

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

October 12, 2023



APPLICATION NUMBER - NAME  
#2022-042 – 40 High Street Subdivision  
Application

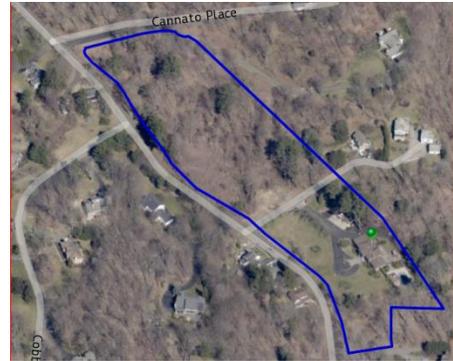
SBL  
101.03-3-83

MEETING DATE  
October 23, 2023

PROPERTY ADDRESS/LOCATION  
40 High Street

**BRIEF SUMMARY OF REQUEST**

**Proposed two (2) lot subdivision (1 new building lot) in the R-1A zone.**



PENDING ACTION:       Plan Review       Town Board Referral       Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1A One-Family Residence District (1 acre)	Existing lot with home	Residential	2 Lot Subdivision	5.847 acres

**PROPERTY HISTORY**

**COMPATIBILITY with the COMPREHENSIVE PLAN**

- 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.
- Promote strong design of new subdivisions that provides for:
  - o Internal roadway access that encourages safe and efficient traffic flow while protecting aesthetic character.
  - o Road connectivity between adjoining residential developments, to facilitate good circulation and provide easy access for Town services and emergency vehicles.
  - o Set-asides of open space such as wetlands, steep slopes, hillsides, ridgelines and other scenic or environmental resources.
  - o Continued protection of environmental, scenic and aesthetic resources through Section 278 of the Town Law.

**STAFF RECOMMENDATIONS**

1. The Planning Board will need to determine whether it is appropriate to approve the subdivision of the subject property.
2. 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 Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>2. A public hearing regarding the proposed subdivision will need to be scheduled.</li> <li>3. Pursuant to Section 340-5.B(1) of the Town Code, the Conservation Board is required to review the proposed wetland application and, within 45 days of receipt thereof, file a written report and its recommendation concerning the application with the Planning Board. Such report is required to evaluate the proposed regulated activity in terms of the findings, intent and standards of Chapter 340.</li> <li>4. The subdivision should 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, emergency vehicle access or any other issued deemed important to providing emergency services.</li> </ol>	<p>The Planning Board should determine whether it wishes to coordinate the environmental review with other Involved Agencies.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The IPP and preliminary plat have been revised to depict the Town-regulated wetland and wetland buffer present on the property. A wetlands permit will be required for the proposed storm drain line to convey road stormwater through Lot 1 and 2. The Applicant should quantify the proposed amount of disturbance and prepare the required 2:1 mitigation plan for review.</li> <li>2. The future development of the lot would require the removal of approximately 17 Town-regulated trees. Applicant should quantify tree removal for a) the proposed site improvements on Lot 1 and Lot 2 and b) for the entire proposed subdivision (including future development).</li> <li>3. The proposed subdivision depicts lots that are capable of being further subdivided in the future (twice the minimum required net lot area). The Applicant should indicate whether the Applicant is willing to place a restriction on the property from being further subdivided at this time. If not, the Applicant will need to prepare a maximum development plan for review. The Applicant must create this plan since the Planning Board is required to take the necessary "hard look" at the full potential impacts associated with developing the entire parcel (to avoid segmentation).</li> <li>4. While Cannato Place is a Town Road, the road does not appear to meet Town-road standards. The Town Engineer should review whether the existing conditions of the road can support an additional house and, if not, whether any improvements to the road should be made as part of this subdivision.</li> <li>5. The Applicant shall submit an exhibit demonstrating that adequate sight distance can be achieved at the proposed driveway location pursuant to Section 355-59.D of the Town Code.</li> <li>6. The Applicant should submit exhibits depicting how average lot width and lot depth were calculated for Lots 1 and 2.</li> <li>7. The Applicant has submitted a Gross Land Coverage Calculations Worksheet for proposed Lot 2. A GLC backup exhibit should also be submitted for review. The site plan should be revised to depict the distance from the house to the front yard.</li> <li>8. The Applicant should submit Gross Floor Area Calculations Worksheet for proposed Lot Lot 2. A GFA backup exhibit should also be submitted for review.</li> </ol>	<p>After review, it has been determined that the wet area fronting High Street on Lot 1 is a drainage channel and not a Town-regulated wetland.</p> <p>The Applicant has stated that they are willing to place a restriction on the future subdivision of the property.</p> <p>The submitted worksheet indicates that the existing house is located 120.75 feet beyond the front yard setback. This does not appear to be correct (appears to be around 60 feet). It appears that the existing amount of gross land coverage will exceed the maximum permitted amount of gross land coverage. Lot 2 should be increased in size to meet the minimum GLC requirements or existing GLC should be proposed to be removed.</p>

9. A minimum contiguous buildable area exhibit for proposed Lot 1 was submitted. In addition, a minimum contiguous buildable area exhibit for proposed Lot 2 will also need to be submitted for review.

10. The applicant shall submit payment of the recreation fee in the amount of ten-thousand dollars (\$10,000) for each new building lot, for a total of \$10,000 as stated in Section 275-27 of the Town Code.

11. The Applicant should submit a preliminary plat that conforms to the minimum requirements of Section 275-30 of the North Castle Town Code for review.

12. It appears that the property contains several existing elements that do not appear to comply with the Town Code (e.g. pool and pool patio does not meet rear yard setback, detached garage does not meet rear yard setback, pool fence not located on property, driveway courtyard does not meet front yard setback). The Applicant will need to demonstrate that all approvals/variances have been issued for these site elements.

The minimum contiguous buildable area depicted for proposed Lot 1 does not appear to be at least 62.5 feet in all directions in the northeastern portion of the depicted area. The minimum required dimensions should be depicted on the minimum contiguous buildable area exhibit.