

# NATHANIEL J. HOLT, PE

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dan@holtengineering.net

October 5, 2021

Town of North Castle  
Planning Board  
17 Bedford Road  
Armonk, NY 10504

Attn: Christopher Carthy, Chairman

RE: Hugh Harris  
9 Sterling Road North  
Application for Site Plan and Wetland Permit Approval

Dear Chairman Carthy and Members of the Planning Board:

We last appeared before your Board on August 3, 2020 to continue our discussion to obtain Site Plan Approval and a Wetland Permit for the above referenced application after which we were referred to the Conservation Board for recommendation and comment. Subsequently, we made the necessary application and due in part to the impact of COVID on meeting dates as well as several appearances during which time we presented revised plans to obtain a positive recommendation from the Board. As indicated in the Conservation Board's correspondence to you, in a 4-2 vote the Board denied a positive recommendation for a wetland permit.

As noted in their correspondence we appeared before the Conservation Board and presented revised plans to address its concerns on five separate occasions. Each revision was directed at addressing specific comments or concerns of the Board. Each change resulted in decreasing the size of the pool and pool patio which subsequently reduced the intrusion into the already (previously) disturbed wetland buffer. Each submission always contained an extensive wetland planting/mitigation plan designed to both protect the wetland/wetland buffer but also to improve its overall health.

In the Conservation Board's correspondence to you they listed its position as follows:

- *It was stated that the existing septic system is being relocated to facilitate the construction of the proposed swimming pool, while avoiding the need of a sideyard setback variance.*

This comment is inaccurate. The proposed swimming pool could have easily been in the area in which the proposed septic system will be built. That is: no side yard variance would be necessary or required. In fact, from the outset it was planned to locate the pool in the area that is now where the septic system will be. The reason is twofold:

1. Initially it was intended to construct the pool in the area in which the septic system ultimately received approval from the Health Department. However, when it was discovered that the existing septic system was in failure did the change occur.;

2. The soils in the area of the approved septic system were investigated and the testing observed by the Health Department. In fact, this is the only area which suitable soils were found. (Clearly, the new system could not be in an area where the septic system was already failing, in the wetlands themselves or within limiting distances to domestic water supply or impervious areas.) Logically locating the pool in the same area in which the existing septic system will be abandoned makes the most sense.

- *It was stated that the Westchester County Department of Health 'has the inability to approve such projects' (septics in the wetland buffer).*

Another inaccurate statement, but in fairness could be attributed to misinformation given to the Board. First of all, the rule that the Board was referring to is directed towards new applications. Secondly, the permit issued to Mr. Harris does not meet the criteria of a "new permit" – the house and property exists therefore it is not a "new permit"; finally, the Health Department has issued a Remediation Permit to Mr. Harris. Essentially a remediation permit works within the regulations to create a functioning system while acknowledging that circumstances may require that some relaxation of the "Rules and Regulations" are allowed/necessary. The Board voted before a copy of the permit could be provided as proof.

The Conservation Board noted that the majority felt that the "proposed pool is a non-essential amenity" which would be located entirely within the wetland buffer. What the Board did not report is that they contacted a former Chairman of the Conservation Board, John Fava asking if locating pools entirely within the buffer would set a precedent. Mr. Fava advised the Board that it would not be a precedent.

Subsequently Mr Harris retained the services of Mary Jaehnig to prepare a Wetland Functional Analysis – a copy of that analysis is attached herein. The conclusions drawn by Ms. Jaehnig are clearly explained. Each category is given a "score" based upon established criteria when preparing such an analysis. Suffice it to say the section of the wetland on the Harris site is not of high quality and provides little benefit to water quality; but could be improved by some of the mitigative measures outlined within the report.

In consideration of the above discussions above and particularly Mary Jaehnig's Functional Wetland Analysis, Mr. Harris has directed me to return to your so that we can schedule a Public Hearing on the Wetland Permit, addressing the Gross Land Coverage issues and Site Plan Approval.

Very truly yours,

Nathaniel J. Holt, PE  
Holt Engineering & Consulting, PA

September 28, 2021

**Wetland Functional Assessment**  
**9 Sterling Road North**  
**Armonk, New York**

Setting:

The northwestern portion of the property located at 9 Sterling Road North is a locally regulated wetland as shown by the flagging of Evans Associates on September 18, 2019. The wetland is located on a hillside and is a headwater to a tributary to the Byram River. An intermittent watercourse is contained within the wetland and originates just northwest of the existing dwelling.

The watercourse and wetland is located on the lower flank of a slope that starts near Route 22, approximately 2000 feet to the east and ends 1000 feet to the west as the flow enters the Byram River tributary. The hillside wetland is fed by both subsoil seepage and stormwater runoff from Sterling Road North.

Wetland Description:

The wetland is scrub/shrub (open with a shrub and diverse groundcover) and becomes forested in the southwestern corner and along the northern property line. Minor rills are located on the hillside. The forested wetland supports red maple, ash spp., birch spp., with spicebush, arrowwood vibernum and winterberry in the shrub story. The scrub/shrub portion supports silky dogwood, highbush blueberry, shrub willow, sensitive fern, lurid sedge, foxtail sedge, asters, jewelweed, brambles, blue vervain, and rush spp., and dead trees. Invasive species such as phragmites, multiflora rose, Japanese barberry, wild grape, bitter dock, and purple loosestrife have taken hold on the edges and within the wetland.

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**ENVIRONMENTAL CONSULTING**

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The wetland soil is relatively thin sandy loam and developed in glacial till over bedrock. The moderate slopes result in active changes to surface flow and rill development.

Wetland Buffer Description:

The wetland buffer has been disturbed during earlier site development. Soils have been regraded with areas of compacted fill. The vegetation present is a mix of early colonizer and mostly invasive species as groundcover. The invasive vegetation noted on the disturbed soils include bitter dock, purple loosestrife, goldenrod spp., creeping thistle, wild grape, multiflora rose, and phragmites. The buffer area is open and vulnerable to the spread of the invasive species.

Wetland Functions and Values:

The functional assessment uses 'A Rapid Procedure for Assessing Wetland Functional Capacity' by Dennis W. Magee and Garrett G. Hollands', 1998, based on Hydrogeomorphic (HGM) Classification.

The class for this wetland is a small slope wetland connected downstream to other systems. Features were noted and inventoried in the wetland to determine the value of each function.

1) Modification of Groundwater Discharge.

High Value, due to observed outlet, intersection of water table with topography despite component of stormwater road runoff.

2) Modification of Groundwater Recharge.

Low to no value, lacks capacity for long term storage of water necessary for significant recharge, fast transit time, no underlying glacial stratified drift deposits.

3) Storm and Flood Storage.

Low, Vegetation provides roughness which slows down runoff but water passes relatively quickly through the slope to downstream receiving waters.

4) Modification of Streamflow.

Moderate, the wetland is a source of groundwater discharge as well as surface runoff to downstream systems and helps provide stable base flow during dry times.

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5)Modification of Water Quality.

Low, residence time is low, long term storage is low, modification to water by physical and chemical treatment of solids is therefore low.

6)Export of Detritus.

Moderate, the wetland flushes detritus due to short residence time. This function is modified lower due to small size and moderate vegetation density.

7)Contribution to Abundance and Diversity of Wetland Vegetation.

Low, due to unpredictable hydrology, small size, introduction of invasives.

8)Contribution to Abundance and Diversity of Wetland Fauna.

Low, lack of open water, disturbed buffer plant community, lack of predictable hydrology.

Conclusions:

The highest values of the wetland involve discharge of groundwater to the surface and regulation of the base line flow of downstream watercourses. Export of detritus is also high and the detritus produced and carried downstream provides nutrients to benthic communities off site.

The degradation of the buffer and resulting invasive species with lack of shrub and tree layers is hurting the values for wetland flora and fauna. The compacted buffer fill also adds additional runoff to the wetland. Untreated road runoff enters the wetland during storm events.

A comprehensive planting plan to introduce native species in tree, shrub and ground layers would enhance the wildlife potential of both buffer and wetland, slow velocity of surface runoff to lessen erosion in the wetland and buffer. A restoration planting plan should include removal of some invasives, particularly the phragmites, in the buffer and wetland.

