

**NARRATIVE IN SUPPORT OF AN APPLICATION FOR SUBDIVISION
TOWN OF CHESTER, NEW YORK**

Applicant: OMAC Realty Associates LLC
Premises: 162 Trout Brook Road, Town of Chester, New York
Date: May 19, 2016

Background

The subject property is comprised of approximately 156 acres and designated on the tax maps of the Town of Chester as SBL 15-1-27.4. The property is mostly wooded and undeveloped except for an area in the center of the parcel that has been operated for decades as a summer camp for children by Camp Stan-Jack Inc. on the property owned by OMAC Realty Associates LLC ("OMAC") whose principal is Stanley Felsinger. Camp Monroe is fondly remembered by generations of children and maintains a loyal following to this day. After a long and successful career as the proprietor of the camp with an eye toward retirement, Mr. Felsinger has recently sold the camp business and the land to new owners BTSS Holdings, LLC ("BTSS") who will continue to operate Camp Monroe for what is hoped to be many years to come. So as not to delay the new owner's operation of the youth camp for the 2015 season, BTSS took title to the land subject to OMAC's right of revision to the undeveloped portion of the parcel pending the approval of the proposed subdivision. OMAC has been authorized by the owner to proceed on their mutual behalf to obtain the approval for the subdivision from the Town.

Request for Subdivision Approval

Pursuant to Chapter 83 of the Town Code of the Town of Chester, the applicant hereby requests that the Planning Board of the Town review, consider and approve the following application for subdivision of the Applicant's property located on Camp Monroe Road in the Town of Chester.

The Plan

The following plans are appended hereto as exhibits to this application in accordance with Section §83 of the Town Code:

1. A subdivision plan drawn by Lanc & Tully Engineering and Surveying, P.C. dated March 27, 2015 and last revised on April 22, 2016 entitled Subdivision Prepared for BTSS Holdings, LLC and OMAC Realty Associates, LLC.

As required by the code the above plans show the all information required by the Town as set forth in its Pre-submission Plan Element Checklist for Preliminary Major Subdivision to the extent that such requirement is relevant to this application. It should be noted that consistent with the purposes of the subdivision, that is, to preserve the value of the land remaining to OMAC, the proposed plan merely excises the area of the overall lot occupied by the Camp Monroe operation and reserves to OMAC the balance of the land resulting in two irregularly shaped lots on either side of the Lot 2 with the upland lot (Lot 3 a/k/a parcel C) abutting Town property by a circuitous 50 foot wide right of way.

Statement of Proposed Uses

This application seeks only to subdivide the property and anticipates no other physical changes to the property at this time. Subsequent to the subdivision, BTSS will remain the owner of the proposed Lot 2, which will contain all of the buildings and improvements of the pre-existing Camp Monroe and will continue to operate the summer camp. The proposed Lot 1 and Lot 3 will be transferred back to OMAC Realty Associates, LLC pursuant to the right of revision in the deed of conveyance. At this time OMAC has no plans on the ultimate disposition of the proposed Lots 1 & 3.

Standards Applicable to Subdivision Approvals

The Applicant's proposed subdivision plan conforms to all applicable standards set forth in §83-18 of the Town Code, to wit:

The General purpose of the subdivision ordinance is stated as follows: *"The purpose of the following sections is to ensure that the highest standards of site, building and landscape design are conscientiously met through the use of qualified technical and aesthetic judgment, compatible with the Comprehensive Plan of the Town."*

This application, by proposing no new development, is neutral in its effect on the standards stated in that it proposes no change in use or physical change of the site in any way and is compatible with the objectives of the Comprehensive Plan of the Town in the following ways:

1. It exists in an area designated on the Property Class Map in the Plan for both Parkland and Suburban Residential / Medium Density Development.
2. Does not alter the rate of growth, mixture of housing types, preferences for rural lifestyles and poses no new burdens on essential services as it proposes no new development.
3. Poses no new burdens on school districts as it proposes no new development.
4. Effects no Ridgelines, Black Dirt Farmlands, Environmental Assets

In addition the application has no detrimental effect on the Plan's desire to provide necessities of life, economic opportunity, environmental quality or cultural and historic sites within the Town.

