



**STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT**

May 25, 2023

APPLICATION NUMBER - NAME  
#18-004 – Eagle Ridge – Preliminary Subdivision  
Plat Approval | Site Plan, Tree Removal Permit  
and Steep Slope Permit Approvals

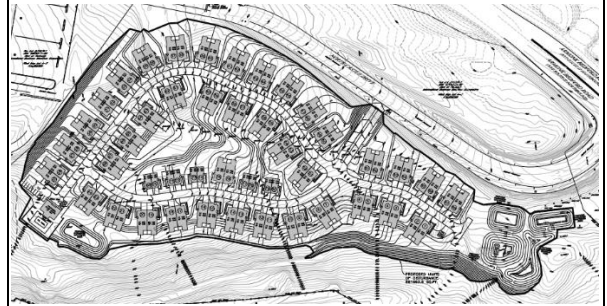
SBL  
108.03-1-62.1

MEETING DATE  
June 12, 2023

PROPERTY ADDRESS/LOCATION  
3 North Castle Drive

**BRIEF SUMMARY OF REQUEST**

The Applicant is seeking eliminate the proposed hotel and subdivide the Property into 89 lots by applying the R-MF-A Zoning District to the property.



PENDING ACTION:       Plan Review       Town Board Referral       Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-MF-SCH and OB-H	Vacant Land	Office & Park	89 unit multifamily development	32.4 acres

**PROPERTY HISTORY**

August 2021 – Town Board rezoned a 21.8 acre portion of the property from OB-H to R-MF-SCH.

**COMPATIBILITY with the COMPREHENSIVE PLAN**

The Town of North Castle Comprehensive Plan states:

“Thus sufficient demand appears to exist for at least two small hotels or one large hotel in North Castle.”

Adding a hotel together with limited new residential uses, would increase downtown Armonk’s potential customer base....”

“While North Castle today is mostly defined by its attractive low-density residential neighborhoods, offering a greater variety of housing types could help the Town to retain Baby Boomers in retirement and attract younger people who wish to stay but cannot afford a single-family home. An efficient approach to greater variety of housing would prioritize attractive multi-family options in locations that maximize access to the community assets that make the Town so attractive, with a focus on targeted infill development in appropriate locations.”

**STAFF RECOMMENDATIONS**

1. The Applicant should be directed to address all outstanding staff and consultant’s comments.
2. The project is compatible with the Comprehensive Plan.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> <li>1. The Town Board adopted Findings regarding the Proposed Action on August 11, 2021 with respect to the previous Proposed Action. Prior to taking any action, the Town Board will need to make a new SEQRA determination with respect to this new Proposed Action</li> <li>2. A Public Hearing for the proposed rezoning, preliminary subdivision application and site plans will need to be scheduled.</li> <li>3. Pursuant to Section 12-18.A of the Town Code, all site development plans submitted to the Planning Board are required to be referred to the Architectural Review Board (ARB) for review and comment.</li> <li>4. Since this lot is in excess of 10 acres, the project should be referred to the Conservation Board, pursuant to Section 239-y.3.a of NY General Municipal Law.</li> <li>5. The site plan will need to be forwarded to the Chief of Police, Fire Inspector and the Armonk Fire Chief so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the designation of no-parking zones, emergency vehicle access or any other issued deemed important to providing emergency services.</li> <li>6. The site plan will need to be forwarded to the Water and Sewer department so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the capacity of the sewer and water infrastructure to handle the proposed amount of demand.</li> <li>7. The Applicant will need to obtain Westchester County Department of Health approval for the water and sewer main extensions.</li> <li>8. The application for site plan approval requires referral to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of NY Route 22.</li> </ol>	
<ol style="list-style-type: none"> <li>1. The submitted site plan significantly improves upon the design of the project by eliminating the previously proposed linear and tiered site plan by creating a curvilinear design that is designed to relate to the character of the area surrounding the site.</li> <li>2. Good planning dictates that denser multi-family developments provide sidewalks within the development. The submitted site plan depicts sidewalks on one side of the street and will create a safer community as sidewalks are a basic safety measure and are a proven and effective safety countermeasure, especially in higher density developments and are consistent with the existing Complete Streets Strategy discussed in the adopted Comprehensive Plan (page 69 – 70).</li> <li>3. The Applicant should submit a landscape plan for review.</li> <li>4. The Applicant should submit plans and elevations of the townhouse units. The elevations should depict building height and max. exterior wall height.</li> <li>5. The site plan shall be revised to depict the location of the oak-tulip forest.</li> <li>6. The Applicant should describe the type of irrigation proposed. During the environmental review of the original Proposed Action, the Applicant committed to an irrigation strategy that includes measures such as harvesting rainwater to reduce the demand on the public water supply, utilizing plant species that require less water, reducing areas that require irrigation and utilizing smart meters for sprinkler systems.</li> </ol>	<p>The site plan should attempt to save this forest to the maximum extent practicable.</p>

7. The Applicant should provide a subdivision plat for review. The plat should demonstrate that the proposed lots meet the minimum requirements of the R-MF-A Zoning District.
8. The Applicant shall submit a preliminary plat along with all other required information required pursuant to Chapter 275 of the Town Code. The Applicant should submit a plat map with all required information, any required public improvements, designs for streets, and any proposed easements.
9. The Applicant should provide details for review of the proposed chipping and/or blasting plan.
10. The Applicant previously indicated that on-site rock processing was required. The Applicant should describe the duration of the rock processing activities, time of day operations will be conducted, the type of equipment used for rock processing, etc. In general, enough information should be submitted for the Planning Board to understand operations and impacts associated with this use.
11. The Applicant has generously offered to pay a \$250,000 recreation fee despite the fact that as a condition of IBM's dedication of Community Park the Town can't impose a recreation fee for the proposed development.
12. The site plan should be revised to depict and quantify Town-regulated steep slope disturbance.
13. The site plan should be revised to depict and quantify Town-regulated tree removal.
14. Pursuant to Section 355-24.I.1 of the Town Code AFFH units shall be marketed in accordance with the Westchester County Fair Affordable Housing Affirmative Marketing Plan.
15. Pursuant to Section 355-24-I.2 of the Town Code, the maximum monthly rent for an affordable AFFH unit and the maximum gross sales price for an AFAH unit shall be established in accordance with US Department of Housing and Urban Development guidelines as published in the current edition of the Westchester County Area Median Income AMI Sales Rent Limits available from the County of Westchester.
16. Pursuant to Section 355-24-I.3 of the Town Code, units designated as affordable AFFH units shall remain affordable for a minimum of 50 years from date of initial certificate of occupancy for rental properties and from date of original sale for ownership units.
17. Pursuant to Section 355-24-I.4 of the Town Code, a property containing any affordable AFFH units shall be restricted using a mechanism such as declaration of restrictive covenants in recordable form acceptable to the Town which shall ensure that the affordable AFFH unit shall remain subject to affordable regulations for the minimum 50-year period of affordability. The covenants shall require that the unit be the primary residence of the resident household selected to occupy the unit upon approval such declaration shall be recorded against the property containing the affordable AFFH unit prior to the issuance of a Certificate of Occupancy for the development.

The Applicant will need to obtain a chipping or blasting permit pursuant to Chapter 122 if chipping or blasting is proposed.