



TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
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PLANNING BOARD
John Delano, Chair

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To: Town of North Castle Planning Board

Date: December 9, 2011

Subject: **Errico – Lakeview – Site Plan, Subdivision and Wetland Permit Approvals**
[#11-093]

As requested, we have reviewed the application for a proposed two lot subdivision consisting of Lot 1 of 3.03 acres and Lot 2 of 56.03 acres within the R-1A Zoning District. In addition, the Applicant is seeking Town Board special use permit approval for the establishment of a private membership club. The membership club would consist of a 19,593 square foot club house, associated car storage facility (for members) and a caretaker's apartment. Club activities would include the storage, display, detailing and light maintenance of special interest automobiles as well as club functions, including special events at which members of the public will be invited to attend.

We have reviewed the following documents, which were submitted by the Applicant in connection with the above-captioned matter:

- Plan labeled "SP-1," entitled "Site Plan," dated November 11, 2011, prepared by Naderman Land Planning and Engineering, P.C.
- Plan labeled "SP-2," entitled "Grading/Drainage Plan," dated November 11, 2011, prepared by Naderman Land Planning and Engineering, P.C.
- Plan labeled "SP-3," entitled "Erosion Control Plan," dated October 17, 2011, prepared by Naderman Land Planning and Engineering, P.C.
- Plan labeled "SP-4," entitled "Driveway Profiles and Details," dated November 11, 2011, prepared by Naderman Land Planning and Engineering, P.C.
- Plan labeled "PS-1," entitled "2-Lot Preliminary Subdivision Plan," dated November 11, 2011, prepared by Naderman Land Planning and Engineering, P.C.
- Plan labeled "IPP-1," entitled "2-Lot Preliminary Integrated Plot Plan," dated November 11, 2011, prepared by Naderman Land Planning and Engineering, P.C.
- Plan labeled "CS-1," entitled "Alternative 7-Lot Conventional Subdivision Plan," dated November 11, 2011, prepared by Naderman Land Planning and Engineering, P.C.
- Plan labeled "ZC-1," entitled "Alternative 7-Lot Conventional Zoning Conformance Plan," dated November 11, 2011, prepared by Naderman Land Planning and Engineering, P.C.
- Plan labeled "PP-101," entitled "Proposed First Floor Plan," dated October 18, 2011, prepared by Carol Kurth Architecture, P.C.
- Plan labeled "PP-102," entitled "Proposed Second Floor Plan," dated October 18, 2011, prepared by Carol Kurth Architecture, P.C.

- Plan labeled “PP-201,” entitled “Proposed Elevations,” dated October 18, 2011, prepared by Carol Kurth Architecture, P.C.
- Plan labeled “PP-202,” entitled “Proposed Exterior Views,” dated September 27, 2011, prepared by Carol Kurth Architecture, P.C.

Procedural Comments

1. Pursuant to Section 7-3.A(6) of the Town Code, all site development plans submitted to the Planning Board are required to be referred to the Architectural Review Board (ARB) for review and comment.
2. Pursuant to Section 209-17.E of the Town Code, the Conservation Board is required to review the proposed wetland application and, within 45 days of receipt thereof, file a written report and its recommendation concerning the application with the Planning Board. Such report is required to evaluate the proposed regulated activity in terms of the findings, intent and standards of Chapter 209.
3. The application for site plan approval requires referral to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of CR 133 (Byram Lake Road).
4. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). It is recommended that the Planning Board declare its intent to act as Lead Agency for the review of the Proposed Action.
5. A Planning Board Public Hearing for the proposed subdivision, site plan and wetlands permit applications will need to be scheduled.
6. 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.

Subdivision Comments

1. The proposed subdivision plat indicates that a bridge is proposed on proposed Lot 2. The Applicant should indicate when this bridge is proposed to constructed.
2. The preliminary subdivision plat should be revised to indicate the status of the 5.223 acre landlocked parcel. It is recommended that the plat be revised to indicate that this area is not a building lot.
3. While the Proposed Action consists only of a two-lot subdivision and the construction of the car club, the Lead Agency is required to take a “hard look” at the full potential impacts associated with developing the entire parcel (to avoid segmentation). It is recommended that the Applicant submit an impact matrix that identifies the impacts associated with the Proposed Action as well as the maximum development potential alternative. The matrix should include total area of disturbance, total amount of cut and fill (c.y.), Town-regulated steep slope disturbance, Town-regulated tree removal, Town-regulated wetland disturbance and Town-regulated wetland buffer disturbance.

Based upon information submitted by the Applicant the following impacts are proposed:

	Proposed Action	7-Lot Alternative
Steep Slope Disturbance	1,743 square feet	55,322 square feet
Wetland Disturbance	0 square feet	3,485 square feet
Wetland Buffer Disturbance	30,492 square feet	102,366 square feet

As can be seen above, the proposed 7-Lot Alternative would create significantly more impacts as compared to the proposed action. The Lead Agency will need to determine whether those proposed impacts have been thoroughly evaluated.

