

**TOWN OF MARLBOROUGH**  
21 MILTON TURNPIKE, P.O. BOX 305  
MILTON, NEW YORK 12547  
PHONE: 845-795-6167 EXT. 118 / FAX: 845-795-2031

**ZONING BOARD APPLICATION**

**THOMAS CORCORAN JR.**  
BUILDING INSPECTOR  
CODE ENFORCEMENT

DATE 9/25/24

NAME Jerrico Holdings, Inc

ADDRESS 1042 Main St

Fishkill, NY 12524

TELEPHONE 914-906-6811

REQUEST (DESCRIBE IN DETAIL) Maintain existing one family residence moving  
residential unit to the existing walk out basement level and adding  
commercial, retail space at the existing first floor

\*\*\*\*\*

**FOR OFFICE USE ONLY**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DENIED \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED \_\_\_\_\_ DATE \_\_\_\_\_

ZONING BOARD OF APPEALS \_\_\_\_\_

SIGNATURE

## PROCEDURE FOR APPLICANTS TO APPEAR BEFORE THE ZONING BOARD OF APPEALS

APPLICATION FEES:	COMMERCIAL	\$300.00
	RESIDENTIAL	\$300.00

ESCROW FEES: \$700.00

**(LEGAL NOTICE FEE, TRANSCRIBER FEES & ATTORNEY FEES TO BE TAKEN OUT OF ESCROW FEE)**

**\*PLEASE ISSUE TWO SEPARATE CHECKS FOR APPLICATION AND ESCROW FEES**

1. APPLICATION MADE TO BUILDING INSPECTOR FOR BUILDING PERMIT.
2. IF APPLICATION IS DENIED BY THE BUILDING INSPECTOR, APPLICATION MAY BE MADE TO THE ZONING BOARD.
3. ZONING BOARD OF APPEALS WILL REVIEW APPLICATION AT THEIR NEXT SCHEDULED HEARING IF ALL DOCUMENTATION HAS BEEN SUBMITTED TO THE SECRETARY BY THE DESIGNATED DEADLINE.
4. ZONING BOARD OF APPEALS WILL EITHER:
  - A. APPROVE APPLICATION SUBMITTED
  - B. REQUIRE FURTHER SUBMISSIONS
  - C. DISAPPROVE SUBMITTED APPLICATION
  - D. REQUEST A SITE PLAN FROM THE PLANNING BOARD AND/OR A REFERRAL FROM THE ULSTER COUNTY PLANNING BOARD
5. IF A SITE PLAN REVIEW IS REQUESTED BY THE ZONING BOARD OF APPEALS, SAID APPLICATION WILL BE PLACED ON THE NEXT AVAILABLE AGENDA OF THE PLANNING BOARD.
6. THE PLANNING BOARD WILL REFER THEIR FINDING OF THE SITE PLAN REVIEW TO THE ZONING BOARD. IF ENGINEERING REVIEW IS REQUIRED THE APPLICANT WILL BE LIABLE FOR THOSE CHARGES.
7. LEGAL NOTICES MUST BE SENT TO ALL PROPERTY OWNERS WITHIN 500 FEET OF THE QUESTIONED PROPERTY. THE ZONING BOARD WILL ADVISE THE APPLICANT WHEN THIS MUST BE DONE.

SIGNATURE

DATE \_\_\_\_\_

**APPLICATION TO THE ZONING BOARD OF APPEALS**  
**TOWN OF MARLBOROUGH, NEW YORK**

APPLICANT Jerrico Holdings, Inc PHONE # 914-906-6811  
ADDRESS 1042 Main Street, Fishkill, NY ZIP 12524  
LOCATION OF PROPERTY 32 Western Ave, Marlborough, NY 12547  
ZONING DISTRICT C-1 SECTION 108.12 BLOCK 2 LOT 41  
APPLICANT IS: OWNER Owner TENANT \_\_\_\_\_ OTHER \_\_\_\_\_  
ATTORNEY (IF REQUIRED) \_\_\_\_\_  
ADDRESS \_\_\_\_\_ PHONE # \_\_\_\_\_

