


**MEMORANDUM**

TO: North Castle Planning Board

CC: Adam Kaufman, AICP  
North Castle Conservation Board  
Leo Napior, Esq.  
John Conte, P.E.  
Brett and Margaret Allen

FROM: John Kellard, P.E.   
Kellard Sessions Consulting  
Consulting Town Engineers

DATE: May 6, 2022

RE: Brett and Margaret Allen  
35 Edgar Road  
Section 109.01, Block 1, Lot 15

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As requested, Kellard Sessions Consulting has reviewed the site plans submitted in conjunction with the above-referenced project. The applicant is proposing a new, inground pool, pool deck and open cabana on the 32,199 s.f. residential property within the R-2A Zoning District. The proposed activity will require a local Wetland Permit and setback variances.

**GENERAL COMMENTS**

1. The applicant is proposing a pool, pool deck and cabana within the rear and side yard setbacks. The proposed land coverage would exceed the maximum permitted land coverage within the R-2A Zoning District. Approval by the Town Zoning Board of Appeals is required.
2. The project will disturb lands within the locally-regulated 100 foot wetland buffer. In addition, the property is within the 130 feet of a New York State regulated wetlands.

The applicant retained services of Beth Evans to inspect the property. Ms. Evans determined that no regulated wetlands exist on-site and the boundary of the wetlands is the edge of the watercourse bordering the property. David Sessions conducted a site visit and confirmed Ms. Evans' findings. The proposed improvements appear to be within 15 feet of the wetland (watercourse) boundary. A local Wetland Permit is therefore required.

Considering the proximity of the New York State Department of Environmental Conservation (NYSDEC) regulated wetlands to the proposed improvements, the applicant should contact the NYSDEC for a determination of the NYSDEC wetland boundary and verification that a Wetland Permit is not required from their agency.

3. The applicant has prepared a wetland mitigation plan, which proposes 4,432 s.f. of mitigation for 2,143 s.f. of disturbance. The applicant should delineate the disturbance boundary on the plans. Some of the mitigation plantings are not native species or have been placed in areas where their survival is in question without extensive watering or feeding. Although the applicant is allowed to group plants in such a way that they were aesthetically pleasing, the plan will need further review to determine if it meets the criteria established by the Code for protection of the wetland and wetland buffers. A referral to the Town Conservation Board for review and comment is warranted.
4. The applicant should confirm that proper Westchester County Department of Health (WCHD) setback distance is being achieved between the proposed pool and existing septic system.
5. Please provide clarification with regard to the safety mechanisms associated with the pool fence gate and its compliance with New York State Building Code.
6. Please show the location of the proposed pool equipment pad.
7. Please clarify the header which notes a proposed stone walk. The walk is not shown on the plan.
8. Please clarify the functionality of the stockpile location and whether the area shown is sufficient for the volume of material to be excavated and stored.
9. Please show tree protection on the plan.
10. Please show the concrete washout location.
11. Provide stormwater mitigation and design calculations for the runoff generated by the net increase in impervious surface for the 25-year, 24-hour design storm event. Provide details of the stormwater mitigation system. The applicant should also determine the required volume of winterization pool drawdown and provide means of discharge.
12. The plan shall illustrate the drain inlets, roof drains and drainage pipe connections on the site plan. Include the size, slope and material. Provide outlet protection details.
13. Include erosion control measures on the plan, including, but not limited to, temporary construction access, silt fence, erosion control blanket, inlet protection, construction sequence, etc. Provide details.

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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 CONTE & CONTE, LLC:**

- Zoning Site Plan (ZSP), dated April 21, 2022
- Site Development Plan (SE-1), dated April 21, 2022
- Details (SE-2), dated April 21, 2022
- Drainage Statement, dated April 21, 2022
- Existing & Proposed Drainage Basins, dated April 21, 2022
- Tributary Area to 30" RCP Culvert, dated April 21, 2022
- Title Sheet and Existing Conditions (L-0), dated April 25, 2022
- Proposed Landscape Overview (L-1), dated April 25, 2022
- Site Features Plan (L-2)
- Mitigation Planting Plan (L-3)

JK/dc