



MEMORANDUM

TO: Town of Marlborough Planning Board

FROM: Patricia P. Brooks, L.S.

RE: Santini Subdivision. Our file #12-220083-00

DATE: August 28, 2023

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The following information is submitted to the Town of Marlborough Planning Board for review and consideration in connection with the application of Caroline and Steven Santini for a three lot subdivision and are in response to the comments received from MHE Engineering dated August 21, 2023.

1. Topography has been added to the plans.

**Comment noted.**

2. The campers depicted on the site have been identified as not for residential purposes.

**Comment noted**

3. Highway Superintendent has reviewed and approved the driveway location. Letter from Highway Superintendent is included in the application packet.

**Comment noted.**

4. Lot 3 is identified as being utilized as a proposed residential lot. The lot is in excess of 18 acres. Lots greater than 5 acres are exempt from realty subdivision regulations regarding percolation and deep testing requirements.

**Comment noted.**

5. The Planning Board members previously identified that accessory structures exist in the front yards of Lots 1 and 2. These are pre-existing non conformities on the parcel. Planning Board Attorney's comments regarding the location of the existing accessory structures in the front yard should be received.

**It was determined that the pre-existing non-conforming structures may remain as long as they are not altered and the footprint remains the same.**

6. Planning Board members commented on the gravel access drive in 50 foot right-of-way providing access to proposed Lot 1. Information pertaining to the right-of-way was requested to be submitted for review.

**The access drive has been in existence for at least 75 years as a right of way by use and it services three parcels of land. It was memorialized as a fifty foot wide right of way in 1987 as part of a subdivision action, but no maintenance agreement is in place. The Santini's currently maintain the initial 120 feet as access to their lot, and the other owners maintain their portions thereafter.**

**A note has been added to the map indicating that a portion of the property is located in the Ridgeline Protection overlay area.**

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