

Master

Town of Marlborough ZBA Meeting 11/13/2025

Santini Subdivision, 229 Mt Zion Rd.

Good evening. I intend to comment on four points brought forth by KARC Planning Consultants in correspondence to you dated 8/28/2025. I have paraphrased much of the text from Town Engineer Patrick Hines and KARC for expediency purposes.

Point #1

Hines: "proposed house location is at elevation 1,007.5'. This locates house 5.3' below the highest point of the subject property. House to be 27' high."

KARC Response: "There is a point north of the site at or exceeding 1100'. The proposed residence has a base elevation 1,007.5' elevation and a proposed building height of 27 feet... this places the residence roughly 65.5' below the highest point on the ridgeline."

My comment: Looking north to find a higher elevation is irrelevant. Zoning Code 155-41.1 says "as viewed from the east".

Point #2

Hines: "The three points of reference may not provide screening during leaf off conditions."

KARC Response: "Topography and tree cover provide substantial buffering." KARC provides 3 possible points of "view" looking from the east, looking west, at subject property.

My Comment: View from these three vantage points is irrelevant. Code states (155-41 F.4) “no proposed building shall extend above the highest elevation of the Marlborough ridgeline”.

Placing the house on the ridge’s highest point immediately violates the code. The entire structure is above the ridgeline.

The Code uses the qualitative wording “from the east” because the town is expecting an applicant to potentially place a home on the “side” of the ridge. This gives the Code Enforcement Officer a “gauge” to apply to determine if a structure will poke through the ridgeline plane, hence “from the east”.

Giving all that I just stated, I can find a location to the east of subject property when traveling west on Ridge Road as it descends towards Lattintown Road. The subject property is in full view. (photo taken from Ridge View Lane January 2025.)

Point #3

Hines: “There shall be no disturbance of the tree line area above the highest points of the structure and highest point of the ridgeline”. Property was cleared at the potential home site at the top of the ridgeline.

KARC Response: “The applicant has installed a fully approved UCDOH-approved septic system at the location shown on the on the Subdivision Plan prepared by Control Point dated October 26, 2023 previously approved by the Town Of Marlborough Planning Board (Exhibit E).”

My Comment: An approved septic system is irrelevant as it is depicted on the ridgeline. Exhibit E does not show a house, only a pad.

The Planning Board gave approval for the 18.69-acre lot without a definitive location for a house. They did so because they knew a house could not be placed on the ridge (per Zoning Code) and that there was an alternate suitable location on the lot. The Planning board knew that they could not approve a non-conforming lot.

Point #4

Hines: Other suitable areas may exist within 6.45 acres of property identified with slopes of 0-15 %.

KARC Response: Code Enforcement Officer T. Corcoran approved the home and septic site as presented to him on 9/20/23.

Mark Day of Day Stokosa Engineering sends a letter to Patrick Hines on 1/28/25 stating that west side of the parcel where the proposed house is located is the most suitable location for a new residence.

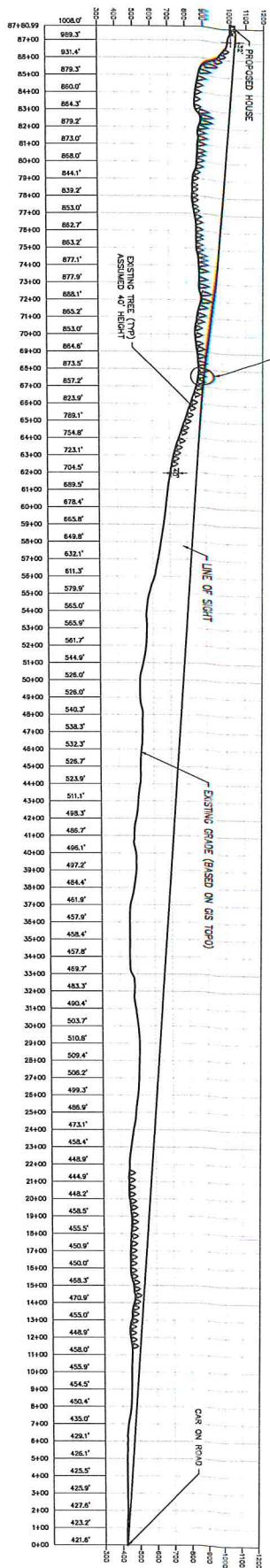
My Comment: Town Engineer Hines reviews site on 9/29/2023. He makes a statement among other items “The proposed house location is contrary to the Ridgeline and Steep Protection Zone”.

Code Enforcement Officer T. Corcoran withdraws his approval on 8/12/2025.

