of electricity demand would be higher than the site's current use, and thus increase energy use at the site. However, as part of the project, it is anticipated that sustainable features such as high efficiency HVAC and energy efficient lighting will be incorporated to reduce the overall electricity consumption on the site. It is anticipated that the proposed electricity connections would be made to existing infrastructure on Route 9W, however, the Applicant is in the process of coordinating with Central Hudson and will continue to do so throughout the site plan review process.

With electrical infrastructure currently near the Subject Property and Central Hudson having a pre-existing customer base of 315,000 customers for electric, the proposed increase in Central Hudson's capacity by the proposed 103 residences and clubhouse will represent a minimal increase that will likely pose no negative impacts on electrical services provided by Central Hudson.<sup>18</sup>

Additionally, the Proposed Action is expected to incorporate the use of natural gas for heating of the proposed residences and clubhouse. As Central Hudson currently serves 90,000 natural gas customers, the proposed natural gas capacity increase by the proposed residences and clubhouse will represent a minimal increase that will likely pose no negative impacts on natural gas services provided by Central Hudson.<sup>19</sup> The Applicant is proposing to connect to existing natural gas infrastructure located within Route 9W, however, the Applicant is in the process of coordinating with Central Hudson and will continue to do so throughout the review process.

<sup>18</sup> Central Hudson. *Our Service Territory*. Available at: <https://www.cenhud.com/en/about-us/our-service-territory/>. Accessed August 2024.

<sup>19</sup> Central Hudson. *Our Service Territory*. Available at: <https://www.cenhud.com/en/about-us/our-service-territory/>. Accessed August 2024.

# 5

## Visual and Cultural Resources

### 5.1 Visual Character and Aesthetic Resources

#### 5.1.1 Visual Character

The majority of the Subject Property is currently vacant and was formerly used as a gravel pit/construction material quarry. The Subject Property has no formal landscaping and is populated with unmaintained shrubbery and significant tree cover, particularly along the perimeters of the site. Several factors make it such that the Subject Property has very low visibility from the surrounding roadways, including the perimeter tree cover, the location of the Subject Property to the rear of the properties fronting on Route 9W, and the existing elevation of the site, situated below the elevation of Route 9W and above the elevation of Dock Road as it descends to the waterfront.

The area surrounding the Subject Property includes densely vegetated and tree covered residential areas, consistent with the character of a low-density suburban or rural community. The residential areas consist of both single-family homes and larger multifamily developments, including the Bayside development, a 104-unit two-story apartment complex located on Bayside Drive, across Route 9W from the Proposed Action, as well as another two-story senior living apartment complex located approximately 600 feet west of Route 9W, off of Carafano Lane.

The major throughfare in the area, Route 9W, runs north-south and provides access to the area's larger commercial and institutional buildings. South of the Subject Property along Route 9W is the Hamlet Center of Marlboro, containing one- to three-story commercial buildings, including the Falcon music venue located at the corner of Route 9W and Dock Road. Behind the Falcon property is a large, wooded parcel that runs along either side of Lattintown Creek down to the Hudson River. The Marlboro Elementary School, located immediately to the north of the Subject Property, and the Marlboro Middle School across Route 9W from the Elementary School, are one- to two-story large footprint institutional buildings, both significantly set back from Route 9W with adjacent lawn areas and surface parking. The Elementary School is buffered significantly from the Subject Property by a forested hillside, such that the school building is not visible from the site. Similarly, the Town of Marlborough Sewer Department facility located adjacent to the Subject Property along Dock Road is fully buffered from view by perimeter tree plantings. Further north, the aesthetic character of the roadway becomes more agricultural, with planting fields and associated farm buildings.

The aesthetic character of the Subject Property is heavily influenced by its proximity to the Hudson River, and direct views of the river are provided particularly at the eastern boundary of the property. A boat storage and marina property are located between the Subject Property and the Hudson River, but due to the difference in grade from the Subject Property to the waterfront, as well as the heavy tree cover, there is a significant visual buffer between these two properties.

As detailed throughout this document, 103 single-family townhomes and cottages are proposed on the Subject Property, to be accessed directly from Route 9W along a central roadway. Each residential unit would be two stories with a garage and access driveway. The townhomes would include a front portico with columns and gabled roofs. The cottages would provide detached garages at the rear of the lots, with landscaped front gardens. A two-story clubhouse and pool would be situated on the eastern portion of the Subject Property, affording residents direct views of the Hudson River. Renderings from within the Proposed Action are provided in the figures below.



*View of proposed townhomes and clubhouse east along the central roadway*



*View of proposed cottages, front entrance*

Source: Sun Homes

Overall, the Proposed Action will provide a significant aesthetic improvement to the Subject Property from a vacant and unmaintained former gravel pit to an attractive residential development. The proposed layout, landscaping (detailed below), and architectural features of the Proposed Action have been thoughtfully designed to be aesthetically pleasing and to take advantage of the Subject Property's views to the Hudson River. The height of the proposed buildings and visual character on the site would be similar to the nearby multifamily residential developments detailed above. In addition, given the high density of vegetation and tree cover which will be preserved surrounding the Subject Property, as well as the Proposed Action's placement along the hillside (below the street level from Route 9W and above the street level along Dock Road), the proposed residential buildings would not be visible from the surrounding properties or roadways, and therefore is not anticipated to have a significant adverse impact on the surrounding visual character.

## 5.1.2 Aesthetic Resources

According to NYSDEC guidance for evaluating visual impacts, "[a]n 'aesthetic impact' is the consequence of a visual impact on the public's use and enjoyment of the appearance or qualities" of relevant resources.<sup>20</sup> In the vicinity of the Subject Property, the Hudson River is considered a resource with aesthetic significance.

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<sup>20</sup> NYSDEC Program Policy. Assessing and Mitigating Visual Impacts. Available at: [https://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/vispolfinaldraftoct18.pdf](https://www.dec.ny.gov/docs/permits_ej_operations_pdf/vispolfinaldraftoct18.pdf)

To assess the potential for visual impacts to the Hudson River, including changes to views of the Marlboro waterfront from this resource, existing conditions photos from across the Hudson River at Bowdoin Park, within the Town of Poughkeepsie, were taken. A representative photo is provided below. As shown, the Subject Property is located along a heavily vegetated hillside. However, while much of the western edge of the Hudson River is vegetated, existing buildings constructed along the hillside are visible under existing conditions, including a waterfront home to the north of the Subject Property that is visible in the photo below. While it is anticipated that following construction of the Proposed Action, the clubhouse building would be visible from this location, this condition would be consistent with the existing character of the hillside and therefore is not anticipated to have an adverse impact on the Hudson River.



*View of Subject Property from across Hudson River in Bowdoin Park*

### 5.1.3 Landscaping and Screening

As previously mentioned, the Proposed Action includes the implementation of a coherent landscaping plan along the property boundaries and within the interior of the proposed development. Specifically, the existing dense vegetation on the site is to remain along all property boundaries to serve as a buffer between the proposed development and adjacent uses. Additionally, a mix of evergreen trees would be installed along portions of the western and southern property boundaries to provide an additional layer of screening. A variety of shade trees are to be installed internally throughout the site along the roadways to create a cohesive character within the development. Overall, the Proposed Action is anticipated to improve aesthetic and natural resource conditions on the Subject Property by establishing a future custodian that will be responsible for removal of invasive species and the installation and ongoing maintenance of native plantings as part of a comprehensive landscaping plan.

## 5.2 Cultural Resources

The Subject Property is located within an area of archaeological sensitivity, according to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) Cultural Resources Information System (CRIS). The Applicant submitted consultation to OPRHP to assess the potential for significant adverse impacts to historic resources resulting from the Proposed Action. OPRHP issued a Letter of No Effect on February 8, 2024, stating that "it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and/or National Registers of Historic Places will be impacted by this project" (see **Appendix C** for a copy of all agency correspondence). In addition, the nearest State and/or National Register-eligible historic resources are a residential site located at 10 West Street (USN: 11109.000091) approximately 898 feet west of the Subject Property and another residential site at 30 Western Ave (USN: 11109.000091) approximately 792 feet west of the Subject Property. The Proposed Action is not expected to be visible from these locations. Therefore, no significant impacts to cultural resources are anticipated to result from the Proposed Actions and no further mitigation is required.