Submitted by,



soil scientist



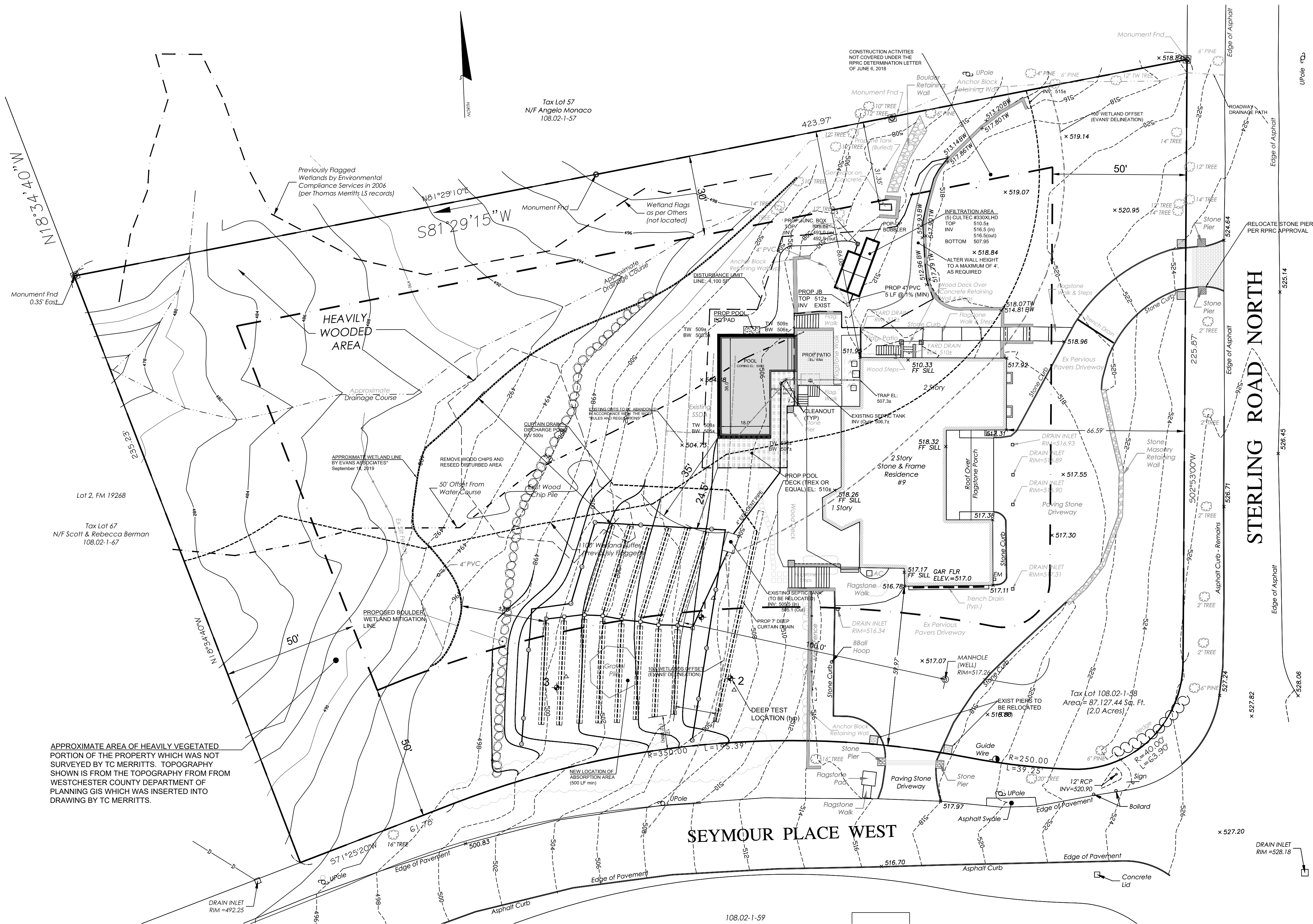
**GENERAL NOTES**

1. SITE TOPOGRAPHY FROM A SURVEY PREPARED BY STEPHEN HOPPE, LS DATED FEBRUARY 28, 2018. SURVEY UPDATED BY TC MERRITTS ENTITLED "TOPOGRAPHIC SURVEY PREPARED FOR HIGH AND VIOLETTA HARRIS" DATED AUGUST 20, 2019.
2. EROSION CONTROLS MUST BE PROPERLY INSTALLED, MAINTAINED AND INSPECTED AROUND THE WORK SITE.
3. CONSTRUCTION ENTRANCES MUST BE PROPERLY MAINTAINED SO THAT NO DEBRIS OR DIRT IS DEPOSITED ON THE STREET.
4. EXPOSED AREAS MUST BE STABILIZED AS SOON AS LAND ALTERATIONS ARE COMPLETED.
5. ANY UNDERGROUND PIPING OR STRUCTURES MUST BE INSPECTED PRIOR TO BACKFILLING.
6. 24 HOUR NOTICE IS REQUIRED FOR ANY INSPECTION.
7. PRIOR TO THE START OF ANY EXCAVATION OPERATIONS THE CONTRACTOR SHALL CALL "DIG SAFELY NEW YORK" AT 1-800-962-7962 OR 811.9. WETLANDS ASSOCIATED WITH PARCEL 108.02-1-57 FROM TC MERRITTS RECORD SURVEY.
8. ADDITIONAL WETLAND INFORMATION BASED UPON A SITE WALK AND SKETCH PREPARED BY EVANS ASSOCIATES

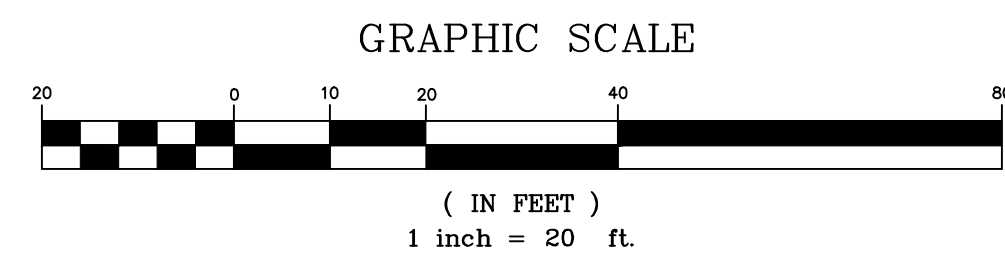
**GROSS LAND COVERAGE CALCULATIONS WORKSHEET**

APPLICATION NAME: HUGH HARRIS TAX MAP DESIGNATION: 108.02-1-58	ORIGINAL'	RPRC APPROVAL'	CURRENT'	PROPOSED
1. TOTAL LOT AREA	87,120 sf	87,120 sf	87,120 sf	87,120 sf
2. MAXIMUM PERMITTED GROSS LAND COVERAGE	13,270 sf	13,270 sf	13,270 sf	NA
3. BONUS MAXIMUM GROSS LAND COVER Distance principal home is beyond minimum front yard setback 16.5 ft x 10'	165 sf	165 sf	165 sf	165 sf
4. TOTAL MAXIMUM PERMITTED GROSS LAND COVERAGE	13,435 sf	13,435 sf	13,435 sf	13,435 sf
5. AMOUNT OF LOT AREA COVERED BY PRINCIPAL BUILDING 4,060 sf (EXISTING) + 0 sf (PROPOSED)	4,060 sf	4,060 sf	4,060 sf	4,060 sf
6. AMOUNT OF LOT AREA COVERED BY ACCESSORY BLDGS 0 sf (ORIGINAL) + 0 sf	0 sf	0 sf	0 sf	0 sf
7. AMOUNT OF LOT AREA COVERED BY DECKS 728 sf (ORIGINAL)	728 sf	1,041 sf	1,340 sf	1,830 sf
8. AMOUNT OF LOT AREA COVERED BY PORCHES 171 sf (ORIGINAL)	171 sf	312 sf	312 sf	312 sf
9. AMOUNT OF LOT AREA COVERED BY DRIVEWAY, PARKING AREAS AND WALKWAYS 5,266 sf (ORIGINAL)	5,266 sf	7,113 sf	8,590 sf	8,590 sf
10. AMOUNT OF LOT AREA COVERED BY TERRACES/PATIOS 0 sf (ORIGINAL)	0 sf	279 sf	130 sf	420 sf
11. AMOUNT OF LOT AREA COVERED BY TENNIS COURT, POOL & MECHANICAL EQUIP 0 sf (ORIGINAL)	0 sf	0 sf	0 sf	672 sf
12. AMOUNT OF LOT AREA COVERED BY ALL OTHER STRUC. 0 sf (ORIGINAL)	0 sf	0 sf	0 sf	0 sf
13. PROPOSED GROSS LAND COVERAGE: Total of Lines 5-12:	10,225 sf	12,804 sf	14,432 sf	15,584 sf

\*AREAS FROM GROSS LAND COVERAGE CALCULATIONS WORKSHEET, DATED MAY 10, 2018  
\*PROPOSED AREAS SHOWN ON GROSS LAND COVERAGE CALCULATIONS WORKSHEET, DATED MAY 10, 2018  
\*AREAS FROM "AS-BUILT" SURVEY PREPARED BY TC MERRITTS DATED OCTOBER 3, 2019



APPROXIMATE AREA OF HEAVILY VEGETATED PORTION OF THE PROPERTY WHICH WAS NOT SURVEYED BY TC MERRITTS. TOPOGRAPHY SHOWN IS FROM THE TOPOGRAPHY FROM FROM WESTCHESTER COUNTY DEPARTMENT OF PLANNING GIS WHICH WAS INSERTED INTO DRAWING BY TC MERRITTS.



**LEGEND**

- 490 x EXISTING SPOT GRADE
- PROPERTY LINE
- TP 1 DEEP TEST PIT
- \* TREE TO BE REMOVED
- 490 EXIST CONTOUR
- PROP CONTOUR

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DUPLICATION IS A VIOLATION OF  
APPLICABLE LAWS

SHEET: **2** of **6**

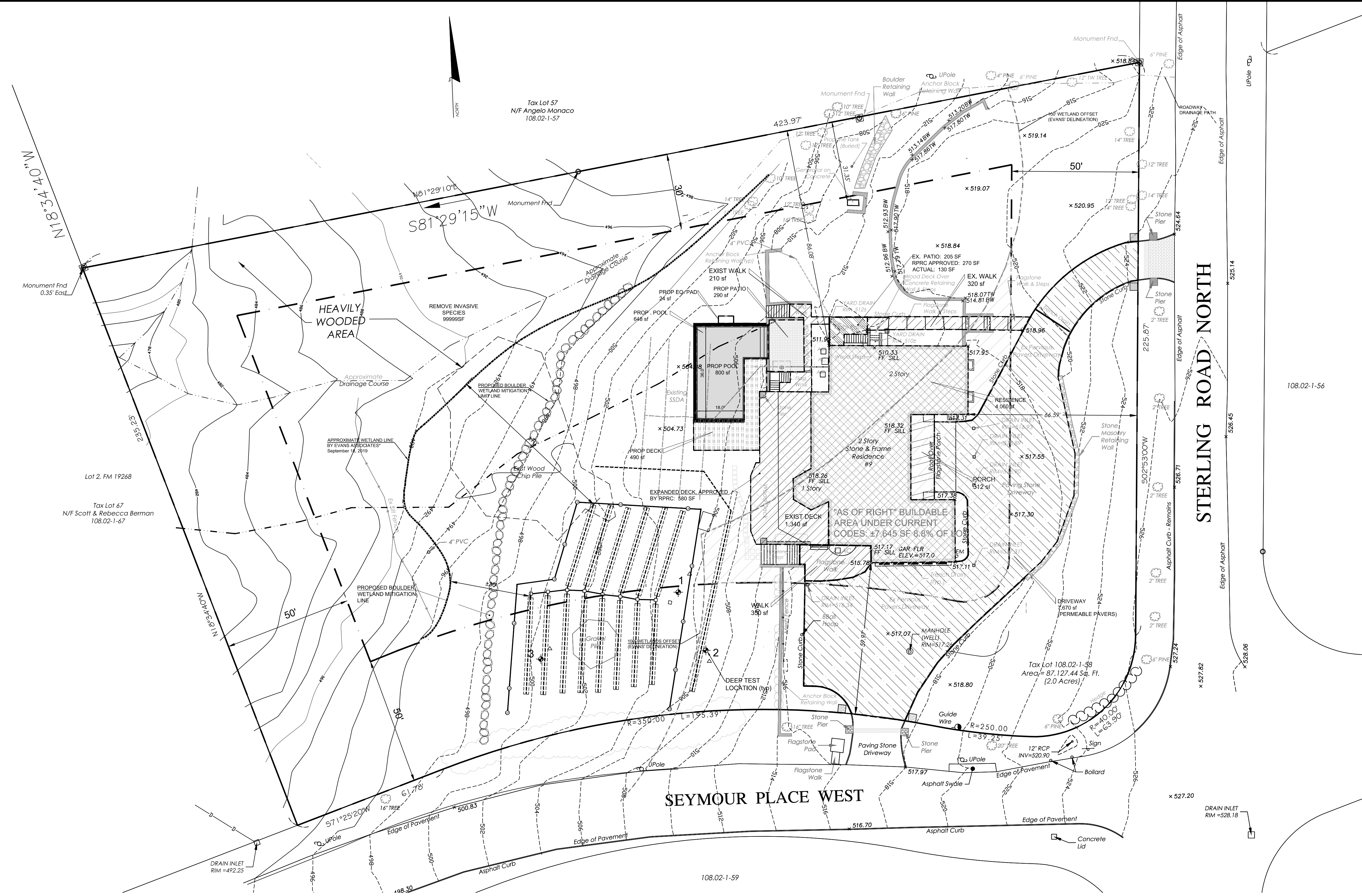
5. CONTRACT: 10.2021.2021  
 4. RESUBMISSION TO PLANNING BOARD: MAY 5, 2021  
 3. MAY 5, 2021  
 2. SPECIFIC ADDED: MAY 19, 2021  
 1. MAY 6, 2020  
 Original Date: March 13, 2020  
 Project Number: HAR-4

