

# Town of Marlborough Planning Board Application

**Application For:** (Check One)

**Subdivision** ☐ **Lot Line (3 plus lots)** ☒

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Application Number: \_\_\_\_\_

Date of Submission: 5/23/25 \_\_\_\_\_

Name of Project: **Orchards on Hudson** ☐

Location of Project: Dock Road @ Rt 9W and easterly toward the Hudson River ☐

Tax Section Block and Lot: Sec 109.1, Block 3; Lots 12, 14.2, 15, 16, 17.2, 18, 19 ☐

Zoning District: Residential (R) ☐

Number of Acres: 25.743 total ☐ Sq. Footage of Building: Vacant ☐

Description of Project **(include number of lots/units & bedrooms):** \_\_\_\_\_

106 unit (all 3-bedrooms) residential development to reside on Lot 1 of Lot Line Revision Plan

ron@leytonproperties.com  
EMAIL: \_\_\_\_\_

Name of Property Owner: SDL Marlboro LLC ☐

Address of Property Owner: 530 7th Avenue, Suite #2208 New York, NY 10018 ☐

Telephone Number of Property Owner: (212) 586-2432 ☐

Name of Applicant: Scott Leyton ☐

Address of Applicant: 530 7th Avenue, Suite #2208 New York, NY 10018 ☐

Telephone Number of Applicant: (212) 586-2432 ☐

Name of Surveyor: VHB Engineering, Surveying and Landscape Architecture, Geology, P.C. +

Address of Surveyor: 100 Motor Parkway, Suite 350 Hauppauge, NY 11788 +

Telephone Number of Surveyor: (631) 787-3400 +

Name of Engineer: Angelo Laino +

Address of Engineer: 100 Motor Parkway, Suite 350 Hauppauge, NY 11788 +

Telephone Number of Engineer (631) 787-3409 +

Name of Attorney: Mark W. Blanchard +

Address of Attorney: 235 Mamaroneck Avenue, Suite 401 White Plains, NY 10605 +

Telephone Number of Attorney: (914) 461-0280 +

Reason For Application:

Application in furtherance of Site Plan activities for Orchards on Hudson project. Lot line revision undertaken to secure ingress-egress for project to Route 9W as per DOT Conceptual Approval.

Description of Proposal:

Modifying lot lines of parcels adjacent to Route 9W to effect Site Plan design inclusive of ingress-egress to Route 9W. Route 9W adjacent parcels will be combined with one another and will absorb segments of larger eastern parcel. Large eastern parcels will also be combined and will absorb portions of Route 9W lots in order to secure ingress-egress site onto (from) Route 9W.

SDL Marlboro LLC

Applicant's Name

## CHECKLIST FOR MAJOR/MINOR SUBDIVISION, SITE PLAN and/or LOT LINE REVISION

I. The following items shall be submitted for a COMPLETED Planning Board Application Form.

1. ☒ Completed Application
2. ☒ Environmental Assessment Form (<https://www.dec.ny.gov/permits/6191.html>)
3. ☒ Letter of Agent Statement Note: The EAF prepared in connection with the project Site Plan Application has been modified to reflect the proposed Lot Line Revision and is included in this submission.
4. ☒ Application Fee (*Separate check from escrow fee*)
5. ☒ Escrow Fee (*Separate check from application fee*)
6. ☒ Copy of deed
7. ☒ Completed checklist (*Automatic rejection of application without checklist*)
8. N/A Agricultural Data Statement (*if applicable*)
9. ☒ Provide twelve (12) copies of this completed application, all maps, plans, reports and a PDF computer file on CD of all documentation submitted. Plan sets must be correlated packages.

II. The following checklist items shall be incorporated on the Subdivision Plat, Site Plan, or Lot Line Revision prior to consideration of being placed on the Planning Board Agenda. Non-Submittal of the checklist will result in application rejection.

