

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

August 9, 2023



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

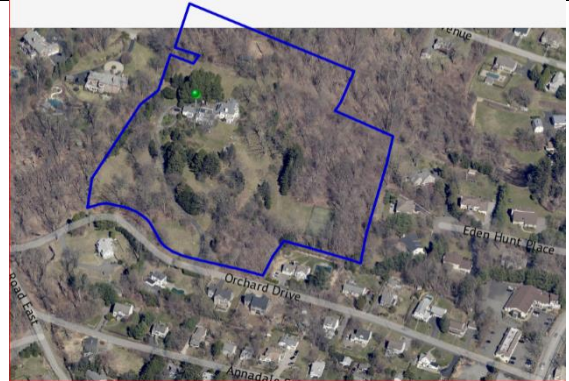
SBL
 108.01-3-1

MEETING DATE
 September 11, 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

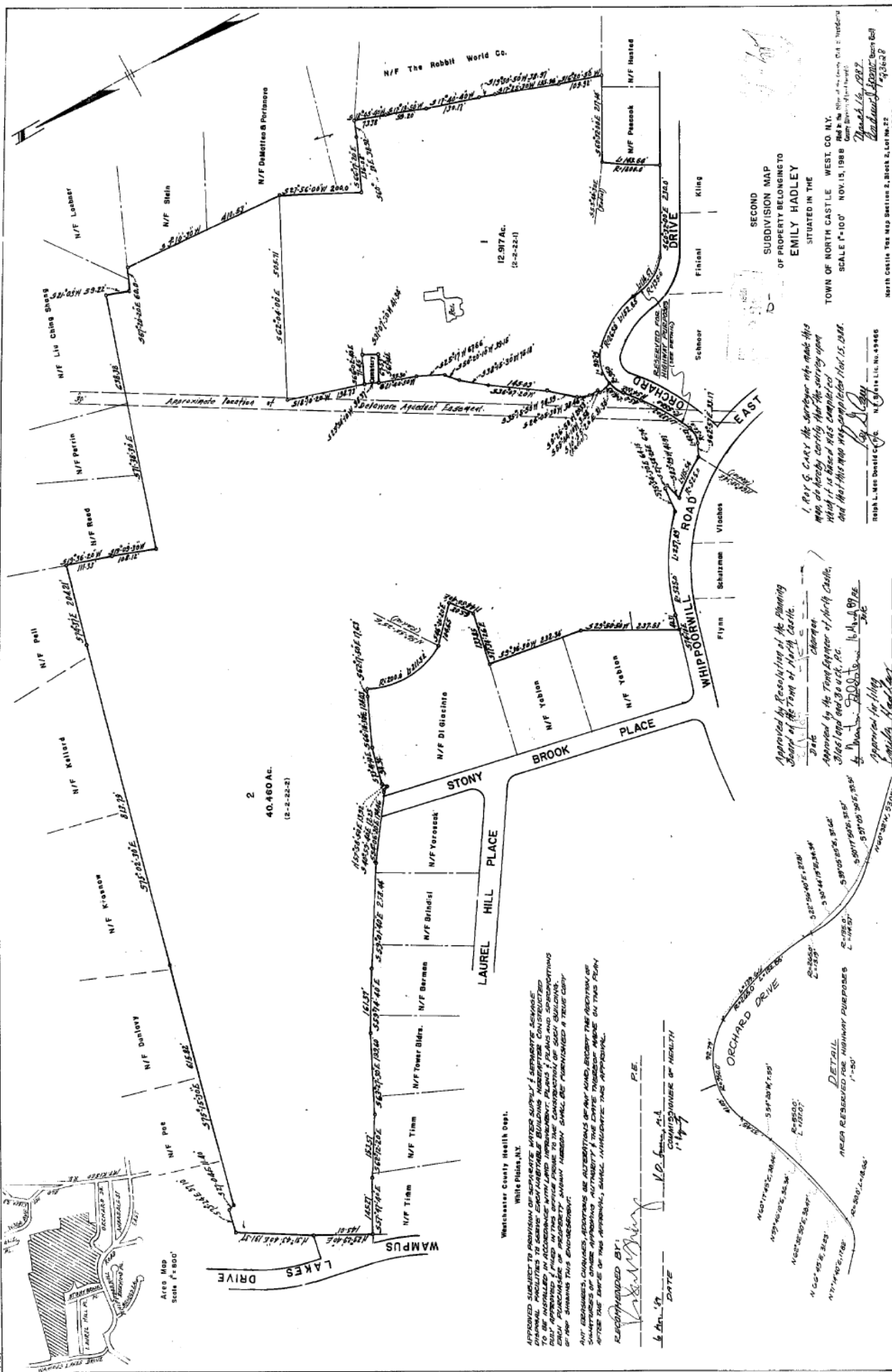
- Subdividing parcels for residential use should encourage a cohesive community. Wherever possible, new lots should have internal roadway access in order to promote safety and encourage efficient traffic-flow while protecting the Town's aesthetic character.

