

THE MEETING TONIGHT IS FOR THE CONDUCT OF TOWN BUSINESS BY THE TOWN BOARD. THE PUBLIC IS INVITED TO PARTICIPATE AT THE ITEMS MARKED ON THE AGENDA "PUBLIC COMMENT." DURING THAT SEGMENT OF THE MEETING, IF YOU HAVE A QUESTION OR COMMENT FOR THE SUPERVISOR, PLEASE RAISE YOUR HAND AND WAIT TO BE ACKNOWLEDGED. PLEASE STATE YOUR FULL NAME AND LIMIT YOUR REMARKS TO THREE MINUTES. THANK YOU FOR YOUR ANTICIPATED COOPERATION.

AGENDA
WORKSHOP MEETING
TOWN BOARD TOWN OF MARLBOROUGH
21 MILTON TURNPIKE, MILTON NY
AUGUST 25, 2025 7:00 PM

ITEM #1 Call to order - Pledge of Allegiance

ITEM #2 Moment of Silence

ITEM #3 Motion to approve agenda

ITEM #4 Motion to approve minutes from the August 11, 2025 Town Board meeting

ITEM #5 Authorize payments of bills-\$438,463.63

ITEM #6 Supervisor Updates

ITEM #7 Presentations

A). Chris Terrizzi-Mitchell Subdivision private road variance request

ITEM #8 Comments on the agenda

ITEM #9 Reports of Committees

ITEM #10 New Business

ITEM #11 Workshop topics

A). Open Board discussion

ITEM #12 Correspondence

ITEM #13 Public Comment

ITEM #14 Resolutions

A). Resolution # 74 To re-introduce a local law of the Town of Marlborough, Ulster County New York, amending various provisions of chapter 155 “zoning” of the code of the Town of Marlborough as follows: amending section 155-1 “terms defined”, adding an additional permitted accessory use to section 155-12(b) “r-1 residential district”, adding an additional permitted accessory use to section 155-12(c) “r-ag-1 rural agricultural district”, and adding a new section 155-32.6 “detached accessory dwelling units on single-family properties.”

B). Resolution # 75 To amend the Town of Marlborough Employee Handbook

ITEM # 15 Adjournment

August 25, 2025

A). Resolution # 74 To re-introduce a local law of the Town of Marlborough, Ulster County New York, amending various provisions of chapter 155 “zoning” of the code of the Town of Marlborough as follows: amending section 155-1 “terms defined”, adding an additional permitted accessory use to section 155-12(b) “r-1 residential district”, adding an additional permitted accessory use to section 155-12(c) “r-ag-1 rural agricultural district”, and adding a new section 155-32.6 “detached accessory dwelling units on single-family properties.”

Supervisor Corcoran proposes the following:

BE IT ENACTED by the Town Board of the Town of Marlborough that the Code of the Town of Marlborough (the “Code”) is amended as follows:

Section 1. Section 155-1 “Terms defined” of the Code is amended to add a definition under “DWELLING” as follows [deletions are stricken and additions are underscored]: E. DETACHED ACCESSORY. A detached accessory dwelling unit (ADU) is independently habitable and exists separately from the primary residence on a single lot. A detached ADU provides the basic requirements of shelter, heating, cooking, and sanitation, is subordinate to the primary residence in terms of size, location, and appearance, and has separate access from any other dwelling unit or use.

Section 2. Section 155-12(B) “R-1 Residential District” of the Code is amended as follows [deletions are stricken and additions are underscored]: (3) Permitted accessory uses shall be the same as in the R District, with additional permitted accessory uses as follows:

Section 3. Section 155-12(B) “R-1 Residential District” of the Code is amended to add an additional permitted accessory use as follows [deletions are stricken and additions are underscored]: (3)(a) Detached Accessory Dwelling Unit.

Section 4. Section 155-12(C) “R-Ag-1 Rural Agricultural District” of the Code is amended to add an additional permitted accessory use as follows [deletions are stricken and

additions are underscored]: (3)(g) ~~Other accessory uses and structures customarily appurtenant to a principal permitted use.~~ Detached Accessory Dwelling Unit.

Section 5. Section 155-12(C) “R-Ag-1 Rural Agricultural District” of the Code is amended as follows [deletions are stricken and additions are underscored]: (3)(h) ~~Other accessory uses and structures customarily appurtenant to a principal permitted use.~~

Section 6. Chapter 155 Article VI “Supplementary Regulations Governing Certain Uses” of the Town of Marlborough Code is amended to add a new Section 155-32.6 as follows:
155-32.6 Detached accessory dwelling units on single-family properties.

A. Purpose. The purpose of this section is to encourage the development of small dwelling units that are accessory and clearly subordinate to the principal dwelling and do not change the residential character of the neighborhood, in order to provide housing that responds to increasing housing costs, changing family needs, and smaller households, while supporting more efficient use of existing infrastructure and protecting and preserving property values.

B. Applicability. A detached accessory dwelling unit (ADU) shall be permitted as an accessory use to a single-family dwelling in R-1 and R-Ag-1 Districts within the Town. One (1) detached ADU shall be permitted with one (1) single-family home on a single lot. Where applicable, the establishment of an ADU shall not be deemed to be an expansion of a nonconforming use.

C. Creation. A detached ADU may be created through new construction or conversion of an existing structure.

D. Density. ADUs shall not be included in the calculation of permitted density.

E. Applications for applicable permits must meet the following criteria:

- 1) The Applicant must demonstrate that the ADU complies with all development and design standards of this section.
- 2) The Applicant must demonstrate that the proposed modifications comply with applicable buildings and fire safety codes.
- 3) The Applicant must provide certification by the Ulster County Department of Health that the water supply and sewage disposal facilities are adequate for the projected number of residents.

