

THE LAW OFFICE OF KORY SALOMONE, P.C.

501 MARBLE AVENUE
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May 26, 2020

Christopher Carthy, Chairman
North Castle Planning Board
17 Bedford Road
Armonk, NY 10504

**Re: Lot Line Realignment
82 and 84 Whippoorwill Road E.
Section 107.02, Block 2, Lots 20 and 21**

Honorable Chairman and Members of the Planning Board:

I. INTRODUCTION

This firm represents Merritt Capital and Consulting LLC (“Merritt Capital”), Joseph DiPalma and Rebecca Barrett (collectively “DiPalma”), the owners of 82 Whippoorwill Road E., and Jerry and Rose Shallo (“Shallo”), the owners of the property located at 84 Whippoorwill Road E., with respect to a proposed lot line realignment (collectively the “Applicants”). The purpose of this letter is to request placement on the Planning Board Agenda for June 8, 2020, so that we can make an initial presentation to your Board.

II. THE SUBJECT PREMISES

The referenced properties are located at 82 and 84 Whippoorwill Road E. and are identified on the tax assessment map of the Town of North Castle as Section 107.02, Block 2, Lots 20 and 21 respectively (collectively the “Subject Properties”). The relevant portion of the Town of North Castle Tax Map is attached hereto as **Exhibit A**. 82 Whippoorwill is approximately 0.87 acres, and 84 Whippoorwill is approximately 0.36 acres. 82 Whippoorwill is located in both the R-2A and R-1.5A zoning districts, while 84 Whippoorwill is located in the R1.5A zoning district. Both properties are improved with single-family homes.

III. CURRENT PROPOSAL AND REQUESTED RELIEF

As stated above, 82 Whippoorwill is approximately 0.87 acres and 84 Whippoorwill is approximately 0.36 acres. As shown on the tax map attached hereto as Exhibit A, the two properties are separated by the roadbed of Old Whippoorwill Road. In October of 2019, the Town

of North Castle abandoned the roadbed and transferred title to Merritt Capital (the former owner of 82 Whippoorwill) and Shallo by quit claim deed. The proposed lot line realignment would alter the existing common lot line in the area of the former roadbed by transferring 3,317 s.f. from 82 Whippoorwill to 84 Whippoorwill. This transfer will result in 82 Whippoorwill remaining 0.87 acres and 84 Whippoorwill increasing in size to 0.56 acres¹. The proposed lot line realignment is shown on the preliminary plat entitled "Preliminary Lot Line Adjustment Plat Prepared for Joseph J. DiPalma and Rebecca A. Barrett and James and Rose Shallo" dated May 14, 2020, prepared by Badey & Watson Surveying & Engineering, P.C., attached hereto as **Exhibit B**.

As can be seen on the attached plan, both properties are oddly shaped and contain numerous pre-existing legal dimensional non-conformities. If approved, 82 Whippoorwill will transfer an approximately 3,300 s.f. strip of land in the north-west portion of the site to 84 Whippoorwill. Prior to the submission of this lot line realignment application neither property was compliant with the minimum yard requirements in the R-1.5A or R-2A zoning districts with respect to lot area, minimum frontage, minimum depth, minimum width, and all setbacks. After the proposed lot line realignment, all of these pre-existing non-conformities will either be reduced or remain the same. None of the pre-existing non-conformities will be increased.

IV. CONCLUSION

Attached hereto as **Exhibit C** and **D**, please find a completed subdivision application and the Short Environmental Assessment Form, together with the application fee of \$350.

Kindly place this matter on the Planning Board's June 8, 2020 agenda for an initial presentation and, if your Board deems appropriate, the scheduling of the required public hearing.

If you have any questions or concerns, please don't hesitate to contact me.

Very truly yours,



Kory Salomone

¹ This includes the roadbed transfer of approximately 5,500 s.f.

EXHIBIT A

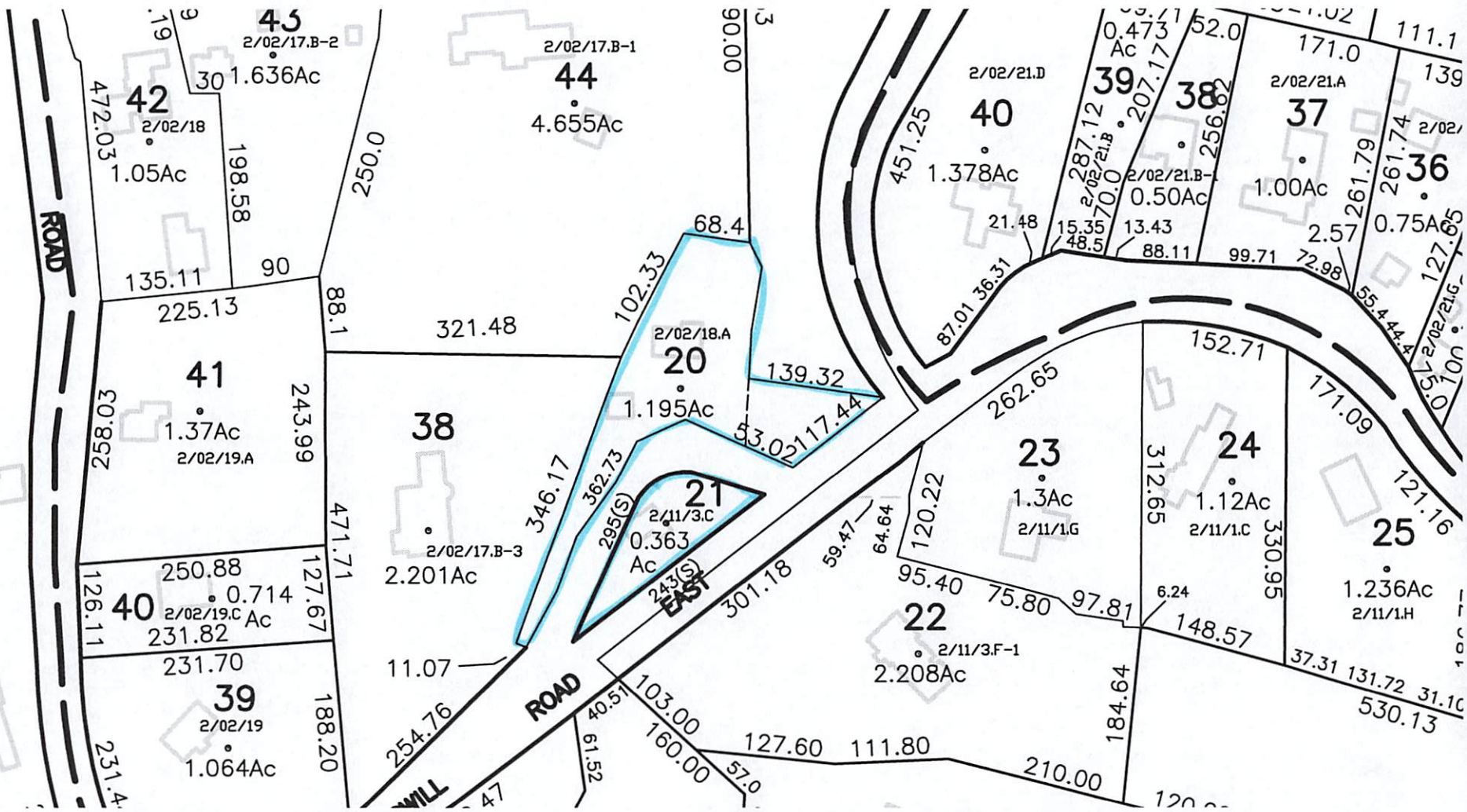


EXHIBIT B

EXHIBIT C



**TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
17 Bedford Road
Armonk, New York 10504-1898**

**PLANNING DEPARTMENT
Adam R. Kaufman, AICP
Director of Planning**

**Telephone: (914) 273-3542
Fax: (914) 273-3554
www.northcastleny.com**

Application for Preliminary Subdivision Approval

Application Name

82 and 84 Whippoorwill Road E. Lot Line Adjustment



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**APPLICATIONS REQUIRING PLANNING BOARD APPROVAL
SCHEDULE OF APPLICATION FEES**

<u>Type of Application</u>	<u>Application Fee</u>
Site Development Plan	\$200.00
Each proposed Parking Space	\$10
Special Use Permit (each)	\$200 (each)
Preliminary Subdivision Plat	\$300 1 st Lot \$200 (each additional lot)
Final Subdivision Plat	\$250 1 st Lot \$100 (each additional lot)
Tree Removal Permit	\$75
Wetlands Permit	\$50 (each)
Short Environmental Assessment Form	\$50
Long Environmental Assessment Form	\$100
Recreation Fee	\$10,000 Each Additional Lot
Discussion Fee	\$200.00
Prior to submission of a sketch or preliminary subdivision Plat, an applicant or an applicant's representative wishes to discuss a subdivision proposal to the Planning Board, a discussion fee of \$200.00 shall be submitted for each informal appearance before the board.	

