

Site Planning
Civil Engineering
Landscape Architecture
Land Surveying
Transportation Engineering

Environmental Studies
Entitlements
Construction Services
3D Visualization
Laser Scanning

December 22, 2023

Mr. Adam Kaufman, AICP Town of North Castle Town Hall 17 Bedford Road Armonk, NY 10504

RE: JMC Project 23050
Majidi Subdivision
21 Whippoorwill Road
Town of North Castle, NY
Tax Lot 107.04-1-11

Response to Comment Memoranda Received from the Planning Department and KSCJ Consulting

Dear Adam:

On behalf of the owner and applicant, Mr Amin Majidi, we are pleased to submit electronically the following documents, which have been revised/included per the comments from the Town Planning Department Memorandum dated 11/29/2023 and KSCJ Consulting Memorandum, dated December 11, 2023:

1. JMC, PLLC Drawings:

Dwg. No.	<u>Title</u>	Rev.	#/Date
C-000	"Cover Sheet"	2	12/22/2023
C-010	"Existing Conditions Plan"	2	12/22/2023
C-020	"Zoning Compliance Plan"	1	12/22/2023
C-100	"Integrated Plot Plan"	2	12/22/2023
C-110	"Site Subdivision Plan"	2	12/22/2023
C-120	"Gross Land Coverage Calculation Plan	1	12/22/2023
C-200	"Conceptual Grading and Utilities Plan"	1	12/22/2023
C-300	"Conceptual Sediment & Erosion		
	Control Plan"	1	12/22/2023

For ease of review, we have included each comment below in *italic text*, followed by our responses in **bold standard text**.

A. <u>Town of North Castle Planning Department Memorandum, dated December 11, 2023</u>

General Comments

Comment No. 1

The plat should be revised to demonstrate the average Lot Width and Lot Depth for all proposed lots utilizing an exhibit depicting how Lot Width and Lot Depth were calculated. Typically, this exhibit depicts measurements every 20-30 feet and the average calculated based upon the measurements.

Response No. 1

The requested dimensions have been added to the Drawing C-020 "Zoning Compliance Plan."

Comment No. 2

Pursuant to Section 275-25.E(6) of the Town Code, the Planning Board may require that the subdivider reserve, clear, grade, pave and otherwise improve an area of such size and location as will provide a safe and suitable place for the use of children awaiting school buses.

Response No. 2

Since this application is for the creation of only two lots, it would seem to not be as applicable as with larger number of lots subdivisions, because children from the two single family homes can wait for their bus at the end of their respective driveways.

Comment No. 3

The applicant will need to submit payment of the recreation fee in the amount of 10,000-thousand dollars (\$10,000) for each new building lot, for a total of \$10,000 as stated in Section 275-27 of the Town Code.

Response No. 3

So noted.

B. KSCJ Consulting Memorandum, dated December 11, 2023

Comment No. 3

There appears to be an off-site, locally regulated wetland which borders the east side of Whippoorwill Road. The applicant will need to illustrate the limits of the wetland and

associated 100-foot buffer. The wetland boundary shall be delineated by the applicant and verification by the Town Wetland Consultant. If the wetland boundary is within 100 feet of the proposed site access, a Wetland Permit Application should be submitted, and application referred to the Town Conservation Board for their review and recommendation.

The applicant has delineated the wetland boundary, which has been verified by the Town Wetland Consultant. The proposed driveway construction, electric service and sight line clearing will be located within the wetland buffer. The applicant should submit an Application for Wetland Permit, which is accompanied by a Wetland Buffer Mitigation Plan. The application should be referred to the Town Conservation Board for their review and recommendation.

Response No. 3

As discussed, and agreed to at the Planning Board meeting on December 11, 2023, an appearance before the Conservation Board shall be deferred until there is an application submitted to develop the property.

Comment No. 4

The applicant shall prepare preliminary subdivision construction plans that demonstrate the feasibility of the proposed lot. The plot plans shall include all requirements outlined in Chapter 275-34 of the Town Code. The plan shall include a driveway profile to demonstrate compliance with Section 355-59B(1) of the Town Code and grading for the driveway, residence and septic system.

