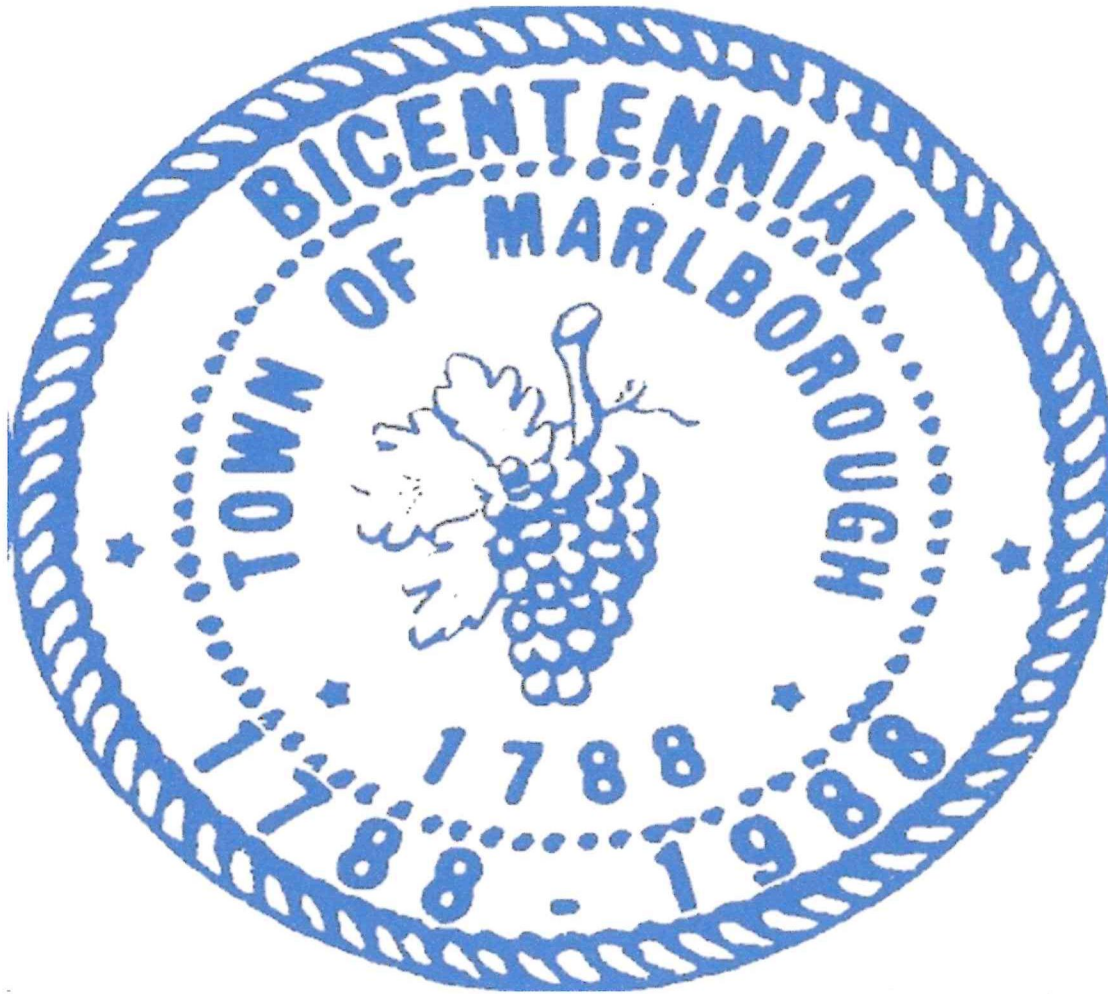


TOWN OF MARLBOROUGH

Accessory Detached Dwelling Unit (ADU) Building Permit

21 MILTON TURNPIKE MILTON NY 12547

(845) 795-2406 Extension #7



THOMAS CORCORAN JR

Building Inspector

Code Enforcement Officer

Fire Inspector

tcorcoran@marlboroughny.us

PENNY CASHMAN

Building Department Secretary

pcashman@marlboroughny.us

MATT DRAKE

Code Enforcement Officer

mdrake@marlboroughny.us

TOWN OF MARLBOROUGH
Accessory Detached Dwelling Unit (ADU) BUILDING PERMIT APPLICATION

