



APPLICATION NUMBER - NAME  
 #2022-007 – 84 Round Hill Road – Wetlands  
 Permit

SBL  
 102.03-1-39

MEETING DATE  
 June 13, 2022

PROPERTY ADDRESS/LOCATION  
 84 Round Hill Road

**BRIEF SUMMARY OF REQUEST**

The Applicant has disturbed the Town-regulated wetland buffer without a permit. In addition, the Applicant is seeking to legalize construction of retaining walls in the front yard, a new fence, driveway extension and pergola.

The RPRC determined that given the environmental constraints of the property and the amount of disturbance, a detailed review by the Planning Board and Conservation Board is warranted.

It is also noted that the RPRC on April 20, 2021 approved the requested pergola, fence, patio and driveway.



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 acre)	Residential Lot	Residential	Disturbance	2.28 acres

**PROPERTY HISTORY**

2021 – Permit for Pergola/Fence/Patio/Driveway  
 2020- Permit for generator  
 2019 – Permit for House

**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 Board and Conservation Board review the required wetlands permit.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> <li>The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>A public hearing regarding the proposed wetlands permit will need to be scheduled.</li> <li>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.</li> </ol>	
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>The Applicant received a NYSDEC Notice of Violation for disturbing a NYS wetland without a permit. The Applicant has received approval from NYS for a wetland permit and mitigation plan. The Applicant has proposed to mitigate twice the area of original disturbance.</li> </ol> <p>However, an existing naturalized 100-foot deep wetland buffer has been cleared and converted to grass.</p> <ol style="list-style-type: none"> <li>The site plan depicts 9,849square feet of Town-regulated wetland buffer disturbance. The Applicant has submitted a 20,275 square foot mitigation plan for consideration.</li> <li>It is recommended that the site plan be revised to include a physical demarcation of the Town-regulated wetland buffer that will distinguish the area between maintained lawn and naturalized buffer.</li> <li>The Applicant should depict and quantify any Town-regulated tree removal on the property.</li> </ol> <p>It appears that trees have been removed from the Town-regulated wetland buffer.</p>	<p>A large portion of the mitigation area is located outside of the regulated buffer and the newly created maintained lawn directly adjacent to the wetland is proposed to remain.</p> <p>It is recommended that the mitigation plan be revised to remove the maintained lawn within the wetland buffer and revegetate this disturbed area with native wetland and wetland buffer plants.</p>



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2021