4. The Town Engineer and the Planning Board will need to determine whether the submitted 7-Lot Alternative contains enough detail to determine whether the proposed roads and driveways could be constructed and whether the plan accurately depicts the disturbance required to construct the roads and driveways (including stormwater mitigation).
5. The submitted zoning chart indicates over 800 feet of frontage for proposed Lot 1. However, it appears that Lot 1 only has a limited amount of frontage on Byram Lake Road. The Applicant should indicate which areas are being utilized to calculate Lot 1’s frontage.
6. Several of the proposed lots in the 7-Lot Alternative plan are more than twice the minimum lot area and contain at least twice the minimum contiguous buildable area and therefore could be further subdivided. If the 7-Lot Alternative plan is to represent the maximum buildout of the property, the Applicant should address how the further subdivision of the lots would be limited.

7. Pursuant to Section A216-30 of the Town Code, the “2-Lot Preliminary Subdivision Plan” should be retitled “Preliminary Plat.”
8. Pursuant to Section A216-30.A of the Town Code, the preliminary plat should contain the signature and seal of a licensed professional engineer or licensed land surveyor.
9. Pursuant to Section A216-30.B of the Town Code, the preliminary plat should be revised to depict the names of owners of record or properties adjoining and directly across the street from the proposed subdivision.
10. Pursuant to Section A216-30.K of the Town Code, the preliminary plat should be revised to depict a block for the preliminary approval signature of the Planning Board Chairman, for purposes of accurate records of approval.
11. Pursuant to Section A216-31.B of the Town Code, the plans should be revised to depict proposed fire protection facilities and stormwater drainage and other utility services.

Site Plan Comments

12. The proposed plans depict a significant amount of fill proposed for the common driveway. It is recommended that the Planning Board and the Applicant give consideration to proposing tiered walls with plantings between walls as a way of softening the visual impact of the fill.
13. The Applicant should submit a proposed landscaping/screening plan for review. Of particular concern are views from both the common driveway (the 8 single loaded bays) and from Byram Lake Road.
14. The Applicant should submit a proposed wetland and wetland buffer disturbance mitigation plan for review.
15. Pursuant to Section 213-35 of the Town Code, the site plan should depict the location, design and size of all signs; or the site plan should be revised to indicate that no signage is proposed.
16. Pursuant to Section 213-14.N and Section 213-35 of the Town Code, the site plan should depict the location and design of site lighting.
17. Pursuant to Section 213-35 of the Town Code, the site plan should depict underground utilities.
18. Pursuant to Section 213-35 of the Town Code, the site plan should be revised to include the name and address of the applicant.

19. Pursuant to Section 213-14.M of the Town Code, all portions of multifamily and nonresidential properties which are not used for locations for buildings, structures, off-street parking and loading areas, sidewalks or similar purposes shall be suitably landscaped and permanently maintained with planting of trees and shrubbery, in accordance with specifications approved by the Planning Board as part of the site plan, so as to minimize erosion and stormwater runoff and harmoniously blend such uses with the residential character of the Town as a whole.
20. Pursuant to Section 213-14.O of the Town Code, the site plan should be revised to provide details of the proposed garbage shed.
21. Pursuant to Section 213-44.N of the Town Code, the site plan should be revised to provide a reserved parking space for handicapped persons.
22. Pursuant to Section 213-45.A of the Town Code, clubs are required to provide 1 off-street parking space for each 5 members, or each 200 square feet of gross floor area, or for each 3 seats at the maximum capacity, whichever unit of measure is most appropriate to the customary use thereof as determined by the Planning Board. The Applicant should provide the necessary information so that the Planning Department can determine whether the off-street parking requirement is met by the submitted plan.
23. Pursuant to Section 213-47.D of the Town Code, the site plan should be revised to depict proposed sight distance at the proposed curbcut.

Special Use Permit Comments

24. Pursuant to Section 213-30 of the Town Code, the Town Board must find that:
 - A. The location and size of the use, the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located and that it complies with all special requirements for such use established in this chapter.
 - B. The location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
 - C. Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted uses not requiring a special permit.

- D. Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety.
 - E. Where required, the provisions of the Town Flood Hazard Ordinance.
 - F. The Town Board finds that the proposed special permit use will not have a significant adverse effect on the environment.
25. Pursuant to Section 213-33.I(2), where clubs do not front on or have direct access to a major or a collector road as shown on the Town Development Plan Map, the intensity of use shall be limited by the Town Board to the extent necessary to assure that the expected average traffic generation of such use will not exceed that which would be expected if the premises were developed for permitted residential purposes.
26. Pursuant to Section 213-33.I(3), a landscaped buffer area of at least 25 feet in width shall be required along all lot lines adjoining or across the street from properties in residence districts.
27. Pursuant to Section 213-33.I(5), the use and management of any facility under the terms of any special permit approval shall be the responsibility of the membership club which shall either own or lease the property. Suitable evidence, such as organizational documents, shall be provided as a part of the special permit application to describe the organizational structure and operating rules of the club.

Adam R. Kaufman, AICP
Director of Planning



Aerial View of Site