

## MEMORANDUM

TO: North Castle Planning Board

CC: North Castle Town Board  
Roland Baroni, Jr., Esq.  
Adam Kaufman, AICP  
Giocondo DiPietro

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

DATE: April 9, 2020

RE: Request for Bond Release – Mitigation Plantings Bond  
DiPietro Residence  
137 Bedford-Banksville Road  
Section 102.01, Block 2, Lot 67

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This office received a letter (attached) from Site Design Consultants, dated April 1, 2020, requesting a release of the Mitigation Plantings Bond/Letter of Credit relating to the site improvements for the above-referenced project. The Wetland Planting and Maintenance Bond was required as a condition of the Site Plan Approval granted by Resolution of the Planning Board on November 19, 2012 for the construction of a 3-bedroom home, driveway access from Bedford-Banksville Road requiring a stream crossing and associated improvements. More specifically, a Mitigation Plantings Bond was required to ensure completion of the mitigation plantings, as well as to maintain said plantings for a period of five (5) years (see attached Mitigation Plantings Bond Recommendation Memorandum, dated January 12, 2016). The applicant has since modified the site plan to eliminate the driveway access over the stream, thereby significantly reducing the amount of wetland disturbance and required mitigation. Final approval of this revised plan is pending.

The applicant has requested a release of the original Mitigation Plantings Bond in the amount of \$41,493.84, as well as the second bond for the 5-year maintenance plan in the amount of \$5,658.25. This release of the Bond would be granted with the understanding that prior to approval of the modified plan, the applicant would be required, as a Condition of the Resolution, to post a revised Wetland Mitigation Bond in an amount to be reviewed and approved by this office for recommendation by the Planning Board for ultimate authorization by the Town Board. If the Planning and Town Boards are amenable, it would be our recommendation that the Mitigation Plantings Bond be released.

**CIVIL ENGINEERING | LANDSCAPE ARCHITECTURE | SITE & ENVIRONMENTAL PLANNING**

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North Castle Planning Board  
April 9, 2020  
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Should you find any information contrary to this recommendation, or if there are any questions, please feel free to contact me directly.

JMC/dc

Enclosures

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# Site Design Consultants

Civil Engineers • Land Planners

April 1, 2020

Mr. Joseph Cermele, P.E.  
Kellard Sessions  
500 Main Street  
Armonk, NY 10504

Re: Giocondo DiPietro  
137 Bedford-Banksville Road  
Bond/Letter of Credit

Dear Joe:

As discussed with the property owner, we are requesting to have your office release the Bond/Letter of Credit assigned to Giocondo DiPietro for the above referenced property.

The amount was based on the previous approval, which had significantly more improvement costs than the most recent proposal and are therefore requesting a reassessment of the proposed costs. When that number is established, the property owner will provide a new Bond/Letter of Credit to the Town as required.

Please contact this office if additional items are required. Thank you.

Yours Truly,

  
Joseph C. Riina, P.E.

Cc: Giocondo DiPietro


JCR/cm/sdc 01-39



**MEMORANDUM**

TO: North Castle Planning Board

CC: North Castle Town Board  
Roland Baroni, Jr., Esq.  
Adam Kaufman, AICP  
Joseph Riina, P.E.  
Geraldine Tortorella, Esq.  
Giocondo DiPietro

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

DATE: January 12, 2016

RE: Mitigation Plantings Bond  
DiPietro Residence  
137 Bedford-Banksville Road  
Section 102.01, Block 2, Lot 67

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The proposed DiPietro residence, located on 137 Bedford-Banksville Road, includes the proposed construction of a 3-bedroom home and associated improvements. In accordance with the Site Plan, Wetland Permit, Steep Slope Permit and Tree Removal Permit Resolution, dated November 19, 2012, the applicant is required to post a Mitigation Plantings Bond to ensure completion of the mitigation plantings, as well as to maintain said plantings for a period of five (5) years.

Typically, these fees are determined by a cost estimate, whereby the owner completes a quantity take-off of the improvements and applies a unit price to each item. The unit prices are consistent for all projects within the Town.

The purpose of the unit price methodology in preparing the Bond is to obtain an estimated total cost for the completion of all improvements associated with the project. Each line item is not to be considered individually, but rather an integral part of the entire cost estimate. When the applicant prepares the Bond, it is important to note that the value of the Bond is for the total price, not the individual line items. A copy of the approved Mitigation Plantings Cost Estimate, dated January 7, 2016, is attached for your reference.

North Castle Planning Board  
January 12, 2016  
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Based upon the above, we would recommend a Bond for the construction of the proposed Wetland Mitigation Plan in the amount of \$41,493.84.

Similarly, we would recommend a second bond for the 5-year maintenance plan in amount of \$5,658.25.

If there are any questions, please do not hesitate to contact this office.

