

GENERAL CODE PUBLISHERS, CORP.

72 Hinchey Road

Rochester, NY 14624

Telephone: 800-836-8834

www.generalcode.com

e-mail electronic legislation to: ezsupp@generalcode.com

LEGISLATION INFORMATION AND HISTORY

(for use with Local Laws, Ordinances, Bylaws, general and permanent Resolutions)

Name of Municipality: Town of Marlborough

Type of enactment (ord., res., bylaw, local law): Local Law

Number: 4

Short Title: Amending the zoning map of the Town of Marlborough to change the zoning district designation of tax parcel numbers 109.1-3-13/109.1-3-14/109.1-3-15/108.4-3-29.101 from their existing designation to the R district.

Relationship to Code:

Amends Chapter No. 155 "zoning" § Nos.
Repeals Chapter No. § Nos.
Adds Chapter No. § Nos.

Table with 3 columns: Action, Date of Action, Page Number in Minutes. Rows include Introduction (June 12th 2023, pg. 371), Publication (June 14th 2023), Public Hearing (June 26th 2023, pg. 399), Adoption (July 24th 2023, pg. 405), Publish Notice of Adoption (July 26th 2023), Signed by Mayor or Exec. (July 25th 2023), Signed by Clerk or Sec'y (July 25th 2023), Filed with State (Sec'y. of St., Atty. Gen., DOT) (Aug 1st 2023).

Copy sent to General Code Publishers Date Aug 21st 2023

(see other side for Veto and Referenda information)

NOTE: A copy of this form may be made and placed with the Clerk's or Secretary's file copy of legislation at the time of introduction. The legislative history can then be compiled as the legislation passes through the required procedures. A copy of the form should be sent with the legislation to General Code Publishers for them to keep with your code files, the original being retained as a record in the Clerk's or Secretary's files.

July 24, 2023

A). Resolution # 75 To Adopt a Local Law of the year 2023 A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF MARLBOROUGH TO CHANGE THE ZONING DISTRICT DESIGNATION OF TAX PARCEL NUMBERS 109.1-3-13; 109.1-3-14.200; 109.1-3-15; 108.4-3-29.10 FROM THEIR EXISTING DESIGNATION TO THE R DISTRICT.

Supervisor Corcoran proposes the following:

WHEREAS, a local law was introduced to be known as Local Law No. 4 of 2023, entitled A LOCAL LAW AMENDING THE ZONING MAP OF THE TOWN OF MARLBOROUGH TO CHANGE THE ZONING DISTRICT DESIGNATION OF TAX PARCEL NUMBERS 109.1-3-13; 109.1-3-14.200; 109.1-3-15; 108.4-3-29.10 FROM THEIR EXISTING DESIGNATION TO THE R DISTRICT.

WHEREAS, a public hearing in relation to said local law was held on June 26, 2023 and left open for comments until July 24, 2023, at 7:00 p.m., prevailing time; and

WHEREAS, notice of said public hearing was given pursuant to the terms and provisions of the Municipal Home Rule Law of the State of New York; and

WHEREAS, said local law has been on the desks of the members of the Town Board of the Town of Marlborough for at least seven (7) days, exclusive of Sunday;

WHEREAS, the local law involves the rezoning of certain property located in the Marlboro Hamlet within the Route 9W corridor to establish a uniform zoning of the aforementioned parcels from the R-1 and I Districts to the R District; and

WHEREAS, the proposed rezoning of the Property will allow further development of the parcels; and

WHEREAS, any such further development of the Property would require site plan approval and, if applicable, a special use permit from the Planning Board and, which as a condition of approval(s), could impose measures to insure that the effects of traffic, lighting, noise, dust are mitigated and the impacts on neighboring uses are reduced and the site is developed in a manner which is consistent with the surrounding uses and sensitive to the existing neighborhood; and

WHEREAS, these amendments are consistent with the goals, objectives and recommendation of the Town of Marlborough Comprehensive Plan; and

WHEREAS, on or about April 24, 2023, the Town Board declared its intent to Act as Lead Agency and referred the petition to the Town of Marlborough Planning Board (Planning Board) in accordance with Town Code Section 155-49; and

WHEREAS, the Town Board received a response from the Town of Marlborough Planning Board dated May 24, 2023 recommending the approval of the Zoning Map Amendment, and

WHEREAS, on or about June 13, 2023, the Town Board referred the petition to the Ulster County Planning Board in accordance with General Municipal Law 239-m; and

NOW, THEREFORE, BE IT RESOLVED that the following local law is hereby enacted:

Section 1. The Zoning Map of the Town of Marlborough established within Section 155-8 of the Town Code is amended to change the district designation of Tax Parcels 109.1-3-13; 109.1-3-14.200; 109.1-3-15; 108.4-3-29.10 (the "Property") from its current zoning district designation to R (Residential) District.

Section 2. If any section 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 3. This local law shall be effective upon filing with the Secretary of State in accordance with the Municipal Home Rule Law.

RESOLVED that the Town Clerk shall file a certified original of this local law in the office of the Town Clerk and one (1) certified copy in the Office of the Secretary of State, State of New York, such certified copy to have attached thereto a certificate that it contains the correct text of the enactment of this local law.

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

Supervisor Corcoran	Yes
Councilman Molinelli	Absent
Councilman Cauchi	Yes
Councilwoman Sessa	Absent
Councilman Zambito	Yes

DATED: Milton, New York
July 24, 2023


COLLEEN CORCORAN, TOWN CLERK