

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

March 20, 2020

APPLICATION NUMBER - NAME
#2020-013 – Motland Lot Line ChangeSBL
102.03-1-54 & 102.03-1-55MEETING DATE
March 23, 2020PROPERTY ADDRESS/LOCATION
55 & 57 Banksville Road**BRIEF SUMMARY OF REQUEST**

The Applicant is seeking approval of a proposed lot line realignment that would alter the existing common lot line and would result in Lot 54 being 3.621 acres and Lot 55 being 2.982 acres.

A portion of the pool equipment serving Lot 55 encroaches onto Lot 54. Additionally, a portion of Lot 55's septic field also encroaches onto Lot 54. The project would shift the existing common lot line between the Subject Properties so that both the pool equipment and the septic field serving Lot 55 remain entirely on that property, while also keeping both properties compliant with the minimum lot size in the R-2A zoning district.

If approved, Lot 54 will remain compliant with the existing zoning regulations. Lot 55 will be compliant with all zoning regulations except the minimum side yard setback. In the R-2A zoning district the minimum side yard setback is 30 feet. As currently configured, the pool equipment is not only non-compliant, it encroaches on to Lot 54. After the proposed lot line realignment, the pool equipment on Lot 55 will be setback approximately 13.8 feet from new lot line. Accordingly, a variance of 16.2 feet will be required.



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 and Vacant Single Family Lots	Residential	None at this time	6.6 acres

PROPERTY HISTORY

The two lots were created by Subdivision of the Planning Board on June 10, 1986.

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 Applicant should be directed to address all outstanding staff and consultant's comments.
- The project is compatible with the Comprehensive Plan.
- Once all staff and consultant's comments are addressed, the Planning Board should give consideration to approving the requested project.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<p>1. 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:</p> <ul style="list-style-type: none"> A. 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. B. No additional lots will be created. C. Such exchange or transfer of lands does not preclude the proper future development or resubdivision of the affected properties. D. Such exchange or transfer of lands shall not create any nonconformity with the terms and regulations of the North Castle Zoning Ordinance. E. The applicant(s) has prepared and submitted a final plat in accordance with § A216-16 herein, for the signature of the Planning Board Chairman. F. The applicant(s) has paid a fee as required in Appendix B of these regulations. <p>2. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).</p> <p>3. A public hearing regarding the proposed subdivision will need to be scheduled.</p>	<p>It is noted that the Applicant can't comply with Section D as the proposed lot line change requires the issuance of a variance by the Zoning Board of Appeals.</p> <p>The Planning Board should determine whether it wishes to coordinate the environmental review with other Involved Agencies.</p>
<u>General Comments</u>	
<ul style="list-style-type: none"> 1. The Applicant should submit a preliminary plat that conforms to the minimum requirements of Section 275-30 of the North Castle Town Code for review. 2. The Zoning Conformance Table on the preliminary plat should be revised to include a new column that includes existing conditions. With the addition of this information it will be clear how the subdivision will impact the size of each of the existing lots. 3. It appears that a portion of the existing septic system on Lot 55 still encroaches upon Lot 54. The Applicant should revise the plat so that all of the septic system associated with Lot 55 remains entirely on proposed Lot 55. 4. The plat should be revised to clearly depict Town-regulated steep slope (in square feet) and Town-regulated wetlands (in square feet). 5. The Proposed Action consists of lot line adjustments between lots and does not result in the creation of any new building lots. 6. The plat should include the dimensions from the pool patio edge to property lines. 7. The Applicant shall submit a final plat conforming to the standards set forth in Section 275-33 of the North Castle Town Code. 	<p>Specifically, the plan should be revised to include the names of owners of record or properties adjoining and directly across the street from the proposed subdivision.</p> <p>In addition, the Applicant should confirm that the Health Department will permit a septic system that is located directly adjacent to a property line.</p> <p>This information is necessary to verify whether net lot area was calculated correctly on the plat.</p> <p>The Planning Department does not have any substantive concerns relating to the proposed subdivision application.</p>