



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

April 19, 2022

APPLICATION NUMBER - NAME  
#2022-016 – 26 Chestnut Ridge Road  
Fill/Patio

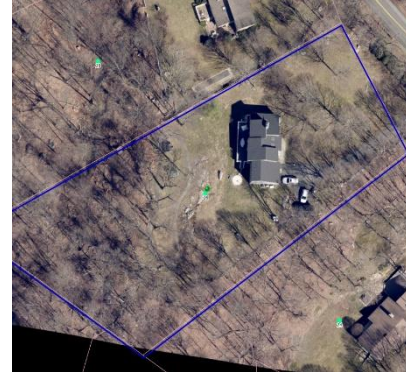
SBL  
94.04-1-39

MEETING DATE  
April 25, 2022

PROPERTY ADDRESS/LOCATION  
26 Chestnut Ridge Road

**BRIEF SUMMARY OF REQUEST**

RPRC referral to the Planning Board for the placement of fill on the property, tree removal and patio construction without the benefit of a permit.



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 acres)	Existing Residence	Residential	Fill and patio	1.7 acres

**PROPERTY HISTORY**

1980 – Building Permit issued 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. The Applicant should be directed to address all outstanding staff and consultant’s comments.

Procedural Comments

1. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA).
2. The Applicant will need to obtain a fill permit from the Building Department.

General Comments

1. The Applicant was issued a violation on November 24, 2021 for bringing in fill to the site without obtaining a permit.
2. The Applicant was issued a violation on November 24, 2021 for constructing a patio without obtaining a permit.
3. The existing rear yard fill pad is several feet high and is visible from the adjacent property. The Planning Board should give consideration to whether the fill should be removed, whether some of the fill removed or reconfigured to be more naturalistic, or whether a wall should be constructed to retain the fill and provide a more aesthetic condition.
4. The Applicant removed three Town-regulated trees when fill was imported to the site.

Staff Notes

The plans depict the planting of 10 green giant arborvitae along the common property line.

It is recommended that the Planning Board visit the site to determine whether the existing fill and proposed mitigation will be adequate.

The Planning Board will need to determine whether the tree removal is acceptable and whether additional mitigation would be required.