**NATHANIEL J. HOLT, P.E.**  
 592 ROUTE 22  
 PAWLING, NEW YORK 12564  
 (914) 760-1800

**SITE PLAN W/  
 APPROVED SSDS**

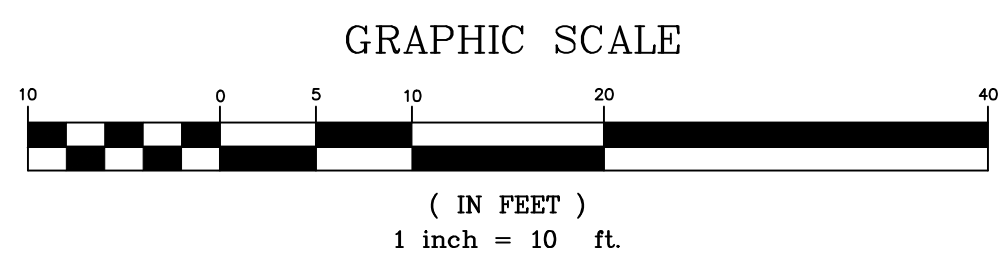
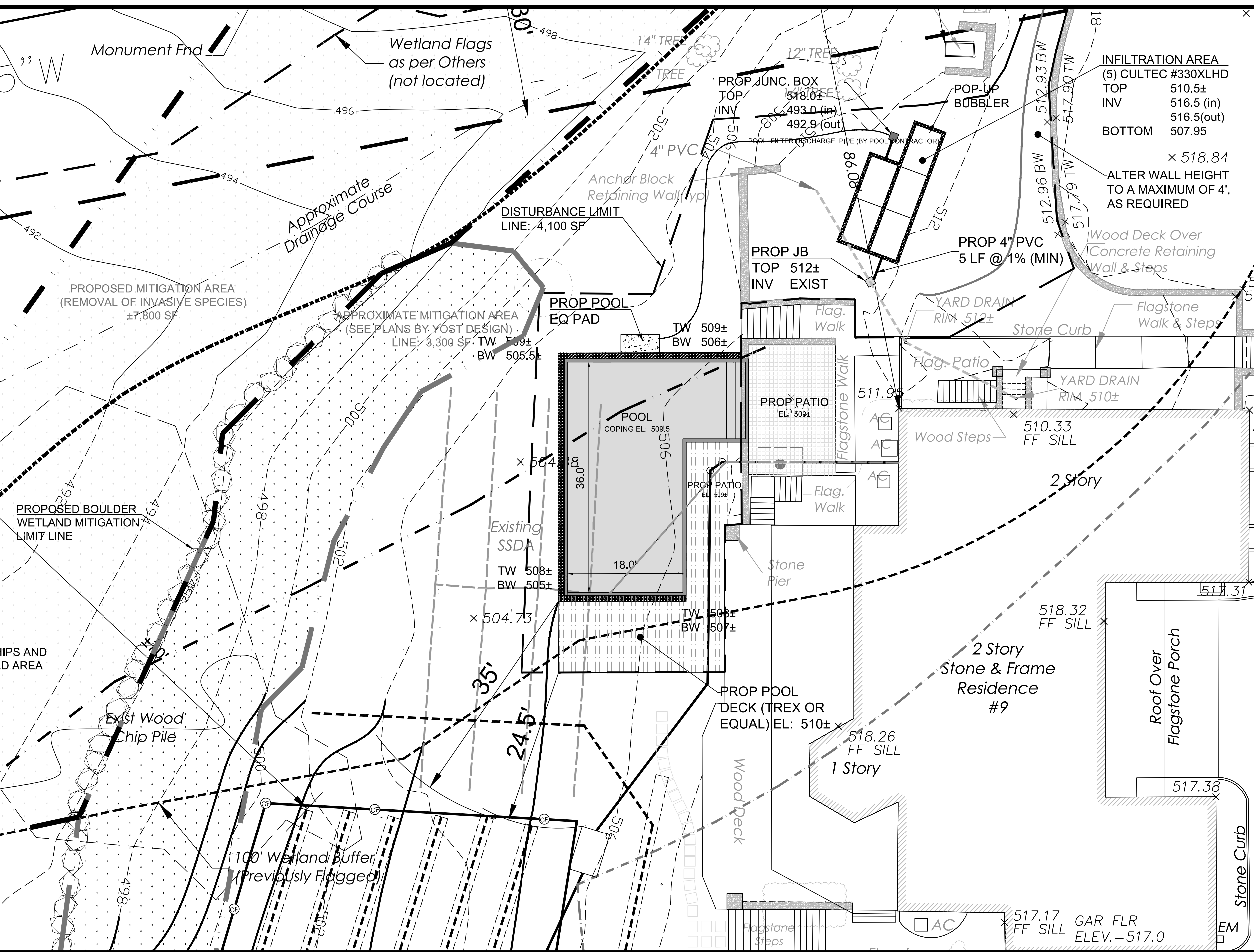
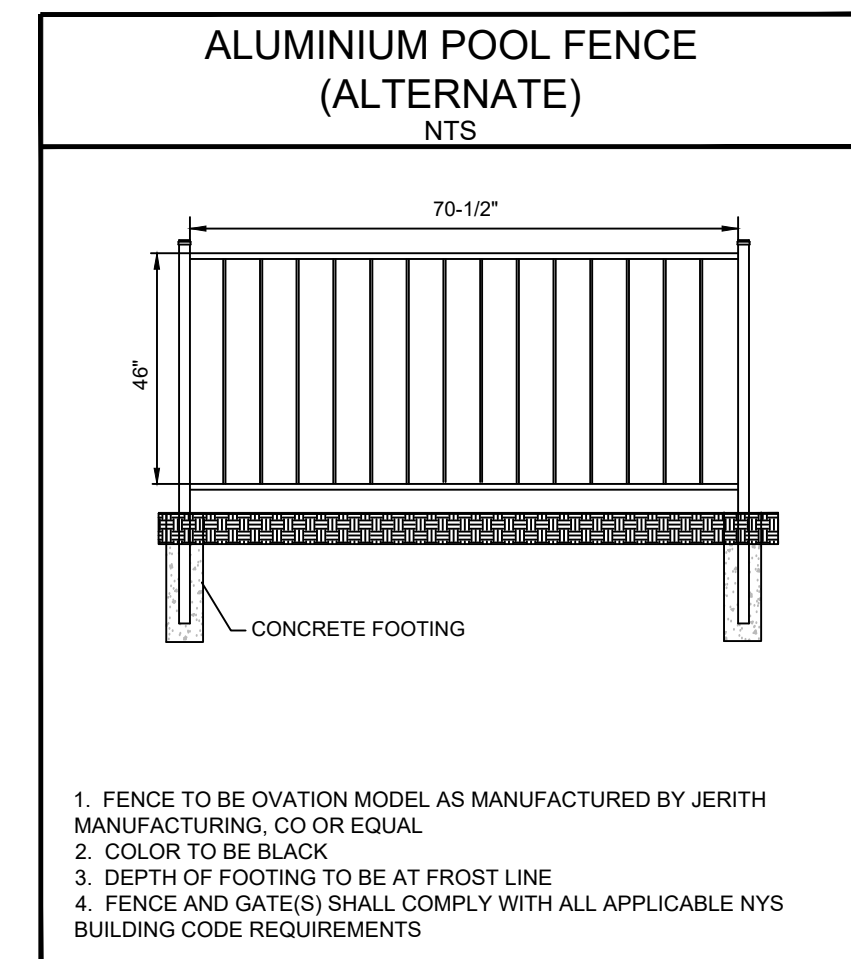
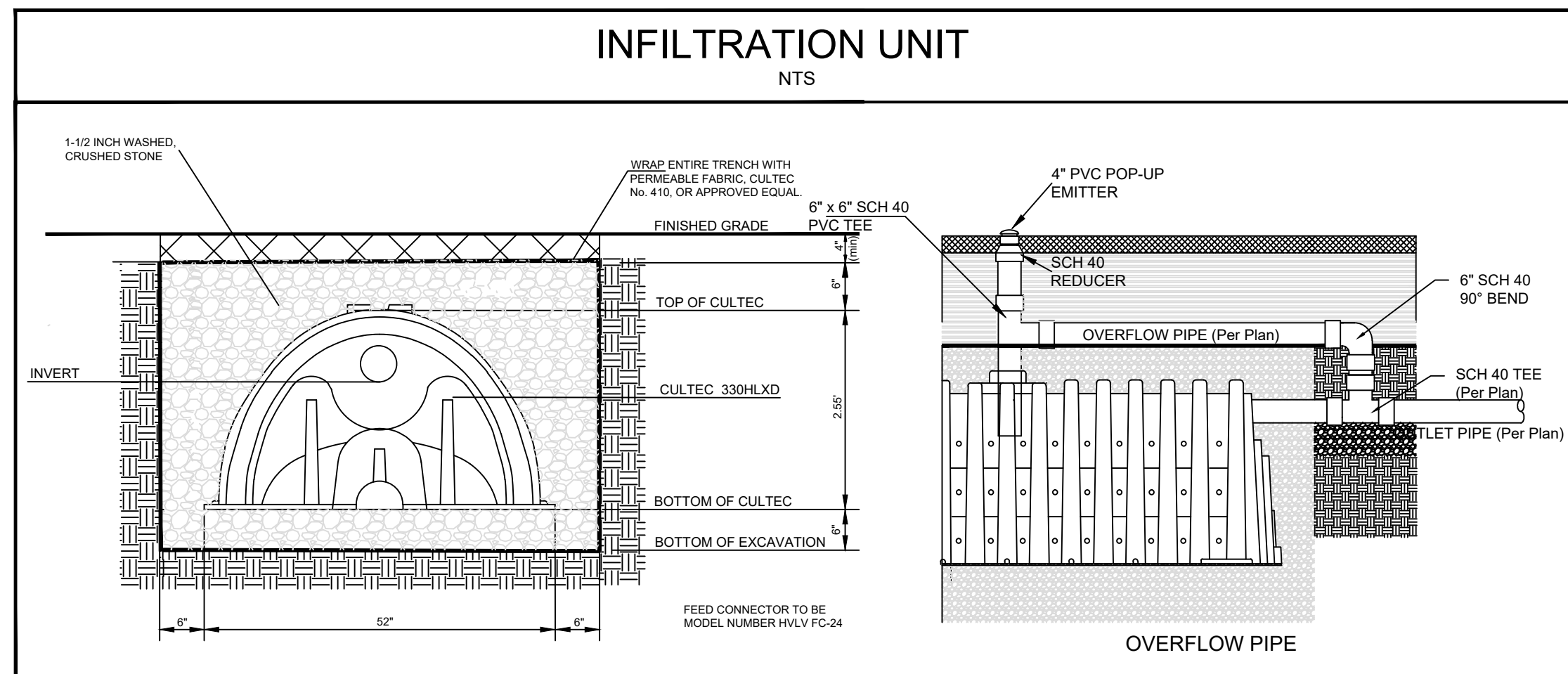