1. ☒ Name and address of applicant
2. ☒ Name and address of owner (*if different*)
3. ☒ Subdivision name and location
4. ☒ Tax Map Data (*Section-Block-Lot*)
5. ☒ Location map at a scale of 1" = 2,000
6. ☒ Zoning table showing what is required in the particular zone and what applicant is proposing.
7. ☒ Show zoning boundary if any portion of proposed subdivision or site is within or adjacent to a different zone
8. ☒ Date of plat preparation and/or plat revisions
9. ☒ Scale the plat is drawn to (Max 1" = 100')
10. ☒ North Arrow

11. ☒ Surveyor's Certification
12. ☒ Surveyor's seal and signature  
Surveyor seal to be provided prior to approval of final map.
13. ☒ Name, SBL and acreage of adjoining owners
14. ☐ N/A NYSDEC Wetland and 100 foot buffer zone with an appropriate Certification block regarding DEC requirements.
15. ☐ N/A Flood plain boundaries
16. ☐ N/A Federal Wetland Boundary
17. ☒ Metes and bounds of all lots
18. ☒ Name and width of adjacent streets, include dedication parcels. The road boundary is to be a minimum of 25 feet from the centerline of the paved street.
19. ☒ Show existing or proposed easements (*note restrictions*)
20. ☒ Right of way width and Rights of Access and utility placement.
21. ☐ N/A Road profile and typical section including existing proposed grades, vertical curve data, utilities, drainage and other improvements.
22. ☒ Lot area acreage. For lots under 2 acres, list in square feet & acres.
23. ☒ Number of lots including residual lot.
24. ☐ N/A Show any existing waterways, wetlands, ponds, lakes, streams, drainage courses within 200 feet of parcel boundaries.
25. ☐ N/A A note stating a road maintenance agreement is to be filed in the County Clerk's Office for private roads.
26. ☒ Applicable note pertaining to owners review and concurrence.
27. ☒ Show any public improvements, i.e. drainage systems, water lines, sewer lines, etc.
28. ☒ Show all existing houses, accessory structures, wells and septic systems on and within 200 feet of the parcel to be subdivided.
29. ☐ N/A 2 Foot Contours
30. ☒ Indicate any reference to a previous subdivision, i.e., filed map number, data and previous lot number.

31.     N/A     If a private road, Town Board approval of name required, and notes on the plan that no Town services will be provided and a street sign (*per Town specs*) is to be furnished and installed.
32.     N/A     The amount of grading expected or known to be required to bring the site to readiness.
33.     N/A     Estimated or known cubic yards of material to be excavated.
34.     N/A     Estimated or known cubic yards of fill required.
35.     N/A     The amount of grading expected or known to be required to bring the site to readiness.
36.     N/A     Type and amount of site preparation which falls within the 100 foot buffer strip of wetlands and within the Critical Environmental Area. Please explain in square feet or cubic yards.
37.     N/A     Amount of site preparation within a 100-year flood plain or any water course on the site. Please explain in square feet or cubic yards.
38.     ☒     Planning Board approval block 4" x 2"
39.     ☒     Special district boundaries, agricultural, school, fire, water, sewer, etc.
40.     ☒     Sight distance of all intersections and driveways.
41.     N/A     Ridgeline and steep slope notation.
42.     N/A     Agricultural setbacks.
43.     ☐     After final approval is given by the Planning Board, the Building dept. needs to be contacted for further guidance.

The plat for the proposed subdivision, site plan, or lot line revision has been prepared in accordance with this checklist.



By: \_\_\_\_\_

Licensed Professional

5-22-25

Date

N/A

**Town of Marlborough  
Planning Board Legal Notices  
for Public Hearing**

***Procedure for Legal Notices:***

1. The Town of Marlborough Planning Board will schedule Public Hearings during a regularly scheduled meeting after approval for the Public Hearing has been granted.
2. Applicants are required to obtain surrounding property owner names and addresses from the Ulster County Parcel viewer for 500 feet from the parcel. See <https://ulstercountyny.gov/maps/parcel-viewer/>.
3. Applicants are required to send a Public Notice Letter, obtained from the Town of Marlborough Planning Board Office, via Certified Mail to property owners no less than 10 days prior to Public Hearing.
4. The Town of Marlborough Planning Board Office will send notification to the Town's official newspaper.
5. All Certified Mail receipts, in addition to a copy of the Ulster County Parcel viewer's listing of names and addresses, must be submitted at the Public Hearing.
6. It is recommended (not required) an aerial be provided with the Mailing Notice showing the outline of the property at a reasonable scale for residents to understand the location of the subject application. See <https://ulstercountyny.gov/maps/parcel-viewer/>.