Any amendment to previously approved applications requires new application forms and Fes



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PLANNING BOARD SCHEDULE OF ESCROW ACCOUNT DEPOSITS

<u>Type of Application Deposit*</u>	<u>Amount of Initial Escrow Account</u>
Concept Study	\$500.00
Site Plan Waiver for Change of Use	\$500.00
Site Development Plan for:	
Multifamily Developments	\$3,000.00 plus \$100.00 per proposed dwelling unit
Commercial Developments	\$3,000.00 plus \$50.00 for each required parking space
1 or 2 Family Projects	\$2,000.00
Special Use Permit	\$2,000.00 plus \$50.00 for each required parking space
Subdivision:	
Lot Line Change resulting in no new lots	\$1,500.00
All Others	\$3,000.00 plus \$200.00 per proposed new lot in excess of two (2)
Preparation or Review of Environmental Impact Statement	\$15,000.00

- * If a proposed action involves multiple approvals, a single escrow account will be established. The total amount of the initial deposit shall be the sum of the individual amounts indicated. When the balance in such escrow account is reduced to one-third (1/3) of its initial amount, the applicant shall deposit additional funds into such account to restore its balance to the amount of the initial deposit.

P. D. Merritt
Applicant Signature

5/25/20
Date:

I. IDENTIFICATION OF PROPERTY OWNER, APPLICANT AND PROFESSIONAL REPRESENTATIVES

Name of Property Owner: Joseph DiPalma and Rebecca Barrett/ James & Rose Shallo

Mailing Address: 82 Whippoorwill Road E. (DiPalma/Barrett)/84 Whippoorwill Road E. (Shallo), Armonk, NY

Telephone: 631-335-2405(DiPalma); 914-462-3211(Shallo); e-mail joseph.DiPalma@jacksonlewis.com; sprealityNYC@yahoo.com

Name of Applicant (if different): Merritt Capital and Consulting LLC

Address of Applicant: 10 Whippoorwill Crossing, Armonk, NY 10504

Telephone: 914-462-0985 Fax: _____ e-mail peter.merritt4@gmail.com

Interest of Applicant, if other than Property Owner: Contractual Obligation

Is the Applicant (if different from the property owner) a Contract Vendee?

Yes

☐

No

☐

If yes, please submit affidavit stating such. If no, application cannot be reviewed by Planning Board

Name of Professional Preparing Site Plan:

Stephen R. Miller, L.S., Badey & Watson Surveying & Engineering, P.C.

Address: 3063 Route 9, Cold Spring, New York 10516

Telephone: 845-265-9217 (ext 223) Fax: _____ e-mail: smiller@badey-watson.com

Name of Other Professional: _____

Address: _____

Telephone: _____ Fax: _____ e-mail _____

Name of Attorney (if any): Kory Salomone, Esq.

Address: 501 Marble Avenue, Pleasantville, NY 10570

Telephone: 914-291-0789 Fax: _____ e-mail ks@ksalomonelaw.com

Applicant Acknowledgement

By making this application, the undersigned Applicant agrees to permit Town officials and their designated representatives to conduct on-site inspections in connection with the review of this application.

The Applicant also agrees to pay all expenses of publication and the giving of public notice as required, and further acknowledges that he/she shall be responsible for reimbursing the Town for the cost of professional review services required for this application.

It is further acknowledged by the Applicant that all bills for the expenses of publication and the giving of public notice as well as professional consultant review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant: P.D. Merritt Date: 5/25/20
Merritt

Signature of Applicant: _____ Date: _____
Shallo

Signature of Applicant: _____ Date: _____
Shallo

Signature of Applicant: _____ Date: _____
D. Palma

Signature of Applicant: _____ Date: _____
Barrett

Signature of Property Owner: _____ Date: _____
Shallo

Signature of Property Owner: _____ Date: _____
Shallo

Signature of Property Owner: _____ Date: _____
D. Palma

Signature of Property Owner: _____ Date: _____
Barrett

Must have both signatures

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Signature of Applicant: Merritt Date: _____

Signature of Applicant: James Shallo Date: 5/19/20

Signature of Applicant: Shallo Date: 5/19/20

Signature of Applicant: _____ Date: _____

Signature of Applicant: D. Palma Date: _____

Signature of Property Owner: Barrett Date: 5/19/20

Signature of Property Owner: Shallo Date: 5/19/20

Signature of Property Owner: _____ Date: _____

Signature of Property Owner: D. Palma Date: _____

Must have both signatures

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Signature of Applicant: _____ Date: _____
MerriTT

Signature of Applicant: _____ Date: _____
Shallo

Signature of Applicant: _____ Date: _____
Shallo

Signature of Applicant: _____ Date: 5/20/20
D. Palma

Signature of Applicant: *Rebecca Barrett* Date: 5/20/20
Barrett

Signature of Property Owner: _____ Date: _____
Shallo

Signature of Property Owner: _____ Date: _____
Shallo

Signature of Property Owner: _____ Date: 5/20/20
D. Palma

Signature of Property Owner: *Rebecca Barrett* Date: 5/20/20
Barrett

Must have both signatures

II. IDENTIFICATION OF SUBJECT PROPERTY

Property Street Address: 82 and 84 Whippoorwill Road E., Armonk, New York 10504

Location (in relation to nearest intersecting street):

130feet (north, south, east or west) of Wampus Lake Drive

Abutting Street(s): Whippoorwill Road E.

Tax Map Designation (NEW): Section 107.02 Block 2 Lot 20 & 21

Tax Map Designation (OLD): Section 2 Block 2 (DiPalma); 11 (Shallo) Lots 18.A and 3.C

Zoning District: R-1.5A and R-2A Total Land Area 62,654 s.f.

Land Area in North Castle Only (if different) _____

Fire District(s) #2 School District(s) Byram Hills

Is any portion of subject property abutting or located within five hundred (500) feet of the following:

The boundary of any city, town or village?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

If yes, please identify name(s): _____

The boundary of any existing or proposed County or State park or any other recreation area?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

The right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

The existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

The existing or proposed boundary of any county or State owned land on which a public building or institution is situated?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

The boundary of a farm operation located in an agricultural district?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

Does the Property Owner or Applicant have an interest in any abutting property?

No X Yes _____

If yes, please identify the tax map designation of that property:

V. INFORMATION TO BE INCLUDED ON PRELIMINARY SUBDIVISION PLAT

The following checklist is provided to enable the Applicant to determine if he/she has provided enough information on the preliminary subdivision plat and preliminary construction plans for the Planning Board to review his/her proposal. Applicants are advised to review Chapter 275 of the North Castle Town Code for a complete enumeration of pertinent requirements and standards prior to making application for preliminary subdivision plat approval.

