

MEMORANDUM

TO: North Castle Planning Board

CC: North Castle Conservation Board
Adam Kaufman, AICP
Ralph Alfonzetti, P.E.
Tomasz Fidziukiewicz

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

DATE: June 9, 2022
Updated November 10, 2022

RE: Tomasz Fidziukiewicz
84 Round Hill Road
Section 102.03, Block 1, Lot 39

As requested, Kellard Sessions Consulting has reviewed the site plans submitted in conjunction with the above-referenced project. The applicant received Residential Project Review Committee (RPRC) approval on August 28, 2019 for the proposed single-family home and associated improvements. Based on the approved plans, an Administrative Wetland Permit was not required. During construction, disturbances within the Local and State wetland buffers occurred. The applicant has prepared a Landscape & Wetland Buffer Mitigation Plan which has been accepted by the New York State Department of Environmental Conservation (NYSDEC) as mitigation for the project's violation of NYSDEC regulations. There was also a noted change from the original approved site plan with regards to additional wall construction. The applicant has been referred to the Planning Board to remediate the actions that occurred during construction. The 2.85 acre property is located within the R-2A Zoning District.

GENERAL COMMENTS

- 1. Upon a site inspection of the property, it is noted that additional retaining walls beyond what is depicted on the approved Site Plan have been installed within the front yard without prior approval. The plan shall be revised to include the location of the constructed retaining walls based upon an As-Built Survey. If found to be installed within the Town right-of-way, the walls must be removed, relocated onto private property or a license agreement obtained from the**

Town Board. The site plan should be updated to accurately reflect the present site conditions based on the As-Built Survey.

2. The applicant has cut trees and vegetation and performed grading within the wetland buffer. A mitigation plan which provides mitigation of more than twice the buffer disturbance. The plan has been accepted by the NYSDEC as mitigation for the activities. The mitigation plan should be forwarded to the Town Conservation Board for their comments regarding the proposed disturbance and mitigation plan.

Conservation Board review and recommendation, dated October 20, 2022, has been provided.

3. The plan shall provide a patio detail.

Comment addressed.

4. **The Landscape Plan and Site Plan should be coordinated.**

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 STEPHEN LOPEZ, AICP, RLA:

- Landscape & Wetland Buffer Mitigation Plan – Town CB (Sheet 1), dated September 22, 2022
- Mitigation Notes (Sheet 2), dated July 6, 2021

JK/dc