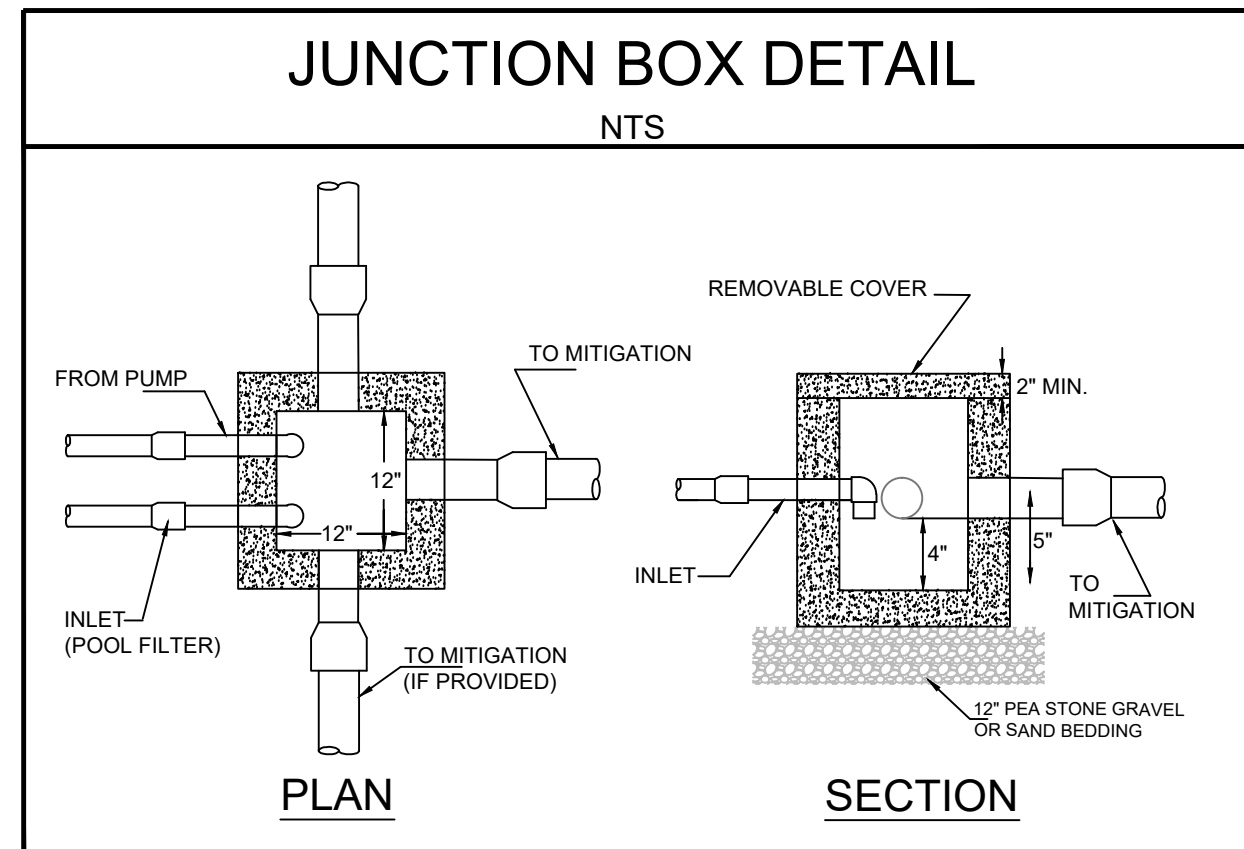
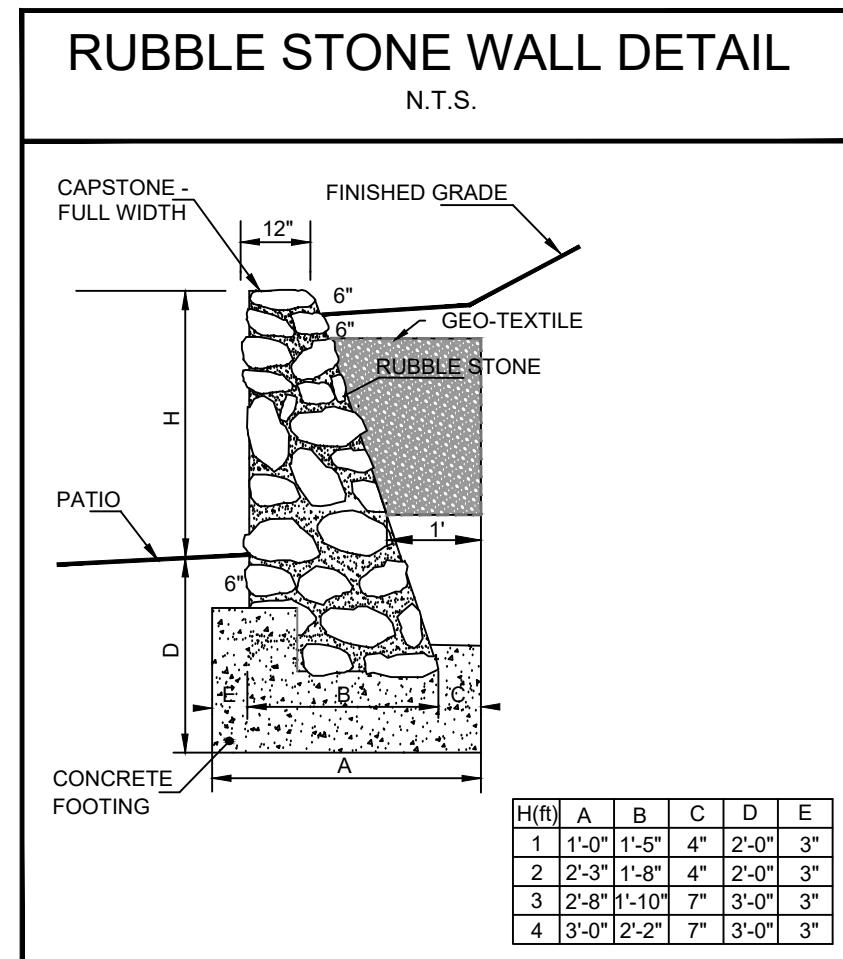
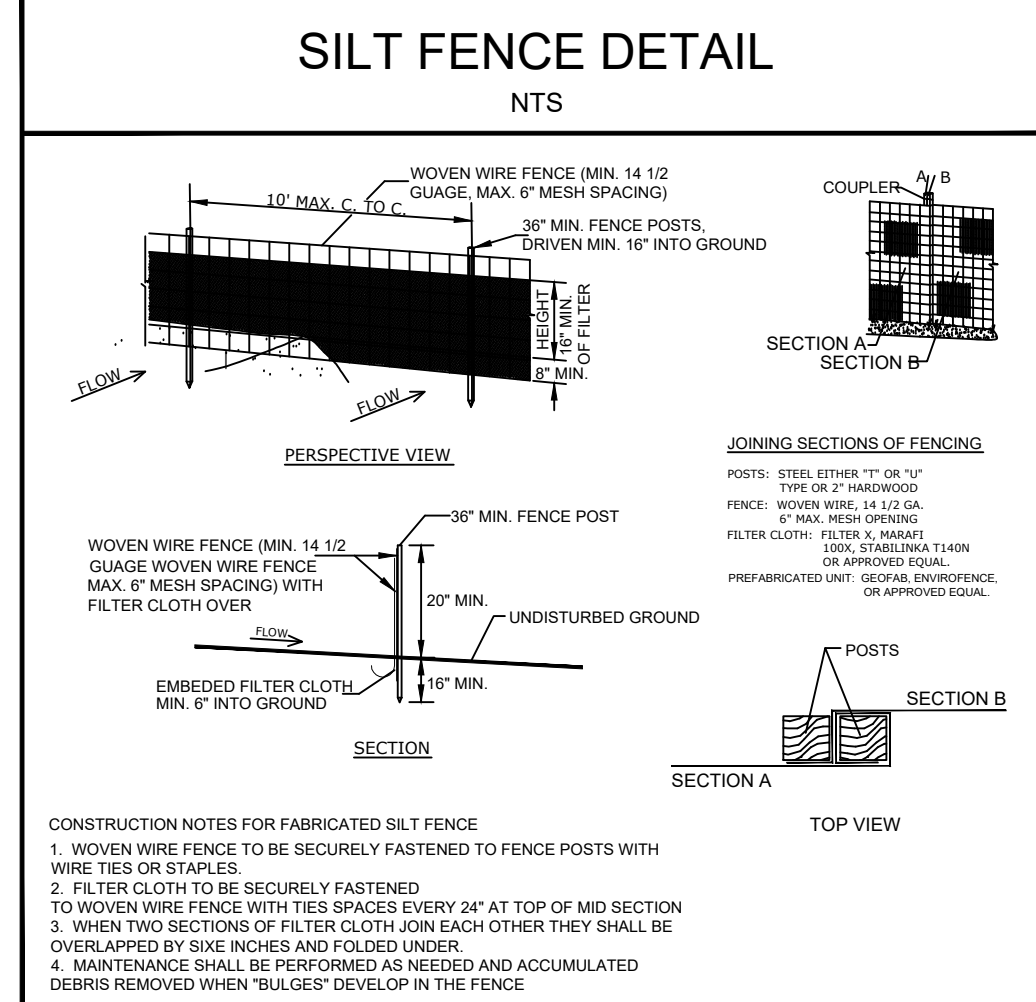
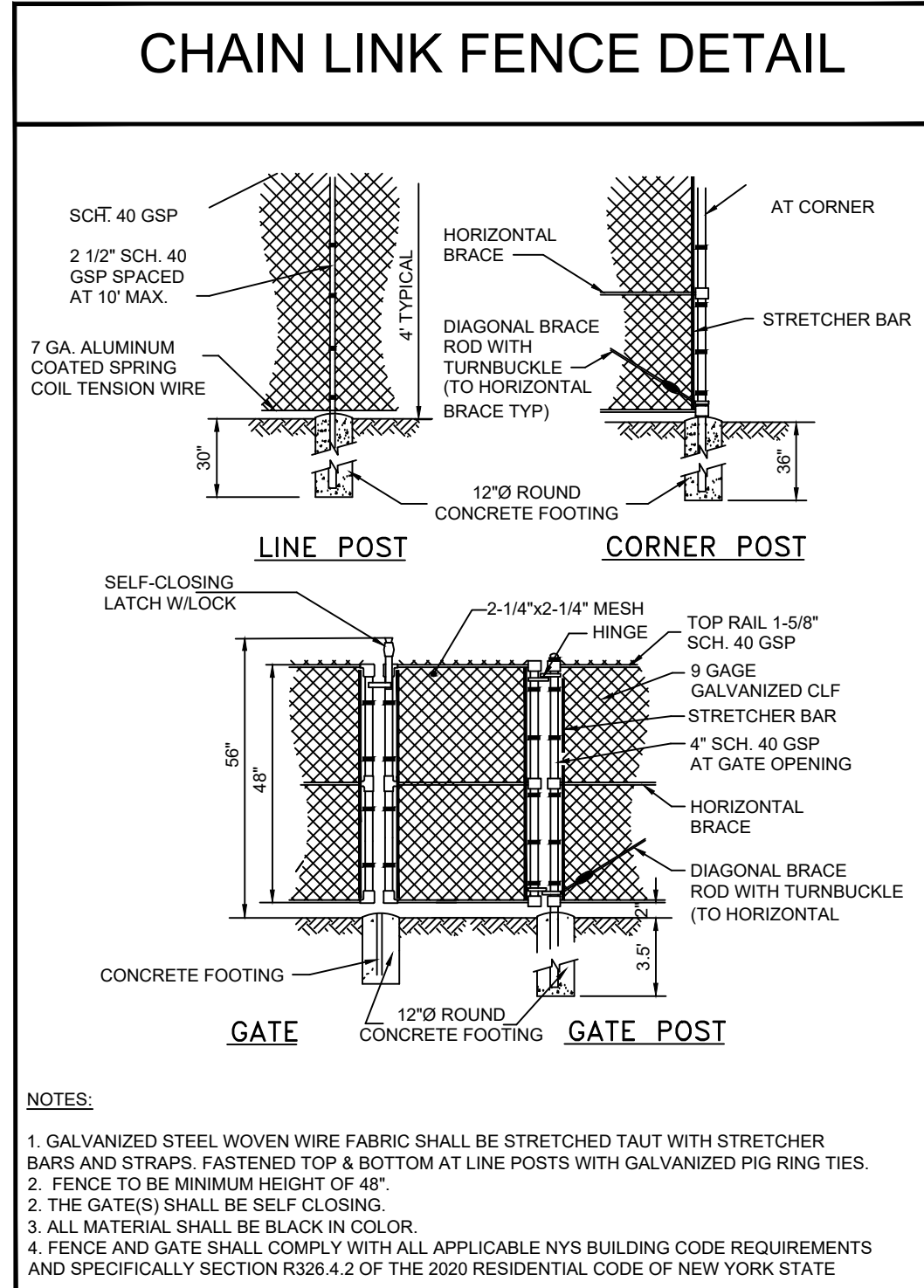
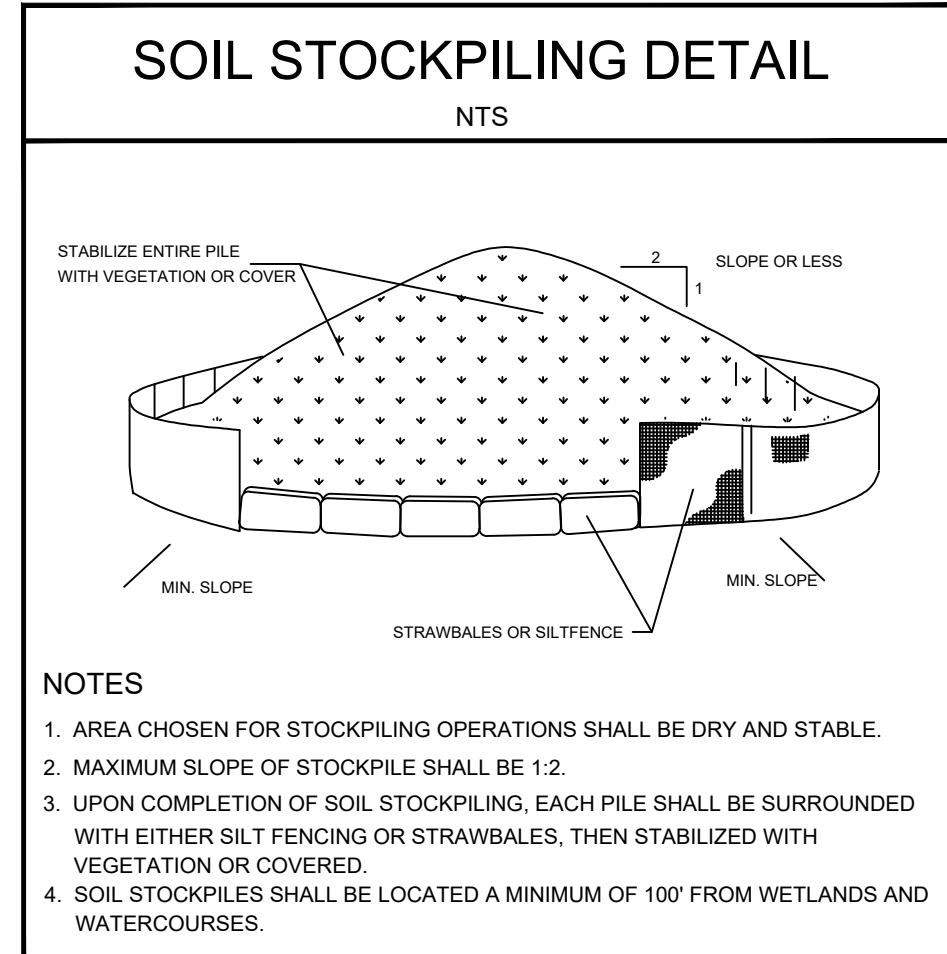
PROPOSED IN-GROUND POOL  
 for  
**HARRIS**  
 9 STERLING ROAD NORTH, ARMONK, NY