**Any questions regarding procedures should be directed to The Town of Marlborough Planning Board Office.**

**Phone: 845-795-6167**

**Email: [marlboroughplanning@marlboroughny.us](mailto:marlboroughplanning@marlboroughny.us)**

# 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: grand parents, parents, spouse, significant other, children, grand children, 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, Scott Leyton, residing at 201 W 70<sup>th</sup> Street NY NY, make the following statements about interests in the real property which is the subject of this application, petition or request for a Lot Line Adjustment, before the Planning Board of The Town of Marlborough.

**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 a 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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**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) 795-2220.**

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

Signed:  \_\_\_\_\_

Date: 5/21/2025

**ACKNOWLEDGMENT**

State of New York  
County of:

On May 21, 2025, before me personally appeared Scott Leyker, 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  
Oliver Brown  
Notary Public, State of New York  
Reg. No. 01BR6440876  
Qualified in New York County  
Commission Expires 09/19/26

## **PLANNING BOARD FEES**

**(ALL APPLICATIONS Subject to Escrow Fees)**

Please make checks payable to: Town of Marlborough

### **Application Fees:** ✓

Residential Subdivision – Single Family or Town House	\$1,000.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$1,000.00, plus \$100.00 per Unit
Commercial Subdivision	\$1,000.00, plus \$200.00 per Lot or Unit
Commercial Site Plan	\$2,000.00, plus \$10.00 per 1,000 Sf of Bldg.
Minor Site Plan (Short Term Rental, Home Occupation, Bed & Breakfast)	\$500.00
*For Minor Site Plans contact the Building Department for safety inspection, permit and other applicable fees*	
All other Site Plans Reviews	\$1,000.00
Simple 2 Lot Line Revision	\$1,000.00 ✓
Recreation Fees (Residential Subdivision & Site Plans-Excludes parent parcel)	\$2,000.00 per Lot or Unit
Recreation Fees Adult Multiple Dwelling Affordable Housing (50 and over)	\$ 500.00 per Unit

✓ **Escrow Fees:** (Escrow is to cover the cost of the attorney, engineer, stenographer and any additional consultants needed.  
Escrow is to be replenished to 75% of the original escrow when level drops to 25% remaining in account.)

Residential Subdivision – Single Family or Town House	\$2,500.00, plus \$150.00 per Lot or Unit
Residential Site Plan – Multi Family Apartments or Condos	\$2,500.00, plus \$100.00 per Unit
Commercial Subdivision	\$2,500.00 per lot (up to 4 lots) \$200.00 Per Lot Thereafter
Commercial Site Plan	\$3,000.00 Minimum
Minor Site Plan (Short Term Rental, Home Occupation, Bed & Breakfast)	\$1,500.00 Minimum
*For Minor Site Plans contact the Building Department for safety inspection, permit and other applicable fees*	
All other Site Plans Reviews	\$2,000.00 Minimum ✓
Simple 2 Lot Line Revision	\$2,000.00 Minimum
Preliminary Conceptual Site Plan	\$500.00

### **Engineer Inspection Fees (All Town Roads Installation Inspections)**

Improvements as approved by Town Engineer 5% of the Estimated cost to construct

## Disclaimer

The applicant is advised that the Town of Marlborough Town Code, which contains the Town's Zoning Regulations, is subject to amendment. Submission of an application to the Planning Board does not grant the applicant any right to continued review under the code's current standards and requirements. It is possible that the applicant will be required to meet changed standards or new code requirements made while the application is pending.