F. Occupancy and Use: The primary dwelling unit or the detached ADU must be the primary residence of the property owner.

- 1) Use and occupancy standards for an ADU shall be the same as those applicable to a primary dwelling on the same lot.

G. Design. If not addressed in this section, development standards in the underlying R-1 or R-Ag-1 zoning district apply. All ADUs must meet the following requirements:

- 1) The lot containing the detached ADU must contain the minimum acreage for the zoning district as set forth in Town §155 - Attachment 2, Schedule I, Lot, Yard and Height Regulations.
- 2) The detached ADU must be self-contained with cooking, sleeping, water, and sanitary facilities for use by the occupants separate from the principal dwelling unit.
- 3) The detached ADU shall have a maximum of two bedrooms.
- 4) The detached ADU shall contain no more than 900 square feet of gross floor area and no less than 400 square feet of gross floor area. Area shall be measured from the center line of the interior wall. The 900 square foot maximum may be adjusted

via variance granted by the Zoning Board of Appeals to reasonably accommodate the existing lot shape or structure being converted to the ADU.

- 5) The building coverage of the ADU may not be larger than the building coverage of the primary dwelling.
- 6) Ingress and egress. Detached accessory dwelling units shall have only one exterior front entrance. All other exterior entrances shall be located at the side or rear of the building.

H. Prohibitions. The following prohibitions shall apply to all detached ADU applications:

- 1) No on-street parking shall be permitted.
- 2) No detached ADU is permitted on parcels containing two-family or multi-family dwelling units.
- 3) No detached ADU is permitted on parcels being utilized for commercial or industrial purposes.
- 4) No detached ADU is permitted on vacant property or property which does not contain a principal residential unit.
- 5) The detached ADU may not be used for Short Term Rentals under §155-32.3 or Bed-and-Breakfasts under §155-32.4 of this chapter.
- 6) No detached ADU may be partitioned off, sold, or separated from the lot which contains the principal dwelling unit unless the subdivided lots are both in conformance with the minimum acreage and setback requirements of the underlying zoning district.

I. Administration and Enforcement. The Code Enforcement Officer shall administer and enforce the provisions of this chapter.

- 1) No building shall be occupied until a certificate of occupancy has been issued by the Code Enforcement Officer where required. Prior to the issuance of a certificate of occupancy, the Code Enforcement Officer shall conduct a site visit to verify that the ADU and parcel are in compliance with this chapter.
- 2) The Code Enforcement Officer shall deny any permit which would result in a violation of any provision of this chapter or a violation of the conditions or terms of any variance granted by the Zoning Board of Appeals.
- 3) The Code Enforcement Officer shall issue a cease-and-desist order on any work in progress or on the use of any premises, either of which are in violation of the provisions of this chapter.

Section 7. If any of the sections of this local law shall be held unconstitutional, invalid, or ineffective, in whole or in part, such determination shall not be deemed to affect, impair, or invalidate the remainder of this law.

Section 8. Pursuant to Section 22 of Municipal Home Rule Law of the State of New York, this local law shall modify and supersede any provisions of state statute which are inconsistent with the terms of this local law.

Section 9. This local law shall be effective upon filing with the Secretary of State.

WHEREAS, the Town Board introduced the first iteration of this Local Law at its regular August 11, 2025 meeting; and

WHEREAS, after further review, the Local Law was revised to correct a minor typographical error and acknowledge the Town of Marlborough Code provision requiring referral to the Marlborough Planning Board; and

WHEREAS, at the August 11, 2025 meeting, the Town Board determined that the action to amend the Town of Marlborough Zoning Law is a Type I Action under the New York State Environmental Quality Review Act (SEQRA); and.

WHEREAS, because only the Town Board can consider and adopt changes to the Town Code, it is the only involved agency, and the Board declared that it is the Lead Agency for purposes of coordinating the environmental review of this matter pursuant to Article 8 of the Environmental Conservation Law; and

WHEREAS, the Board duly noticed a Public Hearing to be held at the normal September 8, 2025 meeting at which those who wish to be heard on the Local Law may be heard.

NOW THEREFORE BE IT RESOLVED THAT, the Town Board directs the Clerk to refer the Local Law to the Ulster County Planning Board for review and recommendation pursuant to General Municipal Law § 239-m.

BE IT FURTHER RESOLVED THAT, the Town Board refers this matter to the Town of Marlborough Planning Board for comment pursuant to Town Code § 155-49.

BE IT FURTHER RESOLVED THAT, the Public Hearing scheduled to be held on September 8, 2025 will be held on the revised text as contained herein at the time and place previously noticed.

The foregoing resolution was duly put to a vote which resulted as follows:

Supervisor Corcoran	_____
Councilman Molinelli	_____
Councilman Cauchi	_____
Councilman Zambito	_____
Councilwoman Sessa	_____

DATED: Milton, New York
August 25, 2025

COLLEEN CORCORAN, TOWN CLERK

August 25, 2025

B). Resolution # 75 To amend the Town of Marlborough Employee Handbook

Supervisor Corcoran proposes the following:

Whereas, the Town Board of the Town of Marlborough adopted the Town of Marlborough Employee Handbook by resolution on June 25, 2012, and

Whereas the Town Board wishes to amend the employee handbook to replace 325 Health Insurance Premiums for Retires with the attached:

And moves for its adoption

Councilmember Molinelli	_____
Councilmember Sessa	_____
Councilmember Cauchi	_____
Councilmember Zambito	_____
Supervisor Corcoran	_____