



TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
17 Bedford Road
Armonk, New York 10504-1898

Telephone: (914) 273-3542

Fax: (914) 273-3554

www.northcastleny.com

PLANNING BOARD
Christopher Carthy, Chair

RESOLUTION

Action: Master Site Plan, Steep Slopes and Tree Removal Permit Approvals
Application Name: Eagle Ridge [18-004]
Owner/Applicant: Maddd Madonna Armonk LLC
Designation: Lots 108.03-1-62.11 through 108.03-62.102
Zone: R-MF-A Zoning District
Acreage: 32.55 acres
Location: 3 North Castle Drive
Date of Approval: November 27, 2023
Expiration Date: November 27, 2024 (1 year)

WHEREAS, an application for site plan approval was submitted to the Planning Board and the requisite fee was paid; and

WHEREAS, the application consists of the following drawings:

- Plan labeled "L-1," entitled "Tree Removal Plan," dated March 24, 2023, last revised August 7, 2023, prepared by Imbiano Quigley Landscape Architects.
- Plan labeled "L-2," entitled "Planting Plan," dated March 24, 2023, last revised September 15, 2023, prepared by Imbiano Quigley Landscape Architects.
- Plan labeled "L-3a," entitled "Planting Details," dated March 24, 2023, last revised September 15, 2023, prepared by Imbiano Quigley Landscape Architects.
- Plan labeled "L-3b," entitled "Community Open Space," dated March 24, 2023, last revised September 15, 2023, prepared by Imbiano Quigley Landscape Architects.
- Plan labeled "L-4," entitled "Lighting Plan," dated March 24, 2023, last revised September 15, 2023, prepared by Imbiano Quigley Landscape Architects.
- Plan labeled "L-5," entitled "Pedestrian Circulation Plan," dated March 24, 2023, last revised September 15, 2023, prepared by Imbiano Quigley Landscape Architects.
- Document entitled "Preliminary Stormwater Pollution Prevention Plan," dated November 28, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled "Sheet 1 of 1," entitled "Open Space Exhibit Plan," dated September 14, 2023, prepared by Alfonzetti Engineering, P.C.
- Cover Sheet entitled "Eagle Ridge Townhouses," (preparer unknown), (undated).
- Plan labeled "Sheet 1 of 17," entitled "Existing Conditions Plan," dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled "Sheet 2 of 17," entitled "Integrated Plot Plan," dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 2 of 12

- Plan labeled “Sheet 3 of 17,” entitled “88 Lots Zoning Conforming Charts Plan,” dated September 15, 2023, last revised October 26, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 4 of 17,” entitled “Layout Plan 1,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 5 of 17,” entitled “Grading Plan 1,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 6 of 17,” entitled “Utility Plan 1,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 7 of 16,” entitled “Roof Leaders Connection Plan,” dated November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 8 of 17,” entitled “North and South Water Connection Plan,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 9 of 17,” entitled “Road Profiles,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 10 of 17,” entitled “Drain Profiles Plan 1,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 11 of 14,” entitled “Drain Profiles Plan II,” dated May 22, 2023, last revised November 11, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 12 of 17,” entitled “Sewer Profiles Plan,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 13 of 17,” entitled “Water Profiles Plan 1,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 14 of 17,” entitled “Water Profiles Plan II,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 15 of 17,” entitled “Preliminary Erosion Control Plan,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 16 of 17,” entitled “Rock Processing Plan,” dated November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 17 of 17,” entitled “Site Details,” dated May 22, 2023, last revised November 13, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled “Sheet 1 of 1,” entitled “Slope Disturbance Map,” dated November 28, 2022, last revised August 7, 2023.
- Plan entitled “IBM Development Site | Front Elevation | Conceptual Architecture | 3 North Castle Drive, Armonk, NY,” (undated) (preparer unknown).
- Plan entitled “Walters | Floor Plans | Conceptual Architecture | 3 North Castle Drive, Armonk, NY,” (undated) (preparer unknown).
- Plan entitled “Wilkerson | Floor Plans | Conceptual Architecture | 3 North Castle Drive, Armonk, NY,” (undated) (preparer unknown).

