


MEMORANDUM

TO: North Castle Planning Board

CC: Adam Kaufman, AICP
James Ryan, R.L.A.
Ana Pereira

FROM: Joseph M. Cermele, P.E., CFM 
Kellard Sessions Consulting
Consulting Town Engineers

DATE: October 9, 2020

RE: Site Development Plan Approval
Ana Pereira
4 Tripp Lane
Section 108.02, Block 1, Lot 10

As requested, Kellard Sessions Consulting has reviewed the site plans and application submitted in conjunction with the above-referenced project. The applicant is seeking to legalize various activities completed by the property owner without obtaining the required Town approvals / permits. The Building Department has issued several Notices of Violations and Stop Work Orders for the activities which include construction of a rear addition, cabana, and shed, driveway construction, tree removal over approximately 3/4 of an acre, import of fill material, installation of driveway gates and piers, construction of retaining walls and fence, and construction of a basketball court. The ± 2.06 s.f. property is located in the R-2A Zoning District.

Our comments are outlined below.

GENERAL COMMENTS

1. The applicant has provided a Gross Land Coverage Plan to demonstrate compliance with the maximum permitted gross land coverage for the zoning district. The plan indicates the removal of an existing sport court and a portion of the existing drive, both completed without permits, to reduce the land coverage, as necessary, to comply. We note, however, that the plan appears to require the addition of two areas of existing coverage, currently not accounted for; (1) the northernmost portion of the Boulder wall along the eastern property line appears to exceed 4 feet in height, and (2) the plan makes reference to a concrete patio north of the shed building. Although

not shown on the plan, based on review of available Westchester County aerial mapping, the patio appears to exist. The plan shall be revised to include these additional coverage areas and the calculations adjusted accordingly so a determination can be made as to whether the total allowable coverage has been exceeded.

2. The applicant will need to demonstrate to the Planning Board the levels of disturbances associated with the tree removal, filling and grading, construction of additional structures, walks, walls, patios, etc. This office will require an engineered site plan and comparative plan analysis using available historical Westchester County aerial mapping and GIS topography. This plan shall be used as the baseline to establish the various disturbances and the associated mitigation that will be required.
3. The applicant shall provide floor plans and elevations for the proposed additions to the existing residence, the pool cabana and the shed. The plans shall clarify whether any services or utilities including water, sewer and electric are provided at the cabana and / or the shed.
4. The applicant will be required to provide confirmation from the Westchester County Health Department that the improvements and expansions to the residence and cabana do not require upgrades or modifications to the on-site wastewater treatment system.
5. The plan shall illustrate and dimension all minimum required yard setbacks.
6. As part of an ongoing application with the adjacent property to the east, it was discovered that a locally regulated wetland exists at the rear of the site. The applicant will be required to investigate this wetland system to identify the boundary and associated 100 foot wetland buffer. Based on review of available Westchester County aerial mapping, it appears that this system is potentially connected to or continues through the subject property (prior to placement of fill) to a system on the west side of the property. The wetland boundary shall be field located and established with sequentially number flags for confirmation by the Town Wetland Consultant. Prior disturbances are likely to have occurred within the regulated buffer. If so, a local Wetland Permit will be required, and the applicant will be required to prepare a wetland mitigation plan in accordance with Chapter 340, Wetlands and Watercourse Protection of the Town Code. The plan will require referral to the Conservation Board for recommendation of approval. Please notify this office once the wetland boundary has been established in the field.
7. The Wetland Mitigation Plan, if necessary, shall illustrate and quantifying the previous disturbance areas to the wetland and/or wetland buffer. The plan shall include a summary table that quantifies the total wetland and wetland buffer area on site, total disturbance areas within each, and total pervious and impervious cover pre and post development. Mitigation shall be provided at a ratio of 2:1 minimum.

8. The applicant has cleared a significant number of trees on the property. The quantity, size and species are not known. As required by Chapter 308, Trees of the Town Code, the applicant will be required to provide a tree restoration plan to mitigate the unapproved removal of existing vegetation. The Planning Board will need to determine whether the restoration plan is ultimately appropriate for the level of disturbance.
9. The applicant imported an unknown quantity of fill to regrade the rear yard. The baseline plan noted in Comment #2 above will be used as the basis for determination of the approximate quantity of fill imported to the site. The applicant shall prepare a cut/fill calculation and will be required to demonstrate compliance with Chapter 161, Filling and Grading of the Town Code, specifically as it relates to the soil source, import quantity and compliance with 6 NYCRR part 360. At a minimum, the applicant will be required to provide certification that the soil meets the Unrestricted Soil Use Group for residential sites. The applicant will be required to complete soil sampling and testing in accordance with New York State Department of Environmental Conservation (NYSDEC) protocol and provide a soils analysis report certified by a NYS Certified Laboratory and Soils Scientist or Engineer to demonstrate that the material imported to the site is suitable.
10. The property is served by an on-site wastewater treatment system. The plan shall illustrate the location of the existing septic field and tanks based on available Westchester County Department of Health (WCHD) as-builts and record data. It is assumed that the imported fill material and regrading activities that occurred at the rear of the property was also placed above the existing septic field, potentially compromising its function. The applicant will be required to provide a determination, confirmed by the WCHD, that the septic system continues to operate as intended. Any upgrades or modifications that may become necessary will need to be illustrated on the plan and approved by the Westchester County Health Department.
11. The applicant has developed several improvements and altered the land cover characteristics for the site which has resulted in an increase in impervious surface and an associated increase in stormwater runoff. As required by Chapter 267, Stormwater Management of the Town Code, the applicant shall prepare a Stormwater Pollution Prevention Plan, inclusive of stormwater mitigation and attenuation measures, to mitigate stormwater runoff through the 100-year, 24-hour storm event. For the purpose of the analysis, the baseline map noted above shall be used to establish pre-developed conditions and a comparative analysis to the current site conditions shall be prepared.
12. The plan shall clearly illustrate the location of any existing drainage systems, conveyance systems and connections. Any connections that may exist, to this storm system located in Tripp Lane, will require approval by the Town Highway Department.

13. As part of the stormwater mitigation system design, the applicant will be required to perform deep and soil percolation testing in the vicinity of any proposed stormwater mitigation practices. The soil testing shall be witnessed by the Town Engineer. Please contact this office to schedule the required soil testing.
14. The applicant will be required to provide certification for the proper construction and stability of all retaining walls greater than or equal to 4 feet in height. Details of their construction shall be provided on the plan.
15. The plan shall clearly illustrate and identify the various fences located throughout the site, indicating their height and material. Fence details shall be provided on the plan.
16. Driveway piers and a gate has been installed at the front property line. The Town requires that gates be set back a minimum of 20 feet from the right of way to permit adequate area for a vehicle to pull off the road as well as to account for potential future road widening. The piers and gate shall be relocated accordingly, and appropriate details of their construction included on the plans.
17. The driveway curb cut is greater than 18 feet in width which is the maximum permitted by the Town Highway Department. The plan shall be revised to demonstrate compliance and include all details necessary for work and restoration within the Town Right of Way.

As additional information becomes available, we will continue our review. We note that additional information provided to address the above, may result in further comment. The applicant shall provide an itemized response to all comments to facilitate completeness and efficiency of review.

PLAN REVIEWED, PREPARED BY JMC, DATED SEPTEMBER 29, 2020:

- Gross Land Coverage Plan (CLCP-1)

JMC/dc