

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

April 29, 2021



APPLICATION NUMBER - NAME
#2021-005 – Madonna Subdivision

SBL
108.01-1-22

MEETING DATE
May 10, 2021

PROPERTY ADDRESS/LOCATION
130 Old Mount Kisco Road

BRIEF SUMMARY OF REQUEST

The Applicant is proposing to subdivide the Subject Property into a two-lot conservation subdivision.



PENDING ACTION: Plan Review Town Board Referral Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1A One-Family Residence District (1acre)	Existing lot with home	Residential	Conservation Subdivision	3.2 acres

PROPERTY HISTORY

COMPATIBILITY with the COMPREHENSIVE PLAN

- Subdividing parcels for residential use should encourage a cohesive community. Wherever possible, new lots should have internal roadway access in order to promote safety and encourage efficient traffic-flow while protecting the Town’s aesthetic character.

STAFF RECOMMENDATIONS

1. The Planning Board will need to determine whether it is appropriate to approve a conservation subdivision for the subject property.

Procedural Comments

1. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).
2. A public hearing regarding the proposed subdivision will need to be scheduled.

General Comments

1. The Applicant is seeking conservation subdivision approval from the Planning Board. The Town Code permits approval of conservation subdivisions that allow for modifications of the minimum zoning requirements that result in design and development which promote the most appropriate use of the land, facilitate the adequate and economical provision of streets and utilities and preserve the natural and scenic qualities of open lands. Pursuant to Section 355-31.D(1) of the Town Code, the Applicant has demonstrated that the existing 3.2 acre property could be theoretically subdivided into 2 conforming lots in the R-1A Zoning District.
2. Section 355-31.D(3) of the Town Code, permits the Planning Board to reduce the zoning area requirements for the subdivision from the R-1A Zoning District to the R-1/2A Zoning District.

Plan 2/5 should be revised to remove "as per Planning Board" references and replace with the minimum R-1A Zoning District requirements pursuant to Section 355-31.D(4)(a) of the Town Code (except for minimum contiguous buildable area).
3. Pursuant to Section 355-31.F of the Town Code, the Applicant is proposing a Conservation Easement over portions of Lots 1 (.37 acres) and 2 (2.08 acres).
4. The Applicant shall prepare a preliminary plat for review in conformance with Section 275-30 of the Town Code.
5. The applicant shall submit payment of the recreation fee in the amount of ten-thousand dollars (\$10,000) for each new building lot, for a total of \$10,000 as stated in Section 275-27 of the Town Code.

Staff Notes

The Planning Board should determine whether it wishes to coordinate the environmental review with other Involved Agencies.

Both proposed Lot 1 and 2 will not meet the minimum required 125 feet of frontage requirement.

Proposed Lot 1 does not meet the minimum required Lot Width of 125 feet.

The IPP should be revised to depict a proposed home that meets the setbacks of the R-1A Zoning District.

The Applicant shall execute and file with the Planning Board such documents as, in the opinion of the Town Attorney, will be sufficient to create a property owners' association responsible for the continued ownership, use and maintenance of all conserved land areas.