

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. 4-1-9¹; Memo 83-12-004

DATE: February 10, 2012

CC: Neal Halloran, Richard Golden, Esq., Kelly Naughton, Esq. Ed Garling, AICP,
David Egarian, PE, DJ Egarian Engineering (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, AQ-3 and Scenic Road Corridor overlay zones having frontage on Woodcrest Lane and Farmingdale Road.

Background – This matter was initially discussed during your meeting of February 7, 2008. At that time, the applicant proposed a small-scale development to create four (4) lots (plus a parent parcel) from a 77.3 acre tract. You determined this to be an unlisted action and declared your intention to be lead agency. A year later this was discussed at the March 5, 2009 Planning Board meeting at which time a number of materials were reviewed and concerns regarding water supply were reviewed. The application was subsequently modified to a lot line change increasing the area of the adjacent lot (4-1-7.1) which includes the Horton Homestead Farmhouse. You approved the lot line change during the October 15, 2009 meeting. The applicant has now returned to subdivide the remainder of this lot.

Forward – The applicant has submitted a plan under your *small-scale development regulations*. Under your Code, small-scale development is defined as any development that results in the creation of no more than four new residential lots (excluding the parent parcel). This development option is designed to minimize the burden and cost of development for landowners building on existing lots or creating a small number of lots [§97-18B.1]. The applicant is proposing to subdivide the portion of the parcel between Woodcrest Lane and Farmingdale Road. During the February 2, 2012 staff meeting the applicant was advised Farmingdale Road creates a natural subdivision eliminating the need to include the larger tract south of Farmingdale Road from this application. The following comments provide our initial opinion on the suitability of the proposed development under the small-scale subdivision provisions of your Code [§83-21D.3 and §97-19] with a number of issues noted for further review.

¹ 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.

A) Materials Reviewed -

1. Town of Goshen Planning Board Application with Owner's Endorsement².
2. Plans by DJ Egarian Engineering as follows:

Drawing

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

B) Review of Submitted Materials –

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. Our comments provide our initial opinion on the appropriateness of the proposed development under your Code:
 - The parcel is smaller than 32 acres (calculated as 7.85 acres) and the proposed two (2) new lots will 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]. [Item satisfied]
 - 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]. The applicant has advised site constraints (steep slopes) prevent further subdivision of the parcel and has nevertheless agreed to add the plan note. [Note to be added]
 - 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]. [To be confirmed]
 - The applicant has included a table showing the proposed lots comply with the minimum lot dimensions established by the Code. [Item satisfied]
 - The applicant has provided calculations demonstrating compliance with the Environmental Compliance Formula [§97-18.D.] on the plans. [Item satisfied]
 - 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]. Once the Board has classified

² Application indicates this is a three (3) lot small-scale subdivision of 76.37 acres and should be revised.

the plan (as a minor or major), a notation shall be added to the plan [§83-21D.2]. [Note to be added]

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 to make findings regarding the and compatibility of the application with the scenic character of the area. In addition, the Scenic Road Corridor includes specific landscaping and architectural requirements as follows:

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

The Code [§97-29] limits the number required shade trees to one tree per 1,000 square feet of proposed floor area. The applicant should provide information on the proposed floor area so the required number of trees may be determined. We recommend you consult with Ed Garling regarding the type and placement of shade trees.

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 impractical, 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 should also provide the posted speed limit and the AASHTO required sight distances. The applicant should advise whether any modifications (relocation, clearing, grading) would improve the sight distance for Lot No. 1 (300-feet).

The plan should list the proposed grades of the driveways to serve each lot so conformance with the Code’s maximum driveway grade of 10% may be confirmed [§83-15.D.2].

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 is not required due to the number of lots proposed.

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 of the project and advised they were prepared to demonstrate adequate water supply that will not cause problems for others. If the applicant is proposing well testing, we recommend submitting a plan for the Board to review prior to field testing.

The Well Detail should be revised to include the minimum well depth in accordance with the Town standards (300 feet) and indicate all work will be in accordance with Part 5, Subpart 5-1, Standards for Water Wells – Appendix 5B.

The well detail shows a 20-foot casing. Part 5, Subpart 5-1 requires increasing separation distances by 50% whenever aquifer water enters the well at less than 50-feet below grade.

- B. Septic Systems – The applicant has provided calculations demonstrating compliance with the Environmental Control Formula (ECF §97-18D) on the plans.

Groundwater was observed within both Lot No. 2 test holes at 30-inches and 36-inches below grade. A minimum of 4-feet of usable soil shall exist above groundwater with a minimum separation of 2-feet between the bottom of the trench. Applicant should review and advise.

The applicant should confirm the width of the proposed absorption trenches will be 2-feet.

The references to the Dutchess County DOH should be removed from the Health Department notes.

5. Stormwater – It appears the proposed disturbance will exceed the one (1) acre threshold and require coverage under the General Permit. Drainage information and controls should be provided in a study and investigation having a scope commensurate with the size of the parcel and field conditions. The plans should show and quantify the limits of disturbance as well as practices for discharge of stormwater that will mitigate potential impact and promote recharge in this AQ-3 overlay district.

The plans should show proposed roof and footing drains in separate pipes. As part of the movement to “green” infrastructure treatment of roof drainage is encouraged.

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.

- Easements & covenants to be shown, if any.
 - *Monumentation* – The plat should show 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 declared their intention to be lead agency. The applicant should submit a Full EAF so the Board may consider the environmental impacts of the proposed action. We assume you will review SEQRA with Attorney Golden and offer the following comments:

C) **Referrals** –

1. County 239
2. Goshen Highway Department