APPROVED BY THE TOWN OF NORTH CASTLE  
 PLANNING BOARD  
 RESOLUTION DATED: \_\_\_\_\_  
 CHRISTOPHER CARTHY, CHAIRMAN  
 TOWN OF NORTH CASTLE PLANNING BOARD  
 \_\_\_\_\_ DATE: \_\_\_\_\_  
 ENGINEERING PLANS REVIEWED FOR  
 CONFORMANCE TO THE RESOLUTION:  
 \_\_\_\_\_ DATE: \_\_\_\_\_  
 JOSEPH M. CERMELE, PE  
 KELLARD SESSIONS, CONSULTING  
 CONSULTING TOWN ENGINEERS



- LEGEND**
- 490 x EXISTING SPOT GRADE
  - PROPERTY LINE
  - TP 1 DEEP TEST PIT
  - \* TREE TO BE REMOVED
  - 490 EXIST CONTOUR
  - PROP CONTOUR





### STORMWATER ANALYSIS

REQUIRED: CAPTURE 25 YR STORM EVENT (6") OVER INCREASE IN IMPERVIOUS AREA

EXISTING CONDITIONS

PROPERTY AREA: 87,120 SF

SOIL TYPE: WdB - WOODBRIDGE

PERVIOUS AREAS (HSG = C/D)