The information required to be shown on the preliminary subdivision plat and the preliminary construction plans may be combined and shown on one plan to be identified as the Integrated Plot Plan. Whether this information is presented on one or two different plans, the application for preliminary subdivision plat approval will not be accepted for Planning Board review unless all items identified below are supplied and so indicated with a check mark in the blank line provided. If a particular item is not relevant to the subject property or the development proposal, the letters "NA" should be entered instead.

The information to be included on an Integrated Plot Plan shall include:

- ☒ Name of the proposed subdivision or other identifying title and signature block.
- ☒ Name and address of the Property Owner and the Applicant (if different).
- ☒ Name, address and telephone number of the surveyor, engineer or other legally qualified professional and the seal of the professional who prepared the plan.
- ☒ Names and locations of all owners of record of properties abutting and directly across any and all adjoining streets from the subject property, including the tax map designation of the subject property and abutting and adjoining properties, as shown on the latest tax records.
- ☒ Existing zoning, fire district, school district, special district and municipal boundaries.
- ☒ Names of existing streets
- ☒ Total acreage of the property to be developed, as well as property boundaries showing dimensions and bearings as determined by a current survey; name and width of existing streets; and lines of existing rights-of-way, reservations, easements and areas dedicated to public uses.
- ☐ N/A Reference to the location and conditions of any covenants, easements or deed restrictions that cover all or any part of the property, as well as identification of the document where such covenants, easements or deed restrictions are legally established .
- ☒ Schedule of minimum zoning requirements, as well as the proposed lots' compliance with those requirements, including lot area, frontage, lot width, lot depth, building coverage, yards and other pertinent requirements.
- ☒ Site location map, at a scale of one (1) inch equals eight hundred (800) feet, showing the Applicant's entire property in relation to surrounding properties, streets, etc. within five hundred (500) feet of the site.
- ☒ North arrow, written and graphic scales, and the date of the original plan and all revisions, with notations identifying the revisions.
- ☐ N/A Existing topographical contours with a vertical interval of two (2) feet or less.

N/A Location of existing floodplains, wetlands, slopes of 15% or greater, wooded areas, landscaped areas, single trees with a DBH of 8" or greater, rock outcrops, stone walls and any other significant existing natural or cultural features.

N/A Location of temporary stakes in the field to enable the Planning Board to find and appraise features of the preliminary plat.

X Location of existing use and design of buildings and other structures.

X Location of all other existing site improvements, including pavement, walks, curbing, retaining wall and fences.

N/A Location and sizes of existing water supply, sanitary sewage disposal, storm water drainage and other utility lines and structures within and nearby the proposed subdivision.

X Location of all existing monuments.

X Proposed arrangement of lots, including identifying numbers and approximate area and dimensions of each.

N/A Proposed layout of new streets, including sight distance at all proposed road intersections, widths and approximate curve radii, and any proposed rights-of-way, easements, deed restrictions, covenants and/or reservations.

N/A Location, size and nature of any area proposed to be reserved for park purposes.

N/A Proposed system for the provision of water supply and fire protection facilities, sanitary sewage disposal facilities, storm water drainage facilities and other utility services.

N/A Proposed street profiles and cross-sections showing the approximate grade of proposed streets, the relationship of existing grades to proposed grades and the proposed vertical curvature along the center line of all new streets.

N/A Proposed names for new streets.

N/A Location of proposed monuments.

N/A Where the preliminary plat includes only a portion of the Applicant's contiguous holding, the Applicant shall also indicate on a sketch, at a scale of not less than one (1) inch equals two hundred (200) feet, the probable future street system, lot arrangement, and location of park and other reservations for the remaining portion of the tract and topographic data with vertical contour interval of not more than ten (10) feet.

N/A For all proposed subdivision plans containing land within an area of special flood hazard, the data required to ensure compliance with Chapter 177 of the North Castle Town Code.

N/A For all proposed subdivision plans involving clearing or removal of trees with a DBH of 8" or greater, the data required to ensure compliance with Chapter 308 of the North Castle Town Code.

N/A For all proposed subdivision plans involving disturbance to Town-regulated wetlands, the data required to ensure compliance with Chapter 340 of the North Castle Town Code.

EXHIBIT D

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Merritt Capital and Consulting LLC, James & Rose Shallo and Joseph J. DiPalma & Rebecca A. Barrett			
Name of Action or Project: 82 and 84 Whippoorwill Road E., Lot Line Adjustment			
Project Location (describe, and attach a location map): 82 and 84 Whippoorwill Road E., Armonk, NY 10504			
Brief Description of Proposed Action: Lot line adjustment involving the transfer of approximately 3,317 s.f. from 82 Whippoorwill Road E. to 84 Whippoorwill Road E.			
Name of Applicant or Sponsor:		Telephone: 914-462-0985 (Merritt Capital)	
Merritt Capital and Consulting LLC, James & Rose Shallo, Joseph J. DiPalma & Rebecca		E-Mail: peter.merritt4@gmail.com	
Address: 10 Whippoorwill Crossing (Merritt Capital), 84 Whippoorwill Road E.(Shallo), 82 Whippoorwill Road E. (DiPalma & Barrett)			
City/PO: Armonk		State: NY	Zip Code: 10504
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.4 acres	
b. Total acreage to be physically disturbed?		0.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.4 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Peter Merritt</u> Date: <u>5/25/2020</u> Signature: <u>P. E. Merritt</u> Title: <u>Applicant</u>		

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Very truly yours,



Kory Salomone

¹ This includes the roadbed transfer of approximately 5,500 s.f.