\*\*\*\*\*

**CHECKLIST OF REQUIREMENTS**

1. COPY OF THIS COMPLETED APPLICATION WITH REQUIRED FEE MADE PAYABLE TO THE TOWN OF MARLBOROUGH.
2. SIX (6) COPIES OF PLOT PLAN SHOWING SETBACKS OF PROPOSED VARIANCE AND ALL OTHER STRUCTURES LOCATED ON THE PROPERTY, ALSO EXISTING WELL AND SEPTIC.
3. ANY OTHER DETAILS AND EXHIBITS (PHOTOGRAPHS) DEEMED NECESSARY APPLICABLE TO THIS PROPOSAL.
4. COPY OF DEED AND TAX BILL OF PROPERTY REQUIRING VARIANCE.
5. LIST OF NAMES AND ADDRESSES OF ALL OWNERS OF PROPERTIES WITHIN 500 FEET OF THE PROPERTY FROM "ALL" EXTERIOR BOUNDARIES.  
ALL PROPERTY OWNERS MUST BE NOTIFIED BY CERTIFIED MAIL WITH RETURN RECEIPT 10 DAYS PRIOR TO THE PUBLIC HEARING.
6. COPY OF BUILDING PERMIT SHOWING PROPOSAL AND REASON FOR DENIAL IF DENIED.

APPLICATIONS WILL NOT BE ACCEPTED UNLESS ACCOMPANIED BY ALL OF THE NECESSARY DOCUMENTATION.

**\*PLEASE ANSWER ALL QUESTIONS #1-12\***

1. THE UNDERSIGNED HEREBY APPEALS TO THE ZONING BOARD OF APPEALS OF THE TOWN OF MARLBOROUGH.

X FROM AN ORDER, REQUIREMENT, DECISION OR DETERMINATION MADE BY THE BUILDING INSPECTOR

FROM A DECISION BY THE PLANNING BOARD OF THE TOWN OF MARLBOROUGH

OTHER \_\_\_\_\_

2. WHAT IS THE APPROXIMATE ACREAGE OF THE PROPERTY INVOLVED? .11

3. IS THE PROPERTY PRESENTLY IMPROVED WITH PERMANENT STRUCTURES? Yes

NUMBER OF DWELLINGS one NON-DWELLINGS (GARAGES, SHEDS) one

4. DOES THE EXISTING BUILDING HAVE A CERTIFICATE OF OCCUPANCY? Yes

5. ARE EXISTING STRUCTURES PRESENTLY OCCUPIED? No

SEASONALLY? \_\_\_\_\_ YEAR-ROUND? \_\_\_\_\_

6. HAS IMPROVEMENT, ADDITION, OR CONSTRUCTION BEEN STARTED? No

7. WILL PREMISES BE OWNER OCCUPIED? No

8. WAS A PREVIOUS APPEAL OR VARIANCE APPLICATION BEEN MADE WITH RESPECT TO THIS PROPERTY? No IF SO, WHEN \_\_\_\_\_

9. IS THE LAND OR BUILDING WITHIN 500 FEET OF:

No BOUNDARY OF ANY CITY, TOWN OR VILLAGE?

No BOUNDARY OF ANY EXISTING OR PROPOSED STATE OR COUNTY PARK OR OTHER RECREATION AREA?

No RIGHT-OF-WAY OF ANY EXISTING OR PROPOSED STATE OR COUNTY PARKWAY, THRUWAY, EXPRESSWAY, ROAD OR HIGHWAY?

No RIGHT-OF-WAY OF ANY EXISTING OR PROPOSED STREAM OR DRAINAGE CHANNEL OWNED BY THE COUNTY OR FOR WHICH THE COUNTY HAS ESTABLISHED CHANNEL LINES?

10. TYPE OF ACTION SOUGHT:

AN INTERPRETATION OF THE ZONING ORDINANCE OR ZONING MAP

X A VARIANCE TO THE ZONING ORDINANCE

11. NATURE OF REQUEST:

TOWN CODE SECTION: \_\_\_\_\_ TITLE: \_\_\_\_\_

12. REASON YOU ARE PETITIONING THE ZONING BOARD OF APPEALS. (IF SEEKING A VARIANCE INDICATE  
HARDSHIP YOU WILL SUFFER IF THE VARIANCE IS NOT GRANTED).

