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October 6, 2023

Chairman Christopher Carthy
and Members of the Planning Board
Town of North Castle
15 Bedford Road
Armonk, NY 10504

Re: Subdivision, Site Plan, Wetland Permit, and Tree Removal Permit
Redevelopment of the Former MBIA Headquarters
113 King Street, Armonk, NY
Tax Id: 118.02-1-1; 113.04-1-13; 113.04-1-14; and 113.04-1-20

Dear Chairman Carthy and Members of the Planning Board:

On behalf of the property owner Airport Campus¹ and contract vendee Toll Brothers², enclosed please find the Co-Applicants Subdivision and Site Plan applications and associated requests for Wetland Permit and Tree Removal Permit approvals for redevelopment of the former MBIA Headquarters (Site).³

**THE SITE'S HISTORY, TOWN COMPREHENSIVE PLAN &
RECENT TOWN BOARD REZONING SUPPORT REDEVELOPMENT OF THE SITE**

The 38.8-acre Site is bounded by Cooney Hill Road to the north, King Street to the east, and watershed lands owned by the City of New York west and south. MBIA's office headquarters were located at the Site up until 2015 when the property was acquired by Airport Campus.

In 2018, as part of a town-wide review, the Town's Comprehensive Plan was updated to among other things support residential uses as an option for redevelopment of the Site. Over the past six years, numerous redevelopment scenarios were evaluated by Airport Campus including construction of another quarter million square feet of office space at the Site pursuant to existing MBIA approvals.

On August 9, 2023, the Town Board adopted findings and rezoned the Site with the support of the Byram Hills Central School District. The Town Board's SEQRA Findings fully detail the preferred

¹ The aggregated parcels are owned by Airport Campus I LLC, Airport Campus II LLC, Airport Campus III LLC, Airport Campus IV LLC, and Airport Campus V LLC (Airport Campus)

² Toll Bros., Inc. (Toll Brothers) is the contract vendee for portions of the Site zoned R-MF-A.

³ The Site comprises 38.8 acres, four (4) tax lots: 118.02-1-1, 113.04-1-13, 113.04-1-14, and 113.04-1-20 and contains two (2) existing three (3)-story office buildings and a three (3)-story, 316-space parking structure along with a former residence and other ancillary structures.

redevelopment and how the Site can be thoughtfully reimaged into a residential community under the Town's Residential Multi-Family (R-MF-A) and Residential Multi-Family Senior Citizen Housing (R-MF-SCH) Zoning Districts (Rezoning).

As noted in the SEQRA Environmental Impact Statement (EIS), the Project will be an asset to North Castle and incorporates numerous public benefits including stabilized and increased tax revenue supporting the Town's tax base, extension of municipal water supplies, expanded conservation areas, achieving several needs set forth in the Town's Comprehensive Plan, and enhancement of water quality adjacent to the Kensico Reservoir.

**THE PROJECT IS A HIGH QUALITY COMBINATION OF TOLL BROTHERS TOWNHOMES
AND A REPURPOSED OFFICE BUILDING FOR 55+ RESIDENTS**

Toll Brothers proposes the construction of 125 attached townhomes on the 34.3 acres zoned R-MF-A and Airport Campus will adaptively reuse the existing southern office building and convert it into an up to 50 unit age-restricted multi-family building with a new parking structure on the 4.5 acres zoned R-MF-SCH.

Both projects incorporate recreational facilities including a community clubhouse and pool, in-building amenities, walking trails and related signage to promote reservoir protection and climate resiliency, and other features. Ten percent of the units in each community will be affordable pursuant to the Town's Affirmatively Furthering Fair Housing (AFFH) requirements. As a part of this Project, the remaining buildings and structures on the Site will be demolished.

As evidenced by the floor plans, elevations and renderings included with the site plan application, high quality multifamily developments are proposed consistent with the quality and character of the Town and surrounding area which includes Class A commercial office buildings.

THE ZONING COMPLIANT SUBDIVISION

The Integrated Plot Plan as prepared by JMC is enclosed and shows infrastructure, roads, walking trails and other specifications as required by Chapter 275 of the Town Code. To facilitate the Project, the Site will be re-subdivided into 128 lots and include private streets.⁴

On the R-MF-A zoned lands, 125 fee simple residential townhome lots will be created along with a 17.32-acre lot for HOA common elements, private roads, recreational amenities, conservation areas and stormwater facilities. The townhome units will be limited to three (3) bedrooms and also incorporate some age-targeted units with first floor primary bedrooms as required by the Town Board.

On the R-MF-SCH zoned lands, a 4.24-acre lot will be created to facilitate repurposing an office building into a 55 and over apartment building along with a potential 0.25-acre lot associated with

⁴ A Planning Board waiver of some of the private street and other subdivision specifications may be required for some of the proposed streets internal to the community and are warranted in light of the nature and scale of the Project.

a potential water tank to be conveyed to Town Water District #8. The senior housing will include up to 50 units in a mix of one (1)-bedroom and two (2)-bedroom apartments.⁵

The proposed subdivision is fully consistent with the final plans included in the EIS and the Town Board's Rezoning which encouraged a fee simple townhouse development, repurposing of the south office building, and land for a water tank and any required municipal water improvements.

