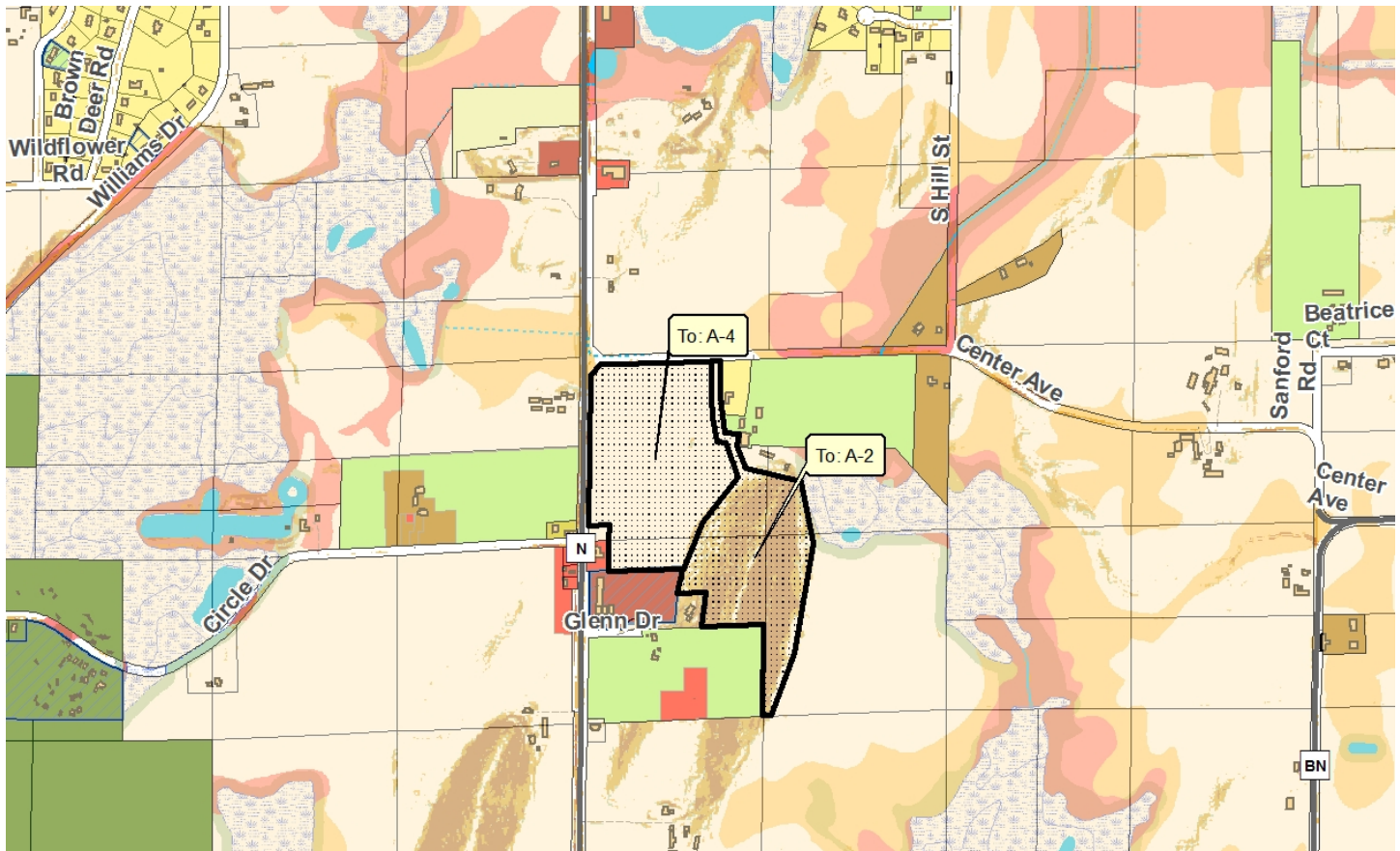




Notice of Public Hearing

Zoning and Land Regulation Committee

<i>Public Hearing:</i> September 26, 2017	<i>Petition:</i> Petition 11182
<i>Zoning Amendment:</i> A-1EX Agriculture District TO A-2 Agriculture District, A-1EX Agriculture District TO A-4 Agriculture District	<i>Town/sect:</i> PLEASANT SPRINGS, Section 21
<i>Acres:</i> 23.4,29.6 <i>Survey Req.:</i> Yes	<i>Applicant:</i> DAVID W SMITHBACK
<i>Reason:</i> Creating one residential lot	<i>Location:</i> SOUTH OF 2449 CENTER AVENUE



DESCRIPTION: Applicant proposes to create a new 23.4 acre A-2 zoned residential parcel. A-4 small lot exclusive agriculture zoning is also requested to provide zoning compliance for a remnant parcel of approximately 30 acres.

OBSERVATIONS: The proposed residential lot includes a wooded drumlin area with steep slope topography between 12-20% grade occurring across most of the proposed A-2 property. The proposed A-2 lot encompasses most of the non-tillable land from the Smithback farm. No other sensitive environmental features observed.

TOWN PLAN: The property is located in the town's agricultural preservation area.

RESOURCE PROTECTION: An area of resource protection corridor associated with slopes over 20% grade is present on a portion of the proposed A-2 parcel.

STAFF: Appropriate siting for any residential development on the proposed A-2 parcel will be required to ensure consistency with town plan policies that call for protection of steep slopes over 20% grade. As indicated on the attached density study report, the Smithback property remains eligible for one possible split. Staff recommends that the balance of lands owned by the Smithbacks be deed restricted to prohibit residential development (both A-1EX and A-4 properties). Staff also recommends that, prior to the issuance of a zoning permit, a site plan be reviewed and approved by the town to ensure compliance with town residential siting standards and criteria.

TOWN: Approved with conditions (see attached town action report).

Town Conditions:

1. One (1) available split for a Single Family Home on 23.3 acres, zoned A-2. No further land divisions.
2. The parcel 47.6 acres to remain A-1 EX, with no available splits. Deed restrict.
3. The parcel 32.1 acres to be rezoned A-4, with no available splits. Deed restrict.
4. Agricultural Easement – Permitted access to adjacent farmland from driveway.

Suggested Staff conditions:

1. A deed restriction shall be recorded on parcels 0611-164-9001-0, 0611-164-9526-0, 0611-211-8501-8, and 0611-211-8000-4 to prohibit residential development on the property zoned A-1EX Exclusive Agriculture and A-4 Agriculture. The housing density rights for the original farm have been exhausted.
2. An agricultural access easement shall be recorded on the A-2 parcel to allow access to the fields to the east.
3. Site plan approval shall be granted from the Town Board prior to the issuance of a zoning permit for a residence on the A-2 zoned lot.