## Appendix A

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***Full Environmental Assessment Form***  
***Part 1 - Project and Setting***

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Orchards on Hudson		
Project Location (describe, and attach a general location map): 103-137 Dock Road, Hamlet of Marlboro, Town of Marlborough, Ulster County, New York, 12542 (Ulster County Tax Map #: Section 109.1 - Block 3 - Lots 13, 14.2 and 15 and Section 108.4 - Block 3 - Lot 29.1) (see attached Site Location Map)		
Brief Description of Proposed Action (include purpose or need): See Attachment.		
Name of Applicant/Sponsor: SDL Marlboro, LLC		Telephone: See Project Contact below E-Mail: See Project Contact below
Address: 103-137 Dock Road		
City/PO: Marlboro		State: NY      Zip Code: 12542
Project Contact (if not same as sponsor; give name and title/role): Mark Blanchard, Esq.		Telephone: (914) 582-7809 E-Mail: mblanchard@blanchardwilson.com
Address: 235 Mamaroneck Avenue, Suite 401		
City/PO: White Plains		State: NY      Zip Code: 10605
Property Owner (if not same as sponsor): See Applicant information above.		Telephone: E-Mail:
Address:		
City/PO:		State:      Zip Code:

## B. Government Approvals

<b>B. Government Approvals, Funding, or Sponsorship.</b> ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
<b>Government Entity</b>	<b>If Yes: Identify Agency and Approval(s) Required</b>	<b>Application Date (Actual or projected)</b>
a. City Counsel, Town Board, <input type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	See Attachment.	
b. City, Town or Village <input type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
iii. Is the project site within a Coastal Erosion Hazard Area?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the Yes No only approval(s) which must be granted to enable the proposed action to proceed?

- **If Yes**, complete sections C, F and G.
- **If No**, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site Yes No where the proposed action would be located?

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action Yes No would be located?

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Yes No Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)

If Yes, identify the plan(s):

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c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, Yes No or an adopted municipal farmland protection plan?

If Yes, identify the plan(s):

The Subject Property is located within the planning area of the Ulster County Open Space Plan but is not specifically designated as open space or area to be preserved.

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### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance?  Yes  No

If Yes, what is the zoning classification(s) including any applicable overlay district?

Residential (R) zoning district of the Town of Marlborough

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

### C.4. Existing community services.

a. In what school district is the project site located? Marlboro Central School District

b. What police or other public protection forces serve the project site?

Town of Marlborough Police Department

c. Which fire protection and emergency medical services serve the project site?

Marlboro Fire District provides fire protection and Ambulnz provides emergency medical services to the Subject Property.

d. What parks serve the project site?

Marlboro Nature Trail

## D. Project Details

### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Multi-family residential

b. a. Total acreage of the site of the proposed action? 25.20± acres

b. Total acreage to be physically disturbed? 15.51± acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 26.46± acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed?  Yes  No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No

i. If No, anticipated period of construction: 48± months

ii. If Yes:

• Total number of phases anticipated

• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year

• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year

• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses?

Yes  No

If Yes, show numbers of units proposed.

One Family

Two Family

Three Family

Multiple Family (four or more)

Initial Phase

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

At completion

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

103

g. Does the proposed action include new non-residential construction (including expansions)?

Yes  No

If Yes,

i. Total number of structures 1(clubhouse)

ii. Dimensions (in feet) of largest proposed structure: 32± height; 48± width; and 86± length

iii. Approximate extent of building space to be heated or cooled: 4,100± square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage?

Yes  No

If Yes,

i. Purpose of the impoundment: Stormwater

ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: Stormwater runoff

iii. If other than water, identify the type of impounded/contained liquids and their source.

N/A

iv. Approximate size of the proposed impoundment. Volume: N/A million gallons; surface area: N/A acres

v. Dimensions of the proposed dam or impounding structure: N/A height; N/A length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):

Earth fill

## D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No

(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i. What is the purpose of the excavation or dredging? \_\_\_\_\_

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

• Volume (specify tons or cubic yards): \_\_\_\_\_

• Over what duration of time? \_\_\_\_\_

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.

iv. Will there be onsite dewatering or processing of excavated materials?  Yes  No

If yes, describe. \_\_\_\_\_

v. What is the total area to be dredged or excavated? \_\_\_\_\_ acres

vi. What is the maximum area to be worked at any one time? \_\_\_\_\_ acres

vii. What would be the maximum depth of excavation or dredging? \_\_\_\_\_ feet

viii. Will the excavation require blasting?  Yes  No

ix. Summarize site reclamation goals and plan: \_\_\_\_\_

\_\_\_\_\_

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area?  Yes  No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_

\_\_\_\_\_

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

---

---

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe:

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation?  Yes  No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
  
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

---

c. Will the proposed action use, or create a new demand for water?  Yes  No

If Yes:

i. Total anticipated water usage/demand per day: 37,389± gallons/day

ii. Will the proposed action obtain water from an existing public water supply?  Yes  No

If Yes:

- Name of district or service area: Marlborough Water District
- Does the existing public water supply have capacity to serve the proposal?  Yes  No
- Is the project site in the existing district?  Yes  No
- Is expansion of the district needed?  Yes  No
- Do existing lines serve the project site?  Yes  No

iii. Will line extension within an existing district be necessary to supply the project?  Yes  No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?  Yes  No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: N/A gallons/minute.

d. Will the proposed action generate liquid wastes?  Yes  No

If Yes:

i. Total anticipated liquid waste generation per day: 33,990± gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_  
Sanitary Wastewater

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: Marlboro Wastewater Treatment Plant
- Name of district: Town of Marlborough Sewer Improvement District
- Does the existing wastewater treatment plant have capacity to serve the project?  Yes  No
- Is the project site in the existing district?  Yes  No \*
- Is expansion of the district needed?  Yes  No

\*A portion of the Subject Property is located within the sewer district but the project would require an out-of-district service connection.

• Do existing sewer lines serve the project site?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
• Will a line extension within an existing district be necessary to serve the project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
• Describe extensions or capacity expansions proposed to serve this project: _____	_____
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
• Applicant/sponsor for new district: _____	_____
• Date application submitted or anticipated: _____	_____
• What is the receiving water for the wastewater discharge? _____	_____
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
N/A	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. How much impervious surface will the project create in relation to total size of project parcel?	
_____ Square feet or <u>7.28±</u> acres (impervious surface)	_____
_____ Square feet or <u>25.2±</u> acres (parcel size)	_____
ii. Describe types of new point sources. <u>Roof drains, curbs</u>	_____
iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? See Attachment.	
• If to surface waters, identify receiving water bodies or wetlands: _____	_____
N/A	
• Will stormwater runoff flow to adjacent properties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	_____
iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes, identify:	
i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)	_____
ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)	_____
iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)	_____
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes:	
i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) <input type="checkbox"/> Yes <input type="checkbox"/> No	_____
ii. In addition to emissions as calculated in the application, the project will generate:	
• _____ Tons/year (short tons) of Carbon Dioxide (CO <sub>2</sub> )	_____
• _____ Tons/year (short tons) of Nitrous Oxide (N <sub>2</sub> O)	_____
• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)	_____
• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF <sub>6</sub> )	_____
• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)	_____
• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)	_____

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Estimate methane generation in tons/year (metric): _____	
ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____	
i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____ _____	
j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services?	
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input checked="" type="checkbox"/> Evening <input type="checkbox"/> Weekend	
<input type="checkbox"/> Randomly between hours of _____ to _____.	
ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____ N/A	
iii. Parking spaces: Existing _____ 0 Proposed _____ 254± Net increase/decrease _____ + 254±	
iv. Does the proposed action include any shared use parking?	
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: <u>A new site access driveway and emergency only access driveway are proposed on Dock Road.</u>	
vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy?	
<input type="checkbox"/> Yes <input type="checkbox"/> No N/A - residential use*	
If Yes:	
i. Estimate annual electricity demand during operation of the proposed action: _____	
ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____	
iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
l. Hours of operation. Answer all items which apply.	
i. During Construction:	
<ul style="list-style-type: none"> <li>• Monday - Friday: _____ *</li> <li>• Saturday: _____ *</li> <li>• Sunday: _____ *</li> <li>• Holidays: _____ N/A</li> </ul>	
ii. During Operations:	
<ul style="list-style-type: none"> <li>• Monday - Friday: _____ 24/7 - residential</li> <li>• Saturday: _____ 24/7 - residential</li> <li>• Sunday: _____ 24/7 - residential</li> <li>• Holidays: _____ 24/7 - residential</li> </ul>	

\*Construction hours will be set in accordance with the Town of Marlborough's noise ordinance, Chapter 105, which limits activities at certain decibel levels between the hours of 7:00 a.m. - 10:00 p.m. Sunday through Thursday and 7:00 a.m. - 11:00 p.m. Friday and Saturday.