An approval by the Planning Board does not constitute permission, nor grant any right to connect to or use municipal services such as sewer or water. It is the applicant's responsibility to apply for and obtain Town of Marlborough and other agency approvals not within this Board's authority to grant.

**AFTER FINAL APPROVAL IS GIVEN BY THE PLANNING BOARD, THE BUILDING DEPT. MUST BE CONTACTED FOR FURTHER GUIDANCE.**

The Town of Marlborough Town Board sets forth the schedule of fees for applications to the Planning Board. The signing of this application indicates your acknowledgment of responsibility for payment of these fees to the Planning Board for review of this application including, but not limited to, fees for professional services (Planners/Consultants, Engineers, Attorneys,) public hearings and site inspections. Applicant's submissions and re-submissions that are not complete will not be considered by the Planning Board or placed upon its agenda unless all outstanding fees have been paid.

The undersigned applies for subdivision, site plan, or lot line approval as described above under the rules and procedures of the Town of Marlborough, New York as duly authorized by the Town Board of Marlborough, New York.

The undersigned also acknowledges receipt of the "Disclaimer" above.

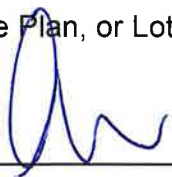
Applicant's Name(Print): SOL MARLBORO LLC (Scott Leyton)  
Applicant's Signature: [Signature] AS MANAGER  
Date: 5/21/2025

**\*\*Application will not be accepted if not signed and filled out completely\*\***

## Letter of Agent

I (We), Scott Leyton am (are) the owner(s) of a parcel of land located on Dock Road in the Town of Marlborough, Tax Map Designation: Section 109.1 Block 3 Lot 12, 14, 2, 15, 16, 17, 2, 18, 19

I (We) hereby authorize Mark Blanchard, Esq to act as my (our) agent to represent my (our) interest in applying to the Town of Marlborough Planning Board for a 106 Lot Subdivision, Site Plan, or Lot Line Revision Application. (circle one)

  
\_\_\_\_\_  
Signature

5/21/2025  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

State Of New York }  
County Of New York } SS:

On the 21<sup>st</sup> day of May in the year 2025 before me, the undersigned, a Notary Public in and for said State, personally appeared

Scott Leyton, 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 the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity, 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 Public

Oliver Brown  
Notary Public, State of New York  
Reg. No. 01BR6440876  
Qualified in New York County  
Commission Expires 09/19/26

**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. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
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 Planning Board or Commission <input type="checkbox"/> Yes <input type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
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 only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- 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 where the proposed action would be located? ☒ Yes ☐ No

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

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

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, or an adopted municipal farmland protection plan? ☒ Yes ☐ No

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? 24.97± 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? 25.74± 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)

Lot line adjustment to provide appropriate access to the multifamily residential development.

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

iii. Number of lots proposed? 2

iv. Minimum and maximum proposed lot sizes? Minimum 0.77± acres Maximum 24.97± acres

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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	106

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Total number of structures <u>1 (clubhouse)</u> ii. Dimensions (in feet) of largest proposed structure: <u>32±</u> height; <u>48±</u> width; and <u>86±</u> length iii. Approximate extent of building space to be heated or cooled: <u>4,100±</u> 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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Purpose of the impoundment: <u>Stormwater</u> ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input checked="" type="checkbox"/> Other specify: <u>Stormwater runoff</u> iii. If other than water, identify the type of impounded/contained liquids and their source. <u>N/A</u> iv. Approximate size of the proposed impoundment. Volume: <u>N/A</u> million gallons; surface area: <u>N/A</u> acres v. Dimensions of the proposed dam or impounding structure: <u>N/A</u> height; <u>N/A</u> length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): <u>Earth fill</u>	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> (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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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: \_\_\_\_\_

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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: \_\_\_\_\_ 38,478± 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: \_\_\_\_\_ 34,980± 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.

