



STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

February 29, 2024

APPLICATION NUMBER - NAME
#2020-042 – 4 Tripp Lane
Site Development Plan, Wetlands Permit and Tree Removal Permit Approvals

SBL
108.02-1-10

MEETING DATE
March 11, 2024

PROPERTY ADDRESS/LOCATION
4 Tripp Lane

BRIEF SUMMARY OF REQUEST

The Applicant has received several Notices of Violations and Stop Work Orders from the Building Department for the following site issues:

Fence installed w/o permit	Driveway gates installed w/o permit
Cabana constructed w/o permit	Rear Addition constructed w/o permit
Driveway constructed w/o permit	Shed constructed w/o permit
¼ acre of trees removed w/o permit	Retaining walls constructed w/o permit
Fill brought to site w/o permit	Basketball court constructed w/o permit



The site plan application is seeking approval to legalize the activities described above with the Town of North Castle.

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 Zoning District	Single Family Residential	Residential & Institutional (School)	Legalization	2.06 acres

PROPERTY HISTORY

1965 – House Approved
1983 – In-ground pool approved

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 & PLANNING BOARD POLICY DECISIONS

1. The Planning Board should direct the Applicant to address the comments contained in this memo and resubmit to the Planning Board for further discussion.

<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. A neighbor notification meeting regarding the proposed site plan and wetlands permit will need to be scheduled. 3. Pursuant to Section 12-18.A of the Town Code, all site development plans submitted to the Planning Board are required to be referred to the Architectural Review Board (ARB) for review and comment. 4. Pursuant to Section 340-5.B 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. 	<p>Construction, expansion or placement of minor accessory/appurtenant residential structures, including garages, carports, patios, decks, swimming pools, tennis courts, satellite dishes, fences, barns, storage sheds or other buildings not changing land use or density.</p> <p>At the September 28, 2023 meeting, the Planning Board directed the Applicant to coordinate the mitigation plan/tree mitigation plan with the Conservation Board. It is the Planning Department's understanding that the Conservation Board is in support of the plan, but their letter to the Planning Board was not prepared in time for the Planning Board meeting.</p>
<u>General Comments</u> <ol style="list-style-type: none"> 1. At the September 28, 2023 Planning Board meeting the Applicant and Planning Board agreed that the best course of action would be for the Applicant to remove the fill from property. 2. The Applicant has determined that approximately 171 trees were removed from the site. The plans have been revised to depict an approximately 16,000 square foot wetland buffer mitigation area. In addition, 816 inches of new trees are proposed to be replanted to replant a substantial portion of the rear of the property. 3. The site plan has been revised to depict the location of the Town-regulated wetland buffer. The plans depict 7,775 square feet of Town-regulated wetland buffer disturbance. The Applicant has prepared a 15,550 square foot mitigation plan for review. 4. The 9 foot driveway piers with light fixture exceeds the maximum permitted height of 8 feet. The Applicant will need to seek a variance from the Zoning Board of Appeals. 5. The proposed (legalization) driveway gates are located on the property line. Driveway gates should be located a minimum of 20 feet from the front property line to permit adequate vehicular pull off from the right-of-way should Tripp Lane ever be expanded to the edge of the right-of-way. 6. The submitted gross floor area calculations worksheet does not include the floor area of the garage or basement. Garage space is required to be counted as part of gross floor area. The Applicant shall also provide an exhibit demonstrating that the basement level would be excluded pursuant to the definition of gross floor area. 	<p>The Applicant has agreed to remove the fill from the site. However, it is not clear from the plans what the topography of the property will look like post fill removal.</p> <p>The Applicant has asked for permission to keep the entry piers in the existing location with the understanding that the piers would need to be relocated should Tripp Ln be widened. If acceptable to the Planning Board, a covenant memorializing such an arrangement should be provided.</p>