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	
i. Provide details including sources, time of day and duration:	Ambient noise levels may be temporarily exceeded during construction activities, which would be undertaken in accordance with the Town regulations. Noise levels would not exceed ambient levels upon completion of construction activities.
ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Describe: _____	
n. Will the proposed action have outdoor lighting?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If yes:	
i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:	Specific locations of outdoor lighting fixtures are yet to be determined. It is anticipated that outdoor lighting fixtures would be installed throughout the Subject Property for safety and security purposes. It is expected that all lighting fixtures would be downward facing and shielded to prevent off-site light spill.
ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Describe: Approximately 7.25± acres of wooded land will be removed as part of the Proposed Action. However, it is anticipated that wooded land would be preserved along the Subject Property boundaries to serve as a light barrier and/or screen.	
o. Does the proposed action have the potential to produce odors for more than one hour per day?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____ _____	
p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
i. Product(s) to be stored _____	
ii. Volume(s) _____ per unit time _____ (e.g., month, year)	
iii. Generally, describe the proposed storage facilities: _____	
q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?	<input type="checkbox"/> Yes <input type="checkbox"/> No N/A - residential use*
If Yes:	
i. Describe proposed treatment(s): _____ _____ _____	
ii. Will the proposed action use Integrated Pest Management Practices?	<input type="checkbox"/> Yes <input type="checkbox"/> No
r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?	<input type="checkbox"/> Yes <input type="checkbox"/> No N/A - residential use*
If Yes:	
i. Describe any solid waste(s) to be generated during construction or operation of the facility:	
• Construction: _____ tons per _____ (unit of time)	
• Operation : _____ tons per _____ (unit of time)	
ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:	
• Construction: _____	
• Operation: _____	
iii. Proposed disposal methods/facilities for solid waste generated on-site:	
• Construction: _____	
• Operation: _____	

\* All construction and demolition material would be disposed of at a New York State approved solid waste management facility, in accordance with all applicable local and state regulations.

s. Does the proposed action include construction or modification of a solid waste management facility?

Yes  No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

• \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or

• \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste?  Yes  No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

## E. Site and Setting of Proposed Action

### E.1. Land uses on and surrounding the project site

#### a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban  Industrial  Commercial  Residential (suburban)  Rural (non-farm)

Forest  Agriculture  Aquatic  Other (specify): Community service (Marlboro Elementary School, Marlboro

Middle School and Town of Marlborough Sewer Department)

ii. If mix of uses, generally describe: \_\_\_\_\_

The Subject Property is a primarily vacant property located along a mixed-use corridor consisting of primarily community service, commercial, and single-family residential uses.

#### b. Land uses and covertypes on the project site.

Land use or Covertype	Current * Acreage	Acreage After Project Completion *	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.73±	7.28±	+6.55±
• Forested	17.00±	9.75±	-7.25±
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	5.16±	0.0	-5.16±
• Agricultural (includes active orchards, field, greenhouse etc.)	--	--	--
• Surface water features (lakes, ponds, streams, rivers, etc.)	--	--	--
• Wetlands (freshwater or tidal)	--	--	--
• Non-vegetated (bare rock, earth or fill)	1.02±	0.0	-1.08±
• Other Describe: Landscaping _____	1.07±	8.17±	+7.10±

\*The acreage totals do not equate as the Proposed Action includes an easement on the adjacent property for the proposed emergency access roadway.

c. Is the project site presently used by members of the community for public recreation? i. If Yes: explain: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, i. Identify Facilities: Marlboro Elementary School is located approximately 170 feet to the north of the Subject Property and Marlboro Middle School is located approximately 530 feet to the northwest of the Subject Property.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: i. Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Dam's existing hazard classification: _____	
iii. Provide date and summarize results of last inspection: _____ _____	
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: i. Has the facility been formally closed? • If yes, cite sources/documentation: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____	
iii. Describe any development constraints due to the prior solid waste activities: _____ _____	
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database <input type="checkbox"/> Yes – Environmental Site Remediation database <input type="checkbox"/> Neither database	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
ii. If site has been subject of RCRA corrective activities, describe control measures: N/A _____	
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): 546031	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): Site 546031 is a State Superfund Program site, classified as 02 (National Priorities List [NPL]). This NPL site includes a 200-mile stretch of the Hudson River which was previously contaminated. Dredging of the contaminated riverbed was completed in 2009 and again in 2015, followed by habitat reconstruction completed in 2016. Facility decommissioning was performed in 2016.	

v. Is the project site subject to an institutional control limiting property uses?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<ul style="list-style-type: none"> <li>• If yes, DEC site ID number: _____</li> <li>• Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>• Describe any use limitations: _____</li> <li>• Describe any engineering controls: _____</li> <li>• Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No</li> <li>• Explain: _____ _____ _____</li> </ul>		
<b>E.2. Natural Resources On or Near Project Site</b>		
a. What is the average depth to bedrock on the project site? _____		12± feet below grade surface (bgs)
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %
c. Predominant soil type(s) present on project site: _____ * _____ * _____ * _____		* % * % * %
d. What is the average depth to the water table on the project site? Average: 7± feet bgs		
e. Drainage status of project site soils: <input checked="" type="checkbox"/> Well Drained: _____ <input checked="" type="checkbox"/> Moderately Well Drained: _____ <input checked="" type="checkbox"/> Poorly Drained _____		39.8 % of site 50.2 % of site 10.1 % of site
f. Approximate proportion of proposed action site with slopes: <input checked="" type="checkbox"/> 0-10%: _____ <input checked="" type="checkbox"/> 10-15%: _____ <input checked="" type="checkbox"/> 15% or greater: _____		51± % of site 6± % of site 43± % of site
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If Yes, describe: _____
h. Surface water features.		
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No **		
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If Yes to either i or ii, continue. If No, skip to E.2.i.		
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No		
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:		
<ul style="list-style-type: none"> <li>• Streams: Name _____</li> <li>• Lakes or Ponds: Name _____</li> <li>• Wetlands: Name _____</li> <li>• Wetland No. (if regulated by DEC) _____</li> </ul>		Classification _____ Classification _____ Approximate Size _____
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No		
If yes, name of impaired water body/bodies and basis for listing as impaired: _____		
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
If Yes:		
i. Name of aquifer: _____		

\*CnB - Chenango gravelly silt loam, 3 to 8 percent slopes - 11.6% Ra - Raynham silt loam - 8.7%

HgD - Hoosic gravelly loam, 5 to 25 percent slopes - 6.8%

HSF - Hoosic soils, very steep - 42.8%

ML - Made land - 0.6%

FW - Fresh water marsh - 1.4%

RvA - Riverhead fine sandy loam, 0 to 3 percent slopes - 28.2%

\*\*Although a portion of the Subject Property is shown to be located within NYSDEC's 100ft Wetland Check Zone on the NYSDEC Environmental Resource Mapper, based on a November 2021 site visit conducted by a VHB wetland scientist, no wetlands were observed on the Subject Property.

m. Identify the predominant wildlife species that occupy or use the project site: Typical suburban species (songbirds, squirrel, etc.) may be present on the overall site.	   
n. Does the project site contain a designated significant natural community? If Yes:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No *
i. Describe the habitat/community (composition, function, and basis for designation):  	
ii. Source(s) of description or evaluation:  	
iii. Extent of community/habitat:	
• Currently: _____ acres	
• Following completion of project as proposed: _____ acres	
• Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? If Yes:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No**
i. Species and listing (endangered or threatened):   	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? If Yes:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
i. Species and listing:   	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? If yes, give a brief description of how the proposed action may affect that use:   	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? If Yes, provide county plus district name/number:  	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
b. Are agricultural lands consisting of highly productive soils present? i. If Yes: acreage(s) on project site? _____ ii. Source(s) of soil rating(s): _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent:   	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? If Yes: i. CEA name: _____ ii. Basis for designation: _____ iii. Designating agency and date: _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

\*The Subject Property is located within the vicinity of the Tidal River natural community. As the Subject Property was once used as a gravel pit, the site has been largely disturbed and does not contain any naturally vegetated areas.

\*\*Based on correspondence with the New York Natural Heritage Program (NYNHP), non-breeding sightings of Bald Eagle have been reported along the Hudson River in the area of Cedar Cliff, located approximately 1.2 miles to the south of the Subject Property. The NYNHP correspondence further indicates that there are no breeding records for Bald Eagle within 660-feet of the Subject Property, which is the U.S. Fish and Wildlife Service's distance threshold for determining the potential for adverse impacts to Bald Eagle nesting sites. The fish species Shortnose Sturgeon and Atlantic Sturgeon have been documented in the Lower Hudson River and therefore, could occur in the Hudson River in the vicinity of the Subject Property. The terrestrial communities of the Subject Property do not represent habitat for the two fish species and the Proposed Project would not result in adverse impacts to species habitat.

