



TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
17 Bedford Road
Armonk, New York 10504-1898

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PLANNING BOARD
Christopher Carthy, Chair

RESOLUTION

Action: Site Development Plan and Tree Removal Permit Approvals
Application Name: 17 North Lake Rd [2020-036]
Applicant/Owner: Mad Real Properties, LLC
Designation: 101.02-2-29
Zone: R-1A
Acreage: 1.24 acres
Location: 17 N. Lake Rd.
Date of Approval: June 28, 2021
Expiration Date: June 28, 2022 (1 Year)

WHEREAS, the Applicant has submitted a site plan application a new two-story, single family dwelling with municipal water supply and on-site wastewater treatment system along with pool and driveway; and

WHEREAS, this project was referred to the Planning Board by the Residential Project Review Committee; and

WHEREAS, in connection with the proposed development, the Applicant has submitted the following plans:

- Plan labeled “1 of 3,” entitled “Demolition and Site Plan,” dated March 22, 2021, prepared by ARQ Architecture PC.
- Plan labeled “2 of 3,” entitled “Grading, Drainage and Erosion Control Plan,” dated March 22, 2021, prepared by ARQ Architecture PC.
- Plan labeled “3 of 3,” entitled “Details,” dated March 22, 2021, prepared by ARQ Architecture PC.
- Plan labeled “L-1,” entitled “Planting Plan,” dated March 1, 2021, last revised June 16, 2021, prepared by Daniel Sherman Landscape Architect.
- Plan labeled “A01,” entitled “Title Sheet, Code Compliance, Zoning, General Notes,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A02,” entitled “Survey Map,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A03,” entitled “Basement Floor Plan Details,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A04,” entitled “1st Floor Plan,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.

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- Plan labeled “A05,” entitled “2nd Floor Plan,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A06,” entitled “Floor Framing Plans,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A07,” entitled “Roof Framing Plans,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A08,” entitled “North Elevation,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A09,” entitled “East Elevation,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A10,” entitled “West Elevation,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A11,” entitled “South Elevation,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A12,” entitled “Sections Details,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A13,” entitled “Various Details,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A14,” entitled “Porch Detail Section Cut,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A15,” entitled “Electrical Plans,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A16,” entitled “Plumbing Riser Diagram basement Electrical Plan,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.
- Plan labeled “A17,” entitled “Window Schedule Door Schedule,” dated April 14, 2020, last revised October 12, 2020, prepared by Collingham Architecture.

WHEREAS, the site plan depicts the removal of 27 Town-regulated trees; and

WHEREAS, the Planning Board, pursuant to §355-44 of the North Castle Code, conducted a duly noticed public meeting on June 28, 2021 with respect to the site plan, at which time all those wishing to be heard with respect to the site plan were given an opportunity to be heard; and

WHEREAS, the Applicant received approval from the Architectural Review Board on May 19, 2021; and

WHEREAS, the Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board has inspected the site and is familiar with the nature of the site, the surrounding area, and the proposed development; and

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WHEREAS, the Planning Board has requested, received, and considered comments from the Town Attorney, Town Engineer, and Town Planner regarding the proposed development; and

WHEREAS, the requirements of the Zoning Ordinance of the Town of North Castle have been met by said application; and

NOW THEREFORE BE IT RESOLVED, that the application for site plan and tree removal permit approvals, as described herein, are hereby conditionally approved, subject to the following conditions and modifications; and

BE IT FURTHER RESOLVED that, this site plan and tree removal permit approvals shall expire one (1) year after the date of this resolution unless all of the conditions and modifications identified below have been substantially completed or an extension of time has been requested by the applicant or granted by the North Castle Planning Board.

Prior to the Signing of the Site Plan:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____ 1. The site plan shall be revised to depict the installation of a privacy fence along the side property line adjacent to the driveway to the satisfaction of the Planning Department.
- _____ 2. The site plan shall be revised to note that the septic expansion area shall not be cleared and graded at this time to the satisfaction of the Planning Department.
- _____ 3. The Applicant should submit gross floor area and gross land coverage calculations worksheets to the satisfaction of the Planning Department. In addition, a backup floor area exhibit shall also be submitted to the satisfaction of the Planning Department.
- _____ 4. The Applicant shall identify building height (average grade to roof midpoint) and maximum exterior wall height (lowest grade to roof midpoint) on the submitted elevations to the satisfaction of the Planning Department. Building Height shall not exceed 30 feet and Maximum Exterior Wall Height shall not exceed 36 feet.
- _____ 5. The Applicant shall provide copies of the septic system approved by the Westchester County Department of Health for the current proposed site layout to the satisfaction of the Town Engineer.

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- _____6. The site plan shall be revised to clearly illustrate the limits of the existing driveway culvert to be removed and drainage channel and right-of-way to be restored to the satisfaction of the Town Engineer. Provide details. The plan shall also include details and specifications for the proposed drainage channel/driveway crossing, pipe size, material, etc. to the satisfaction of the Town Engineer. Provide all appropriate details.
- _____7. The driveway profile included on the plan shall be extended to the edge of road and include all proposed grades, slopes and vertical curves as appropriate to the satisfaction of the Town Engineer. The plan shall dimension the proposed curb cut width, to be a maximum of 18 feet.
- _____8. The plan should illustrate the driveway stormwater collection system to discharge to the infiltration system to the satisfaction of the Town Engineer.
- _____9. It appears that the curtain drain discharge is located at the eastern property boundary. Due to the depth of the curtain drain, it is not clear how this will function. The applicant shall route the discharge to the front yard toward the drainage channel at the road and away from the neighboring property to the satisfaction of the Town Engineer.
- _____10. Payment of all applicable fees, including any outstanding consulting fees, pursuant to the master fee schedule.
- _____11. The Applicant shall submit to the Planning Board Secretary two (2) sets of plans (with required signature block) incorporating all required amendments to the plans as identified in this resolution of approval to the satisfaction of the Town Planner, Town Engineer and Town Attorney.