LAWN-POOR (RCN 73) 4,585 sf = 0.11 ac

PROPOSED CONDITIONS

DECK (TREX) (60% IMP) 500 sf = 0.011 ac (0.007 ac Net)

POOL (NOT INCLUDED IN RUNOFF) 765 sf = 0.018 ac

LAWN (RCN 75) 3,520 sf = 0.081 ac

TOTAL 4,785 sf = 0.110 ac

RUNOFF CURVE NUMBER

DECK 0.007 ac x 98 = 0.686

LAWN 0.081 ac x 75 = 6.075

0.088 6.761 = 76.8. SAY 77

RUNOFF VOLUME

THE INCREASE IN RUNOFF VOLUME DUE TO THE INCREASE IN IMPERVIOUS AREA IS:

(3.67" - 3.3") / 12 x 4,585 sf = 141 cf

WINTERIZATION DRAWDOWN

POOL VOLUME: 765 sf x 0.5ft = 382.5 cf

POOL DRAWDOWN VOLUME CONTROLS

PROPOSED MITIGATION

ONE CULTEC UNIT (MODEL 330XLHD) HAS THE CAPACITY OF 11.32 cft. THEREFORE:

382.5 cf / 11.32 cft = 33.8 If = 5 Units;

VOLUME PROVIDED: 440 cf

\*\*NO ALLOWANCE TAKEN FOR PERCOLATION. UPON TESTING, THE DESIGN WILL BE MODIFIED AS MAY BE NECESSARY

NO PROPOSED MITIGATION FOR POOL DECK AND PATIO - OFFSET BY INSTALLATION OF PERMEABLE PAVEMENT DRIVEWAY

APPROVED BY THE TOWN OF NORTH CASTLE PLANNING BOARD RESOLUTION DATED: \_\_\_\_\_

CHRISTOPHER CARTHY, CHAIRMAN TOWN OF NORTH CASTLE PLANNING BOARD

DATE: \_\_\_\_\_

ENGINEERING PLANS REVIEWED FOR CONFORMANCE TO THE RESOLUTION:

DATE: \_\_\_\_\_

JOSEPH M. CERMELE, PE KELLARD SESSIONS, CONSULTING CONSULTING TOWN ENGINEERS

SHEET: 4 of 6

NATHANIEL J. HOLT, P.E.  
592 ROUTE 22  
PAWLING, NEW YORK 12564  
(914) 760-1800

PROPOSED IN-GROUND POOL for HARRIS

ARMONK, NY  
9 STERLING ROAD NORTH.

DATE: \_\_\_\_\_

Project Number: HAR-4

Original Date: March 13, 2020

1. MAY 5, 2021

2. MAY 5, 2021

3. MAY 5, 2021

4. RESUBMISSION TO PLANNING BOARD

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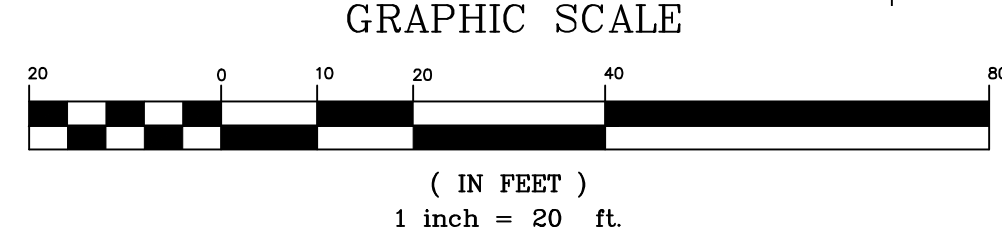
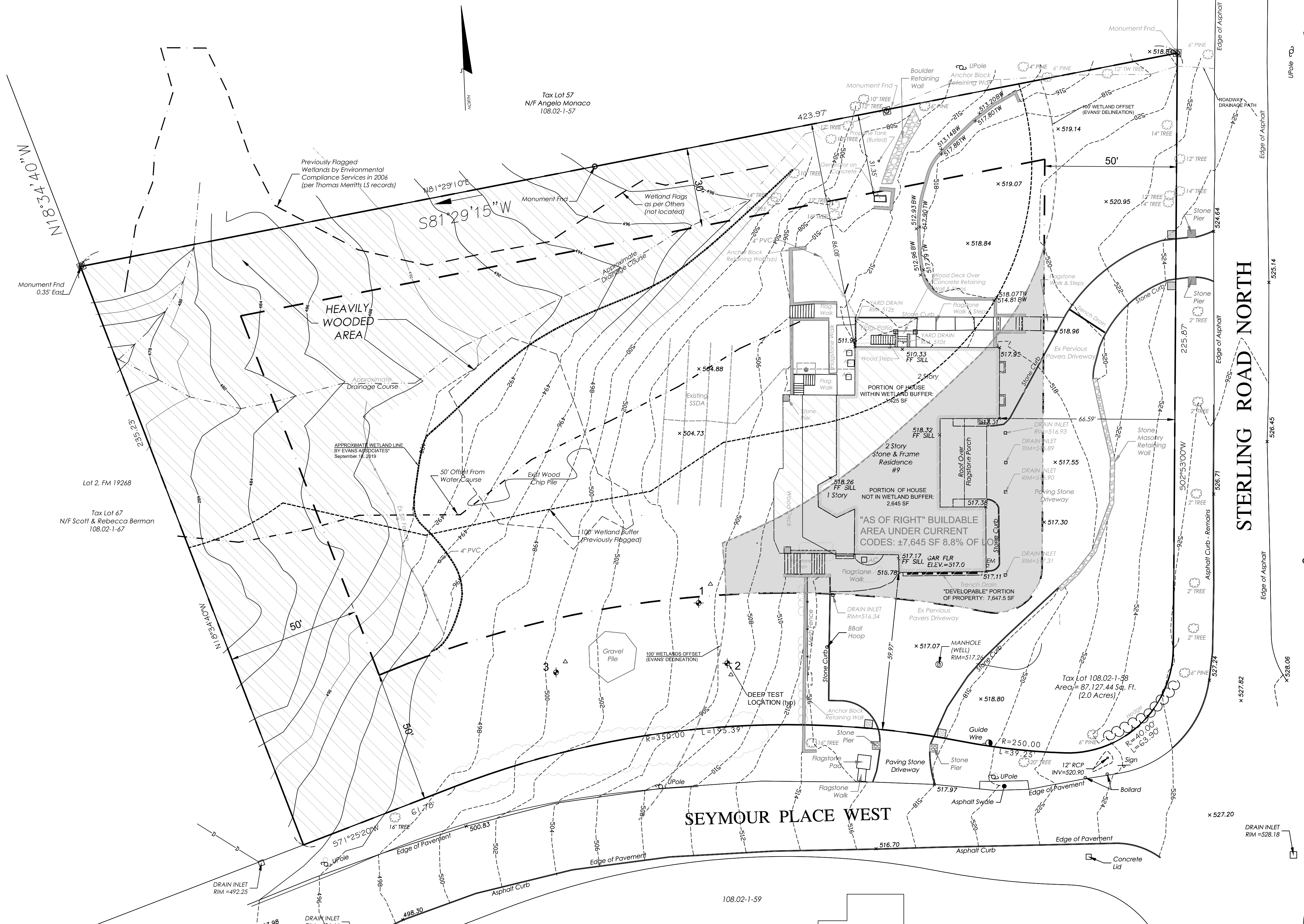
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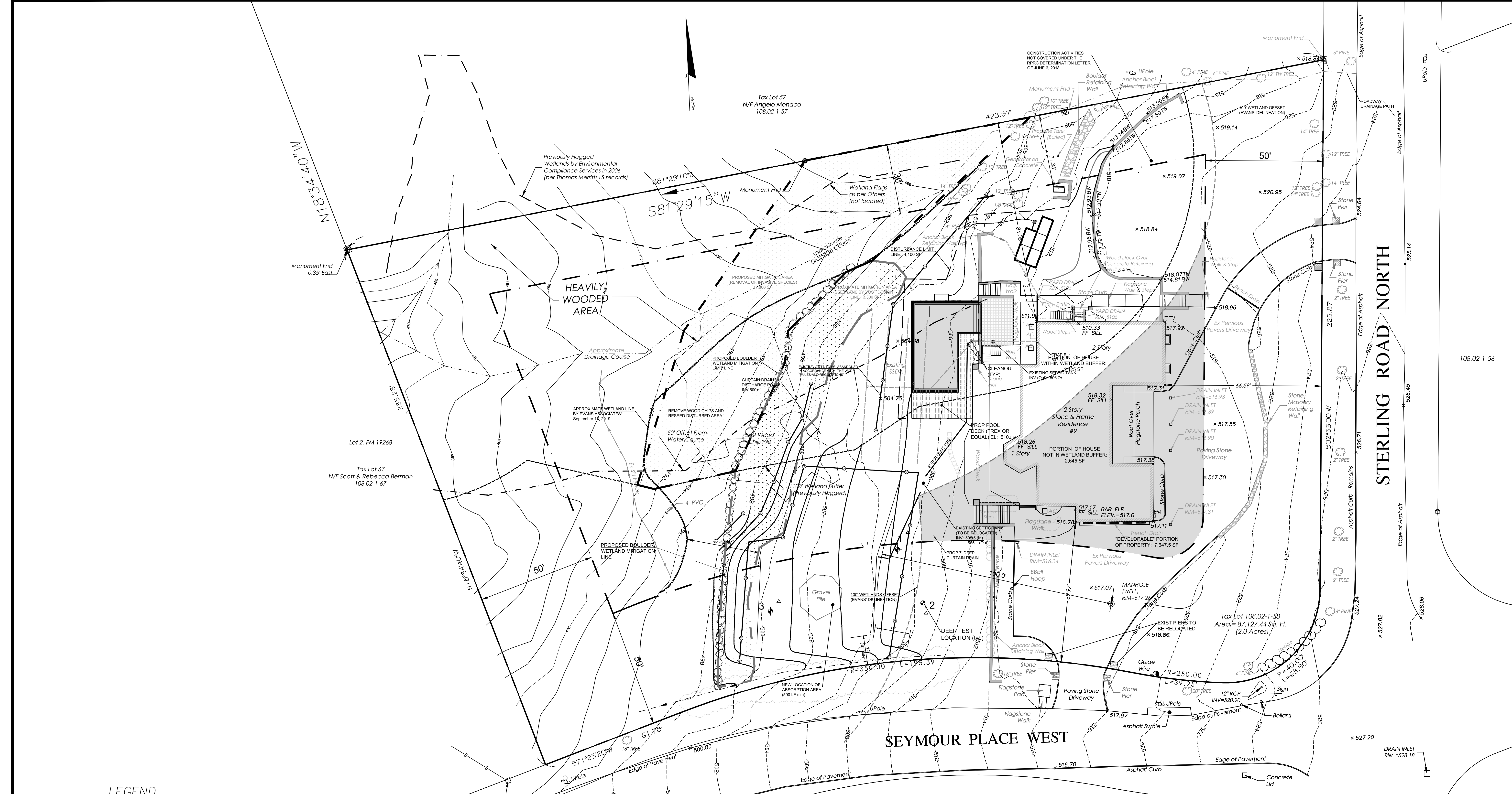