The applicant has submitted a driveway profile and site grading. The driveway profile should be revised to reflect a maximum entrance platform grade of 4%.

Response No. 4

The driveway grading has been revised and a maximum platform grade of 4% has been provided, as illustrated on Drawing C-200 "Conceptual Grading and Utilities Plan".

Comment No. 5

Prior to Final Subdivision Approval, the applicant will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in accordance with Chapter 173 – Stormwater Management of the Town Code. Soil testing shall be performed by the applicant and witnessed by this office.

The applicant has requested postponement of preparing a SWPPP, until the time of Application for Site Plan Approval. A preliminary analysis of the stormwater system has been prepared by the applicant in an effort to confirm that adequate area is available to accommodate a stormwater mitigation system in the future. The system includes the use of a Cultec infiltration system within the rear yard. Our comments with regard to stormwater mitigation follow:

- The stormwater analysis evaluated a 25-year storm event. The applicant should revise the analysis to address a 100-year storm event.
- The proposed drainage area is stated as 0.21 acres in area, while the existing drainage area is 0.11 acres. The applicant should explain this difference.
- The proposed stormwater treatment system will be installed at a depth of eight (8) feet below grade. Such conditions will require soils with no bedrock or groundwater down to a depth eleven (11) feet below existing grade. The applicant should perform soil testing within the area of the proposed stormwater treatment system to verify that adequate soil conditions exist to mitigate the stormwater.
- Stormwater discharge from the treatment system is directed towards the neighboring residence to the west. Stormwater discharge should be dispersed in a direction which will not impact neighboring homes.

Response No. 5

The stormwater calculations have been revised to accommodate a 100 year storm event.

The drainage area calculations have been reviewed and updated accordingly.

The stormwater treatment system has been raised to an elevation of 572, a depth of only 2 to 5 feet below existing grade. Previous testing in the area has typically observed bedrock at a depth in excess of 8 feet below ground with no groundwater encountered. Additional testing will be required when there is an application submitted to develop the property, when a detailed site plan is provided.

The drainage towards neighboring residences decreases from existing to proposed conditions.

Comment No. 7

The applicant will be required to obtain approval from the Westchester County Department of Health (WCHD) for the subdivision, as well as for the proposed on-site wastewater treatment system (OWTS).

Response No. 7

Upon the approval of the preliminary subdivision by the Board, the applicant will submit to WCDOH for their approval.

Comment No. 8

The applicant shall provide sight distance profiles for the proposed driveway demonstrating adequate sight lines for a minimum distance of 200 feet in each direction, as required by the Town Code. The plans shall illustrate any proposed site improvements required to achieve the sight distance.

Sight lines to the south viewing oncoming traffic from the south, from the proposed driveway and sight lines for vehicles traveling from the south viewing vehicles turning into the proposed driveway from the south is restricted by vegetation and grades along the property frontage. The applicant is using a driver's eye elevation of 580 feet; however, the actual elevation appears closer to 578.5 feet. The applicant should prepare a detailed plan of how safe sight lines of 200 feet can be obtained.

The applicant should examine relocating the driveway curb cut further to the north in the vicinity of the proposed northern property line, where sight lines could likely be obtained with much less clearing and grading to the south.

Response No. 8

The driveway has been shifted to the north as recommended and adjusted to minimize any required clearing and grading to achieve the required stopping sight distance.

Drawing C-100, "Integrated Plot Plan", illustrates in plan view the required 200 foot sight distance in both directions from the site driveway per Town Code Section 355-59.D. Per Section 3.2.6.1 of the American Association of State Highway and Transportation Officials (AASHTO) publication, "A Policy on Geometric Design of Highways and Streets", latest edition, "for all sight distance calculations for passenger vehicles, the height of the driver's eye is considered to be 3.50 ft [1.50 m] above the road surface."

