



STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

May 13, 2022

APPLICATION NUMBER - NAME
#2020-039 – 21 Nethermont Ave
Site Plan, Steep Slope and Tree Removal
Permit Approvals

SBL
122.16-4-41

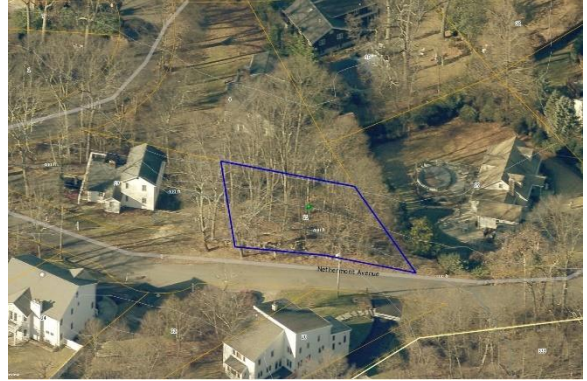
MEETING DATE
May 23, 2022

PROPERTY ADDRESS/LOCATION
21 Nethermont Ave

BRIEF SUMMARY OF REQUEST

Proposed new four bedroom 3,125 square foot home, driveway and yard areas.

This property was referred for Planning Board site plan approval by the RPRC.



PENDING ACTION: Plan Review Town Board Referral Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-5 One-Family Residence District (5,000 square feet)	Existing Vacant Lot	Residential	House, driveway and yard areas.	7,546 square feet

PROPERTY HISTORY

Existing Vacant Lot

COMPATIBILITY with the COMPREHENSIVE PLAN

- Continue to take neighborhood context into account in approving new single-family homes.
- Continue to protect natural resources and environmentally sensitive areas such as rivers, streams, lakes, ponds, wetlands, flood plains, aquifers, wildlife habitats, steep slopes and forested areas, significant trees, and woodlands, among others, from unnecessary and avoidable impacts.
- Continue strong protection of tree cover through the tree removal permitting process.
- Preserve the current overall development pattern of North Castle and its neighborhoods. Be sure new development responds to environmental constraints, particularly for preservation of the New York City watershed.
- Maintain the quality-of-life created by physical and natural attributes, by structuring development that promotes sound conservation measures.
- The Town should encourage residential development that is compatible in scale, density, and character with its neighborhood and natural environment.

STAFF RECOMMENDATIONS

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

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 1. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA). 2. Pursuant to Section 12-18(1) 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. 3. The site plan should be forwarded to the Chief of Police, Fire Inspector and the North White Plains 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. 4. The site plan should be 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 ability to provide water and sewer capacity for the proposed house. 5. The Applicant will be required to obtain a curbcut permit from the North Castle Highway Department. 6. A neighbor notification meeting regarding the proposed site plan will need to be scheduled. 7. The site plan application will need to be referred to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML) since the site is within 500 feet of the City of White Plains. 8. The neighbor notification notice will need to be sent to the City of White Plains City Clerk pursuant to § 239-nn of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of the City of White Plains. 	<p>The Applicant secured ARB approval on March 3, 2021</p> <p>The referral was made on January 26, 2021. The Police Department expressed concern with the proposed driveway location and sight distance.</p> <p>The referral was made on January 26, 2021.</p> <p>The referral was made on January 26, 2021.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> 1. The proposed driveway location does not provide the minimum required sight distance pursuant to Section 355-59.D of the Town Code. 2. The site plan depicts the removal of 20 Town-regulated trees. Six Town-regulated trees (7 trees) will remain on the property. 	<p>The Applicant obtained a variance to permit 116 feet of sight distance looking north and 114 feet of sight distance looking south at the April 7, 2022 Zoning Board of Appeals meeting.</p> <p>Pursuant to Section 308-15 of the Town Code, the Applicant has provided a plan that provides screening along the side lot lines.</p> <p>The Planning Department is concerned that the proposed trees to remain at the rear will be negatively impacted by the proposed fill in this area.</p> <p>In addition, the proposed wall and rip rap slope will be highly visible from 4 Freedom Road. It is recommended that the site plan eliminate the rip rap slope and the site plan revised to install an additional lower retaining wall. The Applicant should then plant between wall tiers and at the base of the lower wall. This would screen the walls and eliminate any fill below the walls.</p>

3. The site contains a significant amount of rock that will need to be removed in order to develop the site. The development of this lot will require a substantial amount of rock chipping or blasting that may significantly impact surrounding properties. The Applicant should indicate the proposed method of rock removal. If blasting, the Applicant should provide a blasting plan for review pursuant to Article I of Chapter 122 of the Town Code. If Chipping is proposed, the Applicant should provide a chipping plan for review pursuant to Article II (recently adopted) of Chapter 122 of the Town Code.
4. The site plan depicts 3,631 square feet of Town-regulated steep slopes.
5. It is noted that the Applicant adjusted the plan to address comments related to Building Height, Maximum Exterior Wall Height and Building Stories.
6. The site plan should be revised to dimension the deck to the rear property line. The deck can't be closer than 30 feet to the rear lot line.
7. The Planning Board at the January 15, 2021 meeting stated that rock crushing shall be prohibited on this site.

The Applicant should provide a chipping plan for review at this time.

The Planning Board will need to determine whether the proposed amount of Town-regulated steep slope disturbance is acceptable.