Prior to the Issuance of a Building Permit:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____1. The Applicant shall obtain Health Department approval for the proposed septic system to the satisfaction of the Town Engineer.
- _____2. The applicant shall obtain Town Water & Sewer Department approval for the proposed connection to the water system to the satisfaction of the Town Engineer.
- _____3. The approved site plan shall be signed by both the Planning Board Chair and Town Engineer.

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- _____4. The Applicant shall obtain a curbcut permit from the Highway Department to the satisfaction of the Town Engineer. The Highway Department shall require a work plan for all work in the ROW that takes into consideration existing roadway conditions and associated restoration.

Prior to the Issuance of a Certificate of Occupancy/Compliance:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____1. The submission to the Town Building Inspector of a Completed Works Certificate for the septic system to the satisfaction of the Town Engineer.
- _____2. Provide proof of closure of the Town Highway Department Curb Cut Permit.
- _____3. Provide proof of closure of any Town Water & Sewer Department Permits
- _____4. Payment of all outstanding fees, including professional review fees.
- _____5. Prior to the issuance of a certificate of occupancy/compliance, the actual construction, installation and implementation of all landscaping/mitigation shall be certified by a licensed landscape architect as being in compliance with the approved plans and conditions, at the sole cost and expense of the Applicant.
- _____6. The submission to the Town Building Inspector of an "As Built" site plan.

Other Conditions:

1. All initial pool fillings (after construction or repair) and all subsequent pre-season yearly pool fillings (not including water loss during the season) shall be completed using off-site trucked in water. In no circumstance shall the public water supply or a private well be used for initial pool fillings and/or pre-season yearly pool fillings.
2. Prior to the start of construction and throughout the construction period, area of disturbance lines shall be clearly delineated in the field with snow fence or another demarcation acceptable to the Building Department and Town Engineer, which shall be placed around the entire proposed construction area. Except as necessary to provide mitigation plantings, no encroachment beyond these limits by workers or machinery shall be permitted.
3. Grading and clearing and other construction-related activities shall take place only within the delineated area of disturbance lines. These area of disturbance lines represent the maximum limits of construction activities. Every attempt shall be made to further reduce grading and clearing activities within the area of disturbance lines by maintaining natural vegetation and topography wherever practicable.

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4. Prior to the commencement of any site work, the Applicant shall stake the location of the proposed construction for inspection and approval by the Building Department and Town Engineer.
5. All soil erosion and sedimentation control measures shown on this plan shall be in place prior to the start of any site work. The Building Department and Town Engineer shall have inspected the installation of all required soil erosion and sedimentation control measures prior to the authorization to proceed with any phase of the site work.
6. Throughout the construction period, a qualified professional retained by the Applicant shall, on at least a weekly basis, prior to any predicted rain event and after any runoff-producing rain event, inspect the soil erosion and sedimentation control measures to ensure their proper functioning. Soil shall be removed from the silt fence when bulges develop in the fence in accordance with Westchester County recommendations. Records shall be kept onsite and made available for review by Town personnel. Inspections shall be in accordance with the NYSDEC Phase II regulations.
7. If the Applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, he shall report such conditions immediately to the Building Department and Town Engineer. The Applicant may submit, if he so desires, his recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. The Building Department, without unnecessary delay, shall investigate the condition or conditions, and shall either approve the Applicant's recommendations to correct the conditions, order a modification thereof, or issue his own specifications for the correction of the conditions. In the event of the Applicant's disagreement with the decision of the Building Department, or in the event of a significant change resulting to the site plan or any change that involves the wetlands regulated areas, the matter shall be decided by the Planning Board. Any such conditions observed by the Planning Board or its agents shall be similarly treated.
8. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.
9. The applicant shall provide sedimentation and erosion control measures to the satisfaction of the Town Engineer and in accordance with the measures set forth in the Westchester County Best Management Practices for Construction and Related Activities.
10. All landscaping shown on this plan shall be maintained in a vigorous growing condition throughout the duration of the use. All plants not so maintained shall be replaced with new plants of comparable size and quality at the beginning of the next immediately following growing season.

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APPLICANT, agreed and understood as to contents and conditions, including expiration, contained herein

Date

Mad Real Properties, LLC

NORTH CASTLE PLANNING OFFICE,
as to approval by the North Castle Planning Board

Date

Valerie B. Desimone, Planning Board Secretary

KELLARD SESSIONS CONSULTING
As to Drainage and Engineering Matters

Date

Joseph M. Cermele, P.E.
Consulting Town Engineer

STEPHENS BARONI REILLY & LEWIS LLP
As to Form and Sufficiency

Date

Roland A. Baroni, Jr. Esq., Town Counsel

NORTH CASTLE PLANNING BOARD

Date

Christopher Carthy, Chairman