EXHIBIT A

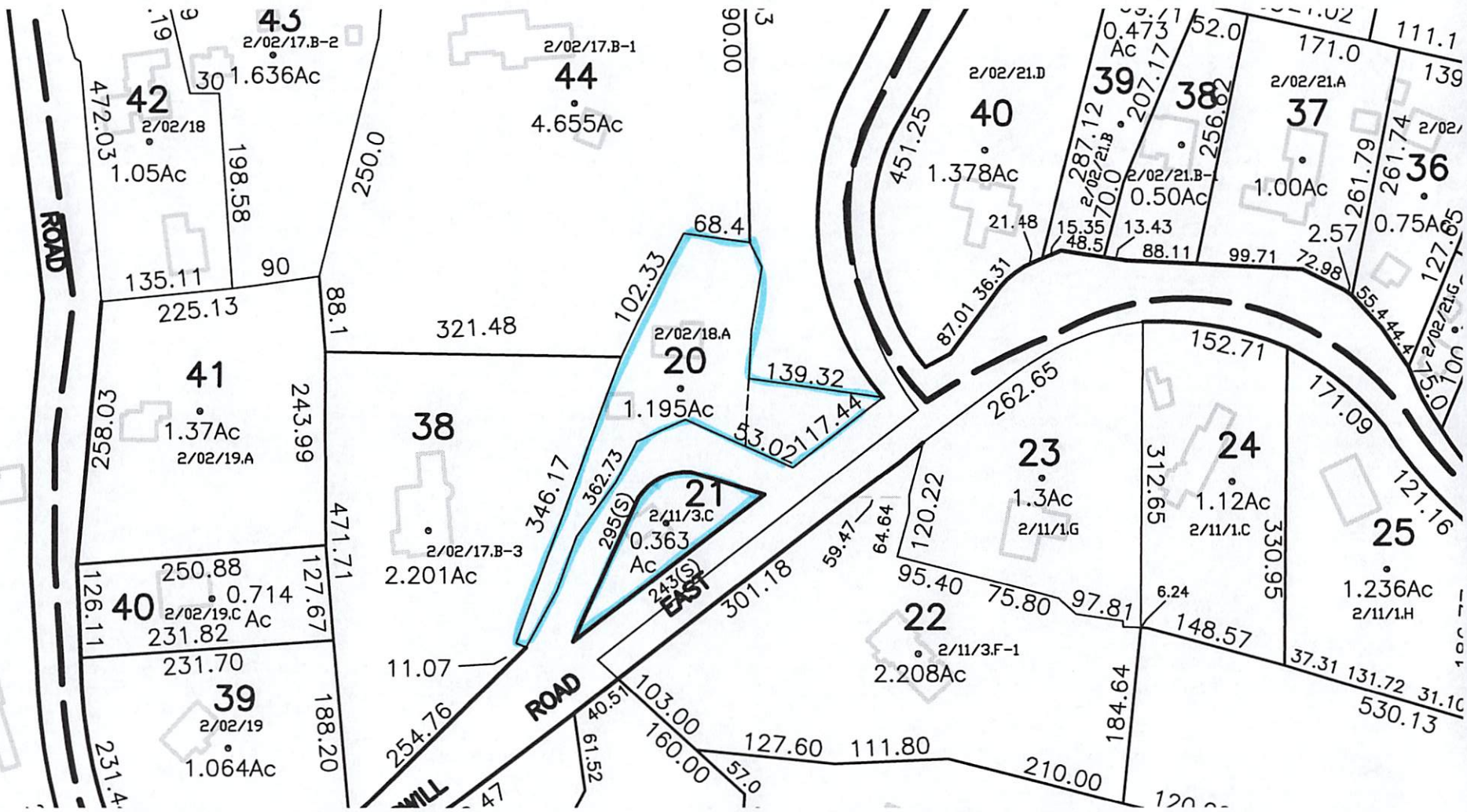
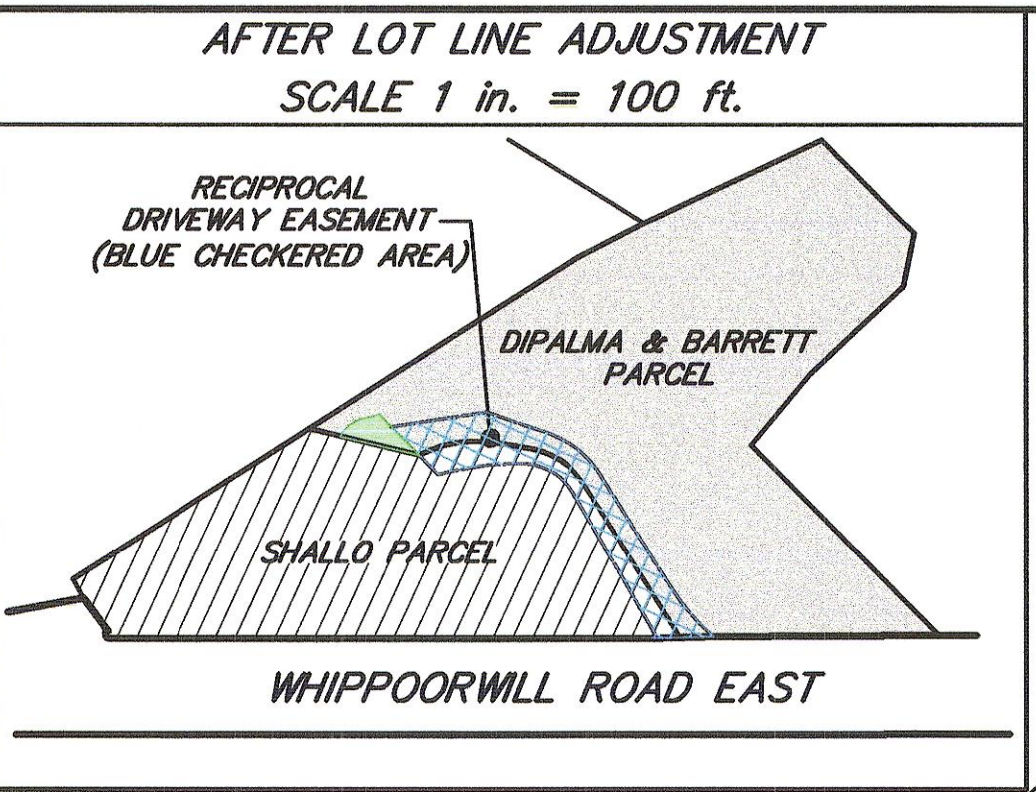
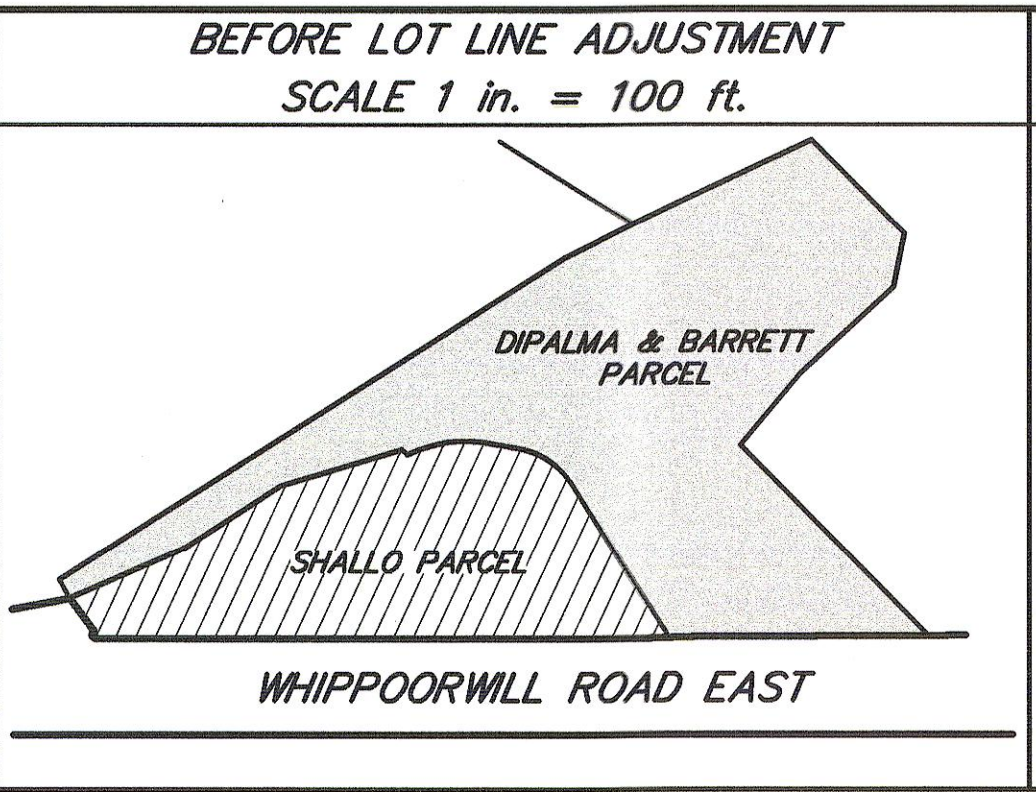
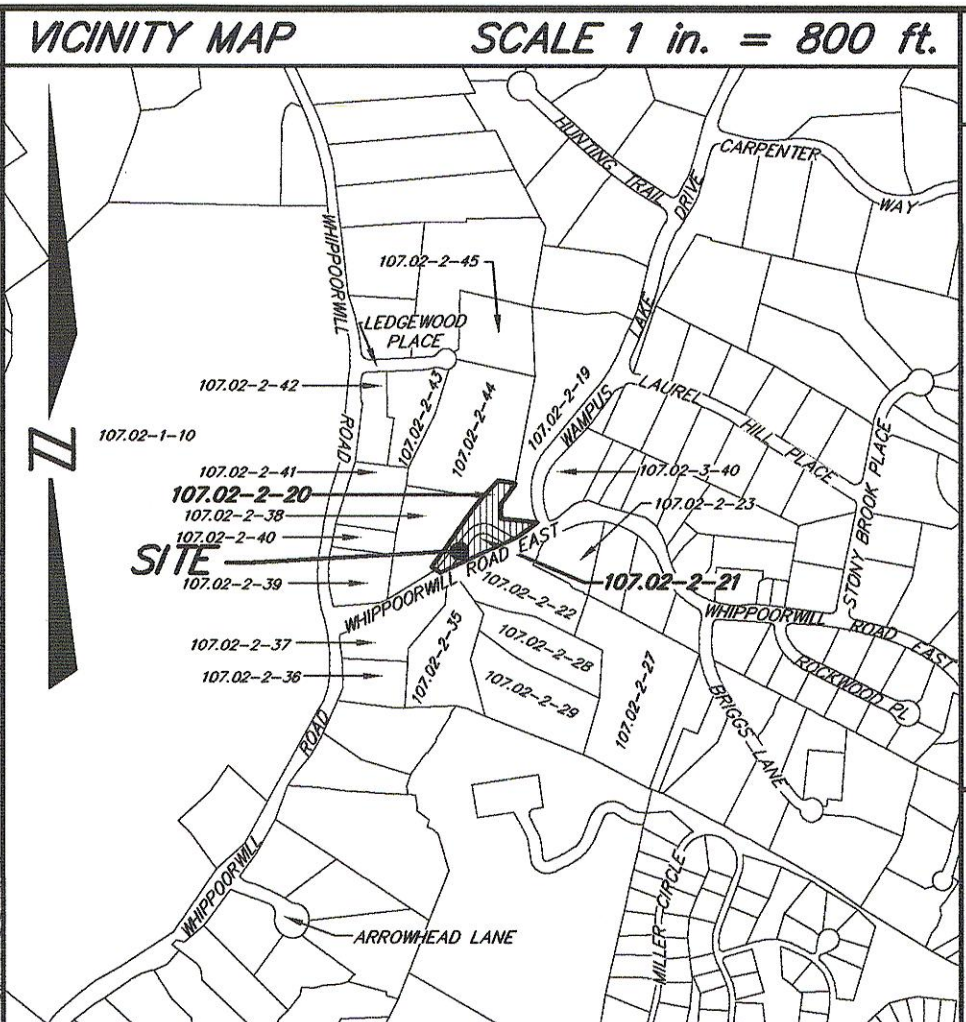
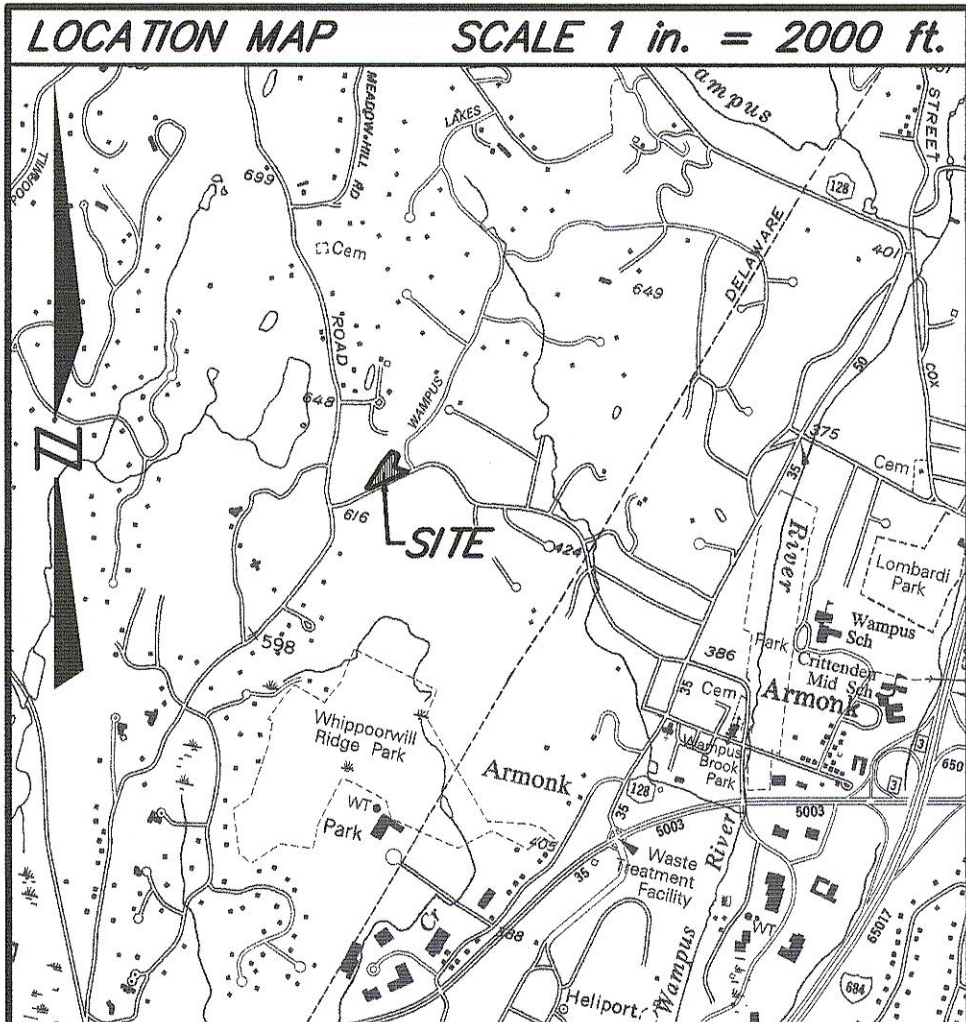