See attached

STATE OF NEW YORK

COUNTY OF Dutchess

SWORN TO ME THIS 9 DAY OF October 2024

Raquel Niell  
NOTARY PUBLIC SIGNATURE

RAQUEL NIELL  
NOTARY PUBLIC STATE OF NEW YORK  
DUTCHESS COUNTY  
LIC. #01NI0010107  
COMM. EXP. 06/23/2027

M. A. Kelly 10/9/24  
SIGNATURE

### **ZONING VARIANCE AREA/USE**

1. AREA MAPS SHOWING THE LOCATION OF THE PROPOSAL
  - A. SUBMIT AN 8 ½" X 11" PHOTOCOPY OF THE APPROPRIATE SECTION OF EITHER A USGS OR NYS DEPARTMENT OF TRANSPORTATION MAP – 1:2400 SCALE
  - B. SUBMIT AN 8 ½" X 11" PHOTOCOPY OF THE APPROPRIATE SECTION OF THE MUNICIPAL ZONING MAP
  - C. SUBMIT AN 8 ½" X 11" PHOTOCOPY OF THE APPROPRIATE SECTION OF THE LOCAL TAX MAP OF THE APPLICANT'S PROPERTY
2. COMPLETE WRITTEN DESCRIPTION OF THE PROPOSAL
3. SITE PLAN SHOWING PHYSICAL CHARACTERISTICS OF PROPERTY; EXISTING AND PROPOSED LAYOUT OF BUILDINGS, STRUCTURES, ADDITIONS, PARKING, ROAD OR HIGHWAY ACCESS, DRAINAGE AND AVAILABILITY OF UTILITIES (APPROPRIATE SCALE)
4. SUPPORTING MATERIAL USED IN REQUEST, SUCH AS TRAFFIC GENERATION, ADDITIONAL SERVICES ETC.
5. ZONING DISTRICT IN WHICH PROPERTY IS LOCATED
6. ZONING PROVISION FROM WHICH A VARIANCE IS REQUESTED
  - A. LIST "PRACTICAL DIFFICULTIES" FOR AN AREA VARIANCE
  - B. LIST "UNNECESSARY HARDSHIPS" FOR A USE VARIANCE
7. COPY OF ENVIRONMENTAL ASSESSMENT OR IMPACT STATEMENT AS REQUIRED UNDER THE STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQR).
8. AFTER ULSTER COUNTY PLANNING BOARD REVIEW, SUBMISSION OF FINAL ACTION REPORT



## **Town of Marlborough Ethics Code**

### **TOWN OF MARLBOROUGH NOTICE OF DISCLOSURE OF INTEREST**

In accordance with the Town of Marlborough Code of Ethics, Article 13-3 (E) and Public Officers Law § 209, the following disclosure notice ("notice") must be completed and signed by any individual, including any officer or employee of the Town of Marlborough, who has an application, petition or request submitted for a variance, amendment, change of zoning, approval of a plat, special use permit, site plan, subdivision, exemption from a plat or official map, license or permit, pursuant to the provisions of the zoning and planning regulations of the Town of Marlborough before any Town of Marlborough Board, Agency or Department ("decision-making authority"), in which a Town officer or employee has an interest in the subject of the application. The purpose of the disclosure notice is to identify and disclose any potential or actual conflict of interest for the Town employee or officer, which may compromise his/her ability to make decisions solely in the public interest. Please refer to the Town of Marlborough Code of Ethics for further information.

