

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

March 17, 2023



APPLICATION NUMBER - NAME
 #2022-041 – 100 Business Park Drive
 Tree Removal Permit Approval

SBL
 108.03-1-51

MEETING DATE
 March 27, 2023

PROPERTY ADDRESS/LOCATION
 100 Business Park Drive

BRIEF SUMMARY OF REQUEST

Tree Removal Permit for “after the fact” removal of 38 Town-regulated trees, one of which is a Town-regulated Significant Tree.

The property is approximately 11.3 acres in size and lies within the PLI zoning district. The site is currently developed with a 62,782 square foot office/light industrial building with associated off-street parking.



PENDING ACTION: Plan Review Town Board Referral Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
PLI Planned Light Industry District	Office/Warehouse/Recreation Center	Office and Industrial Uses	Proposed new self storage/warehouse building	11.27 acres

PROPERTY HISTORY

1975 – Building Permit issued to HO Penn for office and warehouse building

2020 –Approval to store 5,000 cubic yards of fill

2021 – Approval to construct a 74,850 s.f. warehouse

COMPATIBILITY with the COMPREHENSIVE PLAN

Avoid expansion of the existing retail areas in Town, focusing on enhancing them through transportation improvements, landscaping and beautification, strong site design and targeted infill housing as appropriate.

Explore adjusting the PLI and DOB-20A zoning to facilitate the location of a modern hotel with amenities and entertainment/cultural or ancillary education uses.

STAFF RECOMMENDATIONS

1. The Applicant should be directed to address all outstanding staff and consultant’s comments.
2. The project is compatible with the Comprehensive Plan.
3. Once all staff and consultant’s comments are addressed, the Planning Board should give consideration to approving the requested permits.

<p><u>Procedural Comments</u></p> <p>1. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).</p>	<p><u>Staff Notes</u></p> <p>The Planning Board declared their intent to act as Lead Agency on September 29, 2022.</p> <p>The Planning Board will need to conclude the SEQRA review prior to approving this requested tree removal permit.</p>
<p><u>General Comments</u></p> <p>1. The Planning Board previously approved the removal of 235 Town-regulated trees and the trees have been removed from the property.</p> <p>Subsequent to that approval, the Town has determined that an additional 38 trees were removed that were not originally approved.</p> <p>Section 308-25.B of the Town Code states that ... “the Town shall not issue a building permit, any other permit, any temporary certificate of occupancy, certificate of occupancy or variance for any property for which a violation of this article has been served until said violation is dismissed or resolved to the satisfaction of the approving authority or court, as is appropriate.”</p> <p>Therefore, the Applicant is processing this tree removal permit at this time. Once the tree removal permit application is processed, the Planning Board will be able to conclude the review of the amended site development plan currently pending before the Board.</p> <p>2. The Applicant should explain the circumstances surrounding the unauthorized tree removal.</p> <p>3. The Applicant should prepare a tree removal mitigation plan pursuant to Section 308-15.A(11) of the Town Code.</p>	