Date _____

Owner: _____ Phone: () _____
Address: _____ Cell: () _____
Email: _____

Builder: _____ Phone: () _____
Address: _____ Cell: () _____
Email: _____

Ulster County Licensed Electrician: _____

Tax Map: Section _____ Block _____ Lot _____

Address of Building Permit: _____

Nature of Work: _____

Name of Architect / Engineer: _____

Address: _____

NEW CONSTRUCTION *EXISTING STRUCTURE (Circle One)

*Is a Zoning Board variance needed? YES NO (Circle One)

BASEMENT: Slab Crawl Space (Circle One)

GARAGE: Under Side None (Circle One) 1 car 2 Car 3 Car (Circle One)

FOUNDATION: Concrete Block Piers Other _____ (Circle One)

ROOFING: Asphalt Metal Tile Wood Other _____ (Circle One)

EXTERIOR WALLS: Wood Concrete Brick Other _____ (Circle One)

PORCHES & DECKS: Front _____ Rear _____ Side _____

HEAT: Oil Gas (Propane / Natural) Electric Solar Other _____ (Circle One)

WATER: Public Private **SEWER:** Public Private (Circle One Each)

ESTIMATED COST: \$ _____

DIMENSIONS: Length _____ Width _____ Height _____

* Maximum Habitable Square Footage is 900 Square Feet

NUMBER OF: Bedrooms: _____ Bathrooms _____ Kitchens _____

* Maximum Number of Bedrooms is (2) Two

SQUARE FOOTAGE: _____ **NUMBER OF STORIES:** _____

* Maximum Habitable Square Footage is 900 square Feet

Town of Marborough

Accessory Detached Dwelling Unit Building Permit

***THIS BUILDING PERMIT APPLICATION PERTAINS ONLY TO THE CONSTRUCTION
BEING PERFORMED AT THIS TIME***

PLEASE INCLUDE THE FOLLOWING WITH THIS APPLICATION

1. COPY OF DEED (PROOF OF OWNERSHIP)
2. COPY OF CURRENT TAX BILL (PROPERTY OR SCHOOL)
3. TWO COPIES OF CONSTRUCTION PLANS (ENGINEER STAMPED)
4. COMPLETED AND SIGNED APPLICATION
5. PROOF OF INSURANCE (LIABILITY & WORKERS COMPENSATION) WITH THE TOWN OF MARLBOROUGH LISTED AS THE ADDITIONAL INSURED / POLICY HOLDER
6. WATER AND SEWER PERMIT (ULSTER COUNTY BOARD OF HEALTH)
7. STORM WATER PREVENTION PLAN (SWPPP)
8. CURRENT SURVEY OR PLOT PLAN
9. HIGHWAY ROAD CUT PERMIT (TOWN, COUNTY OR STATE)

**** THIS APPLICATION MUST BE COMPLETED IN FULL. IT IS NOT OUR RESPONSIBILITY TO FILL IN ANY BLANKS. ANY QUESTIONS PLEASE CONTACT OUR OFFICE.***

FAILURE TO COMPLETE APPLICATION IN FULL WILL DELAY PROCESSING

Building permits are issued for one year with the optional renewal of up to two 6 month extensions. The extension fee will be \$200.00 plus half the cost of the original permit.

At completion, and prior to the issuance of a Certificate of Occupancy, there will be a Certificate fee.

PLEASE NOTE THE FOLLOWING

The applicant shall notify the building department of any and all changes in the information contained in the application during the period for which the permit is in effect. A permit will be issued when the application has been determined to be complete and when the proposed work is determined to conform to the requirements of the building residential code of New York State. The authority conferred by such permit may be limited by conditions.

The building permit may be suspended or revoked if it is determined that the work to which it pertains is not proceeding in conformance with the building and residential code of New York State or with and condition attached to such permit, or if there has been a misrepresentation or falsification of a material fact in connection with the application for the permit.

Upon approval of this application, the building inspector will issue a building permit to the applicant, such permit and approval plans and specifications shall be kept on the premises and available for inspection throughout the process of the work.