Under the Town of Marlborough Code of Ethics an interest is defined as: a participation, connection or involvement of any sort whether direct or indirect, pecuniary or non-pecuniary, personal or professional, which may result in a benefit. For the purposes of the Town of Marlborough Code of Ethics, the "interests" of a Town officer or employee shall be deemed to include the "interest" of:

- A. An immediate family member. Immediate family member is defined as: grandparents, parents, spouse, significant other, children, grandchildren, brother, sister, dependent, or any household member of a Town officer, Town Board member or employee.
- B. Any person other than a bank, trust company or other lending institution with whom he/she has a substantial debtor-creditor or other financial relationship.
- C. Any person by whom he/she is employed or of which he/she is an officer, director or member having a controlling interest in any business or enterprise in which the Town employee or officer holds stock or has any other profit-bearing or beneficial relationship.
- D. An officer or employee shall also be deemed to have an interest in a matter if he/she or any person described in A through C above is a party to an agreement, expressed or implied, with any applicant before any Board of the Town, whereby he/she may receive any payment or other benefit whether or not for services rendered, dependent or contingent upon the favorable approval of any such application, petition or request by any Town body.

This notice must be completed and included with the application, petition or request to the appropriate Town of Marlborough Board, Agency or Department.



I, Josh Indorf, residing at  
1042 Main St, Fishkill, NY, make

the following statements about interests in the real property which is the subject of this application,  
petition or request for a Area Variance, before the Town  
of Marlborough Zoning Board of Appeals.

**PART I:** Except as otherwise set forth in Part II below:

**A. Individuals with an interest in the property.**

1. No individual, having an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person having an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

**B. Corporations or other entities with an interest in the property.**

1. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity, which has an ownership interest in or has an interest in a contract to purchase the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No officer, director, partner, or employee of any corporation, partnership, company, trust, association, or other legal entity which has an ownership interest in or has an interest in a contract to purchase the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

**C. Stockholder or controlling interest**

1. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person who has a legal or beneficial ownership or control stock of a corporate applicant or is a member of a partnership or association with the applicant for the subject property is a relative of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

**D. Party to an agreement with the applicant**

1. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application; petition or request for the subject property is an officer or employee of the Town of Marlborough, Ulster County, New York.
2. No person is a party to an agreement with an applicant, express or implied, or may receive any payment or other benefit, whether or not for services rendered, dependent or contingent upon the favorable approval of such application, petition or request for the subject property is an immediate family member of any individual who is an officer or employee of the Town of Marlborough, Ulster County, New York.

**PART II:** If any of the statements under A through D above is not true, please explain and set forth the name and the relationship to the applicant and subject property of any Town employee or officer involved:

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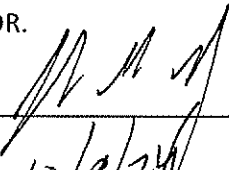
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**PART III:** This completed notice is to be submitted to the Board, Agency or Department that is authorized to review and render a decision on the application, petition or request. Further, the submittal must be made prior to any review of the application, petition or request. This notice shall be made part of that decision-making authority's official record, disclosing the exact nature of the conflict in detail. If there is an actual or potential conflict, the Town officer or employee shall abstain from voting or otherwise acting on the application, petition or request so as to avoid an actual conflict.

ANY QUESTIONS REGARDING THIS DISCLOSURE NOTICE OR THE CODE OF ETHICS ARE TO BE DIRECTED TO THE TOWN SUPERVISOR AT (845) 795-6167.

PLEASE TAKE NOTICE: A KNOWINGLY FALSE STATEMENT IS PUNISHABLE UNDER N.Y. GEN. MUN. LAW §809 AS A MISDEMEANOR.

Signed: 

Date: 10/9/24 10/16/24

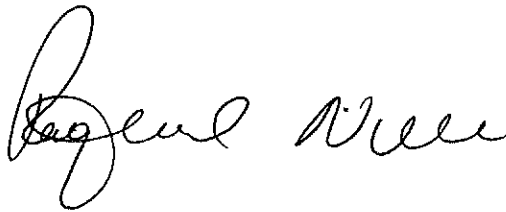
#### ACKNOWLEDGMENT

State of New York

County of: Dutchess

On 10/16/24, before me personally appeared

Joshua Indorf, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to this instrument and acknowledged to me that [he/she/they] executed the same in [his/her/their] capacity(ies), and that by [his/her/their] signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary

RAQUEL NIELL  
NOTARY PUBLIC STATE OF NEW YORK  
DUTCHESS COUNTY  
LIC. #01NI0010107  
COMM. EXP. 06/23/2027

**617.20**  
**Appendix B**  
**Short Environmental Assessment Form**

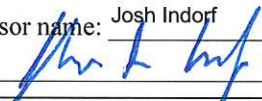
**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. 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.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>							
Jerrico Holdings, Inc							
Name of Action or Project: 32 Western Avenue							
Project Location (describe, and attach a location map): 32 Western Avenue, Marlborough, NY 12542							
Brief Description of Proposed Action: Renovate existing structure to create commercial space while maintain existing residential unit.							
Name of Applicant or Sponsor: Jerrico Holdings, Inc.		Telephone: 914-906-6811					
		E-Mail: josh@jerricoinc.com					
Address: 1042 Main Street							
City/PO: Fishkill		State: NY	Zip Code: 12524				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><b>NO</b></td> <td style="text-align: center;"><b>YES</b></td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>	<b>NO</b>	<b>YES</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>NO</b>	<b>YES</b>						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: Town of Marlborough ZBA variance and building permit			<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="text-align: center;"><b>NO</b></td> <td style="text-align: center;"><b>YES</b></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> </tr> </table>	<b>NO</b>	<b>YES</b>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>NO</b>	<b>YES</b>						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		.11 acres					
b. Total acreage to be physically disturbed?		.02 acres					
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0 acres					
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES			
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?			
If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b> Applicant/sponsor name: Josh Indorf Date: 9/26/24 Signature: 		

**Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2.** Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3.** For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
<div> <div>Name of Lead Agency</div> <div>Date</div> </div>	
<div> <div>Print or Type Name of Responsible Officer in Lead Agency</div> <div>Title of Responsible Officer</div> </div>	
<div> <div>Signature of Responsible Officer in Lead Agency</div> <div>Signature of Preparer (if different from Responsible Officer)</div> </div>	

**PRINT**

Jerrico Holdings, Inc.  
1042 Main Street  
Fishkill, N.Y. 12524

October 1, 2024

Zoning Board of Appeals  
Town of Marlborough  
21 Milton Turnpike  
Milton, N.Y. 12547

Dear Members of the Board:

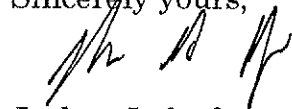
The property at 32 Western Avenue is located in a C-1 District. It was built in 1954 and is listed as a 1 Family Residence in the Marlborough land records. The one-story structure had been used as a single-family home until the previous owner passed away when we purchased it from the owner's estate. We wish to maintain one story as single-family residence with one story of commercial, retail space. We are requesting an Area Variance to allow the commercial space at the first floor and the residential use at the basement level which is at grade at the rear of the property. Town Code, Section 155-12-D(2)(e) allows for residential space above first story commercial space but that would not work for this property.

We will maintain the building footprint but will do a full renovation of the structure which sat empty for some time. The renovation costs and cost of purchasing the property will require two rental incomes to make the project viable. The site can accommodate 3 parking spots, one in the garage and 2 next to the garage where 4 are required. There is room to squeeze a fourth car but there is a municipal lot less than 100 feet away from the property.

We respectfully ask these variances are granted. The variances requested are not substantial and no undesirable change in the neighborhood will result from granting these variances. The variances will not have an adverse effect on physical or environmental considerations in the neighborhood. The difficulty was not self-created, and dates from the time of the building's construction.

Thank you for your consideration.

