

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

October 11, 2023



APPLICATION NUMBER - NAME  
 [#2022-037] – St. Christopher’s | Jennie Clarkson  
 Planning Board Site Plan, Wetlands Permit,  
 Steep Slopes Permit and Tree Removal Permit

SBL 118.01-1-2.2

MEETING DATE  
 October 23, 2023

PROPERTY ADDRESS/LOCATION  
 1700 Old Orchard Street

**BRIEF SUMMARY OF REQUEST**

Regrade and re-vegetate a recently disturbed slope along the west side of the property due to the placement of unauthorized construction and demolition debris and fill.

Install a stone drainage swale at the end of an existing 12" diameter drainage pipe to dissipate storm water discharge and direct it away from the edge of the property. Install 12 deciduous trees in addition to re-vegetating and stabilizing the slope with a bio-degradable mat and grass seed mix.



PENDING ACTION:             Plan Review             Town Board Referral             Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-2A	School	Educational Uses, Single Family Residential Uses	Tree Removal, Fill Placement	37.74 acres

**PROPERTY HISTORY**

2018- Planning Board  
 Approved Animal-Assisted  
 Therapy Program for on-site  
 residents

**COMPATIBILITY with the COMPREHENSIVE PLAN**

**STAFF RECOMMENDATIONS**

1. The Applicant should be directed to address all outstanding staff and consultant’s comments.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> <li>1. The Planning Board will need to schedule a Public Hearing regarding the proposed site plan and wetlands permit.</li> <li>2. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). The Planning Board will need to determine whether to coordinate the environmental review with other Involved Agencies.</li> <li>3. The site plan will need to be forwarded to the Chief of Police, Fire Inspector and the North White Plains 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>4. The application for site plan approval will need to be referred 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 and Cranberry Lake Preserve.</li> <li>5. The application for site plan approval should be referred to the New York City Department of Environmental Protection. This referral is recommended because the subject site is located adjacent to the Kensico Reservoir.</li> <li>6. The Conservation Board prepared recommendations directly to the Applicant that recommends the creation of a rain garden and the redirection of stormwater from the raingarden. The Conservation Board also proposed several specific recommendations with respect to how mitigation can be proposed on the site.</li> </ol>	<p>The Police Department noted its concern with respect to flooding resulting from the grading on the site.</p> <p>The Westchester County Planning Board noted the need to protect the Kensico Reservoir.</p> <p>The referral was made on September 13, 2022.</p> <p>It is recommended that the Applicant be directed to address the comments as recommended by the Conservation Board.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The Applicant has disturbed a hillside adjacent to the Kensico Reservoir, removed Town-regulated trees and imported fill and C&amp;D material. The site plan should be revised to include a table quantifying the amount of fill brought into the site and the number of Town-regulated trees removed.</li> <li>2. The Applicant is required to obtain a fill permit from the Building Department pursuant to Chapter 161 of the Town Code. The Applicant should provide the required permit application materials for the Planning Board to review at this time. It is imperative that the Applicant demonstrate that the material proposed to remain on the site is clean and properly stabilized. If not, the Planning Board should be required to remove all fill from the property so it can be properly disposed.</li> <li>3. The site contains Town-regulated wetlands. The site plan depicts 19,214 square feet of Town-regulated wetland buffer disturbance. The Applicant will need to prepare a mitigation plan to the satisfaction of the Conservation Board and Planning Board.</li> <li>4. The Applicant and the Building Department have noted that several site features have been constructed or modified on the property without proper approval. In an effort to legalize the property the Applicant has prepared plan EP-1 which depicts the following: <ul style="list-style-type: none"> <li>• Proposed slope mitigation area.</li> <li>• Legalization of previously non permitted farm area (adjacent to slope disturbance).</li> <li>• Legalization of grazing area associated with the previously approved farm area.</li> <li>• Legalization of barn associated with the previously approved farm area.</li> <li>• Legalization of paddock associated with the previously approved farm area.</li> <li>• Legalization of animal structure associated with the previously approved farm area.</li> <li>• Proposed conversion of existing window to ADA compliant exterior door and ramp.</li> <li>• Proposed two new sheds for PFAS removal.</li> <li>• Legalization of 4 120 gallon above ground propane tanks.</li> <li>• Legalization of generator and generator pad</li> <li>• Legalization of bird sanctuary building.</li> </ul> </li> </ol>	<p>If the number of trees removed is not known, the Applicant can use aerial photography to document the changes.</p> <p>A modification of the existing Town Board Special Use Permit for the new animal husbandry facility will be required.</p> <p>The Applicant should submit floor plans and elevations for the barn, animal structure, sheds and bird sanctuary buildings. Elevations should have building height depicted.</p> <p>Details of the propane tank and generator should be submitted.</p>