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  Yes  No

If Yes:

i. Nature of historic/archaeological resource:  Archaeological Site  Historic Building or District

ii. Name: \_\_\_\_\_

iii. Brief description of attributes on which listing is based: \_\_\_\_\_

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?  Yes  No \*

g. Have additional archaeological or historic site(s) or resources been identified on the project site?  Yes  No

If Yes:

i. Describe possible resource(s): \_\_\_\_\_

ii. Basis for identification: \_\_\_\_\_

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?  Yes  No

If Yes:

i. Identify resource: \_\_\_\_\_

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): \_\_\_\_\_

iii. Distance between project and resource: \_\_\_\_\_ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?  Yes  No

If Yes:

i. Identify the name of the river and its designation: \_\_\_\_\_

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666?  Yes  No

## F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

## G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name SDL Marlboro, LLC Date February 22, 2024

Revised August 8, 2024

Signature  Title Senior Environmental Planner

Abigail Rudow, AICP

VHB Engineering, Surveying, Landscape Architecture and Geology, P.C. as Environmental Consultant to the Applicant

\*Although the Subject Property is located in an archaeological buffer area, as designated by New York State Office of Parks, Recreation and Historic Preservation's (OPRHP) Cultural Resource Information System (CRIS), the property has been previously disturbed for development activities associated with its former use as a gravel pit. As such, it is not anticipated that archaeological deposits would be disturbed as a result of the Proposed Action. A letter of No Effect was received from OPRHP on February 8, 2024 stating that no historic resources would be impacted by the Proposed Action.

## Site Location

Orchards on Hudson

103-137 Dock Road, Hamlet of Marlboro, Town of Marlborough, Ulster County, New York



Path: \\vhb.com\gbh\proj\WhitePlains\20578.01 LeytonPropert-Marlboro\Reports\Expanded EA\GIS\SiteZoningMap\SiteZoningMap.aprx (ckastalek, 1/30/2024)

 Subject Property (boundaries are approximate)

## Part 1 – Environmental Assessment Form

### Orchards on Hudson 103-137 Dock Road, Marlboro, New York

#### Attachment

##### **Page 1. Item A. Brief Description of Proposed Action (include purpose or need)**

The Proposed Action involves an application for permissible uses pursuant to a special permit, site plan approval, and other approvals associated with the proposed development of the 25±-acre Subject Property located at 103-137 Dock Road in the hamlet of Marlboro, Town of Marlborough, Ulster County, New York. The Subject Property spans across Dock Road with the majority of the property situated on the north side of the roadway and a small portion on the south side (see the attached Site Location Map). The Proposed Project would involve the removal of two existing single-family residences and extensive grading of the site, the majority of which was formerly used for gravel pit operations, to accommodate the development of 71 single-family townhomes and 32 cottages (103 homes in total). Each residential unit would have a garage, and visitor parking will be made available throughout the site. A clubhouse and pool is proposed on the site towards the eastern property boundary for the use by the residences. Entry to the Subject Property would be provided from Route 9W, with a limited permitted access from Dock Road for emergency vehicles only.

Sanitary waste generated by the proposed development would be handled via connection to the municipal sewer district and potable water would be provided via connection to the Marlborough Water District. The development is proposed to utilize natural gas and electric, both to be provided by Central Hudson Gas & Electric Corp. Stormwater runoff generated at the Subject Property is proposed to be captured via two major catchment areas – the western (upper) and the eastern (lower). Stormwater runoff from each area will be collected via a system of catch basins and an on-site bioretention swale and directed to a proposed on-site underground detention chamber system which will be designed to store and infiltrate runoff.

##### **Page 2. Item B. Government Approvals, Funding or Sponsorship**

Agency	Approval/Permit
Town of Marlborough Planning Board	Special Use Permit; Site Plan Approval; LWRP Consistency Review
Town of Marlborough Fire Marshal	Fire Access
Town of Marlborough Wastewater Department	Sewer Connection
Town of Marlborough Water Department	Water Supply
Town of Marlborough Highway Department	Road Cut Applications
Ulster County Planning Board	239m Referral
New York State Department of Environmental Conservation	SPDES GP-0-20-001 (General Permit for Stormwater Discharges from Construction Activity)
Central Hudson Gas & Electric Corp	Electric and Gas Connections

**Part 1 – Environmental Assessment Form**

**Orchards at Hudson  
103-137 Dock Road, Marlboro, New York**

**Attachment**

**Page 6. Item D.2.e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction?**

Stormwater generated by the proposed development would be captured and filtered on the Subject Property. Specifically, the post development stormwater design will divide the Subject Property into two catchment areas – the western (upper) catchment area and the eastern (lower) catchment area. Runoff from each area will be collected via a system of catch basins and an on-site bioretention swale and directed to a proposed on-site underground detention chamber system which will be designed to store and infiltrate runoff. During heavy rain events, stormwater will discharge at the peak consistent with pre-development runoff rates.

The upper catchment area outfall will direct stormwater underground across Dock Road to a parcel owned by the Applicant (tax lot 29.1). The lower catchment area will discharge via a controlled outfall that will overflow to Dock Road.



**New York State  
Parks, Recreation and  
Historic Preservation**

Governor

Commissioner

February 08, 2024

Christiana Kastalek  
VHB  
100 Motor Parkway, Suite 350  
Hauppauge, NY 11040

Re: SEQRA  
Dock Road Multifamily Development  
103-137 Dock Rd, Marlborough, Ulster County, NY 12542  
24PR00372

Dear Christiana Kastalek:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation  
Division for Historic Preservation

rev: T. O'Connell



## Appendix B

---



November 15, 2021

Ref: 20578.01

Mr. Patrick O'Leary  
Senior Principal  
100 Motor Pkwy Suite 350,  
Hauppauge, New York 11788

Re: Due Diligence Wetland & Watercourse Delineation Report  
Proposed Residential Project

Dear Mr. O'Leary,

At your request, Vanasse Hangen Brustlin, Inc. (VHB) completed an on-site investigation to delineate the presence and/or absence of wetlands and watercourses on the Proposed Residential Project site (Herein referred to as, 'the site'), located in the Hamlet of Marlboro, New York. This report includes descriptions of site conditions, including topography, soils onsite, hydrology and vegetation, and photographic documentation of conditions onsite (Appendix A). Based on a November 10, 2021 site evaluation, no wetland resources or water courses were observed onsite.

## **EVALUATION LIMITS AND DUE DILIGENCE**

---

Prior to visiting the site, VHB performed a desktop review evaluating existing conditions onsite with the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) soils mapper (Web Soil Survey: Web Soil Survey (Home (usda.gov), CTECO Map Viewer (<http://cteco.uconn.edu/viewers/index.htm>), USFWS's National Wetlands Inventory (NWI) and the New York State Department of Environmental Conservation's (NYSDEC) Environmental Resource Mapper wetlands data sets. Additionally, current, and historic aerial imagery and USGS topographic maps were also assessed.

### *Existing Conditions*

The site is located at 8 Hudson Way, Marlboro New York and is bounded to the north by an elementary school, to the east by Old Dock Road and the Hudson River, and to the south and west by Dock Road and a vegetated coastal marsh environment (Figures 1 and 2). The site is primarily undeveloped, consisting of vegetated steep slopes, a gravel parking lot and access roads, and an open gravel/sand field. Elevations onsite vary from 170ft along the northern border, and 20ft at the southern border. The NRCS Web Soil Survey mapper identifies the Raynham silt loam soil unit, located on the northwestern corner of the site, as hydric and poorly drained (Figure 3).

100 Great Meadow Road

**Engineers | Scientists | Planners | Designers**

Wethersfield, Connecticut 06109

**P** 860.807.4300

**F** 860.372.4570



Proposed Residential Site  
20578.01  
November 15, 2021  
Page 2

No watercourses are mapped within the Project site<sup>1</sup> and the NWI and NYSDEC do not identify any mapped wetland resources onsite (Figure 4).

## **FIELD VERIFIED ABSENCE OF WETLANDS**

VHB performed a site evaluation to determine the presence/absence of wetlands onsite and verify the limits and extents of any resources present on November 10, 2021. Weather prior to the site visit was clear, no rain fell within the previous two days. In order to reach a positive wetland determination, the U.S. Army Corps of Engineers (USACE) *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region* identifies the following required criteria: a dominance of hydrophytic vegetation, soil characteristics, and the presence of wetland hydrology.

Based on the November 10, 2021 site evaluation, wetland scientists confirm the absence of wetland resources onsite. As noted above, an access road, gravel parking lot and a large gravel/sand deposit do exist onsite, but the remainder of the site is vegetated by upland species including Norway maple (*Acer platanoides*), American hornbeam (*Carpinus caroliniana*), White oak (*Quercus alba*), *Rosa multiflora*, and Boxelder (*Acer negundo*). Multiple auger soil samples were taken throughout the site resulting in well drained sandy horizons with brown (7.5YR 4/6 and 7.5YR 3/4) soils, and stony loams with dark brown (7.5YR 3/3) soils. A restrictive gravel layer was also encountered throughout the site, ranging from ground surface level at the existing parking lot, and 10-14in below ground surface. No hydric soil characteristics were observed onsite, specifically in the northwestern corner where mapping identified the presence of hydric soils (Figure 3). At this location, the gravel parking lot exists, and bounding soils consisted of well drained sandy soils.

