



**STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT**

September 30, 2021, 2021

APPLICATION NUMBER - NAME  
#2021-015 – Whippoorwill Hills  
Tree Removal Permit Approval

SBL  
107.16-1-7

MEETING DATE  
October 14, 2021

PROPERTY ADDRESS/LOCATION  
345 Main Street

**BRIEF SUMMARY OF REQUEST**

Tree Removal Permit for the removal of 9 Town-regulated trees and the installation of 9 new trees as mitigation.



PENDING ACTION:

Plan Review

Town Board Referral

Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-MF	Access Road	Residential	Roadway and Guard House	19.24 acres

**PROPERTY HISTORY**

Log Cabin Way is an access road that connects Old Route 22 to the Whippoorwill Hills Development.

**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. It is recommended that the Planning grant the requested tree removal permit and approve the proposed mitigation plan.

Procedural Comments

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 will need to be scheduled.
3. The Planning Board should schedule a site visit.

General Comments

1. At the April 26, 2021 Planning Board meeting, the Board indicated that it would like to see a more robust replanting plan as compared to the proposed mitigation of nine trees.
2. The submitted landscape plan should be resubmitted in a higher quality. As submitted, the plan is not legible if zooming in to review the plan.
3. A neighbor allegedly removed the following trees from the Whippoorwill Hills property:

24"	Maple
11"	Black Birch
14"	Black Birch
17"	Black Birch
8"	Black Birch
24"	Black Birch
10"	Black Birch
11"	Hickory
8"	Hickory

4. As mitigation, the following trees are proposed to be installed:

2"	October Glory Red Maple
2"	October Glory Red Maple
2"	October Glory Red Maple
2.5"	Green Mountain Sugar Maple
2.5"	Green Mountain Sugar Maple
2.5"	Green Mountain Sugar Maple
2.5"	Pin Oak
2.5"	Pin Oak
2.5"	Pin Oak

Staff Notes

The September 23, 2021 letter to the Planning Board from the Applicant requests that the originally submitted planting plan be approved without modification.

The Planning Board will need to determine whether an "after the fact" tree removal permit should be issued.

The Planning Board will need to determine whether the proposed mitigation plan is acceptable.