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 3 of 12

- Plan entitled “Architectural Elevations| Building Heights | Conceptual Architecture | 3 North Castle Drive, Armonk, NY,” (undated) (preparer unknown).
- Plan entitled “IBM Development Site | Front Elevation | Modern Farmhouse – Scheme 3 (Gray),” (undated) (preparer unknown).
- Plan entitled “IBM Development Site | Front Elevation | Conceptual Streetscape | 3 North Castle Drive, Armonk, NY,” (undated) (preparer unknown).
- Plan entitled “Images | Interior Finishes | Conceptual Architecture,” (undated) (preparer unknown).
- Plan entitled “IBM Armonk | Farmhouse | Ramsdale,” dated July 13, 2023, prepared by Toll Brothers.
- Plan entitled “IBM Armonk | Farmhouse Elevation | Ramsdale,” dated July 13, 2023, prepared by Toll Brothers.
- Plan entitled “IBM Armonk | Floorplan – Clermonte Spinoff | Ramsdale,” dated July 13, 2023, prepared by Toll Brothers.

The Applicant subdivided the property into 88 lots on October 12, 2023 and is seeking approval to construct 88 multifamily age targeted townhouses; and

WHEREAS, this master site plan approval encompasses the general plan, common areas and infrastructure relating to the development; and

WHEREAS, the Planning Board will also approve site development plans for each building lot; and

WHEREAS, eight of the units will be will be AFFH units; and

WHEREAS, the development site is a 32.55 acre property located in the R-MF-A Zoning District and designated on the Tax Maps of the Town of North Castle as lot 108.03-1-62.1; and

WHEREAS, the Applicant received Architectural Review Board approval on July 19, 2023; and

WHEREAS, the SEQRA review of this project concluded with the adoption of a Findings Statement by the Planning Board on October 12, 2023; and

WHEREAS, the site plan depicts 35,396 square feet of Town-regulated steep slope disturbance; and

WHEREAS, the site plan depicts the removal of 541 Town-regulated trees; and

WHEREAS, the Town Board adopted an affordable housing local law on May 14, 2014; and

WHEREAS, 10% of the market rate units within the project must be AFFH units; and

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 4 of 12

WHEREAS, the application was referred to the Westchester County Planning Board (WCPB) pursuant to the requirements of the General Municipal law and Westchester County Administrative Codes; and

WHEREAS, the County provided comments in a March 31, 2023 letter to the Town where the County stated that it supported the project change from an age-restricted plan to an unrestricted market rate plan and that the County Planning Board supported the provision of on-site AFFH housing the Applicant; and

WHEREAS, however, the County also acknowledged that the Town should provide additional pedestrian facilities via proposed sidewalks/crosswalks to the Armonk Hamlet and Community Park; and

WHEREAS, the County also suggested that the Applicant consider using green building technology and provide bicycle storage; and

WHEREAS, the site plan has been forwarded to the Chief of Police, Building 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; and

WHEREAS, the plans were forwarded to the Sewer and Water 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 effluent and water demand; and WHEREAS, the Sewer and Water Department has provided significant input upon the design of the water and sewer infrastructure; and

WHEREAS, a duly advertised public hearing regarding the site plan was opened on said application on July 10, 2023 and closed on October 12, 2023 at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, the Planning Board has requested, received and considered comments from the Town Attorney, the Consulting Town Engineer and Town Planner regarding the proposed development; and

WHEREAS, the Planning Board has inspected the site and is familiar with the nature of the site, the surrounding area and the proposed development; and

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 5 of 12

WHEREAS, the requirements of the Zoning Ordinance and the Town of North Castle Comprehensive Plan Update have been met;

NOW THEREFORE BE IT RESOLVED, that the application for site plan, steep slopes and tree removal permit approvals, as described herein, be and is hereby conditionally approved, subject to the following conditions and modifications; and

BE IT FURTHER RESOLVED, that this approval shall expire one (1) year after the date of this resolution unless all of the conditions and modifications identified below have been substantially completed or an extension of time has been requested by the Applicant or granted by the North Castle Planning Board.