Note, Figure 3 does identify the NYSDEC's 100ft Wetland Check Zone to be onsite. New York's freshwater wetlands database only shows the approximate location of actual wetland areas. Therefore, the "Check Zone" is an area around the mapped wetland in which the actual wetland may occur and is recommended by the NYSDEC to be field evaluated. Based on the November site visit, the portion of the site within the mapped Check Zone is an extremely steep slope, with Dock Road at the toe of slope. No wetlands were observed on this slope or at the toe of slope.

## **CONCLUSION**

In summary, VHB scientists confirmed the absence of wetland and watercourse resources within the Project site on November 10, 2021. Please contact me at 860-634-1878 if you have any questions or require additional assistance.

Sincerely,

<sup>1</sup> VHB wetland scientists were directed to only evaluate the main Project site to the north of Dock Road, where proposed residential units are currently being proposed. No areas south of Dock Road were evaluated.



Proposed Residential Site  
20578.01  
November 15, 2021  
Page 3

Vanasse Hangen Brustlin, Inc.

Anna R. Loss  
Senior Environmental and Wetland Scientist  
[aloss@vhb.com](mailto:aloss@vhb.com)

Jeffrey R. Shamas, SPWS, CE, CSS  
Director of Environmental Services  
[jshamas@vhb.com](mailto:jshamas@vhb.com)

Figure:

- Figure 1 – USGS Site Location Map
- Figure 2 – Site Topography Map
- Figure 3 – NRCS Soils Map
- Figure 4 – NWI and State Wetland Map

Appendices:

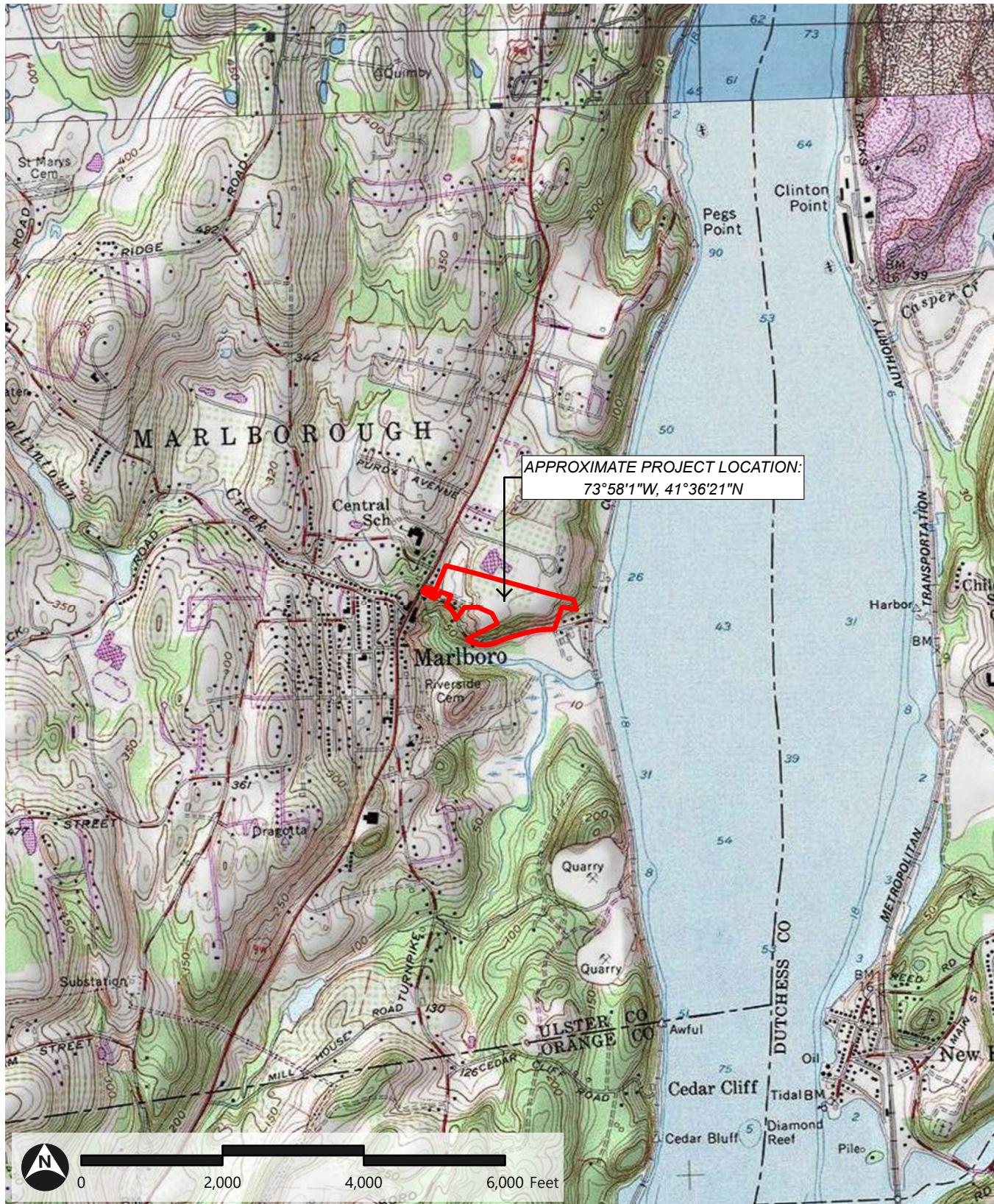
- Appendix A – Site Photographs



## FIGURES

**Figure 1: USGS Locus Map**

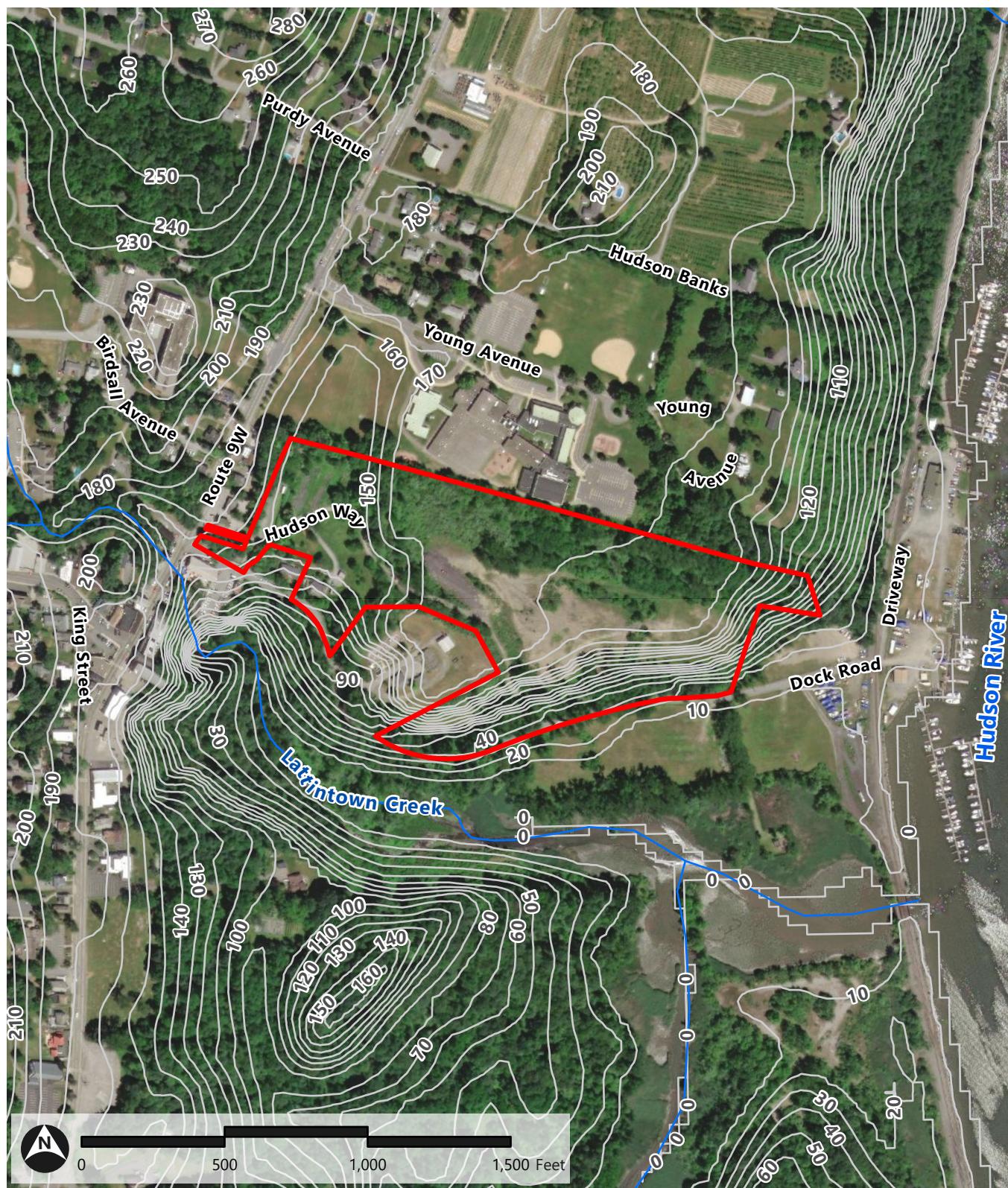
Dock Road Proposed Development | Marlboro, New York



