


**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: April 9, 2021

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

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As requested, Kellard Sessions Consulting has reviewed the plans 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 inground pool and dedicated gymnastic training area at 8 Cole Dr. In addition to the lot line change, the applicant is proposing a realignment of the existing driveway that serves 24 Davis Drive. Doing so would remove any portion of the existing driveway from the proposed reconfiguration of 8 Cole Drive. The total area of the properties is ±16.60 acres in size and located in the R-2A, One-Family Residence Zoning District.

Our comments are outlined below.

**GENERAL COMMENTS**

1. 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, with sections of approximately 25 feet deep, and areas of disturbance to on-site wetlands, wetland buffers and steep slopes.

The plan has been further modified to reduce impacts to wetlands, wetland buffers and steep slopes. The plan appears to reduce the quantity of fill material required for the project by importing material from the proposed development of a playroom and future pool and cabana on 8 Cole Drive. It is not clear, however, whether the fill estimate provided on the earthwork calculations on the Integrated Plot Plan account for this additional development and whether or not it includes the fill material generated from the future pool and cabana. The earthwork estimates should be updated to clarify this and not take credit for potential fill material generated by the pool and cabana if not proposed for development at this time. In addition, it appears that the majority of the cut material generated by the project will be in rock. The applicant should provide estimates of the rock to be removed, the method of rock removal and how it will be processed for used as acceptable fill material. The applicant will be required to prepare a rock removal plan in accordance with Chapter 122 – Blasting, Explosives and Chipping of the Town Code. Further, we note that the applicant no longer proposes to utilize extruded polystyrene (Geofoam Block) as an alternative means of fill.

In addition, the disturbance chart included on the Integrated Plot Plan should be updated to illustrate and quantify areas of Town-regulated steep slope disturbance required for the construction of the playroom, pool and cabana. We note that the plan should accommodate for associated improvements, such as stormwater mitigation areas that are currently not shown on the plan, as well as potential modifications to the existing septic system that may be required for the playroom [yet to be determined by the Westchester County Department of Health (WCHD)].

The Planning Board should discuss whether the amount of disturbances to steep slopes and wetland/wetland buffer areas and the amount of fill material and tree removal, required for this alternative, is appropriate for the development. If the Planning Board is amenable, at a minimum, the applicant will be required to further develop the design of the driveway, demonstrate adequate stormwater collection, conveyance and mitigation systems, confirm the need for any upgrades to the septic system serving 8 Cole Drive, and provide construction details for the stream crossing and proper installation and compaction of the fill material.

2. As previously noted, the proposed realignment results in a shorter driveway, as compared to existing conditions, but will still exceed 700 feet in length. The plan proposes a driveway width of 12 feet and has been revised to include two (2) areas, approximately 10 feet x 28 feet, to allow for vehicles to pass. A 12 foot wide drive appears appropriate; however, the applicant should consider relocating the pull-off area at ±STA 2+00 to the bend in the drive and adding a third area at the curve at the bottom of the drive to improve visibility. In addition, as previously recommend, the plan should be referred to the Armonk Fire Department for review for adequate emergency access.
3. The plans have been revised to include a driveway profile to demonstrate compliance with Section 355-59, Driveways of the Town Zoning Code. While the maximum grade of the drive is proposed

- to be 12% where 14% is permitted, given the length of the drive, the applicant should confirm with the Fire Department that the grade and width is acceptable for emergency access. As the project develops, the typical cross sections and details provided should be further detailed and supplemented with typical pavement sections, construction details, sub-grade and fill compaction specifications, etc.
4. As previously requested, the plans have been revised to illustrate the Town-regulated 100-foot wetland buffer, extended to the lesser of 150 feet or the entirety of the steep slope area, associated with each wetland area and watercourse that exist on both lots. As previously requested, the applicant shall notify this office once the wetland boundaries have been established in the field with sequentially-numbered flags for verification by the Town Wetland Consultant.
  5. The applicant has acknowledged that the development will require greater than one (1) acre of disturbance. As such, 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 the proposed stormwater conveyances shall be included. Soil testing, to be witnessed by this office, will be required to demonstrate the presence of suitable soils for the proposed practice. We note that the proposed location of the upper stormwater mitigation system does not appear to meet minimum 100 foot setback to the proposed drilled well, as required by the WCHD. In addition, the applicant will be required to obtain coverage under the New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit GP-0-20-001, for Stormwater Discharge from Construction Activity. The applicant will be required to provide a draft Notice of Intent (NOI) and MS4 SWPPP Acceptance Form for review.
  6. As required by Chapter 340, Wetlands and Watercourse Protection of the Town Code, the applicant has prepared a Wetland Mitigation Plan for consideration by the Planning Board and recommendation of approval by the Conservation Board. As previously requested, 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 within the buffer. 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 2 for 1. It appears that a portion of the proposed mitigation lies within areas to be developed for the future pool and cabana. This should be considered as part of the final mitigation plan. The plan shall include requirements for long-term maintenance and monitoring of the wetland mitigation plan. This office will provide the monitoring requirements, typically recommended over a period of five years. The Planning Board should discuss whether a mitigation planting and maintenance bond would be appropriate for the proposed plan.
  7. The plan appears to require the removal of 59 Town-regulated trees. As previously requested, the plan shall include a listing, in tabular format, of all trees proposed to be removed, their size and

species. All trees to remain shall be illustrated to be protected. As required by Chapter 308, Trees of the Town Code, the applicant should prepare a Tree Preservation and Landscaping Plan for consideration by the Planning Board. The Planning Board should discuss whether the proposed amount of tree removal is appropriate for the project.

8. As previously requested, the applicant will be required to demonstrate compliance with Chapter 161, Filling and Grading of the Town Code, specifically as it relates to the import of fill material. As further defined in Section 161-1, soil manifest reports will be required to identify the source and supplier of the fill, as well as certification by third party inspectors that the fill material is in full compliance with 6 NYCRR, Part 360. Notes to this effect will be required to be included on the plans.
9. The applicant had previously submitted a Preliminary Plat for review illustrating the proposed lot line realignment. As required by the Town Code, the net lot area had been calculated, accounting for deductions for wetland area (75%) and steep slopes (50%), to demonstrate that adequate lot area will result for both lots. As previously noted, the following comments, with regard to the calculations, will need to be addressed prior to acceptance of the Plat:
  - 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. **As previously noted, once the applicant has confirmed the wetland line has been established, they shall contact this office to schedule a visit to confirm same.**
  - 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. **This has been satisfied.**
  - 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. **This has been satisfied.**
  - d. The existing private drilled wells for each lot appear to be shown on the Plat but shall be labeled for clarity. **The existing/proposed drilled wells have been identified; however, setback requirements for the proposed well on 24 Davis Drive do not appear to meet WCHD requirements.**

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10. As previously noted, the applicant will be required to obtain approval from the WCHD for the proposed private drilled well serving 24 Davis Drive.

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 MARCH 22, 2021:**

- Site Plan (C-100)
- Detail Sheet (D-101)
- Existing Conditions Plan (C-100)
- Preliminary Plant (C-101)
- Integrated Plot Plan (C-102)
- Driveway Profile & Cross Sections (C-201)
- Erosion Control Plan (C-301)
- Details (D-101)

**PLANS REVIEWED, PREPARED BY IQ LANDSCAPE ARCHITECTS, DATED MARCH 22, 2021:**

- Mitigation Planting Plan (L-1)
- Details (L-2)

JMC/dc