Prior to the Signing of the Site Plan:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____ 1. A rock crushing plan shall be submitted and include the following to the satisfaction of the Town Engineer: Specify the equipment used for rock crushing. Equipment shall have an integrated dust control system. Rock crushing plan shall be limited to the hours of 9 am to 4 pm on weekdays. Rock crushing shall not be permitted on weekends and holidays. The Town Engineer shall determine that the proposed methodology and work plan is acceptable.
- _____ 2. The Applicant shall provide written comments from the Armonk Fire Department confirming that the proposed fire hydrant layout is acceptable to the Armonk Fire Department.
- _____ 3. The Applicant has indicated that chipping may be required during construction. The Town Engineer shall determine that the proposed methodology and work plan is acceptable.
- _____ 4. The landscape plan shall be revised to utilize plants from the NYS Native Plants as identified in the [New York Flora Atlas](#) to the satisfaction of the Planning Department.
- _____ 5. The site plan shall be revised to contain a note, to the satisfaction of the Planning Department, stating the following from the September 21, 2016 Langan Phase I Environmental Site Assessment:

Review of historical documents indicated that the Subject Property was utilized as

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 6 of 12

agricultural land, presumably an orchard from the 1930s to the 1960s. Use of pesticides, insecticides, and herbicides is a common agricultural practice, and residual concentrations of lead, arsenic, and other hazardous substances associated with pesticides may remain in shallow soil. The presence of residual pesticides and herbicides in soil and groundwater would not generally result in a regulatory enforcement action; however, excavated material generated during site development should be handled as a regulated solid waste.

- _____6. The site plan shall be revised, to the satisfaction of the Town Engineer, to include a note describing the volume of soil removed and the location of such disposal.
- _____7. The Applicant shall submit a Phase II Environmental Site Assessment to the satisfaction of the Town Engineer.
- _____8. The project will result in disturbances greater than one acre. As such, the applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with Chapter 267, Stormwater Management of the Town Code to the satisfaction of the Town Engineer. In addition, the project is required to obtain coverage under the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit, GP-0-20-001 for Stormwater Discharge from Construction Activity. The applicant shall file a Notice of Intent (NOI) with the NYSDEC. A draft copy shall be provided for review to the satisfaction of the Town Engineer. The SWPPP and NOI shall reflect the requirements and conditions of the latest General Permit to the satisfaction of the Town Engineer.
- _____9. All plans shall contain the seal and signature of the preparer to the satisfaction of the Planning Department.
- _____10. The Applicant shall submit, as necessary and appropriate, final details to the satisfaction of the Town Engineer of site, final grading and storm drainage, utility connections, sight lines and curbing, parking, driveway and pavement specifications.
- _____11. Pursuant to Section 127-17 of the Town Code, the Applicant shall submit a detailed quantity cost estimate for all site improvements proposed, with the quantities certified to by the Applicant's engineer, to the satisfaction of the Town Engineer.
- _____12. The Applicant shall obtain WCDH approval of all proposed sewer collection and water supply distribution facilities to the satisfaction of the Town Engineer.

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 7 of 12

- _____ 13. The Applicant shall obtain WCDH realty subdivision approval to the satisfaction of the Town Engineer.
- _____ 14. Payment of all applicable fees, including any outstanding consulting fees.
- _____ 15. The Applicant shall submit to the Planning Board Secretary one (1) set of plans (with required signature block) incorporating all required amendments to the plans as identified in this resolution of approval to the satisfaction of the Town Planner, Town Engineer and Town Attorney.

