

June 1, 2020

Mr. Christopher Carthy, Chariman
Town of North Castle Planning Board
17 Bedford Road
Armonk, New York 10504

RE: Motland Lot Line Realignment
 55 and 57 Banksville Road
 Section 102.03, Block 1, Lot 54 & 55

Honorable Chairman and Members of the Board:

Subsequent to our initial application and appearance before the Planning Board, this office is submitting updated plans and paperwork addressing the comments expressed in both the Staff Report and Town's Consultant Engineer's review memorandum issued to the Planning Board on March 20, 2020.

As you may recall, the applicant is seeking approval of a proposed lot line realignment which would alter an existing common lot line between Lot 54 and Lot 55 and result with Lot 54 being 3.621 acres and Lot 55 being 2.982 acres. While both properties will be compliant with minimum lot size for properties located with the R-2A zoning district, a variance from the Town of North Castle Zoning Board of Appeals will be required for Lot 55 as the minimum side yard setback of 30 feet cannot be maintained. The proposed lot line will result in pool equipment on the property being setback 13.8 feet from the property line thus requiring a variance of 16.2'. The applicant is scheduled to meet with the Zoning Board in June.

Plans have been updated and additional information provided as follows:

Staff Report prepared by Town of North Castle Planning Staff dated March 20, 2020
General Comments

- 1. The Applicant should submit a preliminary plat that conforms to the minimum requirements of Section 275-30 of the North Castle Town Code for review. Specifically, the preliminary plat should be updated to reflect the names of owners of record of properties adjoining and directly across the street from the proposed subdivision.*
The names of the owners of record of the properties adjoining and directly across the street from the proposed subdivision have been shown on the preliminary plat.

2. *The Zoning Conformance Table on the Preliminary Plat should be revised to include a new column that includes existing conditions. With the addition of this information it will be clear how the subdivision will impact the size of the each of the existing lots.*
The Zoning Conformance Table on the Preliminary Plat has been revised to include a new column which includes the existing condition of the lots.
3. *It appears that a portion of the existing septic system on Lot 55 still encroaches on Lot 54. The Applicant should revise the plat so that all of the septic system associated with Lot 55 remains entirely on proposed Lot 55.*
An inspection performed by a Septic Contractor confirmed that the septic system associated with Lot 55 is entirely on proposed lot 55. Westchester County Health Department rules and regulations require that a separation distance of 10 feet is maintained between property lines and septic system. The proposed lot line will maintain 10' separation distance to the existing system.
4. *The plat should be revised to clearly depict Town-regulated steep slope (in square feet) and Town-regulated wetlands (in square feet).*
A constraints map has been prepared to clearly depict Town-regulated steep slope and Town-regulated wetlands. The area in square feet is provided for both. Net lot areas have been calculated on the Constraint Map and noted on the Preliminary Plat
5. *The Proposed Action consists of lot line adjustments between lots and does not result in the creation of any new building lots.*
So noted.
6. *The plat should include the dimension from the pool patio edge to the property lines.*
The plat has been updated to include the dimension from the pool patio edge to the property lines.
7. *The Applicant shall submit a final plat conforming to the standards set forth in Section 275-33 of the North Castle Town Code.*
A final plat conforming to the standards set forth in Section 275-33 of the North Castle Town Code will be prepared and submitted for approval.

Town Consulting Engineer Review Memorandum to Planning Board dated March 20, 2020
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 (25%). We offer the following with regard to the calculations;*

- a. *The site includes both locally and State regulated wetlands. The plan illustrates a wetland limit, but it is not clear which wetland this boundary represents. The wetland boundaries shall be established in the field with sequentially numbered flags (to be survey-located and shown on the Plat) for verification by both the Town Wetland Consultant and the New York State Department of Environmental Conservation (NYSDEC). The applicant shall provide a copy of the wetland validation by the NYSDEC and once confirmed, any adjustments to the boundary and resulting net lot area calculations shall be made. Contact this office to inspect the wetland line once the delineation has been established.*

Wetland boundary has been established in the field with sequentially numbered flags and survey located. The boundary has been indicated on the Plat. It is my understanding that the locally regulated wetland limit and the State regulated wetland line coincide with one another. The NYSDEC has observed the flagging and provided a validation of the line. A copy of the NYSDEC validation is provided for your review. A request to schedule an inspection with your office will be submitted to confirm the limit and findings by the State.

