



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

April 15, 2024

APPLICATION NUMBER - NAME  
#2024-013 – 26 Carolyn Place  
Fill/Pool/Deck/Pool House

SBL  
100.04-1-3

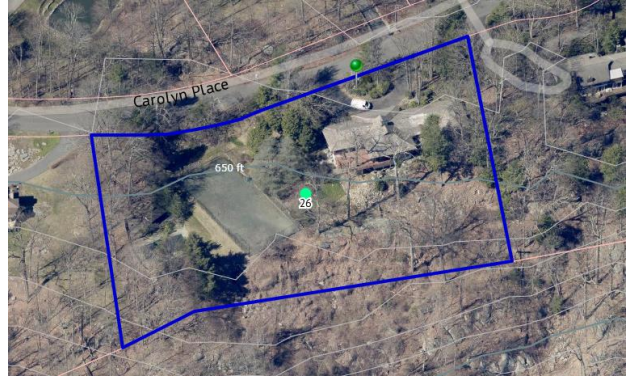
MEETING DATE  
April 25, 2024

PROPERTY ADDRESS/LOCATION  
26 Carolyn Place

**BRIEF SUMMARY OF REQUEST**

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

In addition, the Applicant is proposing a Pool Cabana (under existing deck) Swimming Pool, Pool Terrace & BBQ Bar area.



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 pool complex	2.01 acres

**PROPERTY HISTORY**

1958 – 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.
2. All C&D fill should be removed.
3. The Applicant should quantify/depict disturbance that occurred between 2021 and 2023 and prepare a mitigation plan.
4. The Applicant should coordinate with the Building Department and the Highway Department to resolve all violations.

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.
3. Pursuant to Section 12-18.A of the Town Code, all site development plans submitted to the Planning Board are required to be referred to the Architectural Review Board (ARB) for review and comment.
4. The Applicant should coordinate with the Building Department and the Highway Department to resolve violations with those departments.

General Comments

1. A significant amount of grading, steep slope disturbance, patio and path construction, new deck, wall construction and tree clearing were conducted on the site without permits. The Applicant should quantify the amount of disturbance and construction on the site between 2021 and 2023. The Applicant will need to seek after the fact approval for the previous disturbance plus the proposed new disturbance and construction.
2. Based upon a recent site visit, a significant amount of C&D fill has been placed on the site. The Applicant will need to obtain a fill permit from the Town pursuant to Chapter 161 of the Town Code. The Applicant should coordinate with the Building Department at this time.
3. The proposed amount of gross land coverage is in excess of that permitted by the Town Code by 6,473 sq. ft.
4. The existing pool area is proposed to be removed. A detailed landscaping plan with new trees should be submitted for this area.
5. The Building Department and Highway Department have noted that many changes have been made to the home and property without a permit, some impacting street stormwater. It is imperative that the Applicant coordinate with the Building Department and the Highway Department at this time so that all issues can be addressed.

Staff Notes

The Applicant should provide a narrative and plans detailing the work that was conducted on the site. An appropriate mitigation plan should be prepared.

It is recommended that all C&D fill be removed from the site as it appears unlikely that the Applicant would be able to secure a fill permit for the material brought to the site.

It is recommended that existing gross land coverage be removed so that the lot is in compliance with the Town Code. If not, the Applicant will need to seek a variance from the Zoning Board of Appeals.