

MEMORANDUM

PPBS inc.

Planning Programming Budgeting Services Inc. 50 Elmwood Drive Highland Mills, New York 10930

TO: Town of Gardiner Planning Board

FROM: James M. Freiband, Principal Planner

DATE: November 12, 2018

SUBJECT: Sketch Subdivision – Calderone 2 Lot Minor Subdivision – South Mountain Road (20 Calderone Drive)

1. As requested, I have reviewed the sketch plan and application dated November 1, 2018 for a two lot minor subdivision of a 68 acre parcel with an existing residence at 20 Calderone Drive. The property is between Beecher Hill and Guillermo Road on South Mountain Road. The application is presumably for a flag lot development since the frontage is limited to 50 feet of this existing flag lot. The applicant proposes to subdivide the parcel into a single 5 acre lot with frontage on South Mountain Road, with a deeded right of way to the rear parcel of 63 acres.
2. The proposed lot consists of densely woodland with a small portion of GA-16 at the northern most boundary. Zoning Section 220-23 sets forth the standards for flag lots which requires that the flag lot be a minimum of 10 acres. The issue to be resolved is that of the so-called parent parcel, since the lot to be subdivided is already a flag lot from the Calderone property 92.004 2 14.110. That provision is not made clear in the 2008 Zoning since the definition of parent parcel has been removed.
3. The other option is to address the subdivision as a small scale development per section 220-24 which would permit the project to proceed as now mapped but would require a conservation easement or title restriction on any future subdivision to be processed as an open space subdivision (220-24 D).
4. The applicant needs to state in advance the type of subdivision / residential development to be processed. To proceed as a flag lot development, meeting 220-23, the size of Lot 1 would need to be increased to ten acres. To proceed as a small scale development, the applicant would need to modify the plat by restricting further development per 220-24.
5. I have reviewed the SEAF dated October 25, 2018 and have determined that this is an unlisted action. There are no EAF mapper indications that would preclude a negative declaration for either form of subdivision.
6. **RECOMMENDATION:** The proposed application is subject to a public hearing. The plat should be modified to identify which type of development will be applied for.