


## MEMORANDUM

TO: North Castle Planning Board

CC: North Castle Conservation Board  
Adam Kaufman, AICP  
Peter Gregory, P.E.  
Kory Salomone, P.E.  
Nazar Massouh & Pudding Pie II, LLC

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

DATE: July 30, 2020

RE: Nazar Massouh & Pudding Pie II, LLC  
8 Cole Drive & 24 Davis Drive  
Section 94.02, Block 1, Lots 8 & 9

As requested, Kellard Sessions Consulting has reviewed the lot line realignment plan and supporting documents submitted in conjunction with the above-referenced project. The applicant is proposing to reapportion two (2) existing developed lots by shifting the common lot line between 8 Cole Drive (currently 5.9 acres) and 24 Davis Drive (currently 10.7 acres) resulting in two (2) lots approximately 8.8 acres and 7.8 acres, respectively. The applicant indicated that the proposed lot line change will provide sufficient area for the future redevelopment of the existing single-family home, as well as an in-ground pool and dedicated gymnastic training area. The total area of the properties are  $\pm 16.60$  acres and are located in the R-2A, One-Family Residence Zoning District.

Our comments are outlined below.

### GENERAL COMMENTS

1. The applicant has prepared a Preliminary Plat illustrating the proposed lot line realignment. As required by the Town Code, the net lot area has been calculated, accounting for deductions for wetland area (75%) and steep slopes (50%), to demonstrate that adequate lot area will result for both lots. We offer the following comment with regard to the calculations:

- a. The site includes locally regulated wetlands and watercourses. The plan illustrates a wetland limit flagged in May 2020. The wetland boundaries shall be established in the field with sequentially-numbered flags for verification by the Town Wetland Consultant. Once confirmed, any adjustments to the boundary that may become necessary shall be made, and the resulting net lot area calculations adjusted accordingly. Contact this office to inspect the wetland line once the delineation has been established.
  - b. The Preliminary Plat shall be revised to illustrate existing topography and illustrate and quantify areas of Town-regulated steep slopes (similar to that shown on the IPP) to support the area deductions proposed.
  - c. The total combined area of wetlands and steep slopes provided in the bulk zoning table, for existing and proposed conditions, differ and should be verified. While it is not expected to significantly affect the net lot area, these revisions should be made for consistency.
2. The existing private drilled wells for each lot appear to be shown on the Plat, but shall be labeled for clarity.
3. It appears that the plan proposes to abandon the existing well at 24 Davis Drive and drill a new well to accommodate the proposed driveway alignment. The applicant will be required to obtain approval from the Westchester County Department of Health (WCHD) for the proposed private drilled well.
4. All plans shall illustrate the Town-regulated 100-foot wetland buffer associated with each wetland area and water course that exist on both lots. In addition, as defined by Chapter 340, Wetlands and Watercourse Protection of the Town Code, if regulated buffers are located in areas of steep slopes, the buffer shall be extended to the lesser of 150 feet or the entirety of the steep slope area.
5. To accommodate the lot line change and future development of 8 Cole Drive, the plan proposes to remove and realign a significant portion of the existing driveway serving 24 Davis Drive. To do so, however, the plan proposes significant fill, of as much as approximately 20 feet depth, within the wetland proper. The Planning Board should discuss whether this proposed fill and wetland disturbance is appropriate. The applicant should consider alternative means to provide driveway access for 24 Davis Drive in an effort to minimize wetland and wetland buffer impacts. It appears that additional portions of the northern extent of the existing drive may be reutilized in this effort.
6. The plans should include a driveway profile to demonstrate compliance with Section 355-59, Driveways of the Town Zoning Code, as well as cross sections to illustrate the areas of cut and fill required to construct the proposed drives. An estimate and cut and fill should be provided.

7. As currently proposed, the development requires approximately two (2) acres of disturbance. The applicant will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) to provide water quality and quantity controls, as well as an Erosion and Sediment Control Plan, in accordance with Chapter 267, Stormwater Management of the Town Code. Design calculations for proposed stormwater conveyances shall be included. In addition, the applicant will be required to obtain coverage under the NYS DEC SPDES General Permit, GP-0-20-001, for Stormwater Discharge from Construction Activity. The applicant shall provide a draft Notice of Intent (NOI) and MS4 SWPPP Acceptance Form for review.
8. The applicant has provided a wetland mitigation plan for consideration by the Planning Board. 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. The plan shall demonstrate that appropriate mitigation will be provided to compensate for unavoidable wetland and wetland buffer disturbances at a ratio of not less than two for one. Given that the majority of the proposed two (2) acres of disturbance appears to be located within wetland or wetland buffer areas, the mitigation plan as proposed does not appear to meet this goal. This should be further evaluated by the applicant. We recommend that the plan be referred to the Conservation Board for review and consideration.

As additional information becomes available, we will continue our review. It is noted that an itemized response to all comments will facilitate completeness and efficiency of review.

**PLANS REVIEWED, PREPARED BY PROVIDENT DESIGN ENGINEERING, DATED JULY 13, 2020:**

- Preliminary Plat (C-101)
- Existing Conditions Plan (C-10)
- Integrated Plot Plan (C-102)

**PLAN REVIEWED, PREPARED BY IQ LANDSCAPE ARCHITECTS, DATED JULY 10, 2020:**

- Mitigation Planting Plan (L-1)

JMC/dc