

**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 01/17/25

NAME Nicolas Atkins

ADDRESS \_\_\_\_\_

TELEPHONE 347-517-7770 EMAIL nicolas.atkins@gmail.com

REQUEST (DESCRIBE IN DETAIL) \_\_\_\_\_  
Variance for existing rear yard setback and existing  
accessory (garage) building in existing front yard.

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**FOR OFFICE USE ONLY**

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

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

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

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

## 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

ONRA

DATE \_\_\_\_\_

1/17/2025

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

APPLICANT Nicolas Atkins PHONE # 347-517-7770  
ADDRESS 62 King St. 3F New York, NY ZIP 10014  
LOCATION OF PROPERTY 6 Cubbard Drive  
ZONING DISTRICT R-AG-1 SECTION 103.3 BLOCK 1 LOT 14  
APPLICANT IS: OWNER X TENANT \_\_\_\_\_ OTHER \_\_\_\_\_  
ATTORNEY (IF REQUIRED) \_\_\_\_\_  
ADDRESS \_\_\_\_\_ PHONE # \_\_\_\_\_

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**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.

\_\_\_\_\_ 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? 2.65 acres

3. IS THE PROPERTY PRESENTLY IMPROVED WITH PERMANENT STRUCTURES? yes  
NUMBER OF DWELLINGS one residence NON-DWELLINGS (GARAGES, SHEDS) barn and garage

4. DOES THE EXISTING BUILDING HAVE A CERTIFICATE OF OCCUPANCY? don't know

5. ARE EXISTING STRUCTURES PRESENTLY OCCUPIED? yes, residence  
SEASONALLY? \_\_\_\_\_ YEAR-ROUND? ☒

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

7. WILL PREMISES BE OWNER OCCUPIED? yes

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:

☒ BOUNDARY OF ANY CITY, TOWN OR VILLAGE?

\_\_\_\_\_ BOUNDARY OF ANY EXISTING OR PROPOSED STATE OR COUNTY PARK OR OTHER RECREATION AREA?

☒ RIGHT-OF-WAY OF ANY EXISTING OR PROPOSED STATE OR COUNTY PARKWAY, THRUWAY, EXPRESSWAY, ROAD OR HIGHWAY?

\_\_\_\_\_ 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

☒ A VARIANCE TO THE ZONING ORDINANCE

11. NATURE OF REQUEST:

TOWN CODE SECTION: 155.14 TITLE: Lot regulations

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).

Pre-existing non-conforming rear yard setback and location of garage was not self-created.

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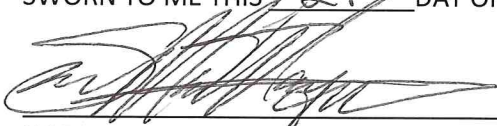
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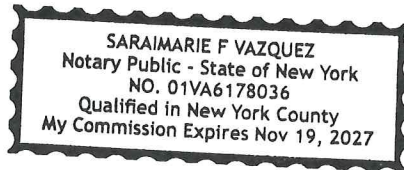
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STATE OF NEW YORK  
COUNTY OF New York

SWORN TO ME THIS 21 DAY OF February 2025

  
\_\_\_\_\_  
NOTARY PUBLIC SIGNATURE



  
\_\_\_\_\_  
SIGNATURE



# TOWN OF MARLBOROUGH

PO Box 305 Milton NY 12547

TELEPHONE NO. 795-2406 : FAX NO. 795-6171

## DEPARTMENT OF BUILDINGS

**THOMAS CORCORAN JR.**

BUILDING INSPECTOR

CODE ENFORCER

FIRE INSPECTOR

**Date: February 20, 2025**

**Re: Cubbard Drive, Marlboro, N.Y. 12542**

**Name : Nicholas Atkins**

XXX : The application must be presented to the Town of Marlborough Zoning Board because :

- 1) Does not meet lot width minimum
- 2) Accessory is located in front yard
- 3) Rear yard setback does not meet minimum requirement
- 4) Shed removal - accessory in front yard ( No variance - self created )

I have no problem with the barn becoming a 1 Family home once the property is legally subdivided but that property will need :

- 1) Building permit
- 2) Engineer stamped NYS plans for renovation / conversion to 1 Family home
- 3) Ulster County Board of health approval - letter to construct ( septic )
- 4) Proof of potable water ( Municipal water or private well dedicated to each property )
- 5) Engineering for the foundation ( meets NYS code for frost protection & structural integrity )

Any questions or concerns please do not hesitate to contact me.

Thank You.



*Thomas J. Corcoran Jr.*

*Building Inspector*

*Code Enforcement Officer*