

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

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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**Control Point Associates, Inc. P.C. is pleased to announce the acquisition
of Brooks & Brooks Land Surveyors, P.C.**

