

BC Planning, LLC
555 Route 32, PO Box 489
Highland Mills, New York 10930
(845) 827-5763
Fax: 827-5764
Email: bcocks@frontiernet.net

PROJECT ANALYSIS

MUNICIPALITY: TOWN OF NEWBURGH

TOWN PROJECT NO. 2011-31

PROJECT NAME: Richichi Subdivision

LOCATION: Coach Lane, off Meadow Hill Road (95-1-4.222)

TYPE OF PROJECT: 3 lot residential subdivision with one existing home (10.78 ac)

DATE: November 30, 2012

REVIEWING PLANNER: Bryant Cocks

PROJECT SUMMARY:

Approval Status: Submitted December 13, 2011, resubmitted November 19, 2012

SEQRA Status: Unlisted

Zone/Utilities: R-2 District, municipal water and sewer

Map Dated: November 7, 2012

Site Inspection: December 13, 2011

Planning Board Agenda: December 6, 2012

Consultant/Applicant: David Higgins, PE

Copies have been sent to: John P. Ewasutyn at the Planning Board Office, James Osborne, Gerald Canfield, Michael Donnelly, Patrick Hines, Karen Arent and Ken Wersted on November 30, 2012

COMMENTS AND RECOMMENDATIONS:

1. The applicant is before the Planning Board for consideration of a three lot subdivision, last reviewed in January of 2012. Since that time the applicant has been before the Town Board for a discussion of an open development area for the back two lots since they have no direct access to Coach Lane. An email from Mark Taylor on April 12, 2012 states the Town Board will approve the open development area once SEQRA is completed by the Planning Board. The Town Board asked for a copy of the minutes from the required Public Hearing for the project to make their final determination on the open development area, which I can provide once they are submitted by Michele Conero.
2. The applicant has provided topography in the area of development, but has not provided it for the full parcel, as required by the Subdivision Law. The Planning Board can waive the requirement for topography on the whole parcel if they feel it is not pertinent information for approval of the subdivision.
3. The bulk table only shows the dimensions of the two new lots. The existing Richichi parcel will also need to demonstrate that it meets all zoning requirements for the R-2 District, and must be listed in the bulk table.
4. The Residential Lot Area requirement of 4,500 square feet of unconstrained land must be shown for both new lots, as required under Section 185-48.5.E.3 of the Zoning Law.
5. The Planning Board is required to provide the Town Board with "advice" on the referral for an open development area. As part of this advice, the Planning Board can provide general or special rules for the open development area. Since the two new lots have no

- road frontage, the yard setbacks are shown in a setup that is not consistent with the intent of the Zoning Law. The front yard setbacks are shown with the two homes facing each other, not facing towards the road, as the other lots in this neighborhood are situated. The lots do meet the setback requirements when they are measured in this way, but I believe the Planning Board will be required to include the setback measurements and directions as part of their advice on approval of the open development area.
6. There are two sheds to be removed from the property; a demolition permit must be obtained for removal. There is also one shed on the property line between lot 1 and the existing Richichi lot. This shed will either need to be removed, moved onto one lot or an easement must be put in place.
 7. There are also three sheds and a dog house on lot 2, presumably from the owners of the adjacent lots on Coach Lane. These will need to be moved onto their property if they are owned by the adjacent lot owners, or removed for the new home owner on lot 2.
 8. The applicant is showing a row of evergreen trees to screen the new homes from the existing homes along Coach Lane. The applicant has stated that they will leave the option of which tree species listed on the plans to be planted to the owner of the new lots. There are a total of 16 trees shown for screening. This could cause a problem if the homes are built before being sold. The landscaping shown on the plans will need to be installed before a CO can be granted by the building department. The applicant could need to make a decision on what trees to plant so a CO can be issued.
 9. The plans will need to be referred to the Orange County Planning Department for their review since the lots border Route 84.

The above comments represent my professional opinion and judgment, but may not necessarily, in all cases, reflect the opinion of the Planning Board. Please revise your plans to reflect these comments with the understanding that further changes may be required. In all cases the requirements of the Zoning Law and Subdivision Regulations shall be adhered to by the applicant and shall be shown on the plans. Where variances to the Zoning Law are required or where waivers from the Subdivision Regulations are needed, specific requests shall be made to the Planning Board for waiver or for referral to the ZBA. These comments are prepared based on current zoning and subdivision regulation requirements. Any change in those regulations prior to final approval of these plans could require revisions beyond the scope of my existing comments.