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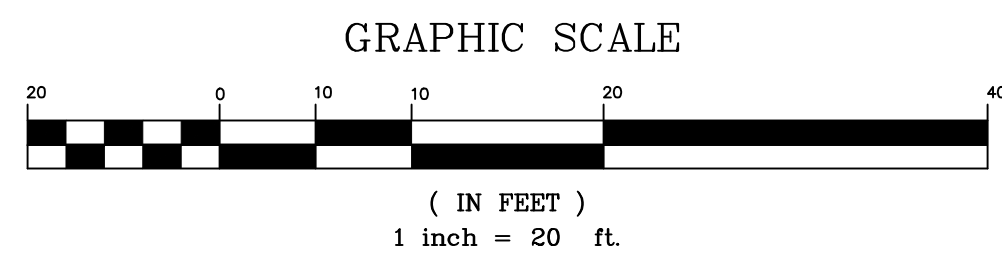
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 APPLICABLE LAWS

<p><b>PROPOSED IN-GROUND POOL</b> for <b>HARRIS</b></p> <p>9 STERLING ROAD NORTH, ARMONK, NY</p>	<p><b>CONSTRAINTS MAP</b></p>
<p><b>NATHANIEL J. HOLT, P.E.</b>          592 ROUTE 22          PAWLING, NEW YORK 12564          (914) 760-1800</p>	
<p>STERLING ROAD NORTH</p>	
<p>SEYMOUR PLACE WEST</p>	
<p>108.02-1-59</p>	
<p>GRAPHIC SCALE ( IN FEET ) 1 inch = 20 ft.</p>	
<p>5 of 6</p>	
<p>SHEET: 5 of 6</p>	
<p>Original Date: March 13, 2020 Project Number: HAR-4</p>	

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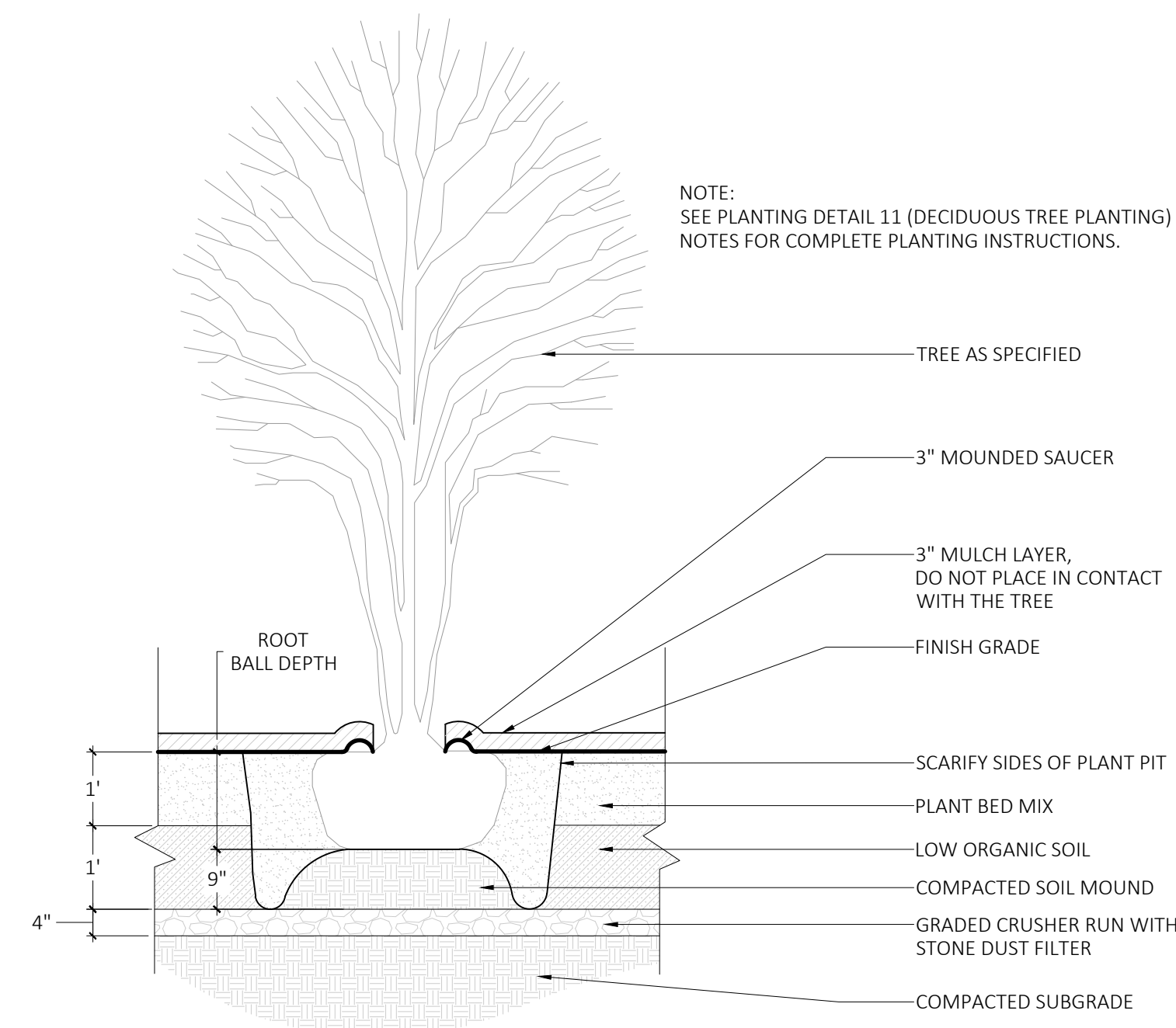
APPROVED BY THE TOWN OF NORTH CASTLE PLANNING BOARD  
 RESOLUTION DATED: \_\_\_\_\_

CHRISTOPHER CARTHY, CHAIRMAN  
 TOWN OF NORTH CASTLE PLANNING BOARD  
 \_\_\_\_\_ DATE: \_\_\_\_\_

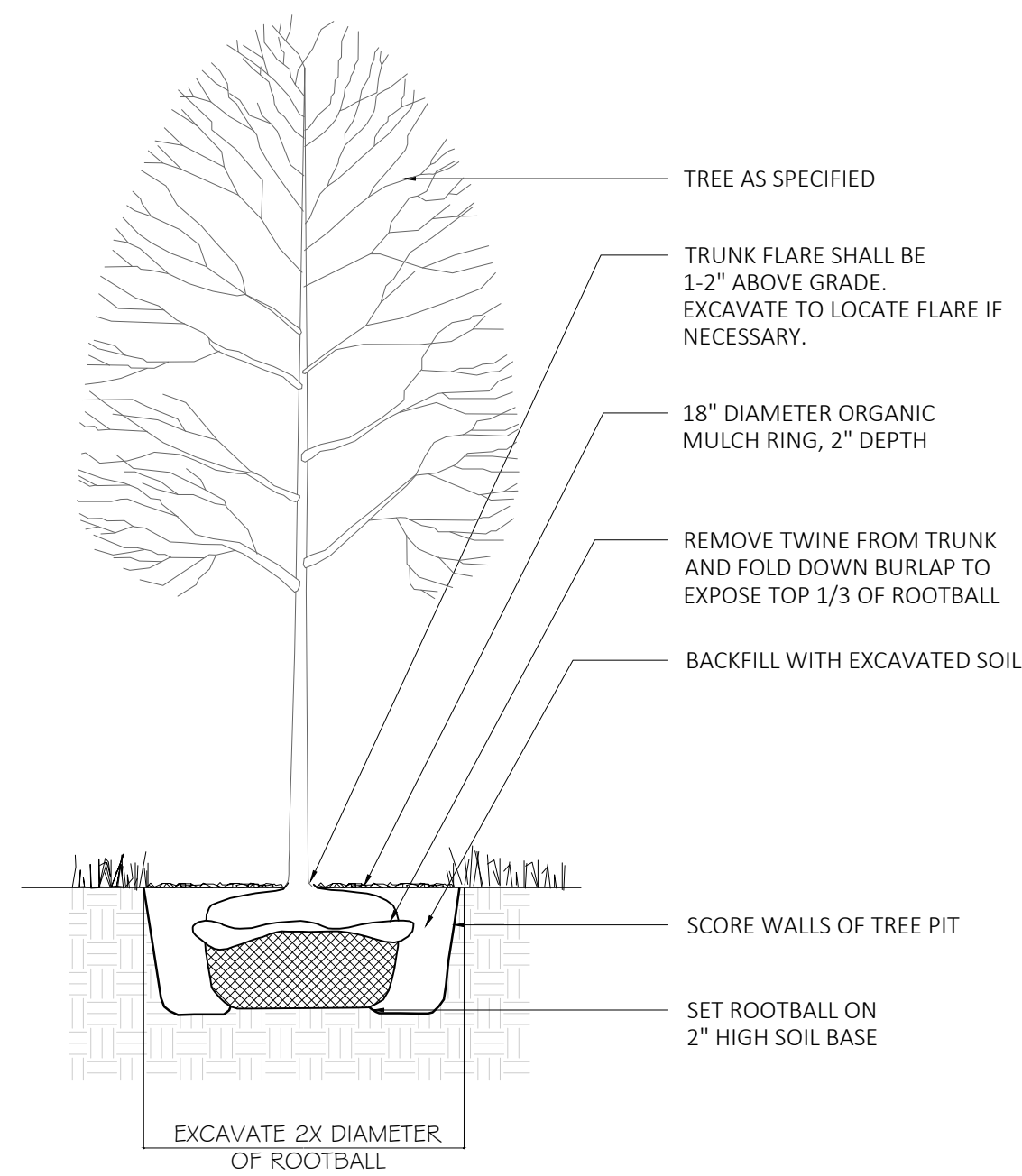
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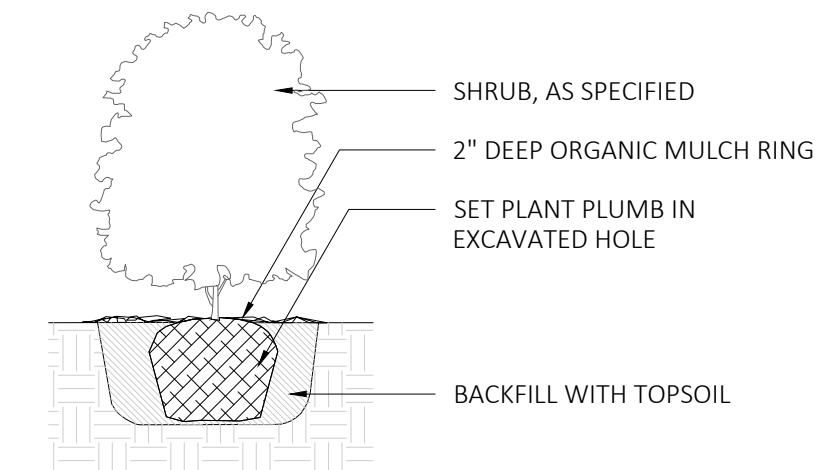
1 MULTISTEM TREE PLANTING  
SCALE: 1/2"=1'