EXHIBIT B



HEALTH DEPARTMENT APPROVAL

WESTCHESTER COUNTY DEPARTMENT OF HEALTH
APPROVAL FOR FILING
(No Jurisdiction)

This map does not constitute a subdivision as defined by Chapter 273, Article X of the Westchester County Sanitary Code. Permission is hereby granted for the filing of this map in the Office of the Westchester County Clerk, Division of Land Records. The appearance of the signature of the Commissioner of Health on this plat is not an endorsement and does not in any way indicate conformance with the Department's Rules and Regulations pertaining to water supply and sewage disposal.

Each purchaser of property shown hereon shall be furnished a true copy of this plat showing this endorsement. Any erasures, changes, additions or alterations of any kind, except the addition of signatures of other approving authority and the date thereof made on this plan after this approval, shall invalidate this approval.

NOTES

- Notes
1. COPYRIGHT "2020" by BADEY & WATSON, Surveying & Engineering, P.C. All Rights Reserved. Unauthorized duplication is a violation of applicable laws.
 2. Unauthorized alteration or addition to a document prepared by a licensed land surveyor is a violation of Section 7209, Sub-Division 2 of the New York State Education Law.
 3. Users are referred to the following deeds recorded in the Westchester County Clerk's Office:
 - a. Liber 10064 of 39 (Shallo to Shallo);
 - b. Control No. 583463222 (PMC REO Financing Trust to Merritt Capital and Consulting LLC);
 - c. Deed from Town of North Castle to Shallo (to be recorded);
 - d. Deed from Town of North Castle to Merritt Capital and Consulting LLC (to be recorded).

Date: _____
Approved by the Assistant Commissioner of Health on behalf of the Department of Health.

PLANNING BOARD APPROVAL

Approved by Resolution No. _____ of the Planning Board of the Town of North Castle, New York, on the day of _____, 2020, subject to all requirements and conditions of said Resolution. Any change, erasure, modification or revision in this plat, after the above date, shall void this approval.

Signed this _____ day of _____, 2020.

Chairman _____

Secretary _____

TOWN ENGINEER APPROVAL

Reviewed by the Town Engineer for conformance.

Date: _____

Joseph Carmela, PE
Kellard Sessions Consulting, P.C.
Consulting Town Engineer

OWNER'S APPROVAL

The undersigned, owner of the property hereon, states that it s/he is familiar with this map, its contents and legends and hereby consents to the filing of this map.

Signed this _____ day of _____, 2020.

James Shallo _____

Rose Shallo _____

Joseph J. DiPalma _____

Rebecca A. Barrett _____

PREPARED BY

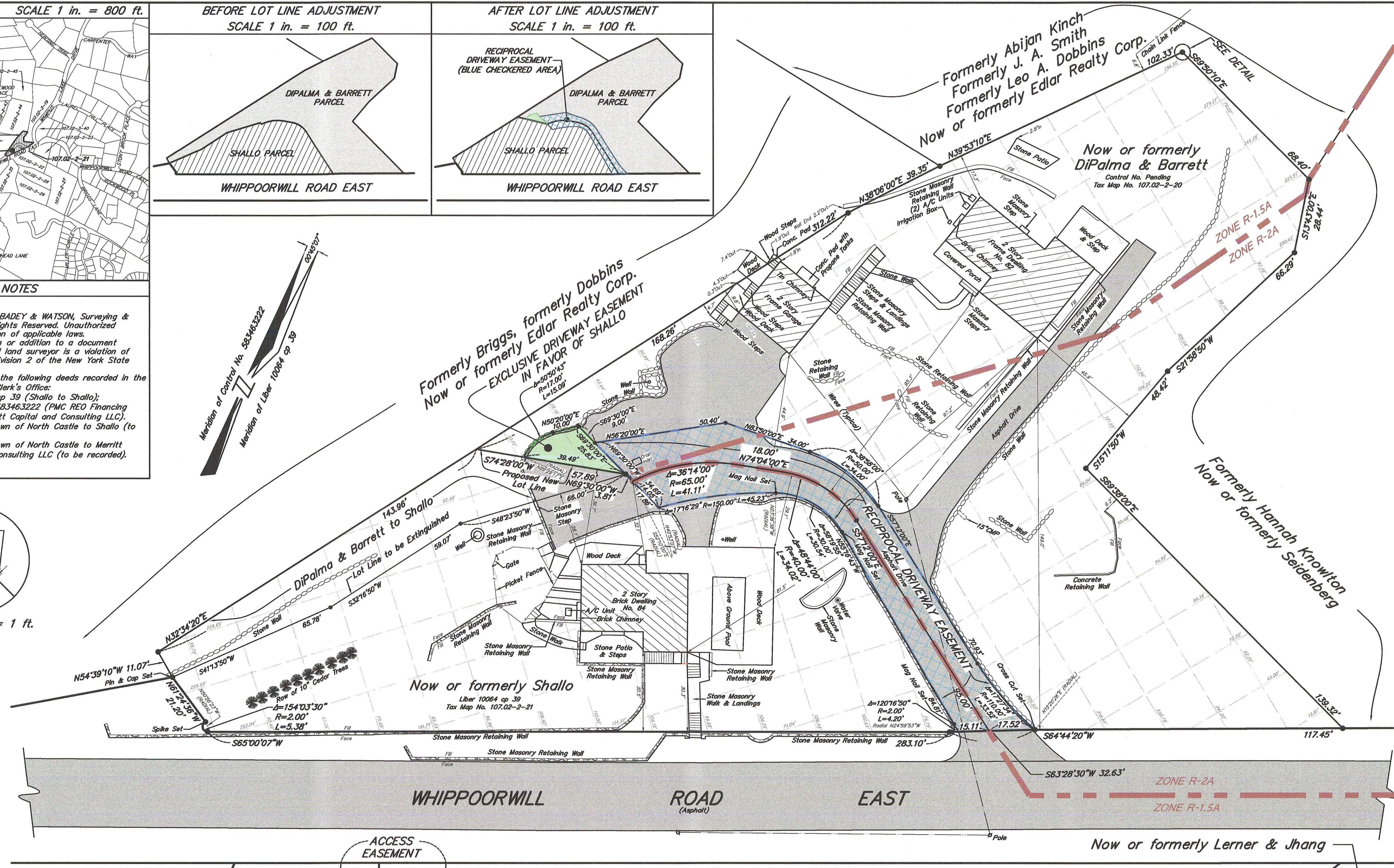
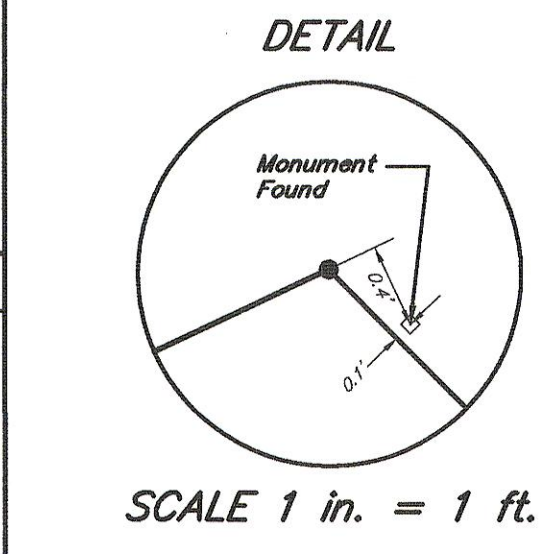
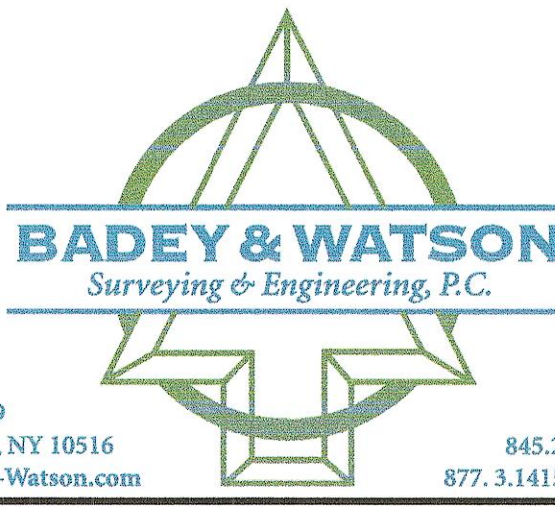


TABLE OF AREAS				
PARCEL	BEFORE ROAD ABANDONMENT	BEFORE LOT LINE ADJUSTMENT	DIPALMA & BARRETT TO SHALLO	AFTER LOT LINE ADJUSTMENT
DIPALMA & BARRETT	38,001 sq.ft./0.872 Acres	41,319 sq.ft./0.948 Acres	-3,317 sq.ft./-0.076 Acres	38,001 sq.ft./0.872 Acres
SHALLO	15,798 sq.ft./0.363 Acres	21,335 sq.ft./0.490 Acres	+3,317 sq.ft./+0.076 Acres	24,653 sq.ft./0.566 Acres
TOTAL	53,799 sq.ft./1.235 Acres (Not Including Road Parcel)	62,654 sq.ft./1.438 Acres	0,000 sq.ft./0.000 Acres	62,654 sq.ft./1.438 Acres

ZONING REQUIREMENTS				
	Required Zone R-1.5A Tax Map No. 107.02-2-21 SHALLO	Required Zone R-2A Tax Map No. 107.02-2-20 DIPALMA & BARRETT	Existing	
			T.M. 107.02-2-21 SHALLO	T.M. 107.02-2-20 DIPALMA & BARRETT
Min. Lot Area (Acres)	1.5	2	0.480 Acres	0.566 Acres
Min. Frontage	150'	150'	298.21'	134.97'
Min. Width	150'	150'	132.18'	107.84'
Min. Depth	150'	150'	76.10'	69.90'
Min. Principal Building Setbacks				
Front Yard	50'	50'	30.3'	149.0'
Side Yard	30'	30'	61.5'	44.9'
Rear Yard	40'	50'	1.8'	1.8'
Max. Height (Principal) (Feet/Stories)	30'	30'	2 Stories	2 Stories
Max. Building Coverage (%)	10%	8%	5.2%	4.9%
Min. Dwelling Unit Size (Square Feet)	1,300	1,400	1,118 Sq. Ft.	2,033 Sq. Ft.