**THE PROJECT MEETS OR EXCEEDS THE
TOWN'S SITE PLAN STANDARDS**

Section 355-45 of the Town Code sets forth the Town's site plan standards and as noted in the Town Board's SEQRA Findings, this Project best negates any potential significant adverse environmental impacts associated with redevelopment of the Site.

One of the most significant public benefits associated with the Project is extension of municipal water to the Site from facilities constructed as part of Town Water District #8 and Westchester Joint Water Works (WJWW) infrastructure. The Co-Applicants investments in and extension of municipal water, which include a planned on-site water tank and booster station along with a water main extension in King Street will enable the future extension of WJWW municipal water supplies into the Armonk Hamlet by Town Water District #4.

One of the other highlights shown on the site plan is an expanded irrevocable conservation easement area buffering the adjacent watershed lands and which will consist of 9.14 acres of open space, stormwater features, landscaping, and walking trails. The expanded conservation easement will continue to be managed by the Westchester Land Trust.

Additionally, as a result of an agreement reached in July of 2023 with the Natural Resources Defense Council and Riverkeeper, the Project incorporates enhanced stormwater management practices including bioretention, infiltration, and filtration, which provide for increased phosphorous removal well above regulated standards. Further, walking trails in lieu of sidewalks are incorporated as part of the conservation and environmental objectives for the Project, including limiting impervious surfaces to the maximum extent practicable. The draft Stormwater Pollution Prevention Plan (SWPPP) which has been closely reviewed by the Town Engineers as part of the SEQRA EIS process is currently being updated with additional field data and will be filed shortly in furtherance of Chapter 267 of the Town Code.

Other features of the Project include maintaining the signalized intersection at King Street, limiting traffic patterns at the Cooney Hill Road intersection, and achieving similar levels of service on roads surrounding the Site. Based upon conversations with the Byram Hills School District Transportation Supervisor, historically a school bus stop was utilized at the former Weber Place intersection with Cooney Hill Road. It is anticipated that this would be carried forward in kind with final details subject to the Byram Hills Central School District review and approval.⁶

⁵ The architectural drawings currently identify 13 one bedroom and 30 two-bedroom units.

⁶ School aged children were previously picked up along the former Weber Place and Cooney Hill Road when several residences were located on those Town Roads. It is our understanding that the School District will not allow bus stops on private streets. Given the limited number of school aged children anticipated from the Toll Brothers community, and in order to address safety associated with traffic along King Street, we

Visually the Site is well removed from public views and the berm and buffer along the King Street vehicular corridor will be retained to the maximum extent practicable and enhanced with additional landscaping. Several existing office buildings and parking structures will be demolished and replaced with 2.5 story townhomes dispersed throughout the Site. Internal to the Site, approximately 678 trees will be removed and approximately 898 new trees planted along with the preservation of more densely treed areas.

Lastly, site lighting will be utilized along proposed private roadways and parking areas with two separate lighting zones created – one in the area of the proposed garage and associated surface parking for the senior building, and another for the townhome community. New fixtures would utilize cut-off luminaires and be Dark-Sky compliant with distribution patterns to prevent light spillover onto adjacent properties.

**WETLAND AND TREE REMOVAL PERMITS ARE
WARRANTED AND APPROPRIATE FOR THE PROJECT**

The western corner of the Site contains a 0.25-acre delineated wetland near the former Weber Place intersection at Cooney Hill Road. The Project would have no direct impacts to the on-site delineated wetland with only some limited grading within the Town-regulated 100-foot wetland buffer area. Approximately 0.18 acres (7,696 square feet) of the on-site 100-foot Town regulated buffer will be disturbed which is generally in a previously disturbed area of the Site. The Project does not propose any new impervious areas within the 100-foot wetland buffer following grading and construction activities.

The addition of native plantings between developed areas and the wetland will increase the functional capacity of the buffer and better protect the wetland over current conditions. The Applicants' plans also prohibit the use of fertilizers, pesticides, herbicides, fungicides in the area as part of the overall IPM for each development as incorporated into the site plans. With the implementation of the above mitigation strategies, the Applicants' wetland permit application meets the criteria found in Section 340-8 of the Town Code for issuance of a permit.

There are approximately 1,091 trees with a diameter at breast height of eight (8) inches or greater on the Site. Approximately 678 trees will be removed, while approximately 898 new trees will be planted. There are no "unique trees" on the Site as that term is defined and regulated by the Town Code.