Prior to the Issuance of a Building Permit:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____ 1. The Applicant shall obtain Planning Board site plan approval for the proposed club house development site.
- _____ 2. The Applicant shall submit documentation, to the satisfaction of the Planning Department, demonstrating that the proposed pump station building received approval from the ARB.
- _____ 3. The Zoning Compliance Chart shall be revised, to the satisfaction of the Planning Department, to demonstrate that all AFFH units meet the minimum floor area required in Section 355-24.I(6) of the Town Code.
- _____ 4. The Applicant shall obtain ARB approval for any proposed entrance signage.
- _____ 5. Prior to any modifications of the Community Park ballfields made by the Town of North Castle and prior to the issuance of the first Eagle Ridge building permit, the Applicant shall install the required upgraded drainage pipe within Community Park to the satisfaction of the Town Engineer or fully fund the installation of the required stormwater pipe. Except, if an alternate drainage route other than to the Town Park is found, which is acceptable to the Town Engineer, then such upgrade or funding is not required.
- _____ 6. If necessary, the Applicant shall obtain a chipping or blasting permit pursuant to Chapter 122 from the Building Department.

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 8 of 12

- _____7. The Applicant and the Town Board previously agreed to a \$2,248,000 Community Benefits Agreement. The Applicant shall provide \$750,000 upon issuance of the first building permit for the first market rate unit.
- _____8. The Applicant and the Town Board previously agreed to a \$2,248,000 Community Benefits Agreement. The Applicant shall provide a second \$750,000 upon issuance of the sixth building permit for a market rate unit.
- _____9. The Applicant and the Town Board previously agreed to a \$2,248,000 Community Benefits Agreement. The Applicant shall provide a final \$748,000 upon issuance of the 17th building permit for a market rate unit.
- _____10. Pursuant to an agreement with the Town of North Castle Town Board, a restrictive covenant in recordable form acceptable to the Town Attorney shall be submitted ensuring that a minimum of 60% of the housing units shall contain first floor primary bedrooms.
- _____11. 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.
- _____12. Provide proof of coverage under the NYSDEC General Permit, GP-0-20-001, for Stormwater Discharge from Construction Activity, to the satisfaction of the Town Engineer.
- _____13. The Applicant shall be required to employ a full time construction manager for the project. In addition, the Town Board finds that given current Town staffing levels combined with the size of the development, the Applicant shall be required to establish an escrow account and reimburse the Town for costs associated with a third party part-time special engineering and/or building inspector.
- _____14. The approved site plan and shall be signed by both the Planning Board Chair and Town Engineer.

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 9 of 12

- _____ 15. The submission of a complete set of building plans for review and approval by the Town Building Inspector prior to the issuance of a building permit.
- _____ 16. The Applicant shall submit an engineering inspection fee equal to 3% of the estimated cost of construction. If site work proceeds Building Permits, Inspection fee shall be paid to the town prior to the start of any structural site work.
- _____ 17. Payment of all outstanding fees, including professional review fees.

Prior to the Issuance of a Certificate of Occupancy:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____ 1. The Applicant shall submit documentation demonstrating that the sewer and water infrastructure has been dedicated to the Water District and accepted by the Town Board to the satisfaction of the Town Engineer.
- _____ 2. Prior to issuance of a Certificate of Occupancy for a building, the Applicant shall submit documentation confirming that the AFFH units or units in such building is available for sale/rental and comply with the AFFH requirements of Section 355-24.I of the Town Code to the satisfaction of the Town Planner.
- _____ 3. The proper construction type stickers shall be affixed to all buildings to the satisfaction of the Building Department.
- _____ 4. The submission to the Town Building Inspector of an "As Built" site plan.
- _____ 5. The Applicant shall install Knox Boxes to the satisfaction of the Fire Inspector.
- _____ 6. The Applicant shall submit documentation demonstrating that Notice of Termination (NOT) filing for the NYSDEC General Permit has been completed to the satisfaction of the Town Engineer.
- _____ 7. Prior to obtaining a Certificate of Occupancy, the site shall have an all weather asphalt roadway completed to the asphalt binder course to the satisfaction of the Town Engineer.
- _____ 8. Payment of all outstanding fees, including professional review fees.

