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Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

TOWN OF MARBLETOWN  
LOCAL LAW NO. 1 OF 2024  
A LOCAL LAW TO AMEND THE ZONING LAW

BE IT ENACTED by the Town Board of the Town of Marbletown as follows:

**Section 1. Legislative purpose and intent.**

It is the intent and purpose of this Local Law to amend the Town of Marbletown Zoning Map, previously enacted and adopted pursuant to Section 200-5 of the Town Code of the Town of Marbletown. The effect of the amendment of the Zoning Map is to change the zoning district classification of the Property described herein.

**Section 2. Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law, which can be given effect without such part or parts.

**Section 3. Legislative Findings**

**THE PROPERTY**

1. The Town of Marbletown is the owner of certain real property situated within the Town of Marbletown located at 535 North Marbletown Road and bearing Tax Assessment Map designation SBL 62.1-3-6 (the "Property"). The existing zoning of the Property on the Zoning Map of the Town of Marbletown ("Zoning Map") is R-1 Residence District. The Property consists of the former Marbletown Fire District's firehouse, which is a vacant building that housed the District's fire engines and equipment and the Property includes a parking area for maneuvering such engines and equipment. Government Offices are a permitted use in the R-1 District. Access to a public highway from the Property is limited to North Marbletown Road.

2. The Town Board in January of 2023 dissolved the Marbletown Fire District and thereafter declared the Property surplus. The Property adjoins the B-2 Highway Business Zoning District to the North on North Marbletown Road and to the Northeast across US Route 209.
3. A total of 15 parcels of land in North Marbletown are located within the B-2 Zoning District comprising a total of 109.28 acres. The B-2 Zoning District in the hamlet of North Marbletown consists of a variety of residential and non-residential uses including professional offices, a restaurant, a billboard, an auto repair shop, a mulch/landscaping business and vacant parcels. The former Fire District use occupying the Property (Government Offices) is permitted in both the B-2 and R-1 Zoning districts.
4. The Property is 0.65 acres in size, 100 % of which is presently developed with a structure, a well, a septic system, and parking. The Property was developed with the Fire District's building in 1946, and was used until 2022 for emergency services to the Town's residents. The former Fire District building on the property is of mixed block construction and is 2,481 square feet in size. Its original construction for the Fire District's emergency fire equipment needs makes it generally unsuitable for residential purposes.

#### CONSISTENCY WITH TOWN COMPREHENSIVE PLAN

5. The purpose of the Zoning Map amendment is to enable a wider range of uses in the hamlet of North Marbletown, identified in the Town Comprehensive Plan as a location suitable for a diversification of uses including additional businesses to realize the Town Comprehensive Plan's goals to: a) encourage business and service uses in the existing hamlets, including North Marbletown (see Town Comprehensive Plan page 18); b) strengthen existing commercial hamlets and enhance their character (see Town Comprehensive Plan page 19); c) permit small-scale commercial development where resources are available to support an increase in development and accommodate anticipated traffic flows (see Town Comprehensive Plan page 19); and d) encourage intensification of development in North Marbletown, consistent with contemporary health standards for sewage disposal and water supply systems and design guidelines as well as protection of natural resources (see Town Comprehensive Plan page 24).
6. The Zoning Map amendments are designed to create a high quality mixed-use hamlet environment where existing residential, commercial, and service uses should continue and should be strengthened (see Town Comprehensive Plan page 24). The goal of the Zoning Map amendment is to allow an adaptive reuse of the former fire house building on the Property, by providing a range of non-residential or mixed residential and non-residential uses compatible with the existing variety of non-residential and residential uses adjoining or in close proximity to the site.

## **AMENDMENT TO ZONING MAP**

As of the effective date of this Local Law as stated herein, the Zoning Map of the Town of Marbletown shall be, and hereby is, amended to change the zoning classification of the Property so described as 535 North Marbletown Road, Town of Marbletown, County of Ulster, State of New York, designated as Section 62.1, Block 3, Lot 6 on the Tax Map of the Town of Marbletown, from R-1 Residence District to B-2 Highway Business District.

### **Section 4. Construction with Regard to Other Laws.**

Except as specifically stated herein, this local law shall not be construed as superseding, limiting, changing or suspending any other law, ordinance, rule or regulation of land use or construction within the Town of Marbletown.

### **Section 5. Effective Date.**

This Local Law shall take effect immediately upon filing in the office of the Secretary of State of New York as provided by law.