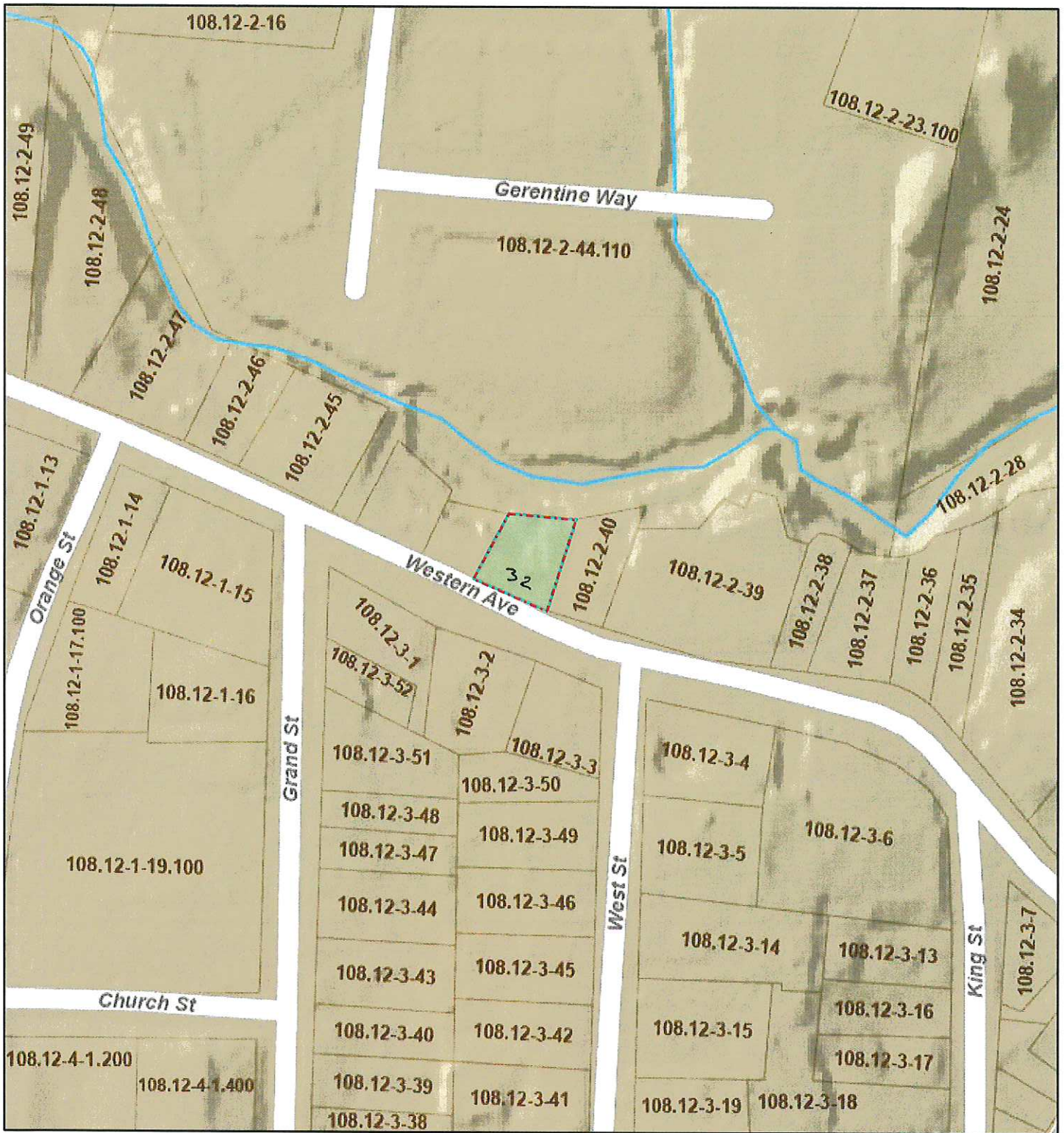
Sincerely yours,

A handwritten signature in black ink, appearing to read 'Joshua Indorf', written over the typed name.



Joshua Indorf  
Jerrico Holdings, Inc.