TOWN OF MARLBOROUGH
Accessory Detached Dwelling Unit (ADU) BUILDING PERMIT
PLOT PLAN

SECTION _____ BLOCK _____ LOT _____

Address : _____

SHOW THE FOLLOWING ON THE PLOT PLAN :

** THE OUTSIDE LINES ARE THE PROPERTY LINES*

- 1) Show ALL the buildings on the property - especially the principal home
- 2) Show the **new construction** on the property and **ALL** setbacks (distance in feet from the property lines)
- 3) Show ALL roads and driveways
- 4) Show septic leech field and well

Applicants Signature _____

*** This application must meet the Code of the Town of Marlborough**

Section 155 - Schedule 1 - Lot, Yard and Height Regulations

TOWN OF MARLBOROUGH
Accessory Detached Dwelling Unit (ADU) Building Permit
21 Milton Turnpike Milton , N.Y. 12547
(845) 795-2406 Ext. # 7

MEMORANDUM OF UNDERSTANDING

1. Prior to application for Certificate of Occupancy, I understand I will have to submit a Certified Survey “ **AS BUILT** “ stamped by a New York State licensed Land Surveyor, Licensed professional Engineer or Registered Architect.
On that survey I will plot the home , all decks and porches, (with all setbacks) including the well and septic tank with fields.
2. I understand and acknowledge that the State and Local Laws prohibit
“ **ANY TYPE OF OCCUPANCY** “ without a Certificate being issued by the town.
3. I have read and understand the instructions on the Building permit application.

Applicants Name _____ Date _____

Applicants Signature _____

Owners Name _____

Site Location _____

Telephone : Home _____ Work _____ Cell _____

Section _____ Block _____ Lot _____

FOR BUILDING DEPARTMENTS USE ONLY

Type of Inspections :

- 1. SETBACKS & FOOTING BEFORE POURING**
- 2. FOUNDATION WALLS**
- 3. SLAB BEFORE POURING**
- 4. PERIMETER DRAINS**
- 5. FRAMING**
- 6. ELECTRIC BEFORE ENCLOSING**
- 7. PLUMBING BEFORE ENCLOSING & TEST SYSTEM**
- 8. FIRE BLOCKING / AIR INFILTRATION BEFORE INSULATION**
- 9. INSULATION BEFORE ENCLOSING**
- 10. CHIMNEY & WOOD STOVE**
- 11. HEATING APPARATUS**
- 12. WATER / SEWER FINAL**
- 13. ENERGY CODE CERTIFICATION**
- 14. FINAL ELECTRIC**
- 15. CERTIFIED “ AS BUILT “**
- 16. 911 ADDRESS NUMBERS**
- 17. GAS CERTIFICATION**
- 18. WATER TEST**
- 19. EFFICIENCY CERTIFICATE POSTED**
- 20. DRIVEWAY**
- 21. FINAL COMPLETION**

INSPECTOR'S COMMENTS _____

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]:

F. 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(A) "R Residential District" of the Code is amended to add an additional permitted accessory use as follows [deletions are stricken and additions are underscored]: (3) Permitted accessory uses shall be: (f) ~~Other accessory uses and structures customarily appurtenant to a principal permitted use.~~ Detached Accessory Dwelling Unit (refer to §155-32.6(B) for specific restrictions in the R Residential District).

Section 3. Section 155-12(A) "R Residential District" of the Code is amended as follows [deletions are stricken and additions are underscored]: (3)(g) Other accessory uses and structures customarily appurtenant to a principal permitted use.

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 the R-1 and R-Ag-1 Districts within the Town. A detached ADU shall also be permitted as an accessory use to a single-family dwelling in the R District on properties served by Town water and sewer. 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, 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 and sleeping facilities 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.
- 7) Parking. Lots containing an ADU must have two off-street parking spaces in addition to the number of spaces otherwise required for a single-family residential use. No on-street parking shall be permitted.

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

- 1) No detached ADU is permitted on parcels containing two-family or multi-family dwelling units.
- 2) No detached ADU is permitted on parcels being utilized for commercial or industrial purposes.
- 3) No detached ADU is permitted on vacant property or property which does not contain a principal residential unit.
- 4) 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.
- 5) 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.