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site?</li> <li>• Will a line extension within an existing district be necessary to serve the project?</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____ _____</li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<i>iv.</i> Will a new wastewater (sewage) treatment district be formed to serve the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
<i>v.</i> 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): _____ _____	
<i>vi.</i> Describe any plans or designs to capture, recycle or reuse liquid waste: _____ <u>N/A</u>	
<i>e.</i> 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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <ul style="list-style-type: none"> <li><i>i.</i> How much impervious surface will the project create in relation to total size of project parcel?                    ____ Square feet or <u>6.95±</u> acres (impervious surface)                    ____ Square feet or <u>24.97±</u> acres (parcel size)</li> <li><i>ii.</i> Describe types of new point sources. <u>Roof drains, curbs</u></li> </ul>	
<i>iii.</i> 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)? <u>See Attachment.</u>	
<ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____ <u>N/A</u></li> <li>• Will stormwater runoff flow to adjacent properties? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></li> </ul>	
<i>iv.</i> Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
<i>f.</i> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, identify: <ul style="list-style-type: none"> <li><i>i.</i> Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li><i>ii.</i> Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li><i>iii.</i> Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
<i>g.</i> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: <ul style="list-style-type: none"> <li><i>i.</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) <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li><i>ii.</i> In addition to emissions as calculated in the application, the project will generate:               <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>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 _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____  <div style="text-align: center;">N/A</div></p> <p>iii. Parking spaces: Existing <u>0</u> Proposed <u>227±</u> Net increase/decrease <u>+ 227±</u></p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>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></p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="text-align: right;">N/A - residential use*</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ *</li> <li>• Saturday: _____ *</li> <li>• Sunday: _____ *</li> <li>• Holidays: _____ N/A</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <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> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ *</li> <li>• Saturday: _____ *</li> <li>• Sunday: _____ *</li> <li>• Holidays: _____ N/A</li> </ul>	<p>ii. During Operations:</p> <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>
<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ *</li> <li>• Saturday: _____ *</li> <li>• Sunday: _____ *</li> <li>• Holidays: _____ N/A</li> </ul>	<p>ii. During Operations:</p> <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.

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p style="margin-left: 20px;">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.</p> <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p style="margin-left: 20px;">Describe: _____</p>	
<p>n. Will the proposed action have outdoor lighting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p style="margin-left: 20px;">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</p> <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">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.</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p style="margin-left: 20px;">If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="text-align: right; margin-right: 20px;">N/A - residential use*</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s): _____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="text-align: right; margin-right: 20px;">N/A - residential use*</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>• Operation: _____</li> </ul>	

\* 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 Covertypes	Current Acreage *	Acreage After Project Completion *	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	0.73±	6.95±	+6.22±
• 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±	8.50±	+7.43±