A "Sight Distance Profile" view is also provided on Drawing C-100, utilizing a driver's eye height of 3.5 feet for both the vehicle traveling along Whippoorwill Road and the vehicle at the proposed site driveway. The profile view illustrates that the existing and proposed grades do not interfere with the sight lines to/from the proposed driveway at the required 200 foot sight distance, and the drivers of the vehicles on either side of the sight line will be able to have a similar view. AASHTO additionally describes the average vehicle height to be 4.25 feet, meaning that the vehicle in the proposed site driveway and the vehicle traveling along Whippoorwill Road will be visible at a height of 0.75 feet at the sight line distance, as illustrated in the "Sight Distance Profile".

Comment No. 9

Water service to the proposed residence will require an easement across Lot #1 and an adjacent parcel at the corner of Whippoorwill Road and Whippoorwill Lane. The applicant should prepare the easements, which shall be illustrated by metes and bounds on the Subdivision Plat. Prior to Final Approval, the applicant should provide proof that the easements have been executed and filed within the Westchester County Clerk's Office Division of Land Records.

Response No. 9

So noted. The easements will be filed after the approval of the subdivision by the Board and the Westchester County Department of Health.

We trust our responses are sufficient to satisfy the comments that have been raised by the Town Planner and Engineer. We look forward to speaking with the Board at the January 8th, 2024 public hearing.

Thank you.

Sincerely,

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

Richard Cordone

Richard Cordone Design Manager

cc: Mr. Amin Majidi

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BE DESIGNED BY JMC, PLLC.

Site Planner, Civil & Traffic Engineer, **Surveyor and Landscape Architect:** JMC PLANNING ENGINEERING LANDSCAPE ARCHITECTURE & LAND **SURVEYING PLLC** 120 BEDFORD ROAD **ARMONK, NY 10504** (914) 273-5225

Surveyor: TC MERRITTS LAND SURVEYORS 394 BEDFORD ROAD PLEASANTVILLE, NY 10570 914-769-8003

Applicant:

MR. AMIN MAJIDI

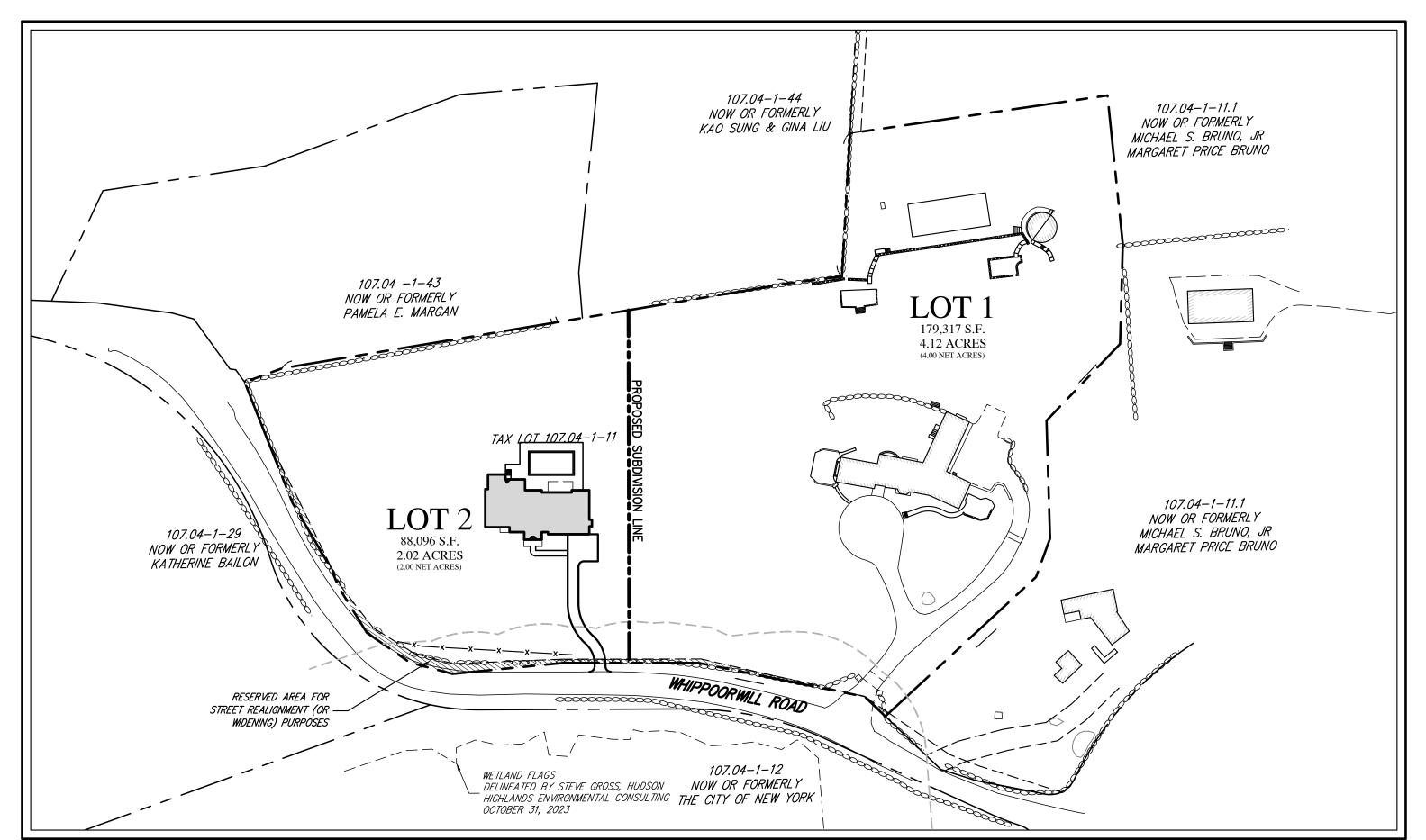
ARMONK, NY 10504

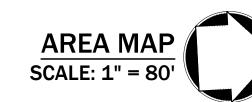
21 WHIPPOORWILL ROAD

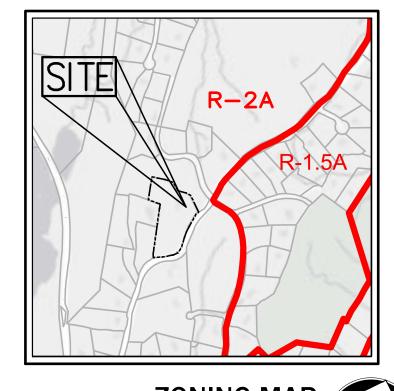
PRELIMINARY SUBDIVISION APPROVAL DRAWINGS

MAJIDI SUBDIVISION

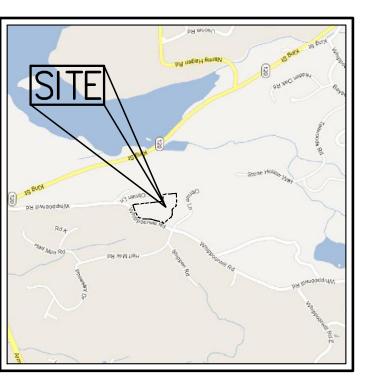
TAX MAP SECTION 107.04 | BLOCK 1 | LOT 11 WESTCHESTER COUNTY 21 WHIPPOORWILL ROAD TOWN OF NORTH CASTLE, NEW YORK

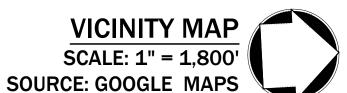












JMC Drawing List:

C-000 COVER SHEET

C-010 EXISTING CONDITIONS MAP

C-020 ZONING COMPLIANCE PLAN C-100 INTEGRATED PLOT PLAN

C-110 SUBDIVISION PLAT

GROSS LAND COVERAGE CALCULATION PLAN

GRADING AND DRAINAGE PLAN

C-300 SEDIMENT & EROSION CONTROL PLAN

TABLE OF L	TABLE OF LAND USE						
DESCRIPTION	R-2A DISTRICT REQUIREMENT	EXIST	LOT 1 ⁽⁴⁾	LOT 2			
GROSS LOT AREA (ACRES)	N/A	6.14	4.12	2.02			
MINIMUM LOT AREA (NET ACRES) (3)	2.0	6.00	4.00	2.00			
MINIMUM LOT STREET FRONTAGE (FEET)	150	758	253	505			
MINIMUM LOT WIDTH (FEET)	150	474	348	277			
MINIMUM LOT DEPTH (FEET)	150	258	430	286			
PRINCIPAL BUILDING MINIMUM YARDS (FEET)							
FRONT	50	188	188	111			
SIDE	30	71	71	34			
REAR	50	165	165	129			
CCESSORY BUILDING MINIMUM YARDS (FEET)							
FRONT	50	450	450	N/A			
SIDE	15	59	59	N/A			
REAR	25	98	98	N/A			
MAXIMUM BUILDING COVERAGE (%)	8	1.8	2.8	4.8			
MAXIMUM BUILDING HEIGHT (FEET)	30	< 30	< 30	< 30			
MINIMUM DWELLING UNIT SIZE (S.F.)	1,400	4,415	4,415	4,196			
STEEP SLOPES (%)	25% OR GREATER ⁽¹⁾	10.3	5.5	2.2			
MAXIMUM DRIVEWAY GRADIENT (%)	14	10.8	10.8	6.78			
MINIMUM CONTIGUOUS BUILDABLE AREA (S.F.) (2)	30,000	N/A	169,516	86,148			
GROSS FLOOR AREA (S.F.)	N/A	N/A	10,316	<10,122			
TABLE OF LAND USE NOTES:			-				

ABLE OF LAND USE NOTES:

(1) IF DISTURBANCE ON STEEP SLOPES IS PROPOSED, A SLOPE DISTURBANCE PERMIT IS REQUIRED.

(2) WITH ON-SITE WASTEWATER TREATMENT SYSTEM (OWTS) AND CENTRAL WATER SERVICE, 30,000 SQUARE FEET IS THE MINIMUM CONTIGUOUS BUILDABLE AREA IN THE R-2A DISTRICT, AND EXCLUDES WETLANDS, WATER BODIES, WATERCOURSES AND ADJOINING AREAS, FLOODPLAINS AND STEEP SLOPES (25% OR GREATER OVER A HORIZONTAL AREA MEASURING AT LEAST 25 FEET IN ALL DIRECTIONS), AND HAVING NOT LESS THAN 1/2 THE MINIMUM LOT WIDTH REQUIRED IN THE R-2A ZONING DISTRICT, WHICH IS 75 FEET.

(3) FOR ANY NEW BUILDING LOT CREATED BY SUBDIVISION, THE "LOT AREA" USED FOR MEASUREMENT PURPOSES IS TO BE "NET LOT AREA," WHICH IS DEFINED AS FOLLOWS: "NET LOT AREA" IS THE LOT AREA MINUS 75% OF THE AREA OF ANY WETLANDS, WATERBODIES AND WATERCOURSES BUT EXCLUDING ANY ADJACENT AREAS, AND THE AREA OF ANY STEEP SLOPES, WHICH ARE DEFINED AS A NATURAL GEOGRAPHICAL AREA WHICH HAS A RATIO OF HORIZONTAL TO VERTICAL DISTANCE OF 25% OR GREATER OVER A HORIZONTAL AREA MEASURING AT LEAST 25 FEET IN ALL DIRECTIONS, EXCEPT THAT IN THE CASE OF ONE-FAMILY LOTS, DEDUCTION FOR STEEP SLOPES IS TO BE ONLY 50%.

(4) LOT 1 CONTAINS EXISTING STRUCTURES TO REMAIN.

