

**M E M O R A N D U M**

**TO:** Ralph Huddleston, Jr. Chairman & Planning Board

**FROM:** Dennis G. Lindsay, PE, Town Engineer, &  
Sean T. Hoffman, PE, Planning Board Consultant

**SUBJECT:** Woodcrest Subdivision – (aka Hratch Kaprielian)  
2 Lot Small-Scale Development Subdivision and Site Plan  
File No. 4-1-9<sup>1</sup>; Memo 83-12-011

**DATE:** April 13, 2012

**CC:** Neal Halloran, Richard Golden, Esq., Kelly Naughton, Esq. Ed Garling, AICP,  
David Egarian, PE (for Applicant)

\*\*\*\*\*

The following are our comments on a proposed small-scale development subdivision to create two (2) lots from a 7.85 acre parcel in the RU district, and the AQ-3 and Scenic Road Corridor overlay zones having frontage on Woodcrest Lane and Farmingdale Road.

**Background** – This was last discussed during your February 16, 2012 meeting. At that time, the applicant made an initial presentation and you assumed lead agency status under SEQRA. A determination of significance was deferred until you were provided additional information regarding water supply. The applicant has since submitted a water testing plan and has now returned for your approval of the test plan.

**A) Materials Reviewed -**

1. Correspondence prepared by DJ Egarian Engineering & Associates, Inc. dated March 15, 2012 regarding plan revisions.

2. Plans by DJ Egarian Engineering as follows:

Drawing

<u>No.</u>	<u>Sheet Title</u>	<u>Last Revised</u>
1	Cover Sheet	03/15/2012
2	Existing Conditions	12/01/2011
3	Existing Conditions Plan	12/01/2011
4	Proposed Subdivision Plan	03/15/2012
5	Septic Details	03/15/2012
6	Construction Details	03/15/2012

3. SEQRA Long Environmental Assessment Form prepared by David Egarian, PE dated March 19, 2012.

<sup>1</sup> The Bulk Table on Drawing No. 1 references the subject parcel as Section 38 and should be revised to identify the parcel as Section 4.

4. Well Testing Application (Test Plan) prepared by Leggette, Brashears & Graham, Inc. dated March 6, 2012.

**B) Review of Submitted Materials** – The applicant has provided detailed correspondence addressing our comments of February 10, 2012 which facilitated our review of the revised materials. We have repeated comments from our previous report where applicable; new comments are identified with [\*\*].

1. Zoning – The applicant is proceeding in accordance with the provisions of your Code for small-scale development, per §97-19, Standards for Small-Scale Development. The parcel is smaller than 32 acres (calculated as 7.85 acres) so the proposed two (2) new lots may consume more than 25% of the parcel area. The proposed lot sizes are larger than the minimum Code requirement (3 acres) under Small-Scale Development within the AQ-3 District [§97-19A.2]. [Informational]
  - In accordance with discussions during the February 2, 2012 staff meeting it is our understanding the applicant intends to subdivide the the parcel between Woodcrest Lane and Farmingdale Road which is naturally subdivided from the larger tract south of Farmingdale Road. The existing conditions plan includes the larger parcel and appears at variance with our understanding of the applicant’s intention. This matter should be reviewed with the applicant and plans revised for consistency. [\*\*]
  - The Code requires the plat include a note that no more than four (4) lots may be created by small-scale development and any future subdivision beyond four (4) lots will be subject to the open space development standards and reviewed under the provisions of §97-20 [§97-19A.3 & §97-19D] which take account of the previous small scale lots. The applicant has advised site constraints (steep slopes) prevent further subdivision of the parcel but has nevertheless added a plan note. We suggest you verify this note is sufficient with Attorney Golden.
  - The Code requires the applicant confirm the parcel size is based on the parcel as it existed on June 10, 2004 [§97-19A & §97-19B]. The applicant has provided a copy of the September 30, 2004 field survey to confirm the parcel size. [Informational]
  - The Code limits minor subdivision status (including small-scale developments) to subdivisions or series of subdivisions containing no more than four lots over a ten-year period [§83-39]. The Board classified this as a minor subdivision during the February 16, 2012 meeting. We recommend a notation be added to the plan [§83-21D.2] identifying this as a minor subdivision. [\*\*]

2. Scenic Road Corridor Overlay – The applicant’s location within the Scenic Road Corridor Overlay District requires site plan approval and may necessitate the Board make findings regarding the compatibility of the application with the scenic character of the area. This matter was discussed during the February 16, 2012 Planning Board meeting and Attorney Golden advised the site plan review could be performed in conjunction with the subdivision application if the applicant is willing/able to finalize the dwelling locations. Alternatively, the site plan approval could be a condition of your action and the applicant would have to return to the Planning Board prior to building permits. [\*\*]

The Scenic Road Corridor includes specific landscaping and architectural requirements as follows:

Landscaping – The applicant has graphically shown the 50-foot Scenic Road Buffer and is proposing a short (3-foot tall) natural stone wall to permit the grading necessary for the driveway penetrations for Lot No. 1 through the buffer. We recommend confirming with the Building Inspector that the Code permits the installation of retaining walls within the buffer.

