

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

April 19, 2022



APPLICATION NUMBER - NAME
 #2022-015 – 655 Bedford Road Subdivision,
 Steep Slope Permit, Wetlands Permit and
 Tree Removal Permit Applications

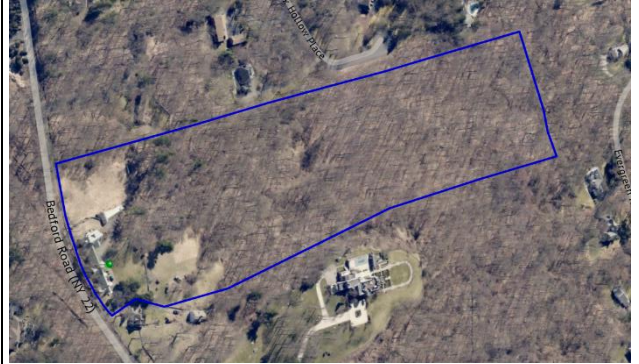
SBL
 94.04-2-29

MEETING DATE
 April 25, 2022

PROPERTY ADDRESS/LOCATION
 655 Bedford Road

BRIEF SUMMARY OF REQUEST

Six lot subdivision of a 20.73 acre lot located in the R-2A Zoning District with proposed well and septic. Proposal is to develop a new single family home, keep the existing home, and file a conservation easement against the remaining four lots.



PENDING ACTION: Plan Review Town Board Referral Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-2A One-Family Residence District (2 acre)	Existing lot with home	Residential	6 Lot Subdivision	20.7acres

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

- The Planning Board will need to determine whether it is appropriate to approve the subdivision of the subject property.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 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 and wetlands permit will need to be scheduled. 	<p>The Planning Board should determine whether it wishes to coordinate the environmental review with other Involved Agencies.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> 1. The Applicant should clarify whether the Applicant is seeking a three lot subdivision (existing house lot, new house lot, and conservation lot) or a six lot residential subdivision. It is recommended that the applicant seek approval of the three lot subdivision while providing the six lot subdivision plan for the Planning Board to take the necessary "hard look" at the full potential impacts associated with developing the entire parcel (to avoid segmentation). 2. It is recommended that the Applicant submit an impact matrix that identifies the impacts associated with the three lot subdivision as well as the maximum development potential alternative. The matrix should include total area of disturbance, total amount of cut and fill (c.y.), Town-regulated steep slope disturbance, Town-regulated tree removal, Town-regulated wetland disturbance and Town-regulated wetland buffer disturbance. 3. The Town Engineer and the Planning Board will need to determine whether the submitted 6-Lot plan contains enough generalized detail to determine whether the proposed roads and driveways could be constructed and whether the plan accurately depicts the disturbance required to construct the roads and driveways (including stormwater mitigation). 4. Proposed Lot 2 on the three lot subdivision should be reconfigured to depict frontage on Hemlock Hollow Place (it appears that the property has 60.55' of frontage (separate from the 50 foot access easement). In addition, Lot 1 on the three lot subdivision should be labeled "NOT A BUILDING LOT." Furthermore, the Applicant should give consideration to revising the three lot subdivision and converting the proposal into a two lot subdivision with a large conservation easement (eliminating the non building lot). 5. In addition to the submitted IPP, the Applicant should submit a preliminary plat meeting the requirements of Section 275-30 of the Town Code for review. 6. Proposed Lot 6/Lot 3 does not meet the minimum required front yard setback. The Building Department file only contains an electrical certificate. The Applicant will need to obtain a front yard setback variance from the Zoning Board of Appeals (or establish that the structure is a legal nonconformity). In addition, the Applicant should discuss with the Building Department whether a certificate of occupancy is needed for the structure(s) on the property. 7. The Zoning Conformance chart should reference required lot width and lot depth. In addition, an exhibit demonstrating how average lot width and lot depths were calculated should be submitted for review. 8. The Applicant should submit a Gross Land Coverage Calculations Worksheet for proposed Lot 6/Lot 3. A GLC backup exhibit should also be submitted for review. 9. The Applicant should submit Gross Floor Area Calculations Worksheet for proposed Lot 6/Lot 3. A GFA backup exhibit should also be submitted for review. 10. It appears that access for 649 Bedford Road is located over 655 Bedford Road. The plans should depict the existing access easement on the plans/plat. If such easement does not exist, this issue should be addressed at this time. 11. 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 \$50,000 as stated in Section 275-27 of the Town Code for the six lot subdivision or \$10,000 for the two lot subdivision. 	

12. The existing conditions plan references a 50' access easement at Hemlock Hollow with a note "See Inset above," The Applicant should submit the access easement for review. In addition, the referenced inset should also be included on the plan.

13. The Applicant should provide a survey of the property for review. Of particular concern is the frontage depicted on Hemlock Hollow. The submitted plans depict 60.5' of frontage while the Town's tax maps depict the subject lot not having frontage on Hemlock Hollow at all.

If the frontage depicted on the IPP is correct, the Planning Board will need to confirm whether the location of the frontage is located on a turnaround. If not, the Applicant may be required to create a small private turnaround to provide frontage for the proposed lot. Alternatively, the Applicant could pursue Town Board approval of an "open development area" pursuant to Section 280-A.4 of NYS Town Law.

The design of the Hemlock Hollow Place right-of-way is not consistent with Section 275-24 of the Town Code and creates problems with the orderly development of the subject property. Pursuant to Section 275-24 of the Town Code, Hemlock Hollow Place should have been designed for its continuation into adjacent properties. Specifically, the street should have been extended to the subject property. If not, the street should have not extended closer than 75' to the subject property pursuant to Section 275-24.G of the Town Code.