JMC/dc

Enclosure

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Mr. Giocondo DiPietro  
137 Banksville Road  
Town of North Castle, New York

Project: DiPietro  
Prepared By: Site Design Consultants  
Date: 1/7/16

MITIGATION PLANTINGS COST ESTIMATE

PLANT LIST:

| SYMBOL            | QTY.            | LATIN NAME                     | COMMON NAME  | SIZE   | REMARKS         | UNIT PRICE, \$ | BID AMOUNT, \$ | STORE/WEBSITE             |
|-------------------|-----------------|--------------------------------|--|--|-----------------|----------------|----------------|---------------------------|
| <b>TREES</b>      |                 |                                |  |  |                 |                |                |                           |
| QB                | 9               | QUERCUS BICOLOR                | SWAMP WHITE OAK  | 1 1/2 - 2" CAL.  | CONTAINER, FULL | 135.00         | 1,215.00       | Hardscrabble Farms Inc.   |
| NS                | 9               | NYSSA STLVATICA                | BLACK GUM  | 1 1/2 - 2" CAL.  | CONTAINER, FULL | 185.00         | 1,665.00       | Hardscrabble Farms Inc.   |
| <b>SHRUBS</b>     |                 |                                |  |  |                 |                |                |                           |
| Aa                | 21              | ARONIA ARBUTIFOLIA             | RED CHOKEBERRY   | 18"-24"  | CONTAINER, FULL | 25.20          | 529.20         | Hardscrabble Farms Inc.   |
| Ac                | 37              | AMELANCHIER CANDENSIS          | SERVICEBERRY   | 4-5' HT  | FULL, BUSHY     | 53.00          | 1,961.00       | Hardscrabble Farms Inc.   |
| Ca                | 9               | CLETHRA ALNIFOLIA              | SUMMERSWEET  | 18"-24"  | CONTAINER, FULL | 16.00          | 144.00         | Hardscrabble Farms Inc.   |
| Cs                | 19              | CORNUS STOLINEFERA             | RED-OSIER DOGWOOD  | 18"-24"  | CONTAINER, FULL | 16.00          | 304.00         | ERNIST CONSERVATION SEEDS |
| Iv                | 51              | ILEX VERTICILLATA "RED SPRITE" | WINTERBERRY  | 18"-24"  | CONTAINER, FULL | 16.20          | 826.20         | Hardscrabble Farms Inc.   |
| Lb                | 39              | LINDERA BENZOIN                | COMMON SPICEBUSH   | 18"-24"  | CONTAINER, FULL | 16.20          | 631.80         | Hardscrabble Farms Inc.   |
| Lf                | 24              | LEUCOTHOE FONTANESIANAE        | DROOPING LEOCOTHOE                                       | 18"-24"  | CONTAINER, FULL | 19.80          | 475.20         | Hardscrabble Farms Inc.   |
| Vc                | 28              | VACCINIUM CORYMBOSUM           | HIGHBUSH BLUEBERRY                                       | 18"-24"  | CONTAINER, FULL | 16.20          | 453.60         | Hardscrabble Farms Inc.   |
| Vt                | 17              | VIBURNUM TRILOBUM              | AMERICAN CRANBERRY                                       | 18"-24"  | CONTAINER, FULL | 18.00          | 306.00         | Hardscrabble Farms Inc.   |
| <b>PERENNIALS</b> |                 |                                |  |  |                 |                |                |                           |
| cg                | 85              | CHELONE GLABRA                 | TURTLE HEAD  | BARE ROOT  | 18" O.C.        | 0.90           | 76.50          | Mid Atlantic Natives      |
| cs                | 136             | CAREX STRICTA                  | TUSsock SEDGE  | BARE ROOT  | 18" O.C.        | 0.80           | 108.80         | Mid Atlantic Natives      |
| ef                | 62              | EUPATORIUM FISTULOSUM          | JOE-PYE-WEED   | BARE ROOT  | 18" O.C.        | 0.90           | 55.80          | Mid Atlantic Natives      |
| iv                | 36              | IRIS VERSICOLOR                | BLUE FLAG IRIS   | BARE ROOT  | 18" O.C.        | 2.00           | 72.00          | Mid Atlantic Natives      |
| js                | 46              | JUNCUS EFFUSUS                 | SOFT RUSH  | BARE ROOT  | 18" O.C.        | 2.00           | 92.00          | Mid Atlantic Natives      |
| ms                | 137             | MATTEUCCIA STRUTHIOPTERIS      | OSTRICH FERN   | BARE ROOT  | 24" O.C.        | 7.48           | 1,024.76       | Americanmeadows.com       |
| oc                | 77              | OSMUNDA CINNAMONEA             | CINNAMON FERN  | BARE ROOT  | 24" O.C.        | 12.99          | 1,000.23       | henryfields.com           |
| or                | 63              | OSMUNDA REGALIS "CRISTATA"     | ROYAL FERN   | BARE ROOT  | 24" O.C.        | 3.25           | 204.75         | bloomindesigns.com        |
| sv                | 120             | SCIRPUS CYPERINUS              | WOOL GRASS   | BARE ROOT  | 24" O.C.        | 0.80           | 96.00          | Mid Atlantic Natives      |
| <b>SEED MIX</b>   |                 |                                |  |  |                 |                |                |                           |
| MEADOW MIX        | 15 LBS PER ACRE | ERMx-122 SEED MIX              | FACw WETLAND MEADOW MIX<br>RETENTION BASIN FLOOR SEEDING |  |                 | 896.85         | 896.85         | ERNIST CONSERVATION SEEDS |
| BASIN MIX         | 20 LBS PER ACRE | ERNMX-126 SEED MIX             | LOW MAINTANANCE GRASS LIKE SPECIES                       |  |                 | 435.20         | 435.20         | ERNIST CONSERVATION SEEDS |
|                   |                 | TOTAL PRICE                    | 12,573.89  |  |                 |                |                |                           |
|                   |                 | TOTAL PRICE                    | 37,721.67  | Includes a factor of 3.0 to cover costs associated with planting, establishment, and guarantees. |                 |                |                |                           |
|                   |                 | TOTAL PRICE                    | 41,493.84  | Total price + 10 % Contingency   |                 |                |                |                           |
|                   |                 | TOTAL PRICE                    | 5,658.25   | 5 year maintenance bond equal to 15% of the construction bond                                    |                 |                |                |                           |