



STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

May 1, 2024

APPLICATION NUMBER - NAME
#2024-016 – 41 Mead Road
Site Plan, Wetlands and Tree Removal Permit Approvals

SBL
109.01-1-12

MEETING DATE
May 13, 2024

PROPERTY ADDRESS/LOCATION
41 Mead Road

BRIEF SUMMARY OF REQUEST

The Applicant obtained a building permit to construct a new house and appurtenances on the property. During construction, the approved plan was not followed and a Stop-Work Order was issued by the Building Department. The Applicant is seeking approval to correct the previous issues and slightly modify the previously approved plan.



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 House Under Construction	Residential	House, Septic, Driveway	3.91 acres

PROPERTY HISTORY

2006 – RPRC referred project to PB. Applicant did not conclude approval process.

2010 – RPRC sent new 8,000 s.f. house to ZBA, CB and ARB. Plan consistent with 2006 plans PB was reviewing.

2015 – RPRC sent 3,500 s.f. house to ZBA.

2021 – Applicant requested amendment to add second floor to previously approved house. Project sent to ZBA.

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.

<u>Procedural Comments</u>	<u>Staff Notes</u>
<ol style="list-style-type: none"> 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. Pursuant to Section 340-5.B 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. 4. The Applicant will be required to obtain a permit from the New York State Department of Environmental Conservation (NYSDEC) for disturbance to the wetland and 100-foot regulated area of NYS Wetland K-30. 5. 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. 6. The Applicant will need to obtain a curb cut permit from the North Castle Highway Department (if not already obtained). 7. The Applicant obtained the required rear yard setback variance from the Zoning Board of Appeals on December 5, 2019. 	
<u>General Comments</u> <ol style="list-style-type: none"> 1. In general, the proposed plan is consistent with the plans as reviewed since 2006. The Planning Department does not have any significant issues of concern with the proposed plan. 2. It is recommended that the mitigation plan be revised to depict a physical demarcation at the limits of the maintained lawn area. 3. The site plan depicts the removal of 9 trees that were not previously authorized. As mitigation, the plan depicts the planting of 18 new trees. 4. The Applicant should revise the wetland mitigation plan to quantify the proposed amount of Town-regulated wetland and Town-regulated wetland buffer disturbance originally proposed and currently proposed. The mitigation plan will be required to twice the area of disturbance. The Planning Board and Conservation Board will need to determine whether the proposed amount of Town-regulated wetland buffer disturbance is acceptable. 5. The Applicant previously established a conservation easement over the wetland area and a portion of the wetland buffer. The site plan depicts the location of the easement areas. 	