- b. *The Preliminary Plat shall be revised to illustrate existing topography and quantify areas of Town-regulated steep slopes to support the area deductions proposed. Any requirements shall be made.*

A Constraints Map has been prepared to illustrate topography and indicate areas of the regulated steep slopes to support the area of proposed deductions. The proposed lots comply with bulk zoning requirements.

2. *As the Applicant has indicated, the proposed lot line adjustment will correct an encroachment of existing pool equipment but will still require an area variance for the side yard setback. The Planning Board should refer the application to the Zoning Board of Appeals (ZBA), if amenable. **The Applicant has applied to the ZBA, requesting a variance of 16.2 feet to the side yard setback. The application is tentatively scheduled to go before the ZBA in June.***

3. *It appears that the existing septic field serving Lot 55 still encroaches onto Lot 54. At a minimum, the ten (10) foot setback from the septic field to the property line, as required by the Westchester County Health Department (WCHD), must be provided. Due to the close proximity of the system to the lot line, the applicant shall investigate and determine the limits of the existing septic field, as opposed to using approximate boundaries. The plat should be revised accordingly.*

An inspection performed by a Septic Contractor confirmed that the septic system associated with Lot 55 is entirely on proposed lot 55. The limits of the existing septic field are confirmed and the plat has been revised to reflect the existing system. The proposed lot line will maintain 10' separation distance to the existing system.

4. *The applicant will be required to obtain approval from the WCHD for locations of the proposed private drilled well and on-site wastewater treatment area for Lot 54. According to available Westchester County GIS, the area of the proposed septic field is located in an area having slopes in excess of 15%, which is not permitted. This shall be verified by the applicant and the plan updated as may be necessary*

The applicant has obtained a topographical survey for Lot 54. While there are areas of slopes in excess of 15%, a suitable area for the on-site wastewater treatment system has been determined and outlined on the preliminary plat. Soil testing has been performed within this area and observed by the WCHD. Topographical information has been provided on the preliminary plat for your review.

5. *The plat illustrates the limits of an access easement over Lot 55 presumably to serve Lot 54. The Plat shall clarify whether this easement exists or is proposed. If proposed, the easement agreement should be provided for review by the Town Attorney.*

The easement over Lot 55 is proposed. The plat has been updated to reflect such. The easement agreement will be provided for review by the Town Attorney.

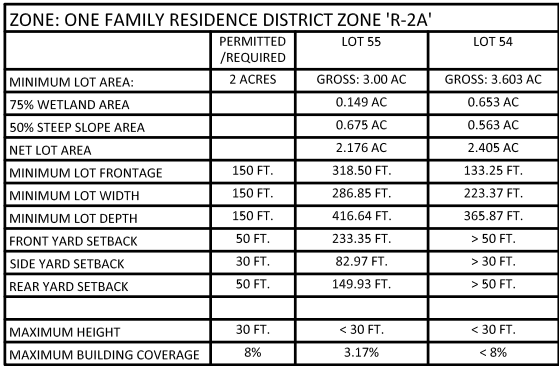
The owner respectfully requests the application be placed on the June 22 Planning Board meeting agenda and continue its review and be considered for approval. Should you have any questions or require additional information, please do not hesitate to call our office.

Very truly yours,

Provident Design Engineering, PLLC



Peter J. Gregory, PE
Senior Project Manager

[illegible]

Surveyor TC Merriitts Land Surveyors, P.C.
394 Bedford Road
Pleasantville, New York 10570
Tel: (914) 769-8003

Owner
Kent Motland and Nikki Elkins
57 Banksville Road
Armonk, New York 10504
Tel: (917) 865-8793



Provident
design engineering


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TEL: (914) 592-4040 WWW.PDESULTS.COM

UNDER NEW YORK STATE EDUCATION LAW ARTICLE 145 (ENGINEERING),
SECTION 7209 (2) IT IS A VIOLATION OF THIS LAW FOR ANY PERSON, UNLESS
ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO
ALTER THIS DOCUMENT

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MOTLAND LOT LINE ADJUSTMENT
55-57 Banksville Road
Armonk, NY 10504
SBL: 102.03-1-54, 55

TITLE: **EXISTING CONDITIONS**

	Scale:	1" = 30'
	Date:	3/9/2020
	Drawn By:	JM
	Checked By:	PJG
	Project No.:	
	Sheet No.:	
	Dwg. No.:	

GENERAL NOTES:

THE PROPERTY IS LOCATED WITHIN THE FOLLOWING:

ZONING DISTRICT :	TOWN OF NORTH CASTLE R-2A RESIDENTIAL ZONING DISTRICT
SCHOOL DISTRICT:	BYRAM HILLS
WATERSHED:	INLAND LONG ISLAND SOUND BASIN


30 15 0 30 60

SCALE IN FEET



* variance required

102.03 - 1 - 54	= 157,763.58 SF or 3.621 acres
102.03 - 1 - 55	= 129,895.04 SF or 2.982 acres
<u>Total Area</u>	<u>= 287,658.62 SF or 6.603 acres</u>

Seal	Scale: 1" = 30'
	Date: 3/9/2020
	Drawn By: JMJ
	Checked By: PJG
	Project No.:
	Sheet No.:
	Dwg. No.:

Only copies from the original of this topography map marked with an original of the Land Surveyors embossed seal shall be considered to be true, valid copies.

Unauthorized alteration or addition to a map bearing a licensed Land Surveyors seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

Possession only where indicated.

Adjacent property lines and easements not surveyed or certified. Access to adjacent rights of way, easements and public or private lands not guaranteed or certified.

Underground utilities shown hereon are approximate and should be verified before excavating. Additional underground utilities are not shown or certified. Encroachments and structures below grade, if any, not shown or certified.

Subject to covenants, easements, restrictions, conditions and agreements of record.

This map is prepared to show topography only and is not to be used for title transfer purposes. Map may not be certified to title companies and/or banks.

Tree species shown hereon to be verified by a licensed arborist and are not certified by surveyor.


Elevations shown hereon generally in accordance with North American Vertical Datum 88.

Surveyed in accordance with Deed Control Number 541863004.

Premises shown hereon designated on the Town of North Castle Tax Maps as: Section 102.03, Block 1, Lot 54 and 55.

Property Address:
55 & 57 Banksville Road
Armonk, NY 10504

Surveyed: December 10, 2019
Map Prepared: December 12, 2019
Map Revised: January 10, 2020 to show wetland map

By: 
Scott B. Gray New York State Licensed Land Surveyor No. 050672



TC MERRITTS LAND SURVEYORS


394 BEDFORD ROAD • PLEASANTVILLE • NY 10570
(914) 769-8003 • (203) 622-8899



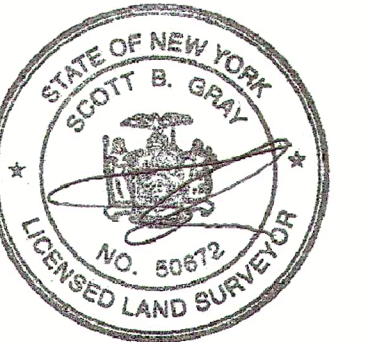
NYSDEC FRESHWATER WETLAND BOUNDARY VALIDATION

The freshwater wetland boundary as represented on this map accurately depicts the limits of Freshwater

Wetland "K-29" as delineated by Paul J. Jaehning, Wetlands Consultant, on November 27, 2019, and field inspected by Joshua Fisher, NYSDEC Bureau of Habitat, on January 6, 2020.