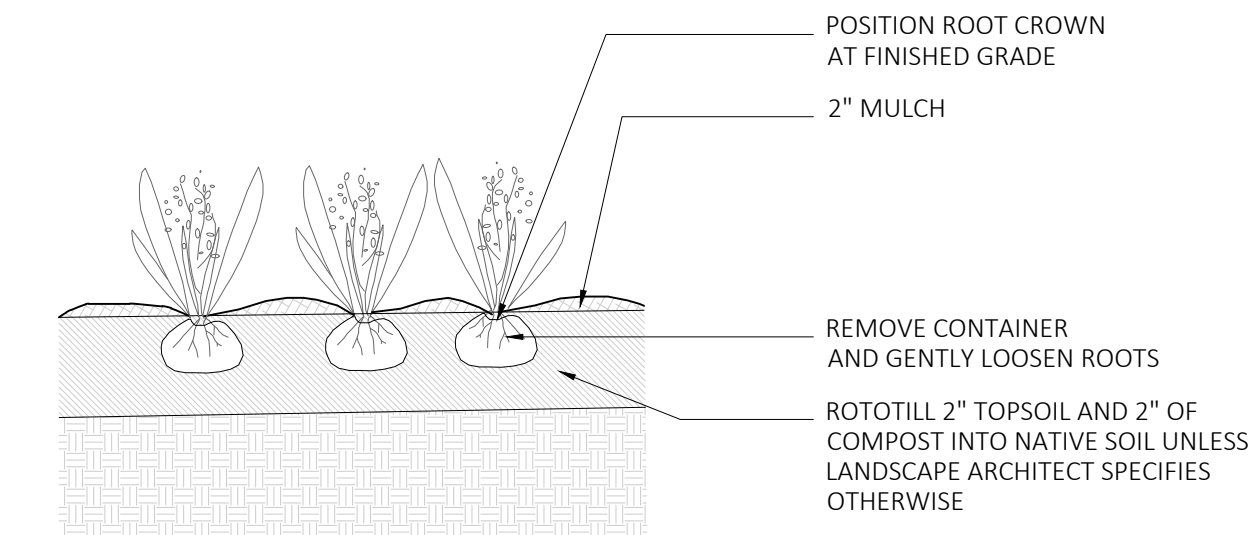
2 DECIDUOUS TREE PLANTING  
SCALE: 1/4"=1'

NOTES:

1. SET TREE PLUMB.
2. DO NOT STAKE UNLESS DIRECTED TO DO SO BY LANDSCAPE ARCHITECT
3. REMOVE COMPLETELY ANY NON-BIODEGRADABLE MATERIALS BINDING THE ROOTBALL.
4. REMOVE WIRE BASKET COMPLETELY IF ROOTBALL WILL BARE. OTHERWISE, CLIP AND PEEL BACK WIRE BASKET AT LEAST ONE THIRD OF THE WAY FROM THE TOP OF THE ROOTBALL.
5. SATURATE SOIL WITHIN SIX (6) HOURS OF PLANTING AND WATER AS NECESSARY UNTIL IRRIGATION IS INSTALLED.
6. DO NOT ADD ANY SOIL AMENDMENTS OTHER THAN COMPOST UNLESS DIRECTED TO BY LANDSCAPE ARCHITECT.
7. DO NOT ADD ANY SOIL OR MULCH AGAINST TRUNK OF TREE. IF ROOT FLARE IS NOT EXPOSED, REMOVE SOIL AND EXPOSE.



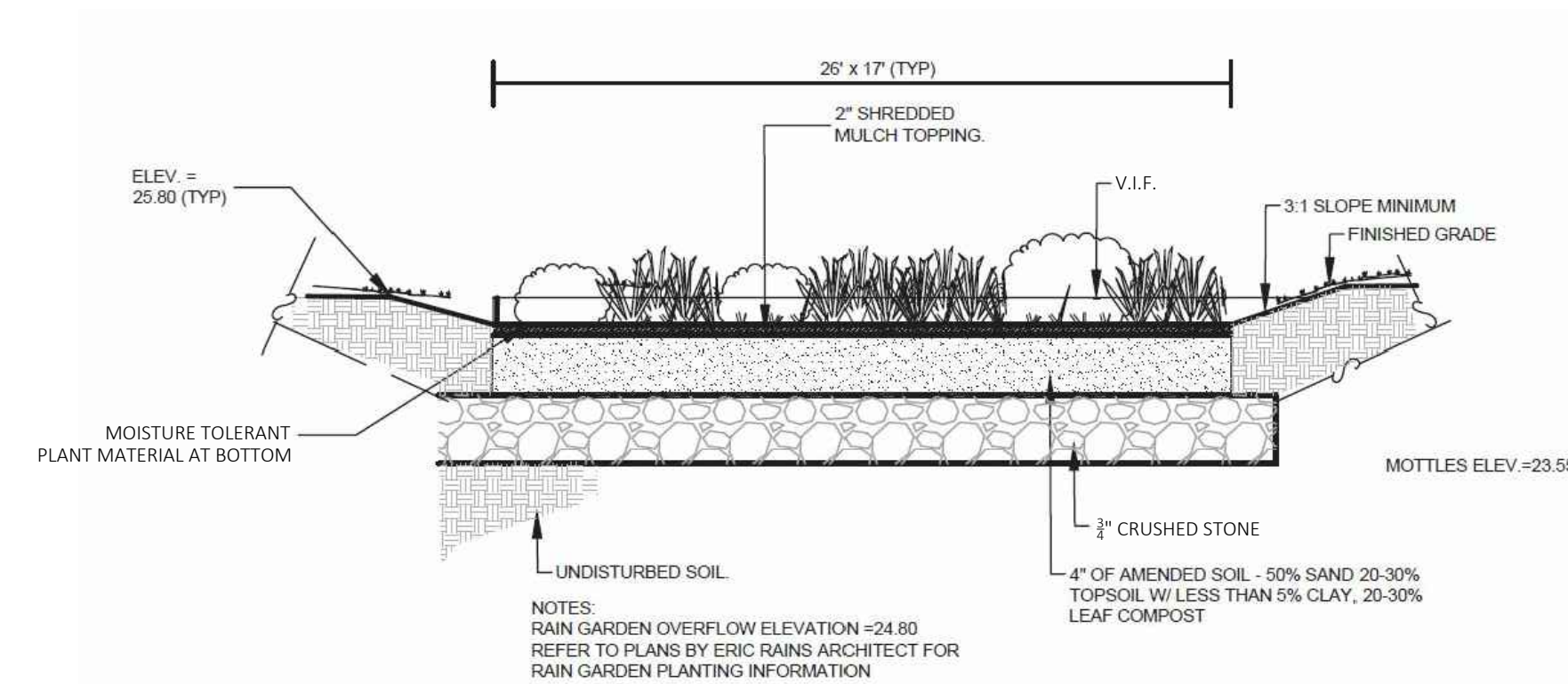
3 SHRUB PLANTING  
SCALE: 1/2"=1'



4 GROUNDCOVER PLANTING  
SCALE: 1/2"=1'

NOTES:

1. FOR B & B PLANT MATERIAL, REMOVE ALL TWINE AND ROLL BACK BURLAP FROM TOP 1/2 OF BALL. IF ANY MATERIALS USED TO BIND THE ROOTBALL ARE NON-BIODEGRADABLE, REMOVE COMPLETELY INCLUDING WIRE BASKET.
2. FOR CONTAINER GROWN PLANT MATERIAL, REMOVE CONTAINER. TO HELP PREVENT LOOSENING OF SOIL AND SCARIFY BALL TO HELP PREVENT GIRDLING ROOTS.
3. SATURATE SOIL WITHIN SIX (6) HOURS OF PLANTING, AND WATER AS NECESSARY UNTIL IRRIGATION IS INSTALLED.
4. NO MULCH OR SOIL SHOULD BE PLACED AGAINST THE PLANT'S TRUNK.



5 RAIN GARDEN  
SCALE: 1"=1'



6 DRY RIVER BED IMAGES  
SCALE:

