



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

PLANNING BOARD
Christopher Carthy, Chair

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R E S O L U T I O N

Action:	Site Development Plan Approval
Application Name:	North Castle South Fire District #1 [2020-020]
Applicant:	North Castle South Fire District #1
Designation:	122.20-1-5,6, and 7
Zone:	CB (Central Business) Zoning District
Acreage:	16,933.48 square feet
Location:	621 N. Broadway
Date of Approval:	June 22, 2020
Expiration Date:	June 22, 2021 (1 Year)

WHEREAS, the Applicant is proposing the expansion of the existing parking lot from 12 to 23 off-street parking spaces at the North Castle Fire District #1 firehouse and the construction of new retaining walls and parking lot lighting; and

WHEREAS, the property is 16,933.48 square feet and is located at 621 N. Broadway within the CB Zoning District; and

WHEREAS, in connection with the proposed development, the Applicant has submitted the following plans:

- Plan labeled “ER-1,” entitled “Drainage and Erosion Control Plan,” dated April 2, 2020, last revised May 30, 2020, prepared by Benedict A Salanitro, P.E., P.C.
- Plan labeled “ER-2,” entitled “Drainage and Erosion Control Plan,” dated April 2, 2020, last revised May 30, 2020, prepared by Benedict A Salanitro, P.E., P.C.
- Plan labeled “A-101,” entitled “Plot Plan,” dated February 21, 2020, prepared by Mark Fritz Architects.
- Plan labeled “A-102,” entitled “Demolition Plan,” dated February 21, 2020, last revised May 20, 2020, prepared by Mark Fritz Architects.
- Plan labeled “A-103,” entitled “Construction Plan,” dated February 21, 2020, last revised May 20, 2020, prepared by Mark Fritz Architects.
- Plan labeled “A-104,” entitled “Existing Site Sections,” dated February 21, 2020, prepared by Mark Fritz Architects.
- Plan labeled “A-105,” entitled “Proposed Site Sections,” dated February 21, 2020, last revised May 20, 2020, prepared by Mark Fritz Architects.
- Plan labeled “A-106,” entitled “Site Details,” dated February 21, 2020, last revised May 20, 2020, prepared by Mark Fritz Architects.
- Plan labeled “A-107,” entitled “Photometrics,” dated February 21, 2020, last revised May 20, 2020, prepared by Mark Fritz Architects.

- Plan labeled “A-108,” entitled “Construction Specifications,” dated February 21, 2020, prepared by Mark Fritz Architects.
- Plan labeled “A-109,” entitled “Construction Specifications,” dated February 21, 2020, prepared by Mark Fritz Architects.
- Plan labeled “A-110,” entitled “Planting Plan,” dated February 21, 2020, prepared by Mark Fritz Architects.

WHEREAS, the application for site plan approval was referred to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML); and

WHEREAS, the Planning Board, pursuant to § 355-44 of the North Castle Code, conducted a duly noticed public hearing, which was conducted on June 22, 2020, with respect to the site plan application, at which time all those wishing to be heard were given an opportunity to be heard; and

WHEREAS, the Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA) since the project involves construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; and

WHEREAS the site plan was forwarded to the Chief of Police, Fire Inspector and the North White Plains 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; and

WHEREAS, the Planning Board has inspected the site and is familiar with the nature of the site, the surrounding area, and the proposed development; and

WHEREAS, the Planning Board has requested, received, and considered comments from the Town Attorney, Town Engineer, and Town Planner regarding the proposed development; and

WHEREAS, the maximum height of the proposed retaining walls is 9.5’; and

WHEREAS, walls in excess of six feet are required to be authorized by the Planning Board pursuant to Section 355-15.G(1)(b) of the Town Code; and

WHEREAS, the requirements of the Zoning Ordinance of the Town of North Castle have been met by said application; and

NOW THEREFORE BE IT RESOLVED, that the application for site plan approval, as described herein, be and are hereby conditionally approved, subject to the following conditions and modifications; and

BE IT FURTHER RESOLVED, that the Planning Board hereby approves the requested retaining wall height as the proposed wall is esthetically pleasing, is compatible with the surrounding character, is not detrimental to public health, safety, or general welfare and does not impair the utility or value of property of other persons located in the vicinity of the site; and

BE IT FURTHER RESOLVED that, this site plan approval shall expire one (1) year after the date of this resolution unless all of the conditions and modifications identified below have been substantially completed or an extension of time has been requested by the applicant or granted by the North Castle Planning Board.

Prior to the Signing of the Site Plan:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____ 1. The Applicant shall submit documentation demonstrating that the NYSDOT has approved the proposed work within the NYSDOT right-of-way to the satisfaction of the Town Engineer.
- _____ 2. The Applicant shall submit documentation demonstrating that the North Castle Water and Sewer Department has issued all required permits for the fire hydrant relocation to the satisfaction of the Town Engineer.
- _____ 3. The site plan should be revised to depict that adequate sight distance is proposed at the new driveway curbcut to the satisfaction of the Town Engineer.
- _____ 4. The lighting detail should be revised to specify the color temperature of the proposed LED lights. **[NOTE TO PB: THE MODEL COMES IN 3000K, 4000K AND 5000K. THE LOWER THE NUMBER THE YELLOWER THE COLOR]**
- _____ 5. The width of the ADA access aisle shall be coordinated between the detail and the dimensions shown on the site plans to the satisfaction of the Town Engineer.
- _____ 6. The Stone Curb Detail shall illustrate how it will relate to the retaining wall to the satisfaction of the Town Engineer.
- _____ 7. The Applicant has indicated that the existing chain link fence will be replaced in kind as needed. The site plan shall note the height of the proposed fence and approximate limits of replacement to the satisfaction of the Town Engineer.

- _____8. Pursuant to Section 127-17 of the Town Code, the applicant shall submit a detailed quantity cost estimate for all site improvements proposed, with the quantities certified to by the applicant's engineer, to the satisfaction of the Town Engineer.
- _____9. Payment of all applicable fees, including any outstanding consulting fees.
- _____10. The Applicant shall submit to the Planning Board Secretary two sets of plans (with required signature block) incorporating all required amendments to the plans as identified in this resolution of approval to the satisfaction of the Town Planner, Town Engineer and Town Attorney.
- _____11. The Applicant shall submit final construction plans for site improvements to the Town Engineer for his approval of driveways, parking areas, storm drainage system, water and sewer connections, sidewalks, erosion and sediment controls and any other information requested by the Town Engineer to the satisfaction of the Town Engineer.

Prior to the Issuance of a Building Permit:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____1. The applicant shall provide design details and calculations for the proposed retaining walls, certified by a NYS Licensed Professional Engineer, to the satisfaction of the Town Engineer.
- _____2. The Applicant shall perform deep and percolation soil testing, in the areas of the proposed stormwater mitigation systems, to be witnessed by the Town Engineer. Any required revisions to the stormwater system, as a result of the soil testing, shall be provided to the satisfaction of the Town Engineer.
- _____3. The Applicant shall provide copies of any permits issued by the NYSDOT for proposed work within the NYSDOT right-of-way to the satisfaction of the Town Engineer.
- _____4. The approved site plan shall be signed by both the Planning Board Chair and Town Engineer.
- _____5. The submission of a complete set of construction plans for review and approval by the Town Building Inspector prior to the issuance of a building permit.
- _____6. The applicant shall establish an engineering inspection escrow account equal to 3% of the estimated cost of construction.

_____7. Payment of all outstanding fees, including professional review fees.

Prior to the Issuance of a Certificate of Occupancy/Compliance:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____1. Construction of all retaining walls shall be certified by the Design Professional to the satisfaction of the Town Engineer.
- _____2. The applicant shall provide confirmation, to the satisfaction of the Town Engineer, that all conditions of the NYSDOT Highway Work Permit and / or Driveway Access Permit have been satisfied.
- _____3. The submission to the Town Building Inspector of an "As Built" survey.

Other Conditions:

- 1. Prior to the start of construction and throughout the construction period, area of disturbance lines shall be clearly delineated in the field with snow fence or another demarcation acceptable to the Building Department and Town Engineer, which shall be placed around the entire proposed construction area. Except as necessary to provide mitigation plantings, no encroachment beyond these limits by workers or machinery shall be permitted.
- 2. Grading and clearing and other construction-related activities shall take place only within the delineated area of disturbance lines. These area of disturbance lines represent the maximum limits of construction activities. Every attempt shall be made to further reduce grading and clearing activities within the area of disturbance lines by maintaining natural vegetation and topography wherever practicable.
- 3. Prior to the commencement of any site work, the Applicant shall stake the location of the proposed construction for inspection and approval by the Building Department and Town Engineer.
- 4. All soil erosion and sedimentation control measures shown on this plan shall be in place prior to the start of any site work. The Building Department and Town Engineer shall have inspected the installation of all required soil erosion and sedimentation control measures prior to the authorization to proceed with any phase of the site work.
- 5. Throughout the construction period, a qualified professional retained by the Applicant shall, on at least a weekly basis, prior to any predicted rain event and after any runoff-producing rain event, inspect the soil erosion and sedimentation control measures to ensure their proper functioning. Soil shall be removed from the silt fence when bulges develop in the fence in accordance with Westchester County recommendations. Records

shall be kept onsite and made available for review by Town personnel. Inspections shall be in accordance with the NYSDEC Phase II regulations.

6. If the Applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, he shall report such conditions immediately to the Building Department and Town Engineer. The Applicant may submit, if he so desires, his recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. The Building Department, without unnecessary delay, shall investigate the condition or conditions, and shall either approve the Applicant's recommendations to correct the conditions, order a modification thereof, or issue his own specifications for the correction of the conditions. In the event of the Applicant's disagreement with the decision of the Building Department, or in the event of a significant change resulting to the site plan or any change that involves the wetlands regulated areas, the matter shall be decided by the Planning Board. Any such conditions observed by the Planning Board or its agents shall be similarly treated.
7. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.
8. The applicant shall provide sedimentation and erosion control measures to the satisfaction of the Town Engineer and in accordance with the measures set forth in the Westchester County Best Management Practices for Construction and Related Activities.
9. All landscaping shown on this plan shall be maintained in a vigorous growing condition throughout the duration of the use. All plants not so maintained shall be replaced with new plants of comparable size and quality at the beginning of the next immediately following growing season.

APPLICANT, agreed and understood as to contents and conditions, including expiration, contained herein

Date

North Castle Fire District #1

NORTH CASTLE PLANNING OFFICE,
as to approval by the North Castle Planning Board

Date

Valerie B. Desimone, Planning Board Secretary

KELLARD SESSIONS CONSULTING
As to Drainage and Engineering Matters

Date

Joseph M. Cermele, P.E.
Consulting Town Engineer

STEPHENS BARONI REILLY & LEWIS LLP
As to Form and Sufficiency

Date

Roland A. Baroni, Jr. Esq., Town Counsel

NORTH CASTLE PLANNING BOARD

Date

Christopher Carthy, Chairman