

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

November 1, 2023



APPLICATION NUMBER - NAME  
 #2023-014 – 32 Orchard Drive Subdivision,  
 Steep Slope Permit and Tree Removal Permit  
 Applications

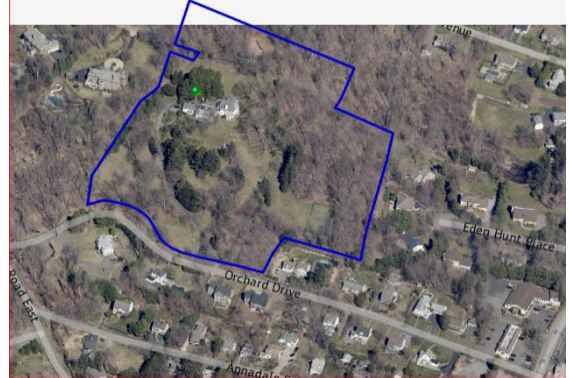
SBL  
 108.01-3-1

MEETING DATE  
 November 13, 2023

PROPERTY ADDRESS/LOCATION  
 32 Orchard Drive, Armonk

**BRIEF SUMMARY OF REQUEST**

**Five lot subdivision of a 12.9 acre lot located in the R-2A Zoning District with proposed well and septic. Proposal is for the existing house to remain and to develop four additional single family homes.**



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	5 Lot Subdivision, with new road and appurtenances	12.9 acres

**PROPERTY HISTORY**

Adjacent to the property is the landlocked Townsend Burial Ground.

**COMPATIBILITY with the COMPREHENSIVE PLAN**

- Subdividing parcels for residential use should encourage a cohesive community. Wherever possible, new lots should have internal roadway access in order to promote safety and encourage efficient traffic-flow while protecting the Town's aesthetic character.

**STAFF RECOMMENDATIONS**

- The Planning Board will need to determine whether it is appropriate to approve the subdivision of the subject property.

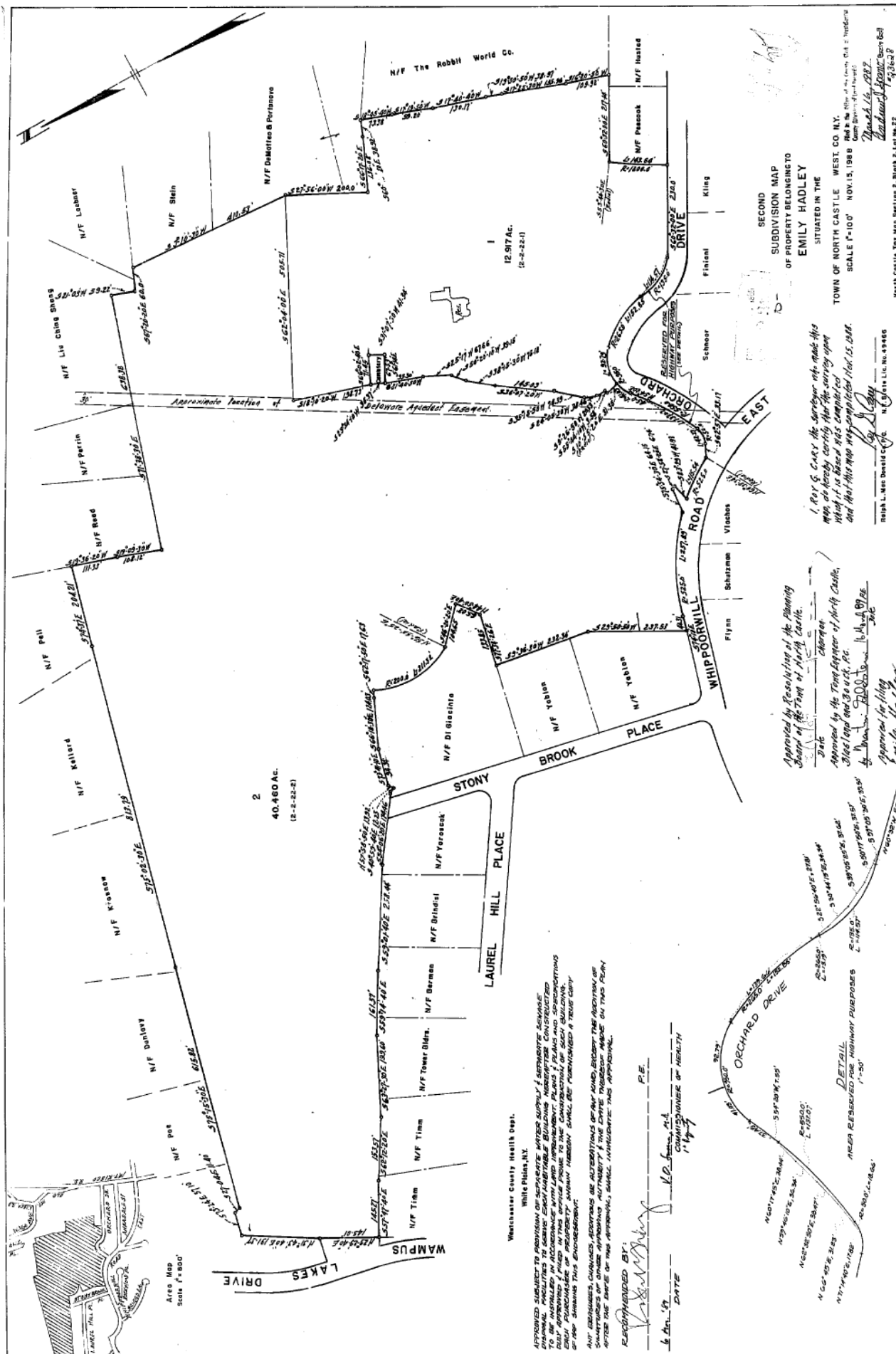
<p><u>Procedural Comments</u></p> <ol style="list-style-type: none"> <li>1. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>2. A public hearing regarding the proposed subdivision will need to be scheduled.</li> <li>3. Pursuant to Section 239-y.3.a of NYS General Municipal Law, the Planning Board should refer this application to the Conservation Board to review the application with respect to the proposed use or development of the open area in terms of the open area planning objectives of the Town.</li> </ol>	<p><u>Staff Notes</u></p> <p>The Planning Board should declare their intent to act as Lead Agency if they wish to coordinate the environmental review of the project. In the alternative, the Planning Board can proceed with an uncoordinated environmental review of the subdivision.</p> <p>The project was referred to the Conservation Board on September 12, 2023.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. Pursuant to Section 275-23, Section 255-14.G and Section 355-21 of the Town Code, Lot 3 is required to have frontage on an improved street. The Applicant will need to provide frontage on a roadway to the satisfaction of the Planning Board and Town Engineer.</li> <li>2. The Applicant is proposing two curbcuts in close proximity to each other. The proposed condition will not be aesthetically appropriate and may create additional difficulty providing snow plowing and highway maintenance. It is recommended that a single curbcut along Orchard Drive be provided for all of the lots in the subdivision. If a single curbcut is not possible, perhaps the driveway serving Lot 5 could be relocated – this would improve aesthetics, snow management and would improve sight distance at the driveway.</li> <li>3. Pursuant to Section 275-25 all new streets should be provided with pavement, sidewalks, curbs, gutters, streetlighting, signs, trees, storm drains, fire alarm devices, fire hydrants and other utilities, except that the Planning Board may waive such improvements as it considers not requisite in the interest of the public health, safety and welfare. Given the location of the proposed subdivision and the lack of available infrastructure, it is recommended that the Planning Board waive the following: sidewalks, streetlights, street trees, fire alarm devices and fire hydrants.</li> <li>4. The house is proposed to remain on Lot 2. The Applicant will need to demonstrate conformance with all zoning requirements pursuant to Section 355-14.C of the Town Code. Specifically, the Applicant should submit a gross land coverage calculations backup exhibit and a gross floor area calculations worksheet and backup information for this lot.</li> <li>5. The property contains Town-regulated trees. The Applicant should submit a tree plan that depicts the location of all Town-regulated trees and depicts proposed removal/preservation of Town-regulated trees. In addition, the plan should be accompanied by a Tree Survey that identifies the size, species and removal status of Town-regulated trees. The Applicant should attempt to preserve as many trees as possible within the subdivision. It is recommended that the submitted IPP include proposed clearing and grading limit lines to clarify the location of anticipated impacted areas.</li> <li>6. The property contains Town-regulated steep slopes. The plan should quantify, in square feet, the proposed amount of Town-regulated steep slope disturbance.</li> <li>7. The Applicant should submit an impact analysis matrix for the subdivision that includes total disturbance, steep slope disturbance, cut/fill and tree removal for each lot and the road right-of-way. The plans should be refined to depict potential grading associated with proposed houses and mowed/graded yard areas; these areas should be included in the impact matrix.</li> <li>8. 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 \$40,000 as stated in Section 275-27 of the Town Code.</li> </ol>	<p>The Applicant may wish to pursue an Open Development Area from the Town Board pursuant to Section 280-A of New York State Town Law.</p>