The Code [§97-29] specifies the number of required shade trees at one tree per 1,000 square feet of proposed floor area. We recommend you consult with Ed Garling regarding the type and placement of shade trees and the sufficiency of the existing tree line.

Architecture – The Code [§97-29.H] includes specific requirements (historic compatibility, roof slope and window proportioning) for new structures. If the preparation of architectural plans and elevations at this stage is premature, the Board may wish to include these requirements as conditions of the action.

3. Subdivision Plan –

Lot Layout and Access – The plan includes two (2) driveways along Woodcrest Lane to serve the proposed single-family residences. The applicant has listed the sight distances and indicated the AASHTO required stopping sight distances at 155 feet. The applicant should advise whether any modifications (relocation, clearing, grading) would improve the sight distance for Lot No. 1 (300-feet).

4. Utilities – The applicant is proposing individual onsite wells and sewage disposal systems and has provided details to show the general arrangement of these facilities. Realty Subdivision review by the DOH is not required due to the number of lots proposed and review will be by the Town.

A. Water – The Code exempts small-scale residential development within the RU District from the Aquifer Overlay District requirements [§97-27]. We believe this exemption includes the requirement for water testing pursuant to the Town’s protocols. The Board expressed concerns regarding the adequacy of the water supply during initial discussions with the applicant in 2008. At

that time, the applicant acknowledged the history of well problems in the vicinity and advised they were prepared to demonstrate adequate water supply exists without causing problems for others. The applicant has provided a well test plan prepared by a hydrogeologist and indicated during the staff meeting and other discussions their intention to utilize the Town's water testing protocols. We have discussed this with Bill Canavan who believes this is appropriate and we note the following inconsistencies and recommend your action require the applicant revise the test plan to confirm a common understanding of test requirements [\*\*]:

- Section 1.1 indicates two (2) proposed test wells be drilled on Lot 9.0. Test plan should be revised to one (1) proposed test well to be drilled after obtaining a permit on proposed lot 9.01 (not existing lot 9).
- Section 1.1 states no additional wells are proposed. Test plan should be revised to indicate a water supply well will be necessary for proposed lot 9.02.
- Section 4.1 - Due to the limited number of residential wells within 1,000 linear feet of the test well and the history of water supply in the area, the test radius should be expanded to canvass additional homes.
- Sections 5.1, 5.2 and 5.4 should repeat the proposed test intervals for clarity.
- Section 7.0 should repeat the Code requirement (8 hour minimum or until water levels have recovered to 95% of drawdown).
- Table 2 should reference NYS DOH Individual Water Supply Factsheet #3 requirements.

B. Septic Systems – Applicant has revised plans to include a shallow absorption trench on lot 2 [informational].

5. Stormwater – The proposed disturbance will exceed the one (1) acre threshold and require coverage under the General Permit. Applicant is proposing infiltration chambers and should provide calculations in accordance with the Design Manual to confirm adequacy. [\*\*]

6. Miscellaneous –

- The applicant is proposing dedication of a narrow tract along Farmingdale Road as a right-of-way. We recommend you make this a condition of your action and discuss with Attorney Golden the form of this dedication.
- *Agricultural Data Statement* – During the February 2, 2012 staff meeting the applicant was advised to submit an Agricultural Data Statement. You should confirm receipt with Building Inspector Halloran.
- Easements & covenants to be shown, if any.

- *Monumentation* – The plat now shows the location of the proposed monuments in accordance with the Code [§83-24B.8-10].
7. SEQRA – The Board previously determined the larger application to be unlisted and assumed lead agency status during the February 16, 2012 meeting. The applicant has submitted a Full EAF so the Board may consider the environmental impacts of the proposed action. We assume you will review SEQRA with Attorney Golden.

C) **Referrals** –

1. County 239 – Local Determination dated February 8, 2012.
2. Goshen Highway Department