



**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: Site Development Plan, Steep Slopes Permit and Tree Removal Permit Approvals
Application Name: 1 Guion Lane [2023-020]
Applicant/Owner: Bedford Single Family LLC
Designation: 95.01-2-10.3
Zone: R-2A
Acreage: 2.88 acres
Location: 1 Guion Lane
Date of Approval: September 11, 2023
Expiration Date: September 11, 2024 (1 Year)

WHEREAS, the Applicant is proposing a new 8,525 square foot home on an existing vacant lot; and

WHEREAS, the subject parcel is lot Lot 4-3 of the Kalmancy Subdivision; and

WHEREAS, Note 4 on the subdivision plat map requires that this lot receive Planning Board site plan approval prior to the construction of a residence on the lot; and

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

- Plan labeled "SW-1," entitled "Site Plan Enlarged," dated May 18, 2023, last revised August 7, 2023, prepared by Gabriel E. Senior, P.C.
- Plan labeled "SW-2," entitled "Site Plan," dated May 18, 2023, last revised August 7, 2023, prepared by Gabriel E. Senior, P.C.
- Plan labeled "SW-3," entitled "Drainage Plan," dated May 5, 2023, last revised August 7, 2023, prepared by Gabriel E. Senior, P.C.
- Plan labeled "SW-4," entitled "Driveway Grading/Driveway Profile/Driveway Sight Distance," dated May 18, 2023, last revised August 7, 2023, prepared by Gabriel E. Senior, P.C.
- Plan labeled "LS-1," entitled "Existing Conditions/Tree Removal/Planting," dated May 18, 2023, last revised August 7, 2023, prepared by Gabriel E. Senior, P.C.
- Plan labeled "IB-1," entitled "Temporary Erosion Control," dated May 18, 2023, last revised August 7, 2023, prepared by Gabriel E. Senior, P.C.
- Plan labeled "D-1," entitled "Stormwater Details," dated May 18, 2023, last revised August 7, 2023, prepared by Gabriel E. Senior, P.C.
- Plan labeled "A200," entitled "Elevations," dated May 23, 2023, last revised July 19, 2023, prepared by Michael A Piccirillo, AIA.

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- Plan labeled “A101,” entitled “Basement/1st Floor Plan,” dated May 23, 2023, last revised July 19, 2023, prepared by Michael A Piccirillo, AIA.
- Plan labeled “A102,” entitled “Second Floor/Roof Plan,” dated May 23, 2023, last revised July 19, 2023, prepared by Michael A Piccirillo, AIA.

WHEREAS, the site plan application was referred to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML) since the site is within 500 feet of the Town of Bedford; and

WHEREAS, the neighbor notification notice was sent to the Town of Bedford Town Clerk pursuant to § 239-nn of New York State General Municipal Law (GML) since the subject site is located within 500 feet of the Town of Bedford; and

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

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

WHEREAS, the Applicant has performed deep tests around the property and did not encounter any rock; and

WHEREAS, it is not anticipated that rock will need to be removed in order to develop the site; 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, 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 Applicant received approval from the Architectural Review Board on July 19, 2023; 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

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NOW THEREFORE BE IT RESOLVED, that the application for site plan, steep slope 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, steep slopes 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.)

- _____ 1. The submitted landscaping plan shall be revised to provide a post and rail fence along the common driveway over 5 Guion Lane and the proposed plants shall be revised to include more deer resistant plants to the satisfaction of the Planning Department.
- _____ 2. The applicant shall reexamine the proposed grading and drainage around the residence, pool patio and rear patio, to the satisfaction of the Town Engineer
- _____ 3. Overflow discharge from the proposed infiltration system shall not impact adjacent neighboring properties to the satisfaction of the Town Engineer. Please detail the discharge, energy dissipators, flow spreaders, etc., required to mitigate the discharge.
- _____ 4. The Applicant shall schedule testing of soils within the stormwater treatment area with the Town Engineer.
- _____ 5. Confirm the proposed stormwater treatment system provides adequate setbacks to off-site septic and wells to the satisfaction of the Town Engineer.
- _____ 6. The plans shall be revised to depict the separation to impervious soil layer on the Cultec cross sections to the satisfaction of the Town Engineer. In addition, the plans shall be revised to depict inverts for the inlets and overflow, as well as accurate existing and finished grades to the satisfaction of the Town Engineer. It appears the Cultec system in front of the house is proposed within fill.
- _____ 7. The applicant shall prepare a Stormwater Pollution Prevention Plan (SWPPP) for the project to the satisfaction of the Town Engineer. The SWPPP will need to comply with the New York State Stormwater Regulations and address water quantity, as well as mitigation of the 100-year storm event. The applicant should also size the temporary sediment basins.

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- _____8. The Applicant shall submit gross land coverage calculations worksheets to the satisfaction of the Planning Department. In addition, a backup gross land coverage exhibit shall also be submitted to the satisfaction of the Planning Department.
- _____9. The Applicant shall submit gross floor area calculations worksheets to the satisfaction of the Planning Department. In addition, a backup floor area exhibit shall also be submitted to the satisfaction of the Planning Department.
- _____10. The Applicant shall identify building height (average grade to roof midpoint) and maximum exterior wall height (lowest grade to roof midpoint) to the satisfaction of the Planning Department.
- _____11. The Applicant shall provide copies of the septic system approved by the Westchester County Department of Health for the current proposed site layout to the satisfaction of the Town Engineer.
- _____12. Payment of all applicable fees, including any outstanding consulting fees, pursuant to the master fee schedule.
- _____13. 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 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 Applicant shall obtain Health Department approval for the proposed septic system and well to the satisfaction of the Town Engineer.
- _____2. The approved site plan shall be signed by both the Planning Board Chair and Town Engineer.
- _____3. The Applicant shall obtain a curbcut permit from the Highway Department to the satisfaction of the Town Engineer. The Highway Department shall require a work plan for all work in the ROW that takes into consideration existing roadway conditions and associated restoration.

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.)

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- _____1. The submission to the Town Building Inspector of a Completed Works Certificate for the septic system and well to the satisfaction of the Town Engineer.
- _____2. Provide proof of closure of the Town Highway Department Curb Cut Permit.
- _____3. Payment of all outstanding fees, including professional review fees.
- _____4. 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.
- _____5. The submission to the Town Building Inspector of an "As Built" site plan.

Other Conditions:

1. All initial pool fillings (after construction or repair) and all subsequent pre-season yearly pool fillings (not including water loss during the season) shall be completed using off-site trucked in water. In no circumstance shall the public water supply or a private well be used for initial pool fillings and/or pre-season yearly pool fillings.
2. 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.
3. 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.
4. 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.
5. 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

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- 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.
6. 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.

 7. 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.

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

 9. 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.

 10. 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

Bedford Single Family LLC

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