

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

November 29, 2023



APPLICATION NUMBER - NAME  
 #2023-037 – 21 Whipoorwill Road  
 Subdivision Approval

SBL  
 107.04-1-11

MEETING DATE  
 December 11, 2023

PROPERTY ADDRESS/LOCATION  
 21 Whipoorwill Road

**BRIEF SUMMARY OF REQUEST**

The property owner is seeking to subdivide Lot 1 of the Bruno Subdivision into two lots; one of which will be a 4.17 acre lot containing an existing house and the other a newly created 2.03 acre vacant lot.



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 One-Family Residence District (2 acre)	Existing Single Family Lot	Residential	Subdivision with New Building Lot	6.07 acres

**PROPERTY HISTORY**

3/27/12 – 4 Lot Subdivision Proposed  
 7/11/12 – Revised to 2 Lot Subdivision  
 8/6/12 – 2 Lot Subdivision Approved

**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.
- Continue to protect areas of environmental sensitivity or historical significance.

**STAFF RECOMMENDATIONS**

1. The Applicant should be directed to address all outstanding staff and consultant’s comments.
2. The Planning Board will need to determine whether the project is compatible with the Comprehensive Plan.

<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. The property is located within the New York City Department of Environmental Protection (NYCDEP) Kensico Watershed. The Applicant should solicit comments from the NYCDEP regarding whether the proposal complies with the NYCDEP Watershed regulations. In addition, the Applicant should indicate whether a Stormwater Pollution Prevention Plan (SPPP) would be required to be approved by the NYCDEP.</li> <li>4. The site plan 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, the designation of no-parking zones, emergency vehicle access or any other issued deemed important to providing emergency services.</li> <li>5. The site plan should be forwarded to the Sewer and Water Department so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the ability to provide water for the proposed lot.</li> </ol>	<p><u>Staff Notes</u></p> <p>The Planning Board declared its intent to act as Lead Agency.</p> <p>The Applicant has noted that a SPPP would not be required by NYCDEP.</p> <p>The Sewer and Water Department has reviewed the site plan and notes that an easement will need to be created for the water service.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The plat should be revised to demonstrate the average Lot Width and Lot Depth for all proposed lots utilizing an exhibit depicting how Lot Width and Lot Depth were calculated. Typically, this exhibit depicts measurements every 20-30 feet and the average calculated based upon the measurements.</li> <li>2. Pursuant to Section 275-25.E(6) of the Town Code, the Planning Board may require that the subdivider reserve, clear, grade, pave and otherwise improve an area of such size and location as will provide a safe and suitable place for the use of children awaiting school buses.</li> <li>3. The applicant will need to submit payment of the recreation fee in the amount of 10,000-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.</li> </ol>	