



STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

April 26, 2023

APPLICATION NUMBER - NAME
#2023-015 – 33 Bayberry Road
Site Plan and Tree Removal Permit Approvals

SBL
100.03-1-6

MEETING DATE
May 8, 2023

PROPERTY ADDRESS/LOCATION
33 Bayberry Road

BRIEF SUMMARY OF REQUEST

The Applicant is proposing to construct a new pool, spa, pergola, children’s play area, new landscaping and gardens.

The project was referred from the RPRC to the Planning Board given the potential environmental impacts associated with the project.



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 Estate Property	Residential	Pool, Spa, Landscaping and Gardens	13.59 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

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. A neighbor notification meeting regarding the proposed site plan will need to be scheduled.
3. The project is located in the Kensico Drainage Basin. Disturbance of over 5,000 s.f. will require conformance with NYSDEC General Permit GP-0-20-001 and filing of a Notice of Intent (NOI) and MS4 Acceptance Form with the NYSDEC.

Staff Notes

It is recommended that the Planning Board schedule the required neighbor notification and direct staff to prepare a draft resolution of approval.

General Comments

1. The originally submitted location and orientation of the proposed pool resulted in a series of retaining walls and regrading along a slope. The Applicant has revised the site plan to significantly limit the required amount of retaining walls and grading associated with the proposed pool and spa.
2. The Applicant has submitted three different alternatives. It appears that the submitted preferred alternative addresses all of the RPRC's previous design concerns.
3. The Applicant should submit a gross land coverage backup exhibit for review as described in the GLC Worksheet directions.
4. 12 trees are proposed for removal.
5. The aerial images below depict a significant amount of disturbance on the slope below the house. The Applicant should indicate what activity was occurring in this area.



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