FIRE DISTRICT: ARMONK SCHOOL DISTRICT: BYRAM HILLS

Zoning Compliance Chart										
	Lot 1 Existing		Lot 1 Proposed		Lot 1 Maximum*	Lot 2		Lot 2 Maximum*		
	Square Feet	Acres	Square Feet	Acres	Square Feet	Square Feet	Acres	Square Feet		
Impervious Area	21010	0.48	21010	0.48		9067	0.21			
Pervious Area	158307.52	3.63	158307.52	3.63		79029.32	1.81			
Gross Lot Area	179317.52	4.12	179317.52	4.12		88096.32	2.02			
Wetlands Area	0.00	0.00	0.00	0.00		0.00	0.00			
Steep Slopes Area (> 25%)	9801.21	0.23	9801.21	0.23		1947.73	0.04			
Deductable Steep Slopes Area (>25%)	4900.61	0.11	4900.61	0.11		973.87	0.02			
Contiguous Buildable Area	169516.31	3.89	169516.31	3.89		86148.59	1.98			
Net Lot Area	174416.92	4.00	174416.92	4.00		87122.46	2.00]		
Additional Gross Land Coverage Permitted ¹	1380 ²		1380 ¹			610 ¹				
Total Gross Land Coverage Area	21010		21010		21197	9067		13880		

* Maximum Coverage Areas were calculated by lot as per formulas shown in Town of North Castle code; the Table of Maximum Permitted Gross Floor Area and the Table of Maximum Permitted Gross Land Coverage for One- and Two-Family Dwellings. ¹ Per code section 355-26C(b), "an additional 10 square feet of gross land coverage shall be permitted for each foot of front yard setback of the principal dwelling in excess of the minimum front yard setback". On Lot 1 there is 139' in excess of the 50' minimum setback requirement. Therefore, 1390 square feet of Additional Gross Land Coverage shall be permitted. On Lot 2 there is 8' in excess of the 50'

minimum setback requirement. Therefore, 80 square feet of Additional Gross Land Coverage shall be permitted.

PRELIMINARY SUBDIVISION APPROVED BY TOWN OF NORTH CASTLE PLANNING BOARD RESOLUTION. DATED:

CHRISTOPHER CARTHY, CHAIRMAN TOWN OF NORTH CASTLE PLANNING BOARD

JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC JMC Site Development Consultants, LLC John Mever Consulting, Inc.

ANY ALTERATION OF PLANS,

SPECIFICATIONS, PLATS AND

REPORTS BEARING THE SEAL

OF A LICENSED PROFESSIONAL

ENGINEER OR LICENSED LAND

SURVEYOR IS A VIOLATION OF ARTICLE 145 OF THE NEW

YORK STATE EDUCATION LAW,

EXCEPT AS PROVIDED FOR BY

SECTION 7209, SUBSECTION 2.

RFA Approved: DV NOT TO SCALE Project No: 23050

Call before you dig

SUBSURFACE UTILITY LOCATIONS ARE BASED ON

A COMPILATION OF FIELD EVIDENCE, AVAILABLE

RECORD PLANS AND/OR UTILITY MARK-OUTS.

GUARANTEED. VERIFY THE ACTUAL LOCATION

UNDERGROUND INFORMATION CANNOT BE

THE LOCATION OR COMPLETENESS OF

OR CONSTRUCTION.

OF ALL UTILITIES PRIOR TO EXCAVATION

RESPONSE TO COMMENTS

12/22/2023

Previous Editions Obsolete

120 BEDFORD ROAD • ARMONK, NY 10504 voice 914.273.5225 • fax 914.273.2102 www.jmcpllc.com

6. CONTRACTOR SHALL MAINTAIN THE INTEGRITY OF EXISTING PAVEMENT TO REMAIN.

3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY AND ALL LOCAL PERMITS REQUIRED.

THE SITUATION TO THE SATISFACTION OF THE APPROVAL AUTHORITY HAVING JURISDICTION.

. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CALL 811 "DIG SAFELY" (1-800-962-7962) TO HAVE UNDERGROUND UTILITIES LOCATED INCLUDING

2. CONTRACTOR SHALL HAND DIG TEST PITS TO VERIFY THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO THE START OF CONSTRUCTION.