APPLICANT	OWNER
Merritt Capital & Consulting LLC 10 Whippoorwill Crossing Armonk, NY 10504	James & Rose Shallo 84 Whippoorwill Road East Armonk, NY 10504 Joseph J. DiPalma & Rebecca A. Barrett 82 Whippoorwill Road East Armonk, NY 10504
PROPERTY DATA	
Tax Map 107.02-2-20 - Dipalma & Barrett Tax Map 107.02-2-21 - Shallo Zoning District: R-1.5A & R-2A Ambulance District: Ambul # 2 Fire District: Fire District # 2 School District: Byram Hills Central School District Lighting District: Light District # 2	
The property hereon is located on SHEET 122 BLOCK 8773 of the Westchester County Block Index System	
GRAPHIC SCALE	
(IN FEET) 1 inch = 20 ft.	

PRELIMINARY
LOT LINE ADJUSTMENT PLAT
PREPARED FOR

JOSEPH J. DIPALMA & REBECCA A. BARRETT
AND
JAMES & ROSE SHALLO
SITUATE IN THE
TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
NEW YORK

SCALE 1 in. = 20 ft. APRIL 8, 2020

We hereby certify that this map is based on a survey completed by us on October 11, 2019, that this map was prepared in accordance with the existing Code of Practice for Land Surveys adopted by The New York State Association of Professional Land Surveyors, Inc.

PRINTED
MAY 15 2020

BADEY & WATSON
Surveying & Engineering, P.C.

by **Stephen R. Miller**
NEW YORK STATE LICENSED LAND SURVEYOR
LICENSE No. 49789

STATE OF NEW YORK
STEPHEN R. MILLER
49789
LICENSED LAND SURVEYOR

EXHIBIT C



**TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
17 Bedford Road
Armonk, New York 10504-1898**

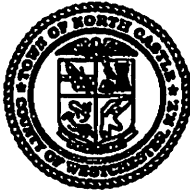
**PLANNING DEPARTMENT
Adam R. Kaufman, AICP
Director of Planning**

**Telephone: (914) 273-3542
Fax: (914) 273-3554
www.northcastleny.com**

Application for Preliminary Subdivision Approval

Application Name

82 and 84 Whippoorwill Road E. Lot Line Adjustment



**TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
17 Bedford Road
Armonk, New York 10504-1898**

**PLANNING DEPARTMENT
Adam R. Kaufman, AICP
Director of Planning**

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**APPLICATIONS REQUIRING PLANNING BOARD APPROVAL
SCHEDULE OF APPLICATION FEES**

<u>Type of Application</u>	<u>Application Fee</u>
Site Development Plan	\$200.00
Each proposed Parking Space	\$10
Special Use Permit (each)	\$200 (each)
Preliminary Subdivision Plat	\$300 1 st Lot \$200 (each additional lot)
Final Subdivision Plat	\$250 1 st Lot \$100 (each additional lot)
Tree Removal Permit	\$75
Wetlands Permit	\$50 (each)
Short Environmental Assessment Form	\$50
Long Environmental Assessment Form	\$100
Recreation Fee	\$10,000 Each Additional Lot
Discussion Fee	\$200.00
Prior to submission of a sketch or preliminary subdivision Plat, an applicant or an applicant's representative wishes to discuss a subdivision proposal to the Planning Board, a discussion fee of \$200.00 shall be submitted for each informal appearance before the board.	

Any amendment to previously approved applications requires new application forms and Fes



TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
17 Bedford Road
Armonk, New York 10504-1898

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PLANNING BOARD SCHEDULE OF ESCROW ACCOUNT DEPOSITS

<u>Type of Application</u> <u>Deposit*</u>	<u>Amount of Initial Escrow Account</u>
Concept Study	\$500.00
Site Plan Waiver for Change of Use	\$500.00
Site Development Plan for:	
Multifamily Developments	\$3,000.00 plus \$100.00 per proposed dwelling unit
Commercial Developments	\$3,000.00 plus \$50.00 for each required parking space
1 or 2 Family Projects	\$2,000.00
Special Use Permit	\$2,000.00 plus \$50.00 for each required parking space
Subdivision:	
Lot Line Change resulting in no new lots	\$1,500.00
All Others	\$3,000.00 plus \$200.00 per proposed new lot in excess of two (2)
Preparation or Review of Environmental Impact Statement	\$15,000.00

- * If a proposed action involves multiple approvals, a single escrow account will be established. The total amount of the initial deposit shall be the sum of the individual amounts indicated. When the balance in such escrow account is reduced to one-third (1/3) of its initial amount, the applicant shall deposit additional funds into such account to restore its balance to the amount of the initial deposit.

P. D. Merritt
Applicant Signature

5/25/20
Date:

I. IDENTIFICATION OF PROPERTY OWNER, APPLICANT AND PROFESSIONAL REPRESENTATIVES

Name of Property Owner: Joseph DiPalma and Rebecca Barrett/ James & Rose Shallo

Mailing Address: 82 Whippoorwill Road E. (DiPalma/Barrett)/84 Whippoorwill Road E. (Shallo), Armonk, NY

Telephone: 631-335-2405(DiPalma); 914-462-3211(Shallo); e-mail joseph.DiPalma@jacksonlewis.com; sprealtyNYC@yahoo.com

Name of Applicant (if different): Merritt Capital and Consulting LLC

Address of Applicant: 10 Whippoorwill Crossing, Armonk, NY 10504

Telephone: 914-462-0985 Fax: _____ e-mail peter.merritt4@gmail.com

Interest of Applicant, if other than Property Owner: Contractual Obligation

Is the Applicant (if different from the property owner) a Contract Vendee?

Yes

☐

No

☐

If yes, please submit affidavit stating such. If no, application cannot be reviewed by Planning Board

Name of Professional Preparing Site Plan:

Stephen R. Miller, L.S., Badey & Watson Surveying & Engineering, P.C.

Address: 3063 Route 9, Cold Spring, New York 10516

Telephone: 845-265-9217 (ext 223) Fax: _____ e-mail: smiller@badey-watson.com

Name of Other Professional: _____

Address: _____

Telephone: _____ Fax: _____ e-mail _____

Name of Attorney (if any): Kory Salomone, Esq.

Address: 501 Marble Avenue, Pleasantville, NY 10570

Telephone: 914-291-0789 Fax: _____ e-mail ks@ksalomonelaw.com

Applicant Acknowledgement

By making this application, the undersigned Applicant agrees to permit Town officials and their designated representatives to conduct on-site inspections in connection with the review of this application.

The Applicant also agrees to pay all expenses of publication and the giving of public notice as required, and further acknowledges that he/she shall be responsible for reimbursing the Town for the cost of professional review services required for this application.

It is further acknowledged by the Applicant that all bills for the expenses of publication and the giving of public notice as well as professional consultant review services shall be mailed to the Applicant, unless the Town is notified in writing by the Applicant at the time of initial submission of the application that such mailings should be sent to a designated representative instead.

Signature of Applicant: P.D. Merritt Date: 5/25/20
Merritt

Signature of Applicant: _____ Date: _____
Shallo

Signature of Applicant: _____ Date: _____
Shallo

Signature of Applicant: _____ Date: _____
D. Palma

Signature of Applicant: _____ Date: _____
Barrett

Signature of Property Owner: _____ Date: _____
Shallo

Signature of Property Owner: _____ Date: _____
Shallo

Signature of Property Owner: _____ Date: _____
D. Palma

Signature of Property Owner: _____ Date: _____
Barrett

Must have both signatures

Applicant Acknowledgement

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Signature of Applicant: _____ Date: _____

Merritt

Signature of Applicant: _____ Date: 5/19/20

Shallo

Signature of Applicant: _____ Date: 5/19/20

Shallo

Signature of Applicant: _____ Date: _____

D. Palma

Signature of Applicant: _____ Date: _____

Barrett

Signature of Property Owner: _____ Date: 5/19/20

Shallo

Signature of Property Owner: _____ Date: 5/19/20

Shallo

Signature of Property Owner: _____ Date: _____

D. Palma

Signature of Property Owner: _____ Date: _____

Barrett

Must have both signatures

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Signature of Applicant: _____ Date: _____
MerriTT

Signature of Applicant: _____ Date: _____
Shallo

Signature of Applicant: _____ Date: _____
Shallo

Signature of Applicant: _____ Date: 5/20/20
D. Palma

Signature of Applicant: *Rebecca Barrett* Date: 5/20/20
Barrett

Signature of Property Owner: _____ Date: _____
Shallo

Signature of Property Owner: _____ Date: _____
Shallo

Signature of Property Owner: _____ Date: 5/20/20
D. Palma

Signature of Property Owner: *Rebecca Barrett* Date: 5/20/20
Barrett

Must have both signatures

II. IDENTIFICATION OF SUBJECT PROPERTY

Property Street Address: 82 and 84 Whippoorwill Road E., Armonk, New York 10504

Location (in relation to nearest intersecting street):

130feet (north, south, east or west) of Wampus Lake Drive

Abutting Street(s): Whippoorwill Road E.

