



STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

February 26, 2021

APPLICATION NUMBER - NAME
#2020-040 – 3 Middle Patent Road
Site Plan. Steep Slopes, Wetland and Tree
Removal Permit Approvals

SBL
95.03-1-52

MEETING DATE
March 8, 2021

PROPERTY ADDRESS/LOCATION
3 Middle Patent Road

BRIEF SUMMARY OF REQUEST

Construction of an 18'x40' swimming pool (with an interior spa) and a bluestone terrace.

This project was referred to the Planning Board by the RPRC.



PENDING ACTION: Plan Review Town Board Referral Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-2A One-Family Residence District (2 Acers)	Single Family House	Residential	Pool and terrace	2.18 acres

PROPERTY HISTORY

Existing Single Family Home – CO issued in 1970

COMPATIBILITY with the COMPREHENSIVE PLAN

- Continue to take neighborhood context into account in approving new single-family homes.
- Continue to protect natural resources and environmentally sensitive areas such as rivers, streams, lakes, ponds, wetlands, flood plains, aquifers, wildlife habitats, steep slopes and forested areas, significant trees, and woodlands, among others, from unnecessary and avoidable impacts.
- Continue strong protection of tree cover through the tree removal permitting process.
- Preserve the current overall development pattern of North Castle and its neighborhoods. Be sure new development responds to environmental constraints, particularly for preservation of the New York City watershed.
- Maintain the quality-of-life created by physical and natural attributes, by structuring development that promotes sound conservation measures.
- The Town should encourage residential development that is compatible in scale, density, and character with its neighborhood and natural environment.

STAFF RECOMMENDATIONS

1. The Applicant should be directed to address all outstanding staff and consultant's comments.
2. The Planning Board will need to determine whether the project is compatible with the Comprehensive Plan.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 1. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA). 2. Pursuant to Section 340-5.B(1) of the Town Code, the Conservation Board is required to review the proposed wetland application and, within 45 days of receipt thereof, file a written report and its recommendation concerning the application with the Planning Board. Such report is required to evaluate the proposed regulated activity in terms of the findings, intent and standards of Chapter 340. 3. A public hearing regarding the proposed wetlands permit will need to be scheduled. 4. The Planning Board should schedule a site visit. 	
<p><u>General Comments</u></p>	
<ol style="list-style-type: none"> 1. The proposed pool, terrace and pool equipment pad are located in the front yard. When pools are located in the front yard they are required to meet three times the setback required for principal structures (150' in the R-2A Zoning District). Since the pool is located less than 150 feet from the front property line, the Applicant will need to secure a variance from the Zoning Board of Appeals. The amount of the variance should be measured from the closet point of any part of the pool complex; in this case the equipment pad. 	<p>The Planning Board and Zoning Board of Appeals will need to determine whether the proposed pool location is acceptable.</p>
<ol style="list-style-type: none"> 2. The site plan depicts 1,763 s.f of town regulated wetland buffer disturbance. A wetland mitigation plan of 4,200 square feet has been submitted. 	<p>The Planning Board and Conservation Board will need to determine whether the proposed wetlands permit and mitigation plan are acceptable.</p>
<ol style="list-style-type: none"> 3. The site appears to contain rock that will need to be removed in order to develop the site. The Applicant has indicated that rock removal is proposed via a backhoe with bucket and that chipping is not proposed. If blasting is determined to be necessary in the future, the Applicant should provide a blasting plan for review pursuant to Article I of Chapter 122 of the Town Code. If Chipping is determined to be necessary in the future, the Applicant should provide a chipping plan for review pursuant to Article II (recently adopted) of Chapter 122 of the Town Code. 	
<ol style="list-style-type: none"> 5. The site plan depicts the removal of seven trees. 	<p>The Planning Board will need to determine whether the proposed amount of Town-regulated tree removal is acceptable.</p>
<ol style="list-style-type: none"> 6. The site plan depicts 2,351 square feet of Town-regulated steep slope disturbance. 	<p>The Planning Board will need to determine whether the proposed amount of Town-regulated steep slope disturbance is acceptable.</p>