

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

June 30, 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
 July 11, 2022

PROPERTY ADDRESS/LOCATION
 655 Bedford Road

BRIEF SUMMARY OF REQUEST

Two 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 14.24 acre conservation easement over a portion of the proposed new building lot.



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	2 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.

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 and wetlands permit will need to be scheduled.
3. Pursuant to Section 239-y.3.a of NYS General Municipal Law, the Planning Board referred this application to the Conservation Board to review the application with respect to the proposed use or development of the open area in terms of the open area planning objectives of the Town.

General Comments

1. The Applicant previously submitted an impact matrix that identifies the impacts associated with the two lot subdivision as well as the maximum development potential alternative. It appears that the plan has been further revised and that the previously submitted chart needs to be updated.

Mittman subdivision comparison

	TOTAL DISTURBANCE (s.f)	WETLAND BUFFER DISTRURBANCE (s.f)	STEEP SLOPE DISTURBANCE (s.f.)	CUT / FILL (c.f.)	TREE REMOVAL (+/-)
2 LOT	82,290	0	680	696 (fill)	164
6 LOT	297,695	27,032	6,752	9,215 (fill)	548

2. 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).
3. 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.
4. Proposed Lot 6/Lot 2 does not meet the minimum required front yard setback.
5. 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.
6. 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.
7. The existing conditions plan references a 50' access easement at Hemlock Hollow. Applicant should submit the access easement for review.

Staff Notes

The Planning Board declared their intent to act as Lead Agency on April 25, 2022

The Planning Board will need to confirm that the impacts associated with the 6-lot subdivision are reasonable and that there will not be a significant negative environmental impact associated with the full buildout of the subdivision.

The Building Department confirmed that a variance would not be required prior to the Planning Board approving the proposed lot containing the existing house.

8. The property does not have the minimum required amount of frontage on a road. The Applicant is seeking approval from the Zoning Board of Appeals to permit the creation of the lot with substandard frontage via Section 280-A.3 of NYS Town Law. The project was referred to the ZBA on April 26, 2022.

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.

9. The Applicant should submit a conservation easement, to the satisfaction of the Town Attorney for review.