



PLANNING BOARD
Christopher Carthy, Chair

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

RESOLUTION

Action:	Amended Final Subdivision Plat Approval
Application Name:	Summit Club Subdivision [2020-051]
Owner/Applicant:	SUMMIT CLUB PARTNERS LLC
Designation:	101.02-1-28.2
Zone:	R-2A & GCCFO Zoning Districts
Acreage:	156.3 acres
Location:	570 Bedford Rd
Original Date of Approval:	August 7, 2023
Original Expiration Date:	February 3, 2024 (180 Days)
Amended Date of Approval:	January 22, 2024
Amended Expiration Date:	July 20, 2024

WHEREAS, application for subdivision plat approval was submitted to the Planning Board and the application fees were paid; and

WHEREAS, applications for preliminary subdivision plat approval were submitted to the Planning Board and the application fees were paid; and

WHEREAS, the application consists of the following drawings:

- Plan labeled "PSP-1," entitled "Preliminary Subdivision Plat," dated November 23, 2020, last revised July 24, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled "IPP-1," entitled "Integrated Plot Plan," dated November 23, 2020, last revised July 24, 2023, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.

WHEREAS, a contemporaneous site plan application for the construction of 72 residential units containing 180 bedrooms in six buildings is being reviewed by the Planning Board; and

WHEREAS, the purpose of the requested subdivision is to create separate lots for the water infrastructure (facilities, mains, pumps, tank) to be owned by the Water District; and

WHEREAS, proposed Lot 1 contains a golf course; and

WHEREAS, proposed Lot 2 contains a multi-family residential project.; and

WHEREAS, proposed Lot 2.1 contains the joint multi-family and golf course amenity building/club house; and

WHEREAS, proposed Lot 3 contains a wastewater treatment plant; and

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WHEREAS, proposed Lot 4 contains a water facility building and water tank that will be dedicated to Water District 2B; and

WHEREAS, proposed Lot 5 contains two wells that will be dedicated to Water District 2B; and

WHEREAS, proposed Lot 6 contains a well that will be dedicated to Water District 2B; and

WHEREAS, the subdivision will not create any additional residential building lots; and

WHEREAS, the SEQRA review of this project concluded with the adoption of a Findings Statement by the Planning Board (and Town Board) in March of 2016; and

WHEREAS, a duly advertised public hearing on the preliminary subdivision plat application was conducted on August 7, 2023 at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, pursuant to Section 275-15.E of the Town Code, when the Planning Board deems the final plat to be in substantial agreement with a preliminary plat approved under the provisions of the Town Code and modified in accordance with the requirements of such approval if applicable, the Planning Board may waive the requirement for such a public hearing; and

WHEREAS, the Planning Board has evaluated the proposed total site disturbance; and

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

WHEREAS, the Planning Board has determined that the proposed addition of one (1) new single-family lot will contribute to the existing unmet need for additional park and recreational facilities in the Town, which need cannot be met on the subject property in accordance with the provisions of Section 275-27.A(4) of the Town of North Castle Town Code given its size and characteristics, and on that basis, has determined that the best interests of the Town and future residents of the proposed subdivision will be better served by requiring a cash payment to be earmarked for park, playground and/or other recreational purposes; and

WHEREAS, the Planning Board has received and considered comments from the public, Town Attorney, Town Engineer and Town Planner; and

WHEREAS, the requirements of the Land Subdivision Regulations, the Zoning Ordinance and the *1996 Town of North Castle Comprehensive Update* have been met by the application; and

WHEREAS, under the Town Law the approval of said subdivision plat by this Planning Board does not affect the power of the Town to change zoning regulations, nor act as an assurance of the granting of any building permits; and

WHEREAS, the Applicant received preliminary subdivision plat approval on August 7, 2023;

NOW THEREFORE BE IT RESOLVED, that pursuant to the authority granted by Section 275-15.E of the Town of North Castle Town Code, the Planning Board hereby waives the public hearing on the final plat; and

BE IT FURTHER RESOLVED, that the final subdivision plat approval, as described herein is conditionally approved, subject to compliance with the following conditions and modifications; and

BE IT FURTHER RESOLVED, that this final subdivision plat approval shall expire 180 days from the date of this resolution unless a written request for an extension of final subdivision plat is granted by the Planning Board; and

BE IT FURTHER RESOLVED, that if all conditions of approval are not fully complied with within the above time limits, said plat shall be disapproved.