Project Area

**Figure 2: Site Topographic Map**

Dock Road Proposed Development | Marlboro, New York



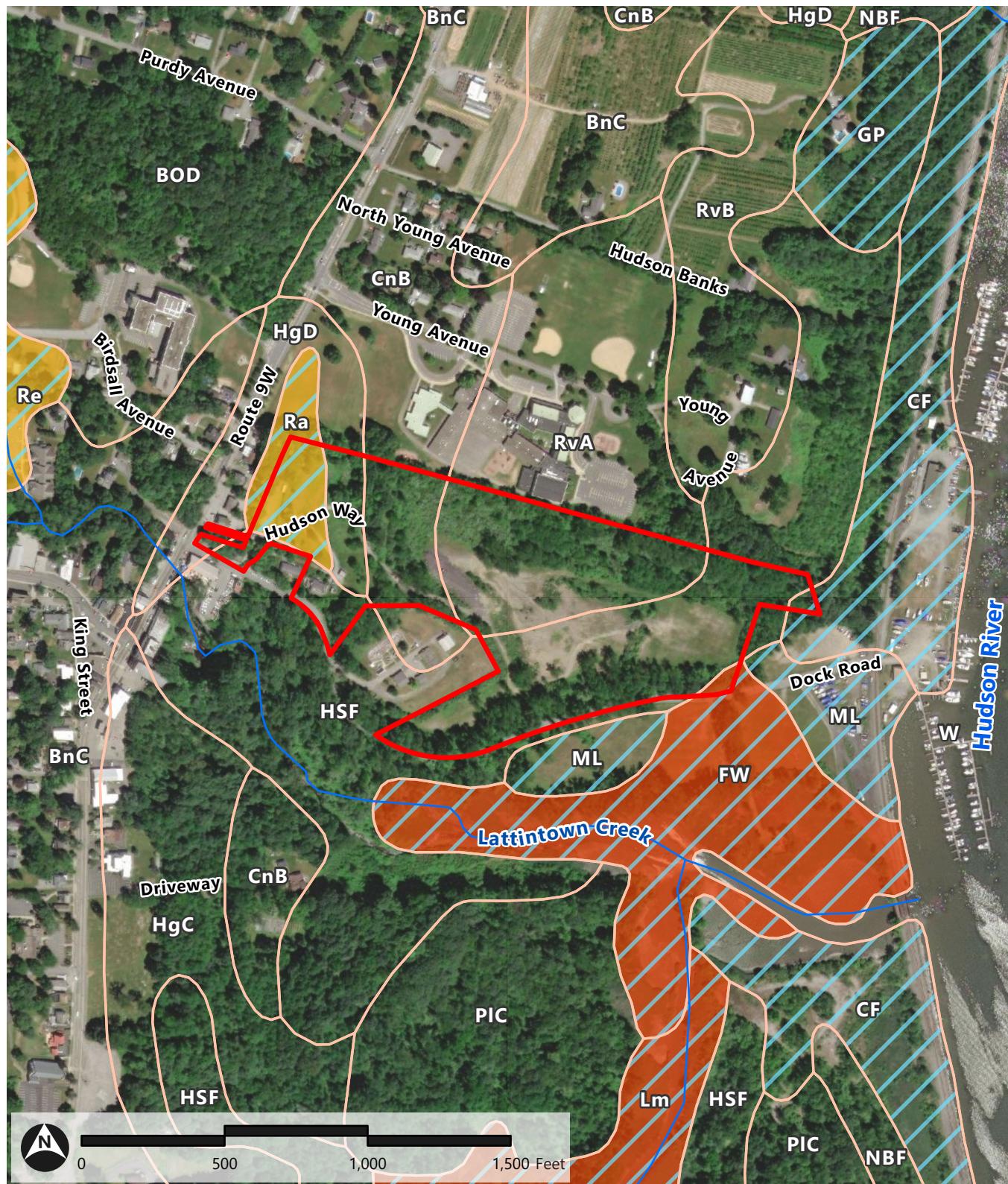
■ Project Area      10 FT Contours  
— Rivers and Streams

Source: CTDEEP, USGS, VHB

Path: \vhb.com\gis\proj\WhitePlains\20578.00 Catherine StreetProject\DockRoadMarlboro\DockRoadMarlboro.aprx (mikaelagordon, 11/15/2021)

**Figure 3: NRCS Soils Map**

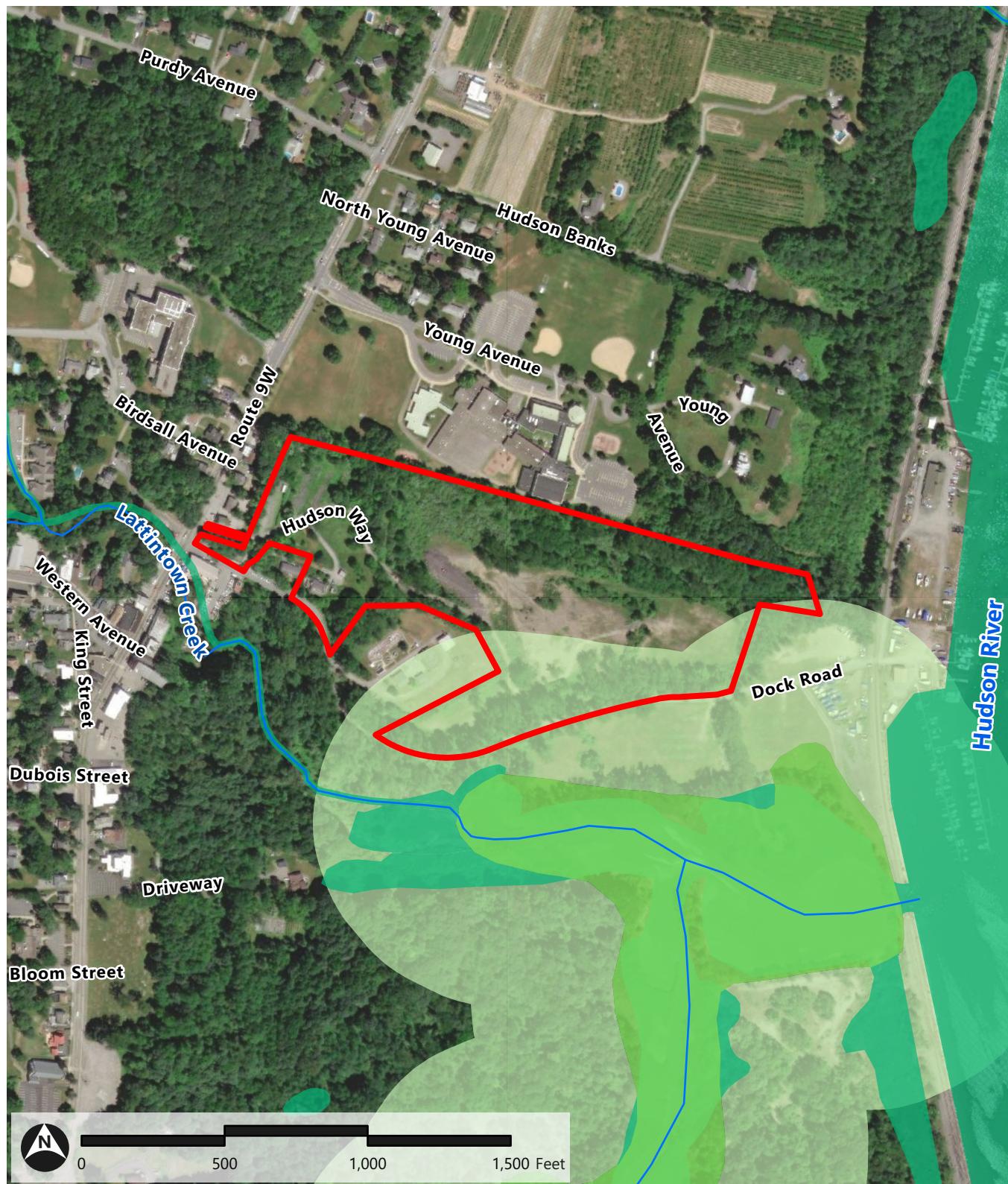
Dock Road Proposed Development | Marlboro, New York



- Project Area
- NCRS Soils
- Somewhat Poorly Drained
- Rivers and Streams
- Hydric Soil
- Very Poorly Drained

**Figure 4: NWI and State Wetlands Map**

Dock Road Proposed Development | Marlboro, New York



- Project Area
- Rivers and Streams
- NYSDEC State Regulated Wetland Checkzone
- NYDEC Regulated Freshwater Wetland
- NWI Federal Wetlands

Source: NYDEC, USGS, VHB

Path: \\vhab.com\gis\proj\WhitePlains\20578.00 Catherine Street Project\DockRoadMarlboro\DockRoadMarlboro.aprx (mikaelagordon, 11/15/2021)



## APPENDIX A: SITE PHOTOGRAPHS

**NOVEMBER 10, 2021 WETLAND SITE VISIT  
SITE PHOTOGRAPHS**



**Photograph One:** Northeastern gravel parking area that is mapped as a hydric soil area. No hydric characteristics were observed within or surrounding this gravel parking area.