Tax Map Designation (NEW): Section 107.02 Block 2 Lot 20 & 21

Tax Map Designation (OLD): Section 2 Block 2 (DiPalma); 11 (Shallo) Lots 18.A and 3.C

Zoning District: R-1.5A and R-2A Total Land Area 62,654 s.f.

Land Area in North Castle Only (if different) _____

Fire District(s) #2 School District(s) Byram Hills

Is any portion of subject property abutting or located within five hundred (500) feet of the following:

The boundary of any city, town or village?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

If yes, please identify name(s): _____

The boundary of any existing or proposed County or State park or any other recreation area?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

The right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

The existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

The existing or proposed boundary of any county or State owned land on which a public building or institution is situated?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

The boundary of a farm operation located in an agricultural district?

No X Yes (adjacent) _____ Yes (within 500 feet) _____

Does the Property Owner or Applicant have an interest in any abutting property?

No X Yes _____

If yes, please identify the tax map designation of that property:

V. INFORMATION TO BE INCLUDED ON PRELIMINARY SUBDIVISION PLAT

The following checklist is provided to enable the Applicant to determine if he/she has provided enough information on the preliminary subdivision plat and preliminary construction plans for the Planning Board to review his/her proposal. Applicants are advised to review Chapter 275 of the North Castle Town Code for a complete enumeration of pertinent requirements and standards prior to making application for preliminary subdivision plat approval.

The information required to be shown on the preliminary subdivision plat and the preliminary construction plans may be combined and shown on one plan to be identified as the Integrated Plot Plan. Whether this information is presented on one or two different plans, the application for preliminary subdivision plat approval will not be accepted for Planning Board review unless all items identified below are supplied and so indicated with a check mark in the blank line provided. If a particular item is not relevant to the subject property or the development proposal, the letters "NA" should be entered instead.

The information to be included on an Integrated Plot Plan shall include:

- ☒ Name of the proposed subdivision or other identifying title and signature block.
- ☒ Name and address of the Property Owner and the Applicant (if different).
- ☒ Name, address and telephone number of the surveyor, engineer or other legally qualified professional and the seal of the professional who prepared the plan.
- ☒ Names and locations of all owners of record of properties abutting and directly across any and all adjoining streets from the subject property, including the tax map designation of the subject property and abutting and adjoining properties, as shown on the latest tax records.
- ☒ Existing zoning, fire district, school district, special district and municipal boundaries.
- ☒ Names of existing streets
- ☒ Total acreage of the property to be developed, as well as property boundaries showing dimensions and bearings as determined by a current survey; name and width of existing streets; and lines of existing rights-of-way, reservations, easements and areas dedicated to public uses.
- ☐ N/A Reference to the location and conditions of any covenants, easements or deed restrictions that cover all or any part of the property, as well as identification of the document where such covenants, easements or deed restrictions are legally established .
- ☒ Schedule of minimum zoning requirements, as well as the proposed lots' compliance with those requirements, including lot area, frontage, lot width, lot depth, building coverage, yards and other pertinent requirements.
- ☒ Site location map, at a scale of one (1) inch equals eight hundred (800) feet, showing the Applicant's entire property in relation to surrounding properties, streets, etc. within five hundred (500) feet of the site.
- ☒ North arrow, written and graphic scales, and the date of the original plan and all revisions, with notations identifying the revisions.
- ☐ N/A Existing topographical contours with a vertical interval of two (2) feet or less.

N/A Location of existing floodplains, wetlands, slopes of 15% or greater, wooded areas, landscaped areas, single trees with a DBH of 8" or greater, rock outcrops, stone walls and any other significant existing natural or cultural features.

N/A Location of temporary stakes in the field to enable the Planning Board to find and appraise features of the preliminary plat.

X Location of existing use and design of buildings and other structures.

X Location of all other existing site improvements, including pavement, walks, curbing, retaining wall and fences.

N/A Location and sizes of existing water supply, sanitary sewage disposal, storm water drainage and other utility lines and structures within and nearby the proposed subdivision.

X Location of all existing monuments.

X Proposed arrangement of lots, including identifying numbers and approximate area and dimensions of each.

N/A Proposed layout of new streets, including sight distance at all proposed road intersections, widths and approximate curve radii, and any proposed rights-of-way, easements, deed restrictions, covenants and/or reservations.

N/A Location, size and nature of any area proposed to be reserved for park purposes.

N/A Proposed system for the provision of water supply and fire protection facilities, sanitary sewage disposal facilities, storm water drainage facilities and other utility services.

N/A Proposed street profiles and cross-sections showing the approximate grade of proposed streets, the relationship of existing grades to proposed grades and the proposed vertical curvature along the center line of all new streets.

N/A Proposed names for new streets.

N/A Location of proposed monuments.

N/A Where the preliminary plat includes only a portion of the Applicant's contiguous holding, the Applicant shall also indicate on a sketch, at a scale of not less than one (1) inch equals two hundred (200) feet, the probable future street system, lot arrangement, and location of park and other reservations for the remaining portion of the tract and topographic data with vertical contour interval of not more than ten (10) feet.

N/A For all proposed subdivision plans containing land within an area of special flood hazard, the data required to ensure compliance with Chapter 177 of the North Castle Town Code.

N/A For all proposed subdivision plans involving clearing or removal of trees with a DBH of 8" or greater, the data required to ensure compliance with Chapter 308 of the North Castle Town Code.

N/A For all proposed subdivision plans involving disturbance to Town-regulated wetlands, the data required to ensure compliance with Chapter 340 of the North Castle Town Code.

EXHIBIT D

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Merritt Capital and Consulting LLC, James & Rose Shallo and Joseph J. DiPalma & Rebecca A. Barrett			
Name of Action or Project: 82 and 84 Whippoorwill Road E., Lot Line Adjustment			
Project Location (describe, and attach a location map): 82 and 84 Whippoorwill Road E., Armonk, NY 10504			
Brief Description of Proposed Action: Lot line adjustment involving the transfer of approximately 3,317 s.f. from 82 Whippoorwill Road E. to 84 Whippoorwill Road E.			
Name of Applicant or Sponsor:		Telephone: 914-462-0985 (Merritt Capital)	
Merritt Capital and Consulting LLC, James & Rose Shallo, Joseph J. DiPalma & Rebecca		E-Mail: peter.merritt4@gmail.com	
Address: 10 Whippoorwill Crossing (Merritt Capital), 84 Whippoorwill Road E.(Shallo), 82 Whippoorwill Road E. (DiPalma & Barrett)			
City/PO: Armonk		State: NY	Zip Code: 10504
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO	YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?		NO	YES
If Yes, list agency(s) name and permit or approval:		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.4 acres	
b. Total acreage to be physically disturbed?		0.0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.4 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe:	<input type="checkbox"/>	<input type="checkbox"/>

18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Peter Merritt</u> Date: <u>5/25/2020</u> Signature: <u>P. E. Merritt</u> Title: <u>Applicant</u>		