

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

February 14, 2024



APPLICATION NUMBER - NAME  
 #2024-002 – 92 Round Hill Road Site Plan,  
 Wetlands Permit and Tree Removal Permits

SBL  
 109.01-1-25

MEETING DATE  
 February 26, 2024

PROPERTY ADDRESS/LOCATION  
 92 Round Hill Road

**BRIEF SUMMARY OF REQUEST**

The Applicant is seeking legalization and permission to complete extensive regrading/construction associated with new golf tees/greens at 92 Round Hill Road.



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	Existing Single Family Lot	Residential	Grading of State/Town-regulated wetland buffer and Town-regulated tree removal	2 acres

**PROPERTY HISTORY**

**COMPATIBILITY with the COMPREHENSIVE PLAN**

- Open space such as wetlands, steep slopes, hilltops, ridgelines and other scenic resources should be set aside or kept as open space in the event of new subdivisions.
- The Town should continue to encourage protection of environmentally sensitive, scenic and aesthetic resources through Section 278 of the Town Law.

**STAFF RECOMMENDATIONS & PLANNING BOARD POLICY DECISIONS**

1. The Planning Board should determine whether it wishes to coordinate the environmental review with other Involved Agencies.
2. The Planning Department has substantive concerns relating to the impacts the proposed project would create.
3. The Planning Board will need to determine whether the project would be consistent with the Comprehensive Plan goal of protecting wetlands, steep slopes and other environmentally sensitive land.
4. The Applicant should be directed to address all outstanding staff and consultant’s comments.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> <li>1. A public hearing for the proposed subdivision and wetlands permit is required.</li> <li>2. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>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.</li> <li>4. It is recommended that the Planning Board and Conservation Board visit the site upon the melting of the snow cover.</li> <li>5. The site plan depicts a location for imported fill. In addition, it seems that fill was previously imported to the site based upon memos from the Town Engineer. The Applicant should explain the situation to the Planning Board. The Applicant will need to obtain a fill permit from the Building Department.</li> </ol>	<p>The Planning Board should determine whether it wishes to coordinate the environmental review with other Involved Agencies.</p> <p>It is recommended that the Applicant submit the fill permit documentation submitted to the Building Department for review by the Planning Board.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The Applicant should provide a narrative explaining the necessity/reasons for the proposed project.</li> <li>2. The Planning Department has concern with respect to the proposed level of disturbance associated with the project. The Planning Department notes that the proposed project appears to be very impactful. Specifically, the proposed disturbance would significantly alter the existing environment and does not appear consistent with the Comprehensive Plan goals of protecting wetlands, steep slopes, hilltops, ridgelines and other scenic resources. The proposed disturbance does not appear to be necessary in this environmentally sensitive area. It is recommended that the applicant be required to replant and restore the area and return the property to existing conditions.</li> <li>3. The Applicant is proposing to regrade within the State/Town-regulated wetland buffer. The Applicant should submit an Impact Analysis Table quantifying proposed Town-regulated wetland and Town-regulated wetland buffer disturbance.</li> </ol> <p>Disturbance to the wetland and buffer appears to be avoidable and, therefore, does not comply with <a href="#">Section 340-8 of the Town Code</a>.</p> <ol style="list-style-type: none"> <li>4. The plan should identify if any Town-regulated steep slopes were or are proposed to be disturbed.</li> <li>5. Based upon aerial photos (see above) it appears that a significant number of trees have been removed from the site. The site plan shall be revised to quantify the amount of tree removal. It is recommended that the Applicant be required to revegetate the areas of tree removal.</li> <li>6. The Applicant should submit a gross land coverage calculations worksheet for review.</li> </ol>	<p>The Planning Board will need to determine whether the project would be consistent with the Comprehensive Plan goal of protecting wetlands, steep slopes and other environmentally sensitive land.</p> <p>The submitted mitigation plan appears to be inadequate to mitigate the impacts existing/proposed on the site.</p> <p>Section 355-18.B of the Town Code states that... the approval authority shall not grant the necessary permit or approval if there is another alternative which, in the sole opinion of the approval authority, is reasonable and practical and would help to preserve the steep slope, hilltop or ridgeline.</p> <p>Section 308-16.A(2) of the Town Code states that... the possible or practicable alternatives to the proposed tree removal using tree protective methods such as temporary fencing during construction, minimizing grading, and tunneling to reduce trenching across tree roots.</p>