

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

April 17, 2023



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

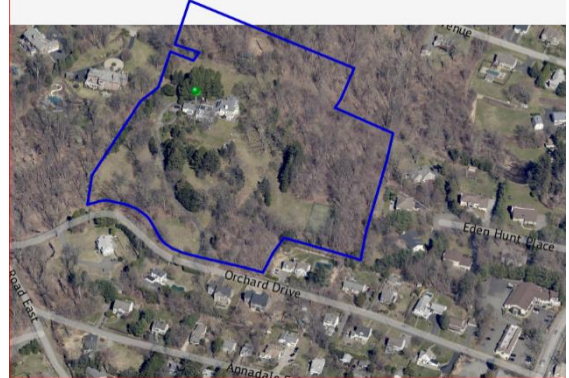
SBL
 108.01-3-1

MEETING DATE
 April 24, 2023

PROPERTY ADDRESS/LOCATION
 32 Orchard Drive, Armonk

BRIEF SUMMARY OF REQUEST

Seven 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 six 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	7 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

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

Procedural Comments

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.

General Comments

1. The Zoning Analysis table should be updated to depict the net lot area of each proposed lot. Each proposed lot must contain an acre of net lot area.

LOT AREA, NET

Lot area minus 75% of the area of any wetlands, water bodies, and watercourses, but excluding any adjacent areas, all as defined in Chapter 340, Wetlands and Watercourse Protection, of the Town Code, and the area of any steep slopes, as defined herein, except that in the case of one-family lots, the deduction for steep slopes shall be only 50%.

2. The Applicant should prepare a minimum contiguous buildable area exhibit for review pursuant to Section 355-26.F(2) of the Town Code.

Any new lot proposed to be created by subdivision subsequent to the effective date of this section shall also contain a minimum contiguous buildable area, excluding wetlands, water bodies, watercourses and adjacent areas, all as defined in Chapter 340, Wetlands and Watercourse Protection, of the Town Code and floodplains and steep slopes, as defined herein, of not less than 25,000 square feet with not less than a minimum dimension in every direction of at least 1/2 the minimum lot width required in the zoning district in which it is located.

3. The house is proposed to remain on Lot 5. The Applicant will need to demonstrate conformance with all zoning requirements pursuant to Section 355-14.C of the Town Code. Specifically, the lot should depict the location of the existing/proposed septic and well, a gross land coverage calculations worksheet and backup information and a gross floor area calculations worksheet and backup information for review.
4. The Applicant will must demonstrate, to the satisfaction of the Town Engineer, that the proposed road meets the minimum requirements of Section 275-24 of the Town Code.
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.
6. 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.
7. The Applicant will must demonstrate, to the satisfaction of the Town Engineer, that the proposed subdivision meets the stormwater minimum requirements of Section 275-25.C of the Town Code.
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.

Staff Notes

The Planning Board should declare their intent to act as Lead Agency.

9. The IPP should depict the location of a designated school bus pickup area pursuant to Section 275-E(6) of the Town Code.
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 submitted plan depicts a significant amount of grading to construct the proposed new road. The Applicant should provide the Planning Board with a cut/fill analysis as well as depict proposed retaining wall heights. Of particular concern are the walls required on the eastern portion of the cul-de-sac and the walls required to serve the house on proposed Lot 3.
13. 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.
14. An exhibit demonstrating how average lot width and lot depths were calculated for the 7 lot subdivision plan should be submitted for review.
15. 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 \$60,000 as stated in Section 275-27 of the Town Code.
16. The Zoning Analysis table states that the site is provided with public sewer and water. This is not correct as the property is not in a water or sewer district. The chart should be corrected.
17. 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.
18. 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.
19. Question 10 of the submitted EAF should be revised to indicate that the subdivision is not provided with public water.
20. Question 11 of the submitted EAF should be revised to indicate that the subdivision is not provided with public sewer.
21. 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.
22. 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.