**Photograph Two:** Paved access road that bisects the site. A chain linked fence is present, but it dilapidated and overgrown by vegetation.

**NOVEMBER 10, 2021 WETLAND SITE VISIT  
SITE PHOTOGRAPHS**



**Photograph Three:** Heavily vegetated steep slopes near the center of the site with gravel deposits at the toe of slope.

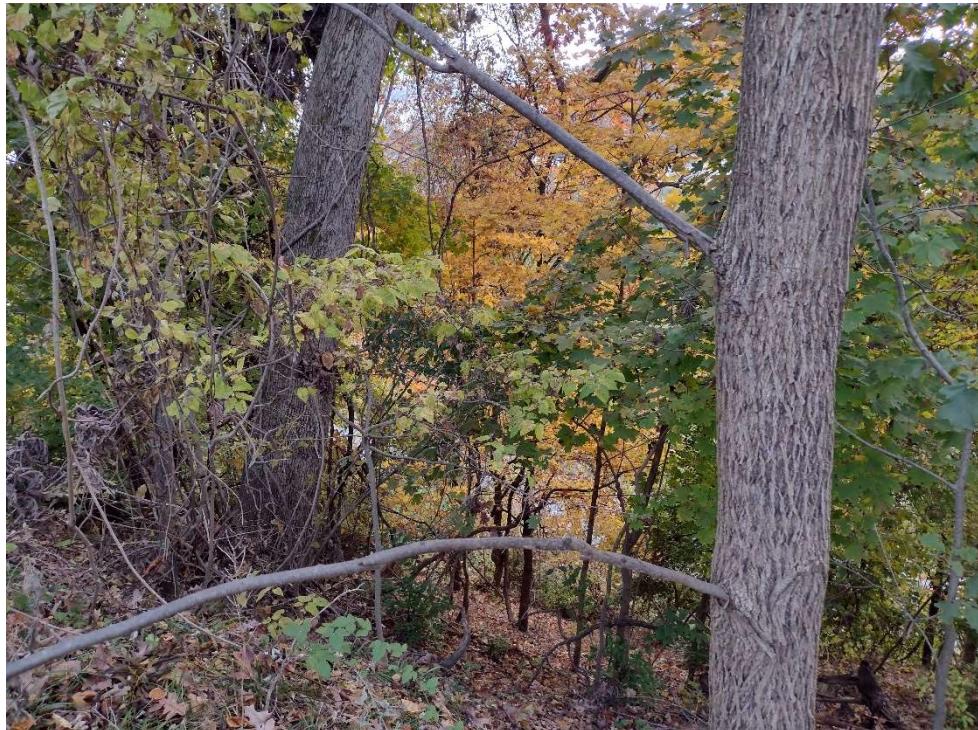


**Photograph Four:** Gravel/sandy open area at the center of the site adjacent to the vegetated steep slope.

**NOVEMBER 10, 2021 WETLAND SITE VISIT  
SITE PHOTOGRAPHS**



**Photograph Five:** The gravel/sandy open area transitions to an open field on which sand has been deposited.



**Photograph Six:** Another steep slope exists on the eastern boundary of the site, adjacent to Dock Road.



## Appendix C

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**From:** [Abigail Rudow](#)  
**To:** [Christiana Kastalek](#)  
**Subject:** FW: [External] Marlboro CSD 20578.01  
**Date:** Tuesday, April 2, 2024 4:32:03 PM

---

**Abigail Rudow, AICP**  
Senior Environmental Planner  
White Plains  
P [914.467.6616](#)  
[www.vhb.com](#)

---

**From:** Michael Rydell <[michael.rydell@marlboroschools.org](mailto:michael.rydell@marlboroschools.org)>  
**Sent:** Wednesday, January 10, 2024 10:59 AM  
**To:** Abigail Rudow <[ARudow@VHB.com](mailto:ARudow@VHB.com)>  
**Cc:** Theresa Laraia <[theresa.laraia@marlboroschools.org](mailto:theresa.laraia@marlboroschools.org)>  
**Subject:** [External] Marlboro CSD 20578.01

You don't often get email from [michael.rydell@marlboroschools.org](mailto:michael.rydell@marlboroschools.org). [Learn why this is important](#)

Good morning,

I received a request for information regarding a potential development in the Marlboro Central School District. The answer to your questions are as follows:

1. The addresses that are listed in the inquiry are accurate.
2. Busing is available to all students that live outside the minimum distance from the respective school buildings.
3. Including faculty, staff, and administration, there are approximately 337 personnel employed by the district.
4. We do not have published enrollment projection data to share.
5. I do not know what further information one would be seeking that would benefit your report.

Please let me know if you have any further questions.

Thank you,

Mike Rydell

--

Michael Rydell  
Superintendent of Schools  
Marlboro Central School District  
21 Milton Turnpike  
Milton NY 12547  
(845)236-5802

#### Marlboro Confidentiality Disclosure Statement

This message is intended only for the use of the intended recipient and may contain

information that is privileged, confidential and/or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by phone at [\(845\) 236-5800](tel:(845)236-5800) and delete all electronic copies of this message and attachments, without retaining a copy thereof. Please destroy or return any printed copies of this message and attachments via U.S. Postal Service to Marlboro Central School District, [21 Milton Turnpike, Suite 100, Milton, New York 12547](http://21 Milton Turnpike, Suite 100, Milton, New York 12547).

This message is intended only for the use of the intended recipient and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notify us by phone at (845) 236-5800 and delete all electronic copies of this message and attachments, without retaining a copy thereof. Please destroy or return any printed copies of this message and attachments via U.S. Postal Service to Marlboro Central School District, 21 Milton Turnpike, Suite 100, Milton, New York 12547.



December 26, 2023

Ref: 20578.01

Michael Rydell, Superintendent of Schools  
Marlboro Central School District  
21 Milton Turnpike  
Milton, New York 12547

Re: Dock Road Townhome Development  
103-137 Dock Road, Marlboro, NY

Dear Mr. Rydell:

VHB Engineering, Surveying, Landscape Architecture, and Geology, P.C. (VHB) is in the process of preparing the environmental review documentation for the proposed multifamily residential development located at 103-137 Dock Road in the hamlet of Marlboro, Town of Marlborough, New York (see enclosed Site Location Map). The Subject Property was identified as being within the jurisdiction of the Marlboro Central School District.

The Proposed Project includes the redevelopment of the aforementioned property with a multifamily development consisting of up to 108 townhomes with associated site improvements including internal driveways, landscaped areas, and a clubhouse. Access to the property would be provided from Dock Road. The Subject Property is currently vacant land.

Rutgers University's Center for Urban Policy Research's Estimates of the Occupants of New Housing provides demographic multipliers for household sizes, age distribution, total school-age children, and public school-age children derived from the U.S. Census. Based on the Rutgers estimates, VHB has calculated that the Proposed Project would generate approximately 43 school-aged children.

As part of the State Environmental Quality Review Act (SEQRA) process, the environmental review is to include information on community services, including existing conditions of, and potential impacts to educational facilities, including the Marlboro Central School District. We would appreciate your assistance in this regard. At your earliest convenience, we are respectfully requesting the following information to assist in our review:

1. Please confirm the name and location of current School District facilities, including:
  - a. Marlboro Elementary School located at 1380 Route 9W
  - b. Marlboro Middle School located at 1375 Route 9W
  - c. Marlboro High School located at 50 Cross Road
2. Please confirm that busing would be available for students at the Proposed Project.
3. Number of faculty within the School District.
4. Any published enrollment projections the District may have for future years.

