



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

August 17, 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  
September 11, 2023

PROPERTY ADDRESS/LOCATION  
3 North Castle Drive

**BRIEF SUMMARY OF REQUEST**

The Applicant is seeking to subdivide the property into 89 lots and construct 89 multifamily age targeted townhouses.



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 Planning Board will need to make a SEQRA determination with respect to this new Proposed Action.</li> <li>2. A Public Hearing for the proposed preliminary subdivision application and site plan 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>	<p>A public hearing regarding this application was open on July 10, 2023 and adjourned to the September 11, 2023 Planning Board meeting.</p> <p>The ARB approved the proposed townhouse design on July 19, 2023.</p> <p>The Conservation Board recommended approval in a July 6, 2023 memo to the Town Board.</p> <p>The project was referred to emergency services on June 13, 2023.</p> <p>The project was referred to Water and Sewer on June 13, 2023.</p> <p>The project was referred to the Westchester County Planning Board on June 13, 2023.</p>
<u>General Comments</u> <ol style="list-style-type: none"> <li>1. The Applicant previously submitted two building designs (Wilkerson and Walters). However, only one elevation was submitted. The Applicant should confirm that both unit types have the same elevations. In addition, it appears that the current site plan depicts a different house footprint. The Applicant will need to explain this discrepancy. The Applicant should also indicate which plans the ARB reviewed.</li> <li>2. The submitted Wilkerson and Walters floor plans each contain multiple flex and office spaces that may be used as bedrooms as they have privacy and access to a bathroom. If those spaces were to be used as bedrooms the environmental analyses provided by the Applicant would not be accurate. It is suggested that the Planning Board review this issue closely and ensure that the approved floor plans are consistent with the data provided to the Town during the environmental review of the project.</li> <li>3. The Dwelling Unit Calculation chart on the overall site plan should be revised to clearly identify the max permitted number of density units (1 Density Unit per 14,000 s.f. of Net Lot Area) as well as the proposed number of density units on the property.</li> <li>4. The overall site plan should be revised to depict and include the calculations used to demonstrate conformance with Section 355-24.F of the Town Code requiring 50% of the gross area of the site preserved as permanent open space.</li> </ol>	<p>Elevations of all sides of all proposed units should be submitted for review.</p> <p>Perhaps smaller units or units with a different design would be more appropriate for proposed age-targeted R-MF-A units.</p>

<ol style="list-style-type: none"> <li>5. The IPP should be revised to update the zoning conformance table for each proposed lot to include the minimum requirements of the R-MF-A Zoning District along with the proposed condition. In addition, the Coverage column should be replaced with Building Coverage calculations.</li> <li>6. The individual site plan zoning conformance table should be revised to include the minimum off-street parking requirement and the number of off-street parking spaces provided.</li> <li>7. The plans have been revised to depict the location of a bus stop for use by students and the Byram Hills Central School District adjacent to Unit 80.</li> <li>8. The Applicant should indicate whether any signage is proposed for the project. If so, the location and design of the signage should be included on the plans at this time.</li> <li>9. The individual site plans should also include a landscape plan (individual elements of the overall landscaping plan). In addition, as discussed in the DEIS/FEIS, the individual site plans should be revised to depict pavers at each driveway to provide a “decorative element in the front yard” as well as “stone walls, fences and cottage gardens between units to recall the site’s history as a farm.”</li> <li>10. The overall landscape plan should be revised to include details of the proposed stairs, art and benches.</li> <li>11. The Applicant should submit plans and elevations of the townhouse units. The elevations should depict building height and max. exterior wall height.</li> <li>12. 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> <li>13. 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.</li> <li>14. The Applicant should submit a site plan, floor plans and elevations for the proposed club house area for review.</li> <li>15. 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.</li> <li>16. The site plan depicts 35,396 s.f. of Town-regulated steep slope disturbance. .</li> <li>17. The site plan depicts the removal of 541 Town-regulated trees and the planting of 469 new trees.</li> <li>18. The overall site plan should label the proposed AFFH units. In addition, the submitted AFFH floor plans and elevations should be identified as such. Furthermore, the AFFH unit elevations should be revised to depict proposed building height and max. exterior wall height.</li> </ol>	<p>The Zoning Analysis and site plans should also depict conformance with the off-street parking requirements of the Town Code, including the requirements of 355-24.H requiring at least 1/3 but not more than 2/3 of the required parking provided in garages.</p> <p>The Applicant should submit documentation from the School District confirming that the proposed location is acceptable.</p> <p>The previously submitted plans note that the elevations are approximate. The Applicant will need to provide floor plans and elevations for each proposed lot.</p>
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19. Pursuant to Section 355-24-1.1 of the Town Code AFFH units shall be marketed in accordance with the Westchester County Fair Affordable Housing Affirmative Marketing Plan.
20. Pursuant to Section 355-24-1.2 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.
21. Pursuant to Section 355-24-1.3 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.
22. Pursuant to Section 355-24-1.4 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.