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"> 1. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). 2. A public hearing regarding the proposed subdivision will need to be scheduled. 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. 	<p><u>Staff Notes</u></p> <p>The Planning Board should declare their intent to act as Lead Agency.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> 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. As proposed, the only frontage provided is upon a common driveway off of Stony Brook Place (which the Applicant may not even have access rights to). The Applicant will need to provide frontage on a roadway to the satisfaction of the Planning Board and Town Engineer. 2. The proposed stormwater basin is located in close proximity to 24 Orchard Drive and will be visible from the adjacent residence. It is recommended that the Applicant attempt to relocate the basin so that adequate screening can be provided along the common property line. 3. 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. 4. 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. 5. 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 worksheet and backup information and a gross floor area calculations worksheet and backup information for this lot. 6. 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. 7. The property contains Town-regulated steep slopes. The Applicant should submit a plan that depicts the location of all Town-regulated steep slopes and depicts proposed Town-regulated steep slope disturbance. In addition, the plan should quantify, in square feet, the proposed amount of Town-regulated steep slope disturbance. 8. The submitted plans should depict the location of all proposed utilities. Pursuant to Section 275-25.D of the Town Code, all utilities shall be installed underground. 9. The IPP should depict the location of a designated school bus pickup area pursuant to Section 275-E(6) of the Town Code. 	<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. In the alternative, the Planning Board could proceed with the submitted alternative lot layout. If acceptable to the Planning Board.</p>

10. The plat map should depict the width of the Orchard Drive right-of-way. Where a subdivision borders an existing street which is narrower than the recommended right-of-way width as specified for such streets in the Town Code, the Planning Board may require the subdivision plat to show such areas which shall be marked "Reserved for Street Realignment (or Widening) Purposes." Land reserved for such purposes may not be counted in satisfying yard or area requirements of Chapter 355, Zoning.
11. The Applicant shall submit a preliminary plat meeting the requirements of Section 275-30 of the Town Code.
12. 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.
13. An exhibit demonstrating how average lot width and lot depths were calculated for the 5 lot subdivision plan should be submitted for review.
14. 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.
15. 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, it is recommended that the Applicant reach out to Town Historian Sharon Tomback to discuss this cemetery.
16. Question 2 of the submitted EAF should be revised to identify the Westchester County Department of Health as an approval authority for the septic and wells and the North Castle Highway Department as an approval authority for the road opening permit.
17. Question 10 of the submitted EAF should be revised to indicate that the subdivision is not provided with public water.
18. Question 11 of the submitted EAF should be revised to indicate that the subdivision is not provided with public sewer.
19. 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.
20. Question 18 of the submitted EAF states that water will be impounded on the site. The EAF should be revised to state the purpose of the impoundment and the size of the impoundment.



SECOND
SUBDIVISION MAP
OF PROPERTY BELONGING TO
EMILY HADLEY
SITUATED IN THE
TOWN OF NORTH CASTLE WEST CO. N.Y.
SCALE 1"=100' NOV. 13, 1988
North Castle, The 460 Section 2, Block 2, Lot No. 22
Westchester County, State No. 122, Block No. 8773

I, RAY G. CARY, the Surveyor who made this map, do hereby certify that the survey upon which it is based was completed and that this map was completed Nov. 15, 1988.

Approved by Resolution of the Planning Board of the Town of North Castle.

Date: 11/15/88
Approved by the Town Engineer of North Castle, Westchester County, N.Y.
By: [Signature] 11/15/88

Approved for filing
[Signature]

White Plains, N.Y.
Westchester County Health Dept.
APPROVED SUBJECT TO PROVISION OF SEWERAGE WATER SUPPLY & SEWERAGE SERVICE TO BE INSTALLED IN ACCORDANCE WITH THE HEALTH DEPARTMENT CONSTRUCTION CODE AS AMENDED AND IN ACCORDANCE WITH THE CONSTRUCTION OF SUCH BUILDINGS AS MAY BE REQUIRED BY THE HEALTH DEPARTMENT. APPROVED FOR THE HEALTH DEPARTMENT BY THE HEALTH DEPARTMENT ENGINEER ON THIS PLAN AFTER THE DATE OF THE APPROVAL, SHALL AUTHORIZE THE APPROVAL.

RECOMMENDED BY: [Signature] P.E.
DATE: 11/17/88
COMMISSIONER OF HEALTH

DETAIL RESERVE/REVISIONS PURPOSES
E-8800
L-1000
N-600
L-1000
N-600
L-1000
N-600
L-1000
N-600
L-1000