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

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v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
<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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></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? _____ <b>12±</b> feet below grade surface (bgs)													
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %													
c. Predominant soil type(s) present on project site: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;">*</td> <td style="width: 40%; text-align: right;">* %</td> </tr> <tr> <td>*</td> <td style="text-align: right;">* %</td> </tr> <tr> <td>*</td> <td style="text-align: right;">* %</td> </tr> </table>		*	* %	*	* %	*	* %						
*	* %												
*	* %												
*	* %												
d. What is the average depth to the water table on the project site? Average: _____ <b>7±</b> feet bgs													
e. Drainage status of project site soils: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><input checked="" type="checkbox"/> Well Drained:</td> <td style="width: 40%; text-align: right;">39.8 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Moderately Well Drained:</td> <td style="text-align: right;">50.2 % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> Poorly Drained</td> <td style="text-align: right;">10.1 % of site</td> </tr> </table>		<input checked="" type="checkbox"/> Well Drained:	39.8 % of site	<input checked="" type="checkbox"/> Moderately Well Drained:	50.2 % of site	<input checked="" type="checkbox"/> Poorly Drained	10.1 % of site						
<input checked="" type="checkbox"/> Well Drained:	39.8 % of site												
<input checked="" type="checkbox"/> Moderately Well Drained:	50.2 % of site												
<input checked="" type="checkbox"/> Poorly Drained	10.1 % of site												
f. Approximate proportion of proposed action site with slopes: <table style="width: 100%; border: none;"> <tr> <td style="width: 60%;"><input checked="" type="checkbox"/> 0-10%:</td> <td style="width: 40%; text-align: right;">51± % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 10-15%:</td> <td style="text-align: right;">6± % of site</td> </tr> <tr> <td><input checked="" type="checkbox"/> 15% or greater:</td> <td style="text-align: right;">43± % of site</td> </tr> </table>		<input checked="" type="checkbox"/> 0-10%:	51± % of site	<input checked="" type="checkbox"/> 10-15%:	6± % of site	<input checked="" type="checkbox"/> 15% or greater:	43± % of site						
<input checked="" type="checkbox"/> 0-10%:	51± % of site												
<input checked="" type="checkbox"/> 10-15%:	6± % of site												
<input checked="" type="checkbox"/> 15% or greater:	43± % of site												
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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)? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No **</span>													
ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
If Yes to either <i>i</i> or <i>ii</i> , 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>													
iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <table style="width: 100%; border: none;"> <tr> <td style="width: 10%;">• Streams:</td> <td style="width: 40%;">Name _____</td> <td style="width: 50%;">Classification _____</td> </tr> <tr> <td>• Lakes or Ponds:</td> <td>Name _____</td> <td>Classification _____</td> </tr> <tr> <td>• Wetlands:</td> <td>Name _____</td> <td>Approximate Size _____</td> </tr> <tr> <td>• Wetland No. (if regulated by DEC)</td> <td colspan="2">_____</td> </tr> </table>		• Streams:	Name _____	Classification _____	• Lakes or Ponds:	Name _____	Classification _____	• Wetlands:	Name _____	Approximate Size _____	• Wetland No. (if regulated by DEC)	_____	
• Streams:	Name _____	Classification _____											
• Lakes or Ponds:	Name _____	Classification _____											
• Wetlands:	Name _____	Approximate Size _____											
• Wetland No. (if regulated by DEC)	_____												
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____													
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
j. Is the project site in the 100-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
k. Is the project site in the 500-year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>													
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes:													
i. Name of aquifer: _____													

\*CnB - Chenango gravelly silt loam, 3 to 8 percent slopes - 11.6%  
HgD - Hoosic gravelly loam, 5 to 25 percent slopes - 6.8%  
HSF - Hoosic soils, very steep - 42.8%  
ML - Made land - 0.6%

Ra - Raynham silt loam - 8.7%  
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.



<p>m. Identify the predominant wildlife species that occupy or use the project site:  <u>Typical suburban species (songbirds, squirrel, etc.) may be present on the overall site.</u></p>	<p>_____</p> <p>_____</p> <p>_____</p>
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No *</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No **</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

\*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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> 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? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No *</span>	
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> 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? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	

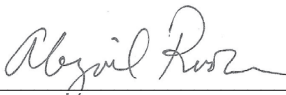
#### F. Additional Information

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 <u>SDL Marlboro, LLC</u>	Date <u>February 22, 2024</u>
	Revised May 22, 2025
Signature 	Title <u>Senior Environmental Planner</u>
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.

## Part 1 – Environmental Assessment Form

### Orchards at 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 24.97±-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 74 single-family townhomes and 32 cottages (106 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**

<b><u>Agency</u></b>	<b><u>Approval/Permit</u></b>
Town of Marlborough Planning Board	Special Use Permit; Site Plan Approval; LWRP Consistency Review; Lot Line Adjustment Approval
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.


## Site Location

Dock Road Multi-Family Development

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



Path: \\vhb.com\gbl\proj\WhitePlains\20578.01 LeytonProperty-Marlboro\Reports\Expanded EA\GIS\SiteZoningMap\SiteZoningMap.aprx (kroninella, 5/22/2025)

 Subject Property (boundaries are approximate)