4. ALL WORK SHALL BE DONE IN STRICT COMPLIANCE WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES, STANDARDS, ORDINANCES, RULES, AND

5. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL PROPERTIES AFFECTED BY THE SCOPE OF WORK SHOWN HEREON AT ALL TIMES TO THE SATISFACTION OF THE OWNERS REPRESENTATIVE. RAMPING CONSTRUCTION TO PROVIDE ACCESS MAY BE CONSTRUCTED WITH SUBBASE MATERIAL EXCEPT THAT TEMPORARY ASPHALT

CONCRETE SHALL BE PLACED AS DIRECTED BY THE ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING SAFE PEDESTRIAN ACCESS AT ALL TIMES.

CONTRACTOR SHALL VERIFY EXISTING UTILITIES DEPTHS AND ADVISE OF ANY CONFLICTS WITH PROPOSED UTILITIES. IF CONFLICTS ARE PRESENT. THE OWNER'S FIELD

REPRESENTATIVE, JMC, PLLC AND THE APPLICABLE MUNICIPALITY OR AGENCY SHALL BE NOTIFIED IN WRITING. THE EXISTING/PROPOSED UTILITIES RELOCATION SHALL

ARRANGING FOR A PRIVATE MARKOUT ON-SITE WHERE APPLICABLE. EXPLORATORY EXCAVATIONS SHALL COMPLY WITH CODE 753 REQUIREMENTS. NO WORK SHALL

THE PRESERVATION OF ALL PUBLIC AND PRIVATE UNDERGROUND AND SURFACE UTILITIES AND STRUCTURES AT OR ADJACENT TO THE SITE OF CONSTRUCTION,

COMMENCE UNTIL ALL THE OPERATORS HAVE NOTIFIED THE CONTRACTOR THAT THEIR UTILITIES HAVE BEEN LOCATED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR

GENERAL CONSTRUCTION NOTES APPLY TO ALL WORK HEREIN: INSOFAR AS THEY MAY BE ENDANGERED BY THE CONTRACTOR'S OPERATIONS. THIS SHALL HOLD TRUE WHETHER OR NOT THEY ARE SHOWN ON THE CONTRACT DRAWINGS. IF THEY ARE SHOWN ON THE DRAWINGS, THEIR LOCATIONS ARE NOT GUARANTEED EVEN THOUGH THE INFORMATION WAS OBTAINED FROM THE BEST AVAILABLE SOURCES, AND IN ANY EVENT, OTHER UTILITIES ON THESE PLANS MAY BE ENCOUNTERED IN THE FIELD. THE CONTRACTOR SHALL, AT HIS OWN EXPENSE, IMMEDIATELY REPAIR OR REPLACE ANY STRUCTURES OR UTILITIES THAT HE DAMAGES, AND SHALL CONSTANTLY PROCEED WITH CAUTION TO PREVENT UNDUE INTERRUPTION OF UTILITY SERVICE.

REGULATIONS. ALL CONSTRUCTION WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL SAFETY CODES. APPLICABLE SAFETY CODES MEAN THE LATEST EDITION INCLUDING ANY AND ALL AMENDMENTS, REVISIONS, AND ADDITIONS THERETO, TO THE FEDERAL DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION'S OCCUPATIONAL SAFETY AND HEALTH STANDARDS (OSHA); AND APPLICABLE SAFETY, HEALTH REGULATIONS AND BUILDING CODES FOR CONSTRUCTION IN THE STATE OF NEW YORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR GUARDING AND PROTECTING ALL OPEN EXCAVATIONS IN ACCORDANCE WITH THE PROVISION OF SECTION 107-05 (SAFETY AND HEALTH REQUIREMENTS) OF THE NYSDOT STANDARD SPECIFICATIONS. IF THE CONTRACTOR PERFORMS ANY HAZARDOUS CONSTRUCTION PRACTICES, ALL OPERATIONS IN THE AFFECTED ARÉA SHALL BE DISCONTINUED AND IMMEDIATE ACTION SHALL BE TAKEN TO CORRECT