Clearing of the mixed forest/field habitat on the Site will not materially alter site biodiversity or result in habitat fragmentation in this area of the Town. The preservation and planting of a net increase of trees, along with the implementation of the Applicants' SWPPP and erosion control measures, all balance the need for tree removal for redevelopment of the Site in accordance with the criteria set forth in Section 308-16 of the Town Code.

anticipate a bus stop location adjacent to the turnaround at the intersection of former Weber Place and Cooney Hill Road.

INDEX OF ENCLOSURES

In further support of this application, enclosed please find a package of materials prepared by JMC which include the following:

- Exhibit A:** Site Plan Application Form and Completed Checklist; and
- Exhibit B:** Preliminary Subdivision Application Form and Completed Checklist.⁷

Also enclosed are Integrated Plot Plan and Site Plan Drawings prepared by JMC last revised October 6, 2023, and comprising the following sheets:

- C-000: Cover Sheet;
- C-010: Existing Conditions Plan;
- C-020: Demolition Plan;
- C-100: Overall Layout Plan;
- C-101: Layout Plan;
- C-102: Layout Plan;
- C-151: Tree Protection Plan;
- C-152: Tree Protection Plan;
- C-153: Tree Protection Table (Part A);
- C-154: Tree Protection Table (Part B);
- C-155: Tree Protection Table (Part C);
- C-201: Grading Plan;
- C-202: Grading Plan;
- C-210: Road Profiles;
- C-301: Utilities Plan;
- C-302: Utilities Plan;
- C-320: Sanitary Sewer Profiles;
- C-330: Water Main Profiles;
- C-401: Erosion & Sediment Control Plan;
- C-402: Erosion & Sediment Control Plan;
- C-700: Vehicle Access Plan (Fire Truck);
- C-701: Vehicle Access Plan (Delivery Truck);
- C-702: Vehicle Access Plan (Garbage Truck);
- C-900: Construction Details;
- C-901: Construction Details;
- C-902: Construction Details;
- C-903: Construction Details;
- C-904: Construction Details;
- L-101: Landscape Plan;
- L-102: Landscape Plan;
- L-103: Typical Unit Landscape Plan; and
- IPP-1: Integrated Plot Plan.

⁷ Pursuant to guidance from Town Planning Staff, no Wetland Permit Application or Tree Removal Permit Application Forms are required to be filed with the subdivision and site plan application forms.

Additionally, enclosed you will find Architectural Drawings for the 55 and over building prepared by Lessard Design, Inc. dated October 6, 2023, and comprising the following sheets:

- A.001: Cover Sheet;
- A.002: Zoning/Tabulations;
- A.100: Site Plan;
- A.101: Basement Floor Plan;
- A.1.02: 1st Floor Plan;
- A.103: 2nd Floor Plan;
- A.104: 3rd Floor Plan;
- A.105: Penthouse Plan;
- A.106: Garage Building – 1st Floor;
- A.107: Garage Building – 2nd Floor;
- A.201: North & South Elevation;
- A.202: East & West Elevation;
- A.203: Garage Elevations;
- A.204: 3D Perspective View 01;
- A.205: 3D Perspective View 02;
- A.206: 3D Perspective View 03; and
- A.207: 3D Perspective View 04.

Also enclosed are Lighting Plans prepared by WLS Lighting Systems last revised September 6, 2023, and comprising the following sheets:

- Sheet 1: WLS-17145.1; and
- Sheet 2: WLS-17145.2.

Lastly, enclosed are Conceptual Architecture drawings prepared by Toll Brothers comprising the following:

- Sheet 1: MBIA Development Site Front Elevation – Walters, Saunders, Wilkerson;
- Sheet 2: Walters Floor Plans;
- Sheet 3: Saunders Floor Plans;
- Sheet 4: Atkinson Floor Plans;
- Sheet 5: Wilkerson Floor Plans;
- Sheet 6: Welwyn (ADU) Floor Plans;
- Sheet 7: MBIA Development Site Front Elevation – Walters, Welwyn, Wilkerson;
- Sheet 8: Building Elevations; and
- Sheet 9: Interior Finishes.

Enclosed are checks for the relevant applications fees and an escrow account is already on file with the Town which will be replenished as needed as part of the Planning Board's review.

APPEARANCE AT THE OCTOBER 23, 2023 PLANNING BOARD MEETING

We look forward to appearing before the Planning Board and respectfully request that this matter be placed on your October 23, 2023 agenda. At that time, the Co-Applicants and professional team plan to update the Board on the refined Project plans since the time of our last appearance

before the Planning Board on March 27, 2023, when the Board adopted a recommendation on the Rezoning. In the interim, should Board Members or Town Staff have any questions, please do not hesitate to contact me or Anthony Guccione, P.E. at JMC.

Kind regards,



Christopher Fisher

cc: Adam Kaufman, Town Planner
Roland Baroni, Esq. Town Attorney
Airport Campus I-V, LLC
Toll Brothers, Inc.
JMC
Maximillian Mahalek, Esq.