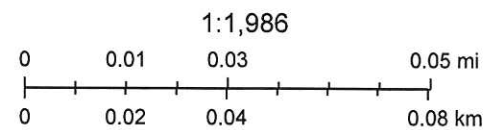


# Ulster County Parcel Viewer



October 1, 2024

-  Override 1
-  Override 1



32 Western Avenue

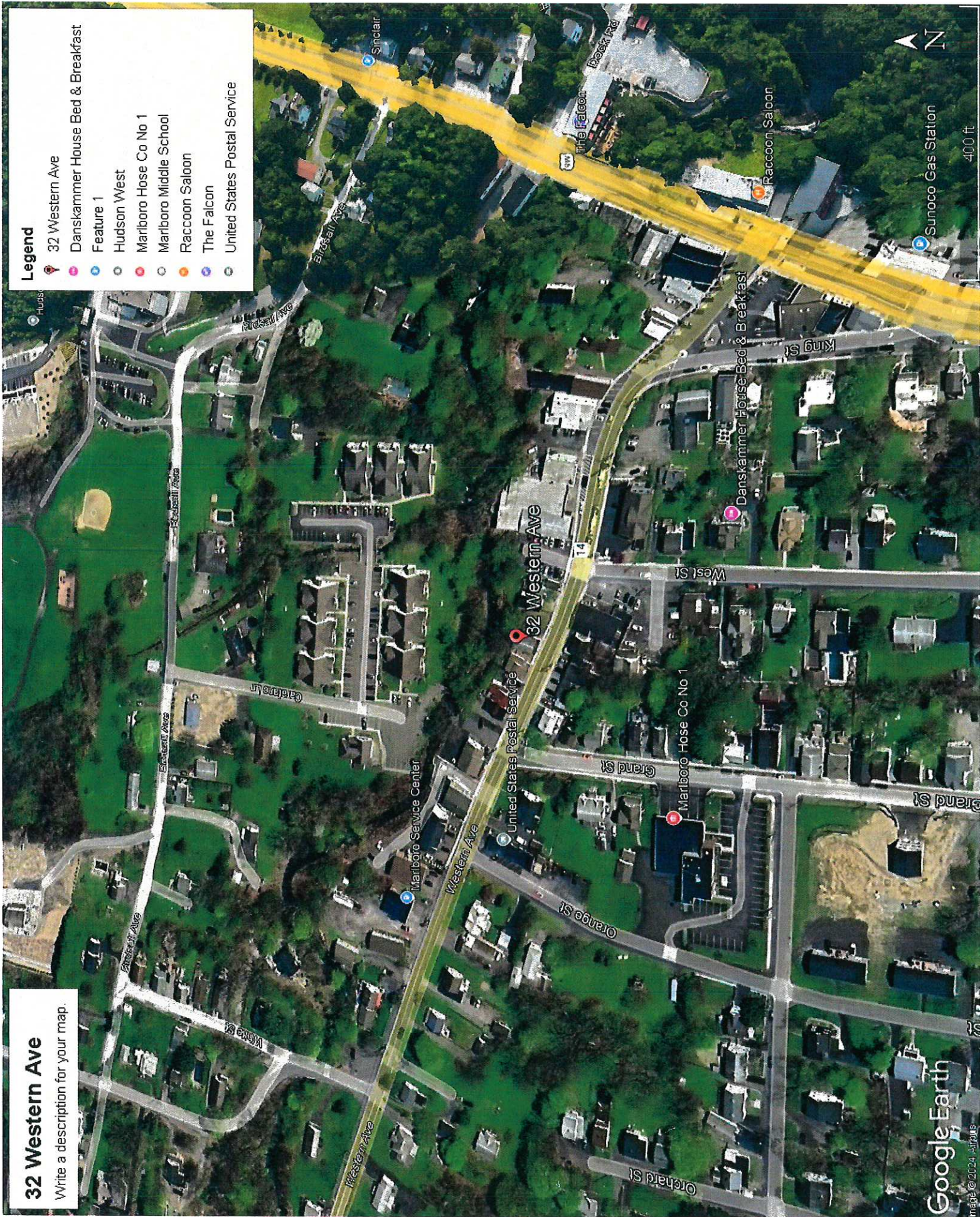


## 32 Western Ave

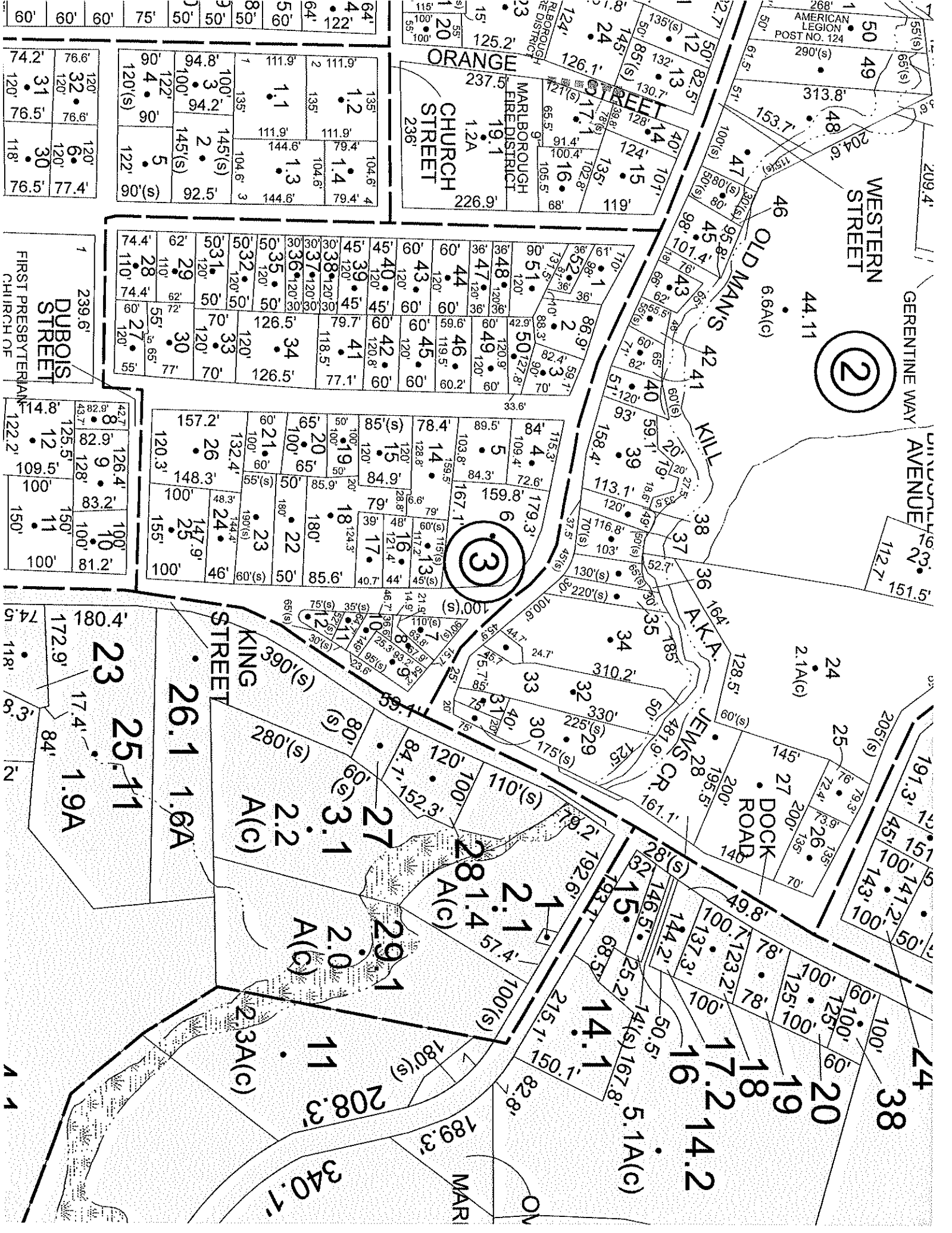
Write a description for your map.

### Legend

- 32 Western Ave
- Danskammer House Bed & Breakfast
- Feature 1
- Hudson West
- Marlboro Hose Co No 1
- Marlboro Middle School
- Raccoon Saloon
- The Falcon
- United States Postal Service







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26.1 1.6A

2.2 A(c)

3.1 A(c)

2.0 A(c)

11 208.3

2.3A(c)

2.1 281.4 A(c)

1.4 100(s)

14.1 14.1 14.1

15. 167.8 5.1A(c)

17.2 14.2

18 19

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2.1A(c)

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