



TOWN OF CHESTER PLANNING BOARD REVIEW

Project Name: Baroda Subdivision

Project Location: East side of Black Meadow Road at Bairds Cross Road
SBL: 12-1-31

Reviewed by: Kristen O'Donnell

Date of Review: November 30, 2023

Plans Reviewed: Yield Plan consisting of 8 sheets last revised 11/06/2023 and revised Full EAF

Project Summary: The application is for a 28-lot major residential subdivision (reduced from 29) in a cluster layout to be accessed via three curb cuts (one proposed as a private driveway) onto Black Meadow Road and served by individual wells and septic systems. The smallest lots with the plan are 0.75 acres (32,800 square feet) and the cluster design proposes 124.4 acres to be preserved in an easement. The Project Site is located in the AR-3 Zoning District and within the Ridge Preservation Overlay District.

Comments:

1. The applicant has provided an updated yield plan and EAF which address our previous comments. Our comments related to the cluster plan from September remain outstanding and have been repeated below for consistency.
2. The applicant's submittal does not provide a response to the Planning Board's questions from last month regarding who will own the open space and how open space and wetlands will be protected in the future from disturbance by home owners.
3. The narrative states SEQR studies are currently being revised including the endangered species report and visual analysis. We suggest these items be submitted prior to taking any SEQR Action.

Cluster Plan comments from September

1. General Note #13 of the cluster plan states "There are to be no trees, fences, streetscape, etc. in the Town of Chester 50' right-of-way". The plans show a **100-foot** right-of-way on the north side of Baird's Cross Road. This note should be corrected. Further, given that the 100-foot right of way is within a wetland there should not be any clearing, mowing or any other disturbance of any kind within this area.

2. It remains unclear what will be permitted in the 50-foot Buffer Easement. Given this area is within 10 feet of the proposed dwelling on Lot 21, it will be important to know what future homeowners will be able to do in this area and how they will be made aware of these restrictions.
3. The applicant should also discuss what will be permitted in the 124.4-acre balance of Lot 1. From the plans, the 124.4-acre Agricultural Easement will be owned by the owner of Lot 1, but no information is provided on the plans to confirm who will control this easement and what will the homeowner be permitted to do in this area.
4. Note #1 under Ridge Preservation refers only to lots 5 and 6 of the proposed subdivision. It is clear from the Town's zoning map that all upland areas south of Baird's Cross Road are within the Ridge Preservation Overlay District. This note should be revised.
5. While most subdivision approvals allow flexibility in the final location of an individual dwelling on an approved lot, in order to best control visual impacts and impacts to other sensitive environmental features, the Town Subdivision Regulations allow the Planning Board to request a plat note requiring a future owner/builder to return to the Planning Board unless the relocated dwelling remains on 20% of the area of the originally approved dwelling location, within the lots approved building envelope, and does not negatively impact any of the criteria provided in Section 83-22.N(1) of the code.
6. The subdivision regulations (see §83-24.A(2)) require 10% of major subdivisions to be set aside for parks or recreation purposes. If the Planning Board finds that a suitable park or parks of adequate size to meet the requirement cannot be properly located on such subdivision plat, the Board may require a sum of money in lieu thereof. The Board shall then require as a condition to approval of the subdivision such payment to the Town of a fee per unit as set by Town Board resolution from time to time.

This concludes our comments at this time. If you have any questions or require anything further, please contact our office.