Michael Rydell, Superintendent of Schools  
Ref: 20578.01  
December 26, 2023  
Page 2



5. Any other pertinent information that you believe relevant to the environmental review pertaining to the Marlboro Central School District and its ability to accommodate the introduction of the anticipated school-aged children resulting from the Proposed Project.

Please feel free to contact me at [arudow@vhb.com](mailto:arudow@vhb.com) with any questions or comments related to our request.

Thank you for your assistance in this matter.

Sincerely,

VHB Engineering, Surveying, Landscape Architecture and Geology, P.C.

A handwritten signature in black ink that reads "Abigail Rudow". The signature is fluid and cursive, with a large, stylized "A" at the beginning.

Abigail Rudow, AICP  
Senior Environmental Planner

cc:  
Attachments



Project Location  
Marlboro Residential  
Dock Road at US Route 9W  
Marlboro, New York

**Figure 1**



**New York State  
Parks, Recreation and  
Historic Preservation**

Governor

Commissioner

February 08, 2024

Christiana Kastalek  
VHB  
100 Motor Parkway, Suite 350  
Hauppauge, NY 11040

Re: SEQRA  
Dock Road Multifamily Development  
103-137 Dock Rd, Marlborough, Ulster County, NY 12542  
24PR00372

Dear Christiana Kastalek:

Thank you for requesting the comments of the Office of Parks, Recreation and Historic Preservation (OPRHP). We have reviewed the project in accordance with the New York State Historic Preservation Act of 1980 (Section 14.09 of the New York Parks, Recreation and Historic Preservation Law). These comments are those of the OPRHP and relate only to Historic/Cultural resources. They do not include potential environmental impacts to New York State Parkland that may be involved in or near your project.

Based upon this review, it is the opinion of OPRHP that no properties, including archaeological and/or historic resources, listed in or eligible for the New York State and National Registers of Historic Places will be impacted by this project.

If further correspondence is required regarding this project, please be sure to refer to the OPRHP Project Review (PR) number noted above.

Sincerely,

R. Daniel Mackay

Deputy Commissioner for Historic Preservation  
Division for Historic Preservation

rev: T. O'Connell



## Appendix D

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## **Town of Marlborough Local Waterfront Revitalization Program**

### **Waterfront Assessment Form**

#### **A. INSTRUCTIONS (Please print or type all answers)**

1. Applicants, or in the case of direct actions, the Town of Marlborough responsible agency, shall complete this Waterfront Assessment Form (WAF) for proposed actions which are subject to the Town of Marlborough Waterfront Revitalization Program (LWRP) Consistency Review Law. This assessment is intended to supplement other information used by the designated Town of Marlborough agency in making a determination of consistency with the policy standards set forth in the LWRP Consistency Review Law.
2. Before answering the questions in Section C, the preparer of this form should review the policies summarized in the LWRP Consistency Review Law for Unlisted Actions and for Type I Actions, explanations of policy contained in the Local Waterfront Revitalization Program (LWRP), copies of which are on file in the Town Clerk's office. A proposed action should be evaluated as to its significant beneficial and adverse effects upon the coastal area.
3. If any questions in Section C on this form are answered "yes", then the proposed action may affect the achievement of the LWRP policy standards contained in the LWRP consistency review law. Thus, the action should be analyzed in more detail and, if necessary, modified prior to making a determination regarding its consistency with the LWRP policy standards. If an action cannot be certified as consistent with the LWRP policy standards, it shall not be undertaken.

#### **B. DESCRIPTION OF SITE AND PROPOSED ACTION**

1. Name of applicant and Name of Contact Person: SDL Marlboro, LLC/Mark Blanchard, Esq.
2. Title/Description of Proposed Action: Dock Road Multi-family Development - The redevelopment of 103-137  
clubhouse and pool proposed on the site. An Expanded Environmental Assessment has been submitted as part of this application to  
the Town Planning Board for its review, which provides a consistency of the proposed project with the Local Waterfront Revitalization  
Plan along with other relevant planning documents as well as a comprehensive review of the proposed project.
3. Type of agency action (check all appropriate response(s)):
  - Directly undertake (e.g. capital construction, adoption of plan or local law, land transaction).
  - Fund (e.g. grant, bond, expenditure).
  - Permit, approve, license, certify.
4. Type of Approval Action Requested (check all that apply)
  - Site Plan Approval  Variance  Rezoning  Building Permit
  - Subdivision  Special Use Permit  Other
5. Attach Long or Short Environmental Assessment Form or for review under a Draft or Final Environmental Impact Statement, address therein the requirements of the town waterfront consistency law including the information required in this form.

6. Will the action be directly undertaken, require funding, or approval by a state or federal agency?  
Yes  No  If yes, which agency(ies) (list) \_\_\_\_\_

C. WATERFRONT ASSESSMENT – NOTE—IT IS ONLY NECESSARY TO ANSWER THE FOLLOWING QUESTIONS TO SUPPLEMENT THE INFORMATION PROVIDED IN A SHORT ENVIRONMENTAL ASSESSMENT FORM. OTHERWISE, TO REDUCE PAPERWORK, THE AGENCY SHALL RELY ON THE INFORMATION PROVIDED IN THE LONG FORM EAF OR DRAFT EIS, AS APPLICABLE TO CONDUCT THE WATERFRONT CONSISTENCY REVIEW.

Note, this form is being submitted in connection with a Long Form EAF and Expanded Environmental Assessment. Therefore, completion of Section C is not required. Please see the attached materials for the project's consistency with the LWRP.

1. Will the proposed action have a significant effect upon:

- (a) Commercial or recreational use of fish and wildlife resources? \_\_\_\_\_
- (b) Scenic quality of the waterfront environment? \_\_\_\_\_
- (c) Development of future, or existing water-dependent uses? \_\_\_\_\_
- (d) Stability of the shoreline? \_\_\_\_\_
- (e) Surface or groundwater quality? \_\_\_\_\_
- (f) Existing or potential public recreation opportunities? \_\_\_\_\_

2. Will the proposed action involve or result in any of the following:

- (a) Physical alteration of land along the shoreline, land under water or waterways? \_\_\_\_\_
- (b) Physical alteration of five acres or more of land located elsewhere in the waterfront area?  
\_\_\_\_\_
- (c) Energy facility not subject to Article VII or VIII of the Public Service Law? \_\_\_\_\_
- (d) Mining, excavation, filling or dredging? \_\_\_\_\_
- (f) Reduction of existing or potential public access to or along the shore? \_\_\_\_\_
- (g) Sale or change in use of publicly-owned lands located on the shoreline? \_\_\_\_\_
- (h) Change to a natural feature that provides protection against flooding or erosion? \_\_\_\_\_
- (i) Remove any mature forest (over 100 years old) or other locally important vegetation? \_\_\_\_\_
- (j) Transport, storage, treatment or disposal of solid waste or hazardous materials? \_\_\_\_\_
- (k) Shipment or storage of petroleum products? \_\_\_\_\_
- (l) Will the project affect any area designated as a tidal or freshwater wetland? \_\_\_\_\_

(m) Will the project alter drainage flow, patterns or surface water runoff on or from the site? \_\_\_\_\_

(n) Will best management practices be utilized to control stormwater runoff into waterfront waters? \_\_\_\_\_

3. Answer the following only if a project is to be located adjacent to shore:

(a) Will water-related recreation be provided? \_\_\_\_\_

(b) Will public access to the foreshore be provided? \_\_\_\_\_

(c) Does the project require a waterfront site? \_\_\_\_\_

(d) Will it supplant a recreational or maritime use? \_\_\_\_\_

(e) Do essential public services and facilities presently exist at or near the site? \_\_\_\_\_

4. Answer the following questions only if the project site is publicly owned:

(a) Will the project protect, maintain and/or increase the level and types of public access to water-related recreation resources and facilities? \_\_\_\_\_

(b) Will it involve the siting and construction of major energy facilities? \_\_\_\_\_

(c) Will it involve the discharge of effluents from major steam electric generating or industrial facilities into waterfront facilities? \_\_\_\_\_

(d) Is the project site presently used by the community neighborhood as an open space or recreation area? \_\_\_\_\_

(e) Does the present site offer or include scenic views or vistas known to be important to the community? \_\_\_\_\_

D. REMARKS OR ADDITIONAL INFORMATION: (Add any additional sheets to complete this form.)

If assistance or further information is needed to complete this form, please contact Town of Marlborough Code Enforcement Officer at [tcorcoran@marlboroughny.us](mailto:tcorcoran@marlboroughny.us) or call 845-795-2406 Ext. 7

Preparer's Name: Christiana Kastalek

Title: Environmental Planner Agency: VHB

Telephone Number: ( ) 631-787-3504 Email: ckastalek@vhb.com

Date: August 8, 2024