Conditions to be Completed Before the Final Plat is Signed

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

- _____ 1. The subdivision plat shall contain the name and address of the property owner to the satisfaction of the Planning Department.
- _____ 2. All plans shall contain the seal and signature of the preparer to the satisfaction of the Planning Department.
- _____ 3. The plat shall be revised to include all dimensions of property lines (meets and bounds) to the satisfaction of the Planning Department.
- _____ 4. The plat shall be revised include the total acreage of the property to the satisfaction of the Planning Department.
- _____ 5. The plat shall be revised to eliminate all approximate acreage and dimensions to the satisfaction of the Planning Department.
- _____ 6. The plat map shall be revised to remove all proposed building and structures to the satisfaction of the Planning Department.
- _____ 7. The plat map shall be revised to depict the proposed section , block and lot numbers as assigned by the Tax Assessor to the satisfaction of the Tax Assessor.
- _____ 8. The plat map shall be revised to depict an access easement over the property for Water District personnel to the satisfaction of the Town Engineer and Sewer and Water Department.
- _____ 9. The plat map shall be revised to remove Note 3 and Note 4 (parking), Note 7 and Note 8. This information should be placed on another site plan (not plat).

- _____10. The plat map shall be revised to remove the Proposed Building Minimum Yards from the Zoning Compliance Chart, Proposed Building Coverage, Proposed Building Height, Parking Spaces to the satisfaction of the Planning Department. This information should be placed on another site plan (not plat).
- _____11. Submission to the Planning Board of a suitable legal agreement, in form satisfactory to the Town Attorney, providing an access easement over the property for Water District personnel.
- _____12. Submission to the Planning Board of a suitable legal agreement, in form satisfactory to the Town Attorney, relating to the proposed water main easement over the subject property.
- _____13. The plans shall be revised to modify the future water main easement as depicted below:



- _____14. The Applicant shall submit a preliminary plat meeting the requirements of Section 275-30 of the Town Code to the satisfaction of the Planning Department.
- _____15. Payment of all applicable fees, including any outstanding consulting fees.
- _____16. The applicant shall furnish the necessary documentation confirming that all taxes assessed against the property have been paid.
- _____17. The plat shall be referred to the Tax Assessor for review and for the assignment of the new tax lot numbers. The plat shall be revised per the Assessor as required and all new tax lot numbers shall be placed on the subdivision plat.
- _____18. The Applicant shall secure approval and endorsement of the plat by the Westchester County Department of Health. All plans submitted to the Westchester County

Department of Health for review and approval shall reflect the identification of all wetland boundaries and their respective surrounding regulated areas. A copy of the integrated plot plan containing the endorsement of the Westchester County Department of Health shall be submitted to the Town Engineer prior to the signing of the final linen. Notwithstanding the foregoing, the Planning Board Chairman and the Town Engineer may endorse the Plat, as required for the Applicant to secure approval from the Office of the New York State Attorney General for a condominium offering plan, provided that all other conditions contained in this Resolution are satisfied, unless indicated otherwise.

- _____ 19. The applicant shall provide approvals from the WCHD for the subdivision, proposed on-site wastewater treatment facility and on-site wells to the satisfaction of the Town Engineer. Notwithstanding the foregoing, the Planning Board Chairman and the Town Engineer may endorse the Plat, as required for the Applicant to secure approval from the Office of the New York State Attorney General for a condominium offering plan, provided that all other conditions contained in this Resolution are satisfied, unless indicated otherwise.

- _____ 20. The applicant shall produce a Final Subdivision Plat in accordance with the provisions of Section 275-33 of the North Castle Land Subdivision Regulations, and Final Construction Plans in accordance with 275-16 of the Town Land Subdivision Regulations. Notwithstanding the foregoing, the Planning Board Chairman and the Town Engineer may endorse the Plat, as required for the Applicant to secure approval from the Office of the New York State Attorney General for a condominium offering plan, provided that all other conditions contained in this Resolution are satisfied, unless indicated otherwise.

- _____ 21. The Applicant shall furnish the necessary documentation confirming that the plat can be filed immediately, that there are not liens on the plat whatsoever, or any other impediments to the filing of the Plat with the County Clerk. Notwithstanding the foregoing, the Planning Board Chairman and the Town Engineer may endorse the Plat, as required for the Applicant to secure approval from the Office of the New York State Attorney General for a condominium offering plan, provided that all other conditions contained in this Resolution are satisfied, unless indicated otherwise.

Other Conditions:

1. All references to "the Applicant" shall include the Applicant's successors and assigns.