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 10 of 12

Other Conditions:

1. RPRC review of each individual lot shall be required.
2. All affordable AFFH units, whether for purchase or for rent, shall be marketed in accordance with the Westchester County Fair & Affordable Housing Affirmative Marketing Plan.
3. All AFFH units shall comply with Town Code Section 355-24.I.2. Maximum Rent and Sales Price .
4. 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.
5. Prior to the start of construction and throughout the construction period, area of disturbance lines shall be clearly delineated in the field with snow fence or another demarcation acceptable to the Town Engineer, which shall be placed around the entire proposed construction area. Except as necessary to provide mitigation plantings, no encroachment beyond these limits by workers or machinery shall be permitted.
6. Grading and clearing and other construction-related activities shall take place only within the delineated area of disturbance lines. These area of disturbance lines represent the maximum limits of construction activities. Every attempt shall be made to further reduce grading and clearing activities within the area of disturbance lines by maintaining natural vegetation and topography wherever practicable.
7. Prior to the commencement of any site work, the Applicant shall stake the location of the proposed construction for inspection and approval by the Building Department and/or the Town Engineer.
8. All soil erosion and sedimentation control measures shown on this plan shall be in place prior to the start of any site work. The Town Engineer shall have inspected the installation of all required soil erosion and sedimentation control measures prior to the authorization to proceed with any phase of the site work.
9. Throughout the construction period, a qualified professional retained by the Applicant shall, on at least a weekly basis, prior to any predicted rain event and after any runoff-producing rain event, inspect the soil erosion and sedimentation control measures to ensure their proper functioning. Soil shall be removed from the silt fence when bulges develop in the fence.

Site Plan, Steep Slopes and Tree Removal Permit Approvals for

Eagle Ridge [18-004]

November 27, 2023

Page 11 of 12

10. If the Applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, he shall report such conditions immediately to the Building Department and/or the Town Engineer. The Applicant may submit, if he so desires, his recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. The Building Department and/or the Town Engineer, without unnecessary delay, shall investigate the condition or conditions, and shall either approve the Applicant's recommendations to correct the conditions, order a modification thereof, or issue his own specifications for the correction of the conditions. In the event of the Applicant's disagreement with the decision of the Building Department and/or the Town Engineer, or in the event of a significant change resulting to the site plan or any change that involves the wetlands regulated areas, the matter shall be decided by the Planning Board. Any such conditions observed by the Planning Board or its agents shall be similarly treated.
11. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.
12. The Applicant shall provide sedimentation and erosion control measures to the satisfaction of the Town Engineer and in accordance with the measures set forth in the Westchester County Best Management Practices for Construction and Related Activities.
13. All landscaping shown on this plan shall be maintained in a vigorous growing condition throughout the duration of the use. All plants not so maintained shall be replaced with new plants of comparable size and quality at the beginning of the next immediately following growing season.
14. Notwithstanding any provision of this resolution, separate building permits and temporary and final Certificates of Occupancy may be issued for each separate project building.
15. Notwithstanding any provision of this resolution, a site work permit may be issued by the Building Department prior to issuance of a building permit, subject to approval by the Town Engineer.

Applicant, agreed and understood as to contents and conditions, including expiration, contained herein

Date Maddr Madonna Armonk LLC

NORTH CASTLE PLANNING OFFICE, as to approval by the North Castle Planning Board

Date Joseline Huerta, Planning Board Secretary
Certified as Approved by the North Castle Planning Board

KELLARD SESSIONS CONSULTING
As to Drainage and Engineering Matters

Date Joseph M. Cermele, P.E.
Consulting Town Engineer

STEPHENS BARONI REILLY & LEWIS LLP
As to Form and Sufficiency

Date Roland A. Baroni, Jr. Esq., Town Counsel

NORTH CASTLE PLANNING BOARD

Date Christopher Carthy, Chairman