The code further states that: *"In acting upon plats, the Planning Board shall require, among other conditions in the public interest, that the tract shall be adequately drained and the streets shall be of sufficient width and suitable grade and suitably located to accommodate the prospective traffic and to provide access for fire-fighting equipment to buildings. The Planning Board shall further require that all lots shown on the plat shall be adaptable for the intended purposes without danger to health or peril from flood, fire, erosion or other menace."*

The instant application satisfies the above requirements in that the plan:

1. violates no known public interest;
2. proposes no change in natural and existing built conditions; and
3. proposes no new roads or structures.

Section § 83-18 General requirements states:

In considering applications for subdivision of land, the Planning Board shall be guided by the standards set forth hereinafter:

- A. Character of land. Land to be subdivided shall be of such character that it can be used safely for the development of open spaces or building purposes without danger to health or peril from fire, flood or other menace or loss or damage to adjacent properties.*
- B. Conformity to Official Map, Comprehensive Plan, zoning and local laws. Subdivisions shall conform to the Official Map and the Zoning Law of the Town and shall be in harmony with the Comprehensive Plan and all state, county and Town land use requirements.*
- C. Specifications for required improvements. All required improvements shall be constructed or installed to conform to the Town specifications, which may be obtained from the Building Inspector or the Town Clerk. These specifications shall include the New York State Building Code, Town road specifications and related state and county regulations.*

The applicant submits that the proposed plan either conforms in all respects to the general requirements or such requirements are not applicable to the proposed plan.

Section § 83-22 requires that the proposed subdivided lots must qualify as follows:

- A. Lots to be buildable. The lot arrangement shall be such that in constructing a building in compliance with the Zoning Law there will be no foreseeable difficulties for reasons of topography or other natural conditions.*

The Lots 1 and 2 meet this criteria. The balance of the paragraph relating to a lot intended for use for single-family residential purposes is not applicable to this application.

- E. Access from public streets.*

(1) The subdividing of land shall be such as to provide, by means of a public street, each lot with satisfactory access to an existing public street.

The proposed Lot 1 has access to Camp Monroe Road and Lot 2 has access to Trout Brook Road. In addition, the proposed Lot 1 will have access to almost one quarter mile of frontage on Lakes Road in the Town of Monroe, since the applicant is also the owner of a contiguous parcel of land in the Town of Monroe (designated on the tax maps as SBL 37-1-1) which borders Lakes Road. The balance of this section relating to Double Frontage Lots, lots have frontage of less than 200', common driveways and screening of back yards is not applicable to this application. It should be noted however, that while Lot 3 does not have access to a public road, the lot has been configured to abut the lands of the Town of Chester and is intended to be offered by the applicant for future public use by the Town, thus making it worthy of consideration by the board for subdivision in this case.

J. Land reserved for future development. Land reserved from the subdivision for future development shall be of a useful dimension for permissible forms of development.

The application reserves the land of lot 1 for future development and is of a useful dimension for permissible forms of development.

K. Topsoil. If any topsoil is removed from its natural position in the process of grading the subdivision site, such topsoil shall be replaced to a depth approximately equivalent to that existing prior to such grading except in streets, driveways and foundation areas.

No physical changes in the land of either lot is proposed by the application.

O. Water supply. For lots in major subdivisions without central water supply, wells shall be drilled and tested for quantity and quality based on Orange County Health Department standards prior to final approval. In addition to the Orange County Health Department testing requirements for every five or 10 lots, there shall be at least one well for every three lots that shall be tested and certified by a licensed laboratory that it meets all Orange County Health Department requirements for private wells prior to final approval by the Planning Board.

The applicant has provided a well test on the proposed Lot 1 showing sufficient potable water supply for the minimum number of homes that can exist on the site.

The balance of the requirements of this section are not applicable to this application:

- B. Side lines.*
- C. Corner lots.*
- D. Driveway access and grades*
- F. Access from private streets.*
- G. Monuments.*
- H. Dedication of land for widening of existing streets.*
- I. Minimum lot size.*
- L. Additional standards.*
- M. No lots in a major subdivision may be subdivided into smaller lots after 25% of the original lots have been sold.*
- N. Relocation of dwellings.*

The Applicant asserts that the proposed subdivision consistent with the required findings above and requests that the Board approve the subject Application.

Respectfully submitted,

OMAC Realty Associates LLC, Applicant