



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

Telephone: (914) 273-3542

Fax: (914) 273-3554

www.northcastleny.com

PLANNING BOARD
Christopher Carthy, Chair

RESOLUTION

Action: Site Plan, Wetlands Permit and Tree Removal Permit Approvals
Application Name: 19 Jackson Road [#2022-052]
Applicant/Owner: Alessandra Biaggi and Nathaniel Koloc
Designation: 102.02-2-65
Zone: R-2A
Acreage: 4.3 acres
Location: 19 Jackson Road
Date of Approval: September 11, 2023
Expiration Date: September 11, 2024 (1 Year)

WHEREAS, the Applicant is seeking a house addition for a master bedroom suite, three approximately 800 square foot accessory structures and a new patio area; and

WHEREAS, this project was referred by the RPRC to the Planning Board; and

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

- Plan labeled "01 of 02," entitled "Site Development Plan," dated May 19, 2023, last revised August 7, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan labeled "02 of 02," entitled "Details Plan," dated May 19, 2023, last revised August 7, 2023, prepared by Alfonzetti Engineering, P.C.
- Plan entitled "Survey of Property," dated August 18, 2016, last revised January 23, 2023, prepared by Link Surveyors, P.C.
- Plan labeled "SP-1," entitled "Proposed Site Plan," dated November 22, 2023, last revised February 13, 2023, prepared by Kenneth Hasselbacher, P.E.
- Plan labeled "A-0" entitled "Gross Land Calculations," dated November 22, 2023, last revised February 13, 2023, prepared by Kenneth Hasselbacher, P.E.
- Plan labeled "A-1" entitled "Existing House Proposed Plan," dated November 22, 2023, last revised February 13, 2023, prepared by Kenneth Hasselbacher, P.E.
- Plan labeled "A-2" entitled "Existing House Proposed Elevations," dated November 22, 2023, last revised February 13, 2023, prepared by Kenneth Hasselbacher, P.E.
- Plan labeled "A-3" entitled "Accessory Structures Plan," dated November 22, 2023, last revised February 13, 2023, prepared by Kenneth Hasselbacher, P.E.
- Plan labeled "A-4" entitled "Accessory Structures Elevations," dated November 22, 2023, last revised February 13, 2023, prepared by Kenneth Hasselbacher, P.E.
- Plan labeled "A-5" entitled "Accessory Structures Elevations," dated November 22, 2023, last revised February 13, 2023, prepared by Kenneth Hasselbacher, P.E.

Site Plan, Wetlands Permit and Tree Removal Permit Approvals for

19 Jackson Road [#2022-052]

September 11, 2023

Page 2 of 8

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

WHEREAS, the site plan depicts XXX square feet of Town-regulated wetland disturbance; and

WHEREAS, the site plan depicts XXXX square feet of Town-regulated wetland buffer disturbance; and

WHEREAS, the Applicant has submitted a wetland mitigation plan; and

WHEREAS, the Planning Board, pursuant to §355-44 of the North Castle Code, conducted a duly noticed public meeting on September 11, 2023 with respect to the site plan and wetlands permit, 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 Conservation Board in a June 13, 2023 memo recommended the approval of the requested wetlands permit; and

WHEREAS, the Architectural Review Board in a June 13, 2023 memo approved the design of the proposed new structures; 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 application for site plan, wetlands permit 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, wetlands permit 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.)

Site Plan, Wetlands Permit and Tree Removal Permit Approvals for

19 Jackson Road [#2022-052]

September 11, 2023

Page 3 of 8

- _____1. The Applicant shall submit a wetland mitigation plan to the satisfaction of the Town Wetland Consultant and Planning Department. The plan shall identify the proposed amount of Town-regulated wetland buffer disturbance (square feet) and the size of the proposed mitigation area (square feet).
- _____2. The site plan shall depict any proposed tree removal to the satisfaction of the Planning Department and Town Engineer. If tree removal is not proposed, a note stating such should be added to the plans.
- _____3. The Applicant shall submit a gross land coverage backup exhibit to the satisfaction of the Planning Department.
- _____4. The Applicant shall submit a gross floor area backup exhibit to the satisfaction of the Planning Department.
- _____5. The elevations (including accessory structures) shall be revised to depict proposed Building Height and Max. Exterior Wall Height to the satisfaction of the Planning Department.
- _____6. The Applicant shall demonstrate (provide calculations) demonstrating that each accessory structure is less than 25% of the gross floor area of the principal building to the satisfaction of the Planning Department.
- _____7. The floodplain boundary shall be adjusted on the Site Plan to more closely conform with the on-site topographic conditions to the satisfaction of the Town Engineer.
- _____8. The applicant shall prepare a stormwater mitigation plan which mitigates stormwater runoff impacts from the proposed improvements to the satisfaction of the Town Engineer. The stormwater mitigation plan shall be accompanied by stormwater design calculations which mitigates peak flows during the 25-year, 24-hour design storm.
- _____9. The project plans shall illustrate and quantify the limits of disturbance to the satisfaction of the Town Engineer. The plan shall note that the disturbance limits will be staked in the field prior to construction. If disturbances exceed 5,000 s.f., a Stormwater Pollution Prevention Plan (SWPPP) shall be prepared to the satisfaction of the Town Engineer.
- _____10. The Applicant shall demonstrate, to the satisfaction of the Town Engineer, that proposed additional bedroom and size of the additional space have been approved by the Westchester County Department of Health (WCHD) Approval relating to the size/operation of the septic system.