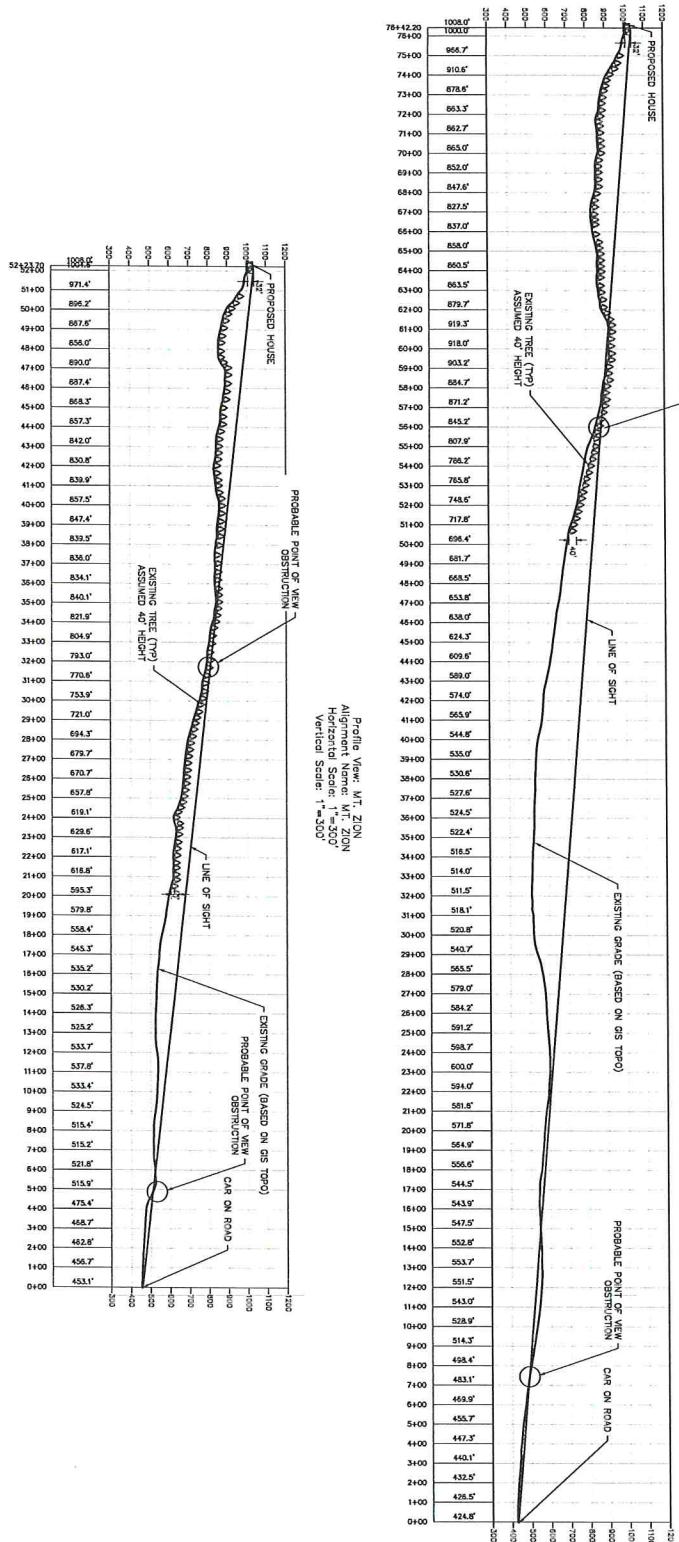
This leaves the town with a sort of face-off between Engineer Day and Town Engineer Hines. My recommendation is for the ZBA to ask Mr. Hines to go to the site and define a suitable home location other than one at the top of the ridge as it pertains to this 18.69 acre parcel.

Respectfully submitted by Doug Glorie, 182 Reservoir Road, Marlboro, NY

Profile View: MT. ZION-LATINTOWN INTERSECTION
 Alignment Name: MT. ZION-LATINTOWN INTERSECTION
 Horizontal Scale: 1" = 300'
 Vertical Scale: 1" = 300'



Profile View: NORTH LATINTOWN
 Alignment Name: NORTH LATINTOWN
 Horizontal Scale: 1" = 300'
 Vertical Scale: 1" = 300'



IT IS A VIOLATION OF NEW YORK STATE LAW FOR THE PRACTICE OF ENGINEERING, LAND SURVEYING, OR LAND PLANNING TO BE PRACTICED IN ANY WAY UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR.

Mark A. Day, PE

DAY STOKOSA
ENGINEERING P.C.

3 Van Wyck Lane

Wappingers Falls, New York

Phone: 845-225-5402
 Fax: 845-225-5402
 Email: info@daystokosa.com

LINE OF SIGHT PROFILES

Line	Point	Point	Point
1" = 300'	ALB		
02-15-2022	CDR		
	WD		

GS viewed from

Ridge View Lane

looking west

Clearcut area

