



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

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**PLANNING BOARD
Christopher Carthy, Chair**

R E S O L U T I O N

Action: Tree Removal Permit Approval
Application Name: 1 Hunter Drive [2021-045]
Applicant/Owner: Geraldo Zefi
Designation: 101.03-4-53.1
Zone: R-1A
Acreage: 1 acre
Location: 1 Hunter Drive
Date of Approval: January 24, 2022
Expiration Date: January 24, 2023 (1 Year)

WHEREAS, the Applicant is proposing the removal of 31 Town-regulated trees at the intersection of Hunter and Byram Ridge Road. The trees are located in the landscape buffer zone and provide screening of the home; and

WHEREAS, the property across the street has raised objections to the variance granted by the ZBA to permit the construction of the house in the existing location; and

WHEREAS, the RPRC determined that the proposed tree removal should be reviewed by the Planning Board; and

WHEREAS, the plan submitted to the Planning Board proposes double the number of trees proposed to be removed as compared to the application submitted to the RPRC; and

WHEREAS, however, the submitted landscape mitigation plan has been significantly improved upon as compared to the plan originally submitted to the RPRC; and

WHEREAS, the proposed planting plan will permit a large open interior area while providing a significant amount of screening along the periphery of the property; and

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

- Plan labeled "L-1.0," entitled "Planting Plan," dated November 13, 2021, prepared by Dean Pushlar, ASLA, PLA

WHEREAS, the Planning Board, pursuant to §355-44 of the North Castle Code, conducted a duly noticed public meeting on January 24, 2022 with respect to the tree removal and planting plan, at which time all those wishing to be heard with respect to the site plan were given an opportunity to be heard; and

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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 application for tree removal permit approval, as described herein, is hereby conditionally approved, subject to the following conditions and modifications; and

BE IT FURTHER RESOLVED that, this tree removal permit approval 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 all trees within the road right-of-way as remaining to the satisfaction of the Planning Department.
- _____2. Payment of all applicable fees, including any outstanding consulting fees, pursuant to the master fee schedule.
- _____3. The Applicant shall submit to the Planning Board Secretary a single PDF file 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 Department Tree Removal 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 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.

Other Conditions:

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

2. 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

Geraldo Zefi

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