



STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

February 15, 2022

APPLICATION NUMBER - NAME

SBL

#2020-043– 2 Tripp Lane

108.02-1-11

Site Development Plan, Wetlands Permit and Tree Removal Permit Approvals

MEETING DATE

February 28, 2022

PROPERTY ADDRESS/LOCATION

2 Tripp Lane

BRIEF SUMMARY OF REQUEST

It has been found by the Building Department that the property owner clear cut all the vegetation and trees within the wetlands on their property as well as removed trees without a permit.

In addition, a review of the property file by the Building Department found that a rear patio and a driveway extension has been constructed without filing for the proper permits and approvals.

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	2.18 acres

PROPERTY HISTORY



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.

<p><u>Procedural Comments</u></p> <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 amendment will need to be scheduled. 3. 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. 4. The application for site plan approval will need to be referred to the Westchester County Planning Board, pursuant to § 239-m of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of NYS Route 22. 	<p><u>Staff Notes</u></p> <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>
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<p><u>General Comments</u></p> <ol style="list-style-type: none"> 1. The site plan depicts 1,300 square feet of Town-regulated wetland and wetland buffer disturbance. A mitigation plan consisting of 3,489 square feet of mitigation area has been proposed. 2. The site plan notes that approximately 13 trees were removed without a permit. As mitigation, the Applicant is proposing to plant five new trees. <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>2000</p> </div> <div style="text-align: center;">  <p>2021</p> </div> </div> <ol style="list-style-type: none"> 3. The Applicant should submit a gross land coverage calculations worksheet and backup data that includes the proposed (legalize) terrace. 4. The site plan depicts existing stone walls within the Town right-of-way. The walls shall be depicted to be removed or the Applicant will need to seek a license from the Town Board. 5. The site plan depicts 900 cubic yards of fill was brought onto the property. The Town Engineer notes that a 2003 plan to bring fill onto the property was not approved. It appears that the Applicant placed the fill on the property regardless. 6. The Applicant should submit a gross floor area calculations worksheet and backup data for review. 	<p>The Applicant should indicate how the 13 trees were estimated.</p> <p>The plant list quantity (4 tees) should be revised to reflect the five proposed trees on the site plan.</p> <p>Based upon older aerial photos, it appears that the wooded area behind the fill pad has been thinned considerably and that significantly more than 13 tree were removed.</p> <p>The Planning Board should review this area during their site walk and determine whether additional planting in the rear area is warranted.</p> <p>The Applicant will need to obtain a fill permit pursuant to Chapter 161 of the Town Code.</p>
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