9. As noted in the property history section of this report, the property abuts the Townsend burial ground. It is requested that the Applicant provide an access easement to this burial ground from a public road. In addition, is recommended that the Applicant reach out to Town Historian Sharon Tomback to discuss this cemetery

The Applicant has indicated that they would provide an easement over Lot 3, from Stony Brook Way to access the cemetery.

It is noted, that any proposed easement should be accessed from the subject property and not Stony Brook Way, as the public does not have any access rights to Stony Brook Way.

10. Based upon the answer to question 12 of the submitted EAF, the Applicant should perform a Phase 1A archeological survey. Depending upon the results of the Phase 1A study, the Applicant may be required to conduct a Phase 1B reconnaissance survey.



SECOND SUBDIVISION MAP OF PROPERTY BELONGING TO EMILY HADLEY SITUATED IN THE TOWN OF NORTH CASTLE WEST CO. N.Y. SCALE 1"=100' NOV. 15, 1998

EMILY HADLEY

RECALCULATED AND RESERVED AREAS (SEE NOTES)

APPROVED BY: *VP. James A. P.E.*  
COMMISSIONER OF HEALTH  
DATE: 11/17/98

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RECALCULATED AND RESERVED AREAS (SEE NOTES)

40.480 Ac. (2-2-23-2)  
12.917 Ac. (2-2-24-1)

N/F The Robbit World Co.  
N/F Dametto B Performance  
N/F Lumber  
N/F Shea  
N/F Liu Ching Sheang  
N/F Partin  
N/F Reed  
N/F Pell  
N/F Kellard  
N/F Kioron  
N/F Daultrey  
N/F 90's  
N/F Tinn  
N/F Tinn  
N/F Tomer Blms.  
N/F Berman  
N/F Binhasi  
N/F Yerossek  
N/F Di Giacinto  
N/F 1010R  
N/F 1010R

WAMPUS LAKES DRIVE  
LAUREL HILL PLACE  
BROOK PLACE  
WHIPPOORWILL ROAD  
ORCHARD DRIVE

WATER RESERVE

RECALCULATED AND RESERVED AREAS (SEE NOTES)

Scale 1"=100'

TOWN OF NORTH CASTLE WEST CO. N.Y. SCALE 1"=100' NOV. 15, 1998

EMILY HADLEY

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