



TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
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PLANNING BOARD
Christopher Carthy, Chair

R E S O L U T I O N

Action: Site Plan and Tree Removal Permit Approvals
Application Name: 16 Carey Drive [2021-026]
Applicant: CG Seven Homes, LLC
Owner: CG Homes Seven, LLC
Designation: 102.02-1-6
Zone: R-2A
Acreage: 4.3 acres
Location: 16 Carey Drive
Date of Approval: August 9, 2021
Expiration Date: August 9, 2022 (1 Year)

WHEREAS, the Applicant is seeking approval to construct a new two-story, 5,066 square foot single family dwelling with private well and on-site wastewater treatment system; 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 "01 of 03," entitled "Existing Conditions & Demo Plan," dated May 17, 2021, last revised July 6, 2021, prepared by Alfonzetti Engineering, P.C.
- Plan labeled "02 of 03," entitled "Site Plan," dated May 17, 2021, last revised July 6, 2021, prepared by Alfonzetti Engineering, P.C.
- Plan labeled "03 of 03," entitled "Site Details," dated May 17, 2021, last revised June 1, 2021, prepared by Alfonzetti Engineering, P.C.
- Plan labeled "A0-02," entitled "Site Plan," undated, preparer unknown.
- Plan labeled "A1-01," entitled "Basement Plan," undated, prepared by Geoffrey Craig Williams, RA.
- Plan labeled "A1-02," entitled "1st Floor Plan," undated, prepared by Geoffrey Craig Williams, RA.
- Plan labeled "A1-03," entitled "2nd Floor Plan," undated, prepared by Geoffrey Craig Williams, RA.
- Plan labeled "A1-04," entitled "Sections," undated, prepared by Geoffrey Craig Williams, RA.
- Plan labeled "A1-05," entitled "Elevations," undated, prepared by Geoffrey Craig Williams, RA.
- Plan labeled "A1-06," entitled "Elevations," undated, prepared by Geoffrey Craig Williams, RA.

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- Plan labeled “A1-07,” entitled “Render,” undated, prepared by Geoffrey Craig Williams, RA.
- Plan labeled “A1-08,” entitled “Render,” undated, prepared by Geoffrey Craig Williams, RA.
- Plan entitled “Topography of Property,” dated March 8, 2021, prepared by TC Merritts Land Surveyors.

WHEREAS, the site plan depicts the removal of 21 Town-regulated trees; and

WHEREAS, pursuant to Section 12-18.A of the Town Code, the Applicant obtained approval from the Architectural Review Board on July 21, 2021; and

WHEREAS, the Planning Board, pursuant to §355-44 of the North Castle Code, conducted a duly noticed public hearing on August 9, 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 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

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 applications 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 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. All submitted plans shall contain the seal and signature of the professional preparing the plan to the satisfaction of the Planning Department.

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- _____2. The Applicant shall provide a landscape plan depicting existing trees to remain, proposed trees to be removed, proposed landscaping along with a plant schedule (name, quantity, size, etc.) to the satisfaction of the Planning Department.
- _____3. There is an existing heavily landscaped hillside adjacent to Carey Drive. Some of the existing plant material is proposed to be removed for a stormwater practice. The site plan shall be revised to highlight this landscaped area and note that this area is to remain and the stormwater practice shall be relocated to the satisfaction of the Planning Department and Town Engineer.
- _____4. The Applicant shall demonstrate that the proposed house is located within the Castlebrook Subdivision “Building Area” to the satisfaction of the Planning Department. In addition, the Applicant shall demonstrate that the proposed driveway is located in the same location as depicted on the Castlebrook Subdivision plans to the satisfaction of the Planning Department.
- _____5. The property is located within the wetland check zone associated with an off-site New York State Department of Environmental Conservation (NYSDEC) Freshwater Wetland, K-28. It appears the plan does not propose any disturbances within the locally -regulated wetland buffer and the NYSDEC 100 -foot wetland adjacent area. However, given the site contains steep slopes of 25% or greater, the locally -regulated wetland buffer shall be extended to the lesser of 150 -feet or to the top of slope to the satisfaction of the Town Engineer. The applicant shall illustrate the NYSDEC wetland boundary and regulated 100 -foot adjacent area on the plan for verification by the Town Wetland Consultant and validation by the NYSDEC to the satisfaction of the Town Engineer.
- _____6. The applicant shall also confirmation from the NYSDEC if a State Wetland Permit is required to the satisfaction of the Town Engineer.
- _____7. Provide a copy of the Westchester County Department of Health (WCHD) approval for the proposed on-site wastewater treatment system and drilled well to the satisfaction of the Town Engineer.
- _____8. It appears the deep and percolation tests for the proposed infiltration systems are shown in gray and use the same numbering nomenclature as for the soiling testing done for the proposed septic system. It is unclear whether the soil testing results illustrated on the plan is for the proposed infiltration system or septic system. Clarify the test numbering and results to the satisfaction of the Town Engineer.

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- _____ 9. The proposed infiltration system serving the house and drive is located within the minimum required 100 -foot WCHD setback from the proposed well. The infiltration system or well location shall be revised to the satisfaction of the Town Engineer.
- _____ 10. The catch basin located in the turn -around area of the proposed driveway will not be required due to the proposed grading. The applicant shall consider whether or not this catch basin will be needed.
- _____ 11. The existing trees to be removed and/or protected shall be shown on the proposed site plan to the satisfaction of the Town Engineer.
- _____ 12. The plans shall include a note indicating the source of the survey and topographic data, including the referenced datum, utilized for the development of the plan to the satisfaction of the Town Engineer.
- _____ 13. The plan shall include a Tree Protection Detail to the satisfaction of the Town Engineer.
- _____ 14. The applicant shall submit final construction plans and construction details for site improvements, to the Town Engineer for his approval of retaining walls, storm drainage system, landscaping, erosion and sediment controls and any other information requested by the Town Engineer, to the satisfaction of the Town Engineer.
- _____ 15. Payment of all applicable fees, including any outstanding consulting fees, pursuant to the master fee schedule.
- _____ 16. 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 approved site plan shall be signed by both the Planning Board Chair and Town Engineer.

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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. Payment of all outstanding fees, including professional review fees.
- _____2. 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.
- _____3. The submission to the Town Building Inspector of an "As Built" site plan.

Other Conditions:

1. 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.
2. 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.
3. 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.
4. 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.
5. 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.

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6. 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.
7. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.
8. 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.
9. 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

CG HOMES SEVEN LLC, owner

Date

CG SEVEN HOMES LLC, applicant

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