Site Plan, Wetlands Permit and Tree Removal Permit Approvals for

19 Jackson Road [#2022-052]

September 11, 2023

Page 4 of 8

- _____11. The plan shall illustrate all proposed utilities (water, electric, sewer) for the proposed accessory buildings and to the addition to the existing house to the satisfaction of the Town Engineer.
- _____12. The site plan shall be revised to provide construction details for all proposed improvements to the satisfaction of the Town Engineer.
- _____13. The applicant shall prepare an erosion and sediment control plan to the satisfaction of the Town Engineer.
- _____14. The highlighted area of additional wetland boundary, per David Sessions, RLA, AICP's May 11, 2023 memorandum, shall be added to the wetland boundary and the 100' wetland buffer adjusted accordingly, to the satisfaction of the Town Wetland Consultant.
- _____15. A proposed grading plan and realistic limits of disturbance shall be prepared/established so that it is clearly understood where existing grades will be disturbed for the construction of the addition, as well as for the other proposed site improvements, to the satisfaction of the Town Wetland Consultant. The April 24, 2023 letter from Paul J. Jaehnig to the Conservation Board states that the slope of the land at the proposed house addition is "directed away from the wetlands." Based on the existing topography, this does not appear to be the case. There is a defined gentle "swale" that runs in the direction of the existing frame shed, and continues down-gradient to the western wetlands along the property line.
- _____16. A wetland/wetland buffer mitigation plan shall be submitted, to the satisfaction of the Town Wetland Consultant. The Paul J. Jaehnig April 24, 2023 letter states that a mitigation plan (Sheet MP-1) was submitted, but this plan was not included in the submitted materials.
- _____17. As required by Town Code, the applicant shall provide a long-term monitoring and maintenance plan for the proposed wetland mitigation for a period of at least five (5) years to the satisfaction of the Town Engineer. The plan shall require an 85% survival rate. The Town Engineer will provide standard conditions for the long-term monitoring and maintenance plan to be included on the Site Landscaping and Wetland Mitigation Plan.
- _____18. The applicant shall submit a detailed quantity cost estimate for all improvements proposed for the wetland mitigation with the quantities certified by the applicant's engineer to the satisfaction of the Town Engineer.

Site Plan, Wetlands Permit and Tree Removal Permit Approvals for

19 Jackson Road [#2022-052]

September 11, 2023

Page 5 of 8

- _____ 19. Payment of all applicable fees, including any outstanding consulting fees, pursuant to the master fee schedule.

- _____ 20. The Applicant shall submit to the Planning Board Secretary one PDF set 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 plan may require disturbance within a 100-year FEMA Floodplain Zone A (36119C). If a Floodplain Development Permit is required, a permit must be issued in accordance with Chapter 109 -Flood Damage Prevention of the Town Code.

- _____ 2. Provide confirmation that the Wetland Mitigation Bond has been posted, to the satisfaction of the Town Engineer.

- _____ 3. The approved site plan shall be signed by both the Planning Board Chair and Town Engineer.

- _____ 4. Payment of all outstanding fees, including professional review fees.

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. Prior to the issuance of a certificate of occupancy/compliance, the actual construction, installation and implementation of all wetland mitigation to the satisfaction of the Town Engineer.

- _____ 2. Payment of all outstanding fees, including professional review fees.

- _____ 3. 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.

- _____ 4. The submission to the Town Building Inspector of an "As Built" site plan.

Site Plan, Wetlands Permit and Tree Removal Permit Approvals for

19 Jackson Road [#2022-052]

September 11, 2023

Page 6 of 8

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.
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

Site Plan, Wetlands Permit and Tree Removal Permit Approvals for

19 Jackson Road [#2022-052]

September 11, 2023

Page 7 of 8

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.

Site Plan, Wetlands Permit and Tree Removal Permit Approvals for

19 Jackson Road [#2022-052]

September 11, 2023

Page 8 of 8

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

Date

Alessandra Biaggi

Date

Nathaniel Koloc

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

Date

Joseline Huerta
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