

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

June 5, 2020



APPLICATION NUMBER - NAME
#2020-021 – 82 & 84 Whippoorwill Road East
Subdivision

SBL
107.02-2-20 & 107.02-2-21

MEETING DATE
June 8, 2020

PROPERTY ADDRESS/LOCATION
82 & 84 Whippoorwill Rd East

BRIEF SUMMARY OF REQUEST

A proposed lot line realignment that would alter the existing common lot line in the area of the former Old Whippoorwill Road by transferring 3,317 s.f. from 82 Whippoorwill to 84 Whippoorwill.



PENDING ACTION: ☒ Plan Review ☐ Town Board Referral ☐ Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-2 and R-1.5 Zoning Districts	Existing Single Family Lots	Residential	None at this time	62,654 square feet (total)

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 & PLANNING BOARD POLICY DECISIONS

- It is recommended that the Planning Board waive the public hearing requirement.
- The Planning Board should determine whether it wishes to coordinate the environmental review with other Involved Agencies.
- The Planning Department does not have any substantive concerns relating to the proposed subdivision application.
- The Applicant should be directed to address all outstanding staff and consultant's comments.
- The project is compatible with the Comprehensive Plan.

<p><u>Procedural Comments</u></p> <ol style="list-style-type: none"> Pursuant to Section 275-13 of the Town Code, where an applicant proposes a subdivision representing an exchange or transfer of land with an adjoining property, the Planning Board may waive the public hearing on such proposal where the following conditions are met: <ol style="list-style-type: none"> The area of the proposed land exchange or transfer does not exceed 10% of the minimum required lot area of the zoning district in which the affected lands are located. No additional lots will be created. Such exchange or transfer of lands does not preclude the proper future development or resubdivision of the affected properties. Such exchange or transfer of lands shall not create any nonconformity with the terms and regulations of the North Castle Zoning Ordinance. The applicant(s) has prepared and submitted a final plat in accordance with § A216-16 herein, for the signature of the Planning Board Chairman. The applicant(s) has paid a fee as required in Appendix B of these regulations. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). <p><u>General Comments</u></p> <ol style="list-style-type: none"> The Proposed Action consists of lot line adjustments between lots and does not result in the creation of any new building lots. Lot 107.02-2-20 is proposed to be reduced in size from 0.948 acres to 0.872 acres. The Applicant will need to seek a lot area variance from the Zoning Board of Appeals. The plan depicts two portions of a wood deck, wood steps and a portion of a wall located on the adjacent property to the west. The encroachments will need to be addressed by the Applicant at this time. The Applicant should submit the driveway easement for review by the Town Attorney. 	<p><u>Staff Notes</u></p> <p>It is noted that the Applicant can comply with Section 275-13 of the Town Code. It is recommended that the Planning Board waive the public hearing requirement.</p> <p>The Planning Board should determine whether it wishes to coordinate the environmental review with other Involved Agencies.</p> <p>The Planning Department does not have any substantive concerns relating to the proposed subdivision application.</p> <p>The Δ Δ symbol, on the plat, regarding the lack of necessity for a lot area variance should be removed and the chart updated to reflect that a variance is required. The chart should also note the date the variance was issued by the ZBA.</p>
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