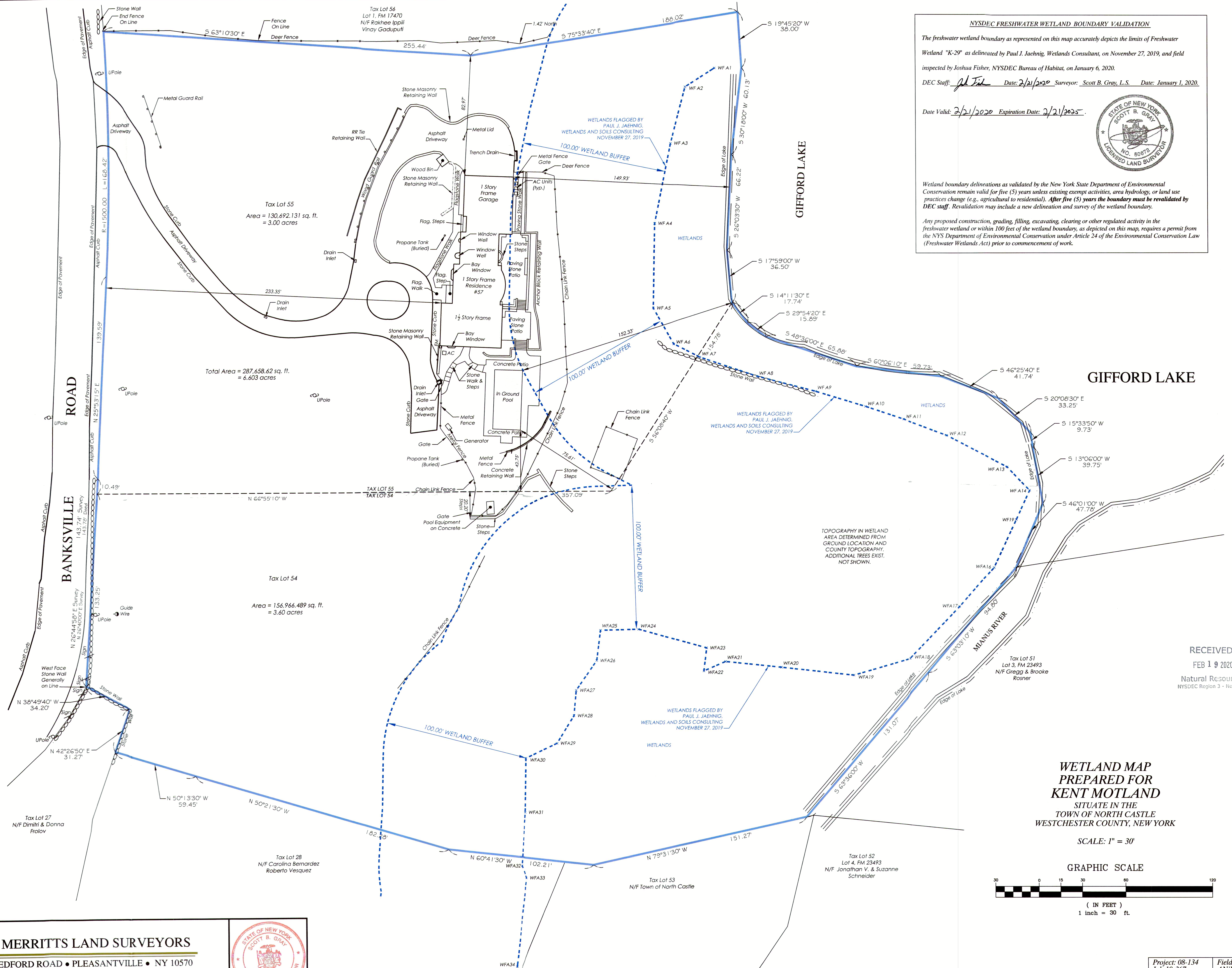
DEC Staff:  Date: 2/21/2020 Surveyor: Scott B. Gray, L.S. Date: January 1, 2020.

Date Valid: 2/21/2020 Expiration Date: 2/21/2025



Wetland boundary delineations as validated by the New York State Department of Environmental Conservation remain valid for five (5) years unless existing exempt activities, area hydrology, or land use practices change (e.g., agricultural to residential). After five (5) years the boundary must be revalidated by DEC staff. Revalidation may include a new delineation and survey of the wetland boundary.

Any proposed construction, grading, filling, excavating, clearing or other regulated activity in the freshwater wetland or within 100 feet of the wetland boundary, as depicted on this map, requires a permit from the NYS Department of Environmental Conservation under Article 24 of the Environmental Conservation Law (Freshwater Wetlands Act) prior to commencement of work.



GIFFORD LAKE

RECEIVED

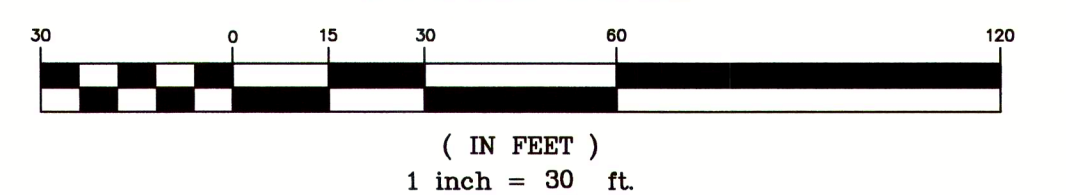
FEB 19 2020

Natural Resources
NYSDEC Region 3 - New Paltz

WETLAND MAP
PREPARED FOR
KENT MOTLAND
SITUATE IN THE
TOWN OF NORTH CASTLE
WESTCHESTER COUNTY, NEW YORK

SCALE: 1" = 30'

GRAPHIC SCALE



Project: 08-134
Job: 19-367

Drawn By:
CMP/BJC

Field Survey By:
AN/PT

Checked By:
SBG