

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

July 27, 2020



APPLICATION NUMBER - NAME
 #2020-030 – Farrelly Detached Garage
 Special Permit, Tree Removal Permit and
 Wetlands Permit Approvals

SBL
 102.01-2-9

MEETING DATE
 August 3, 2020

PROPERTY ADDRESS/LOCATION
 6 Pine Ridge Road

BRIEF SUMMARY OF REQUEST

Proposed new 934 square foot two story detached garage with storage on the second floor. No plumbing is proposed for the structure. The majority of the proposed structure is within the Town-regulated wetland buffer.



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 acre)	Existing single family home with in-ground pool	Residential	New 934 square foot two story detached garage	3.893 acres

PROPERTY HISTORY

Single Family home with pool. Pool constructed in 2015.

COMPATIBILITY with the COMPREHENSIVE PLAN

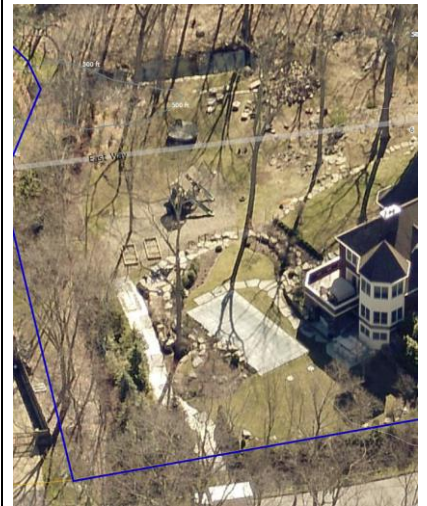
- The subject property is located within the “Rural Low Density” land use category that generally corresponds to the single-family residential zones of 2 acres or greater (R-2A and R4A). This designation encompasses the majority of North Castle’s land area, including most of the Eastern District and large portions of Armonk.
- 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.

STAFF RECOMMENDATIONS & PLANNING BOARD POLICY DECISIONS

1. The Planning Board will need to determine whether the Application should be deemed a new application or whether the old application should be reinstated.
2. The Planning Board should discuss whether a joint site walk with the Conservation Board is warranted.
3. The Planning Board will need to determine whether the proposed amount of Town-regulated wetland buffer disturbance is acceptable.
4. The Planning Board will need to determine whether the proposed building height is acceptable.
5. The Planning Board will need to determine whether the proposed tree removal is acceptable.
6. The Planning Board will need to determine whether the application meets the minimum requirements for the issuance of a special use permit.
7. The Planning Board will need to determine whether to approve of the secondary access pursuant to Section 355-59.F of the Town Code.
8. The Planning Board and Conservation Board will need to determine whether the project is compatible with the Comprehensive Plan.

<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 public hearing regarding the proposed special use permit and wetland permit will need to be scheduled. 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 application for special permit approval will need to be referred to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML). This referral is required because the Planning Board must issue a special use permit. 	
<u>General Comments</u>	
<ol style="list-style-type: none"> 1. This application was last discussed at the December 10, 2018 Planning Board meeting. After one year of inactivity, Planning Department policy dictates that the application be deemed abandoned. The Applicant is requesting that fees be waived for the current application. 2. The Applicant should submit architectural plans for the proposed garage. 3. The proposed structure is almost entirely located within the Town-regulated wetlands buffer. The project would disturb 2,115 square feet of Town-regulated wetland buffer. 4. Section 355-21 of the Town Code states that detached garages shall not be over 1 story and 15 feet in height and limited to 800 square feet in area, except that the Planning Board may, by special permit, authorize the construction of accessory buildings not over 2 stories or 22 feet in height, provided that any such individual accessory building does not exceed 25% of the floor area of the main building, and further provided that all such accessory buildings meet all required setbacks for main buildings in the district in which they are located and are not located within any front yard. 5. The Applicant shall provide gross floor area and gross land coverage calculation worksheets and backup information for review. 6. The site plan depicts the removal of 2 Town-regulated trees. 	<p>The Planning Board will need to determine whether the Application should be deemed a new application or whether the old application should be reinstated.</p> <p>At the December 10, 2018 Planning Board meeting, the Planning Board directed the Applicant to address the Planning Department and Town Engineer comments and begin a review of the project by the Conservation Board.</p> <p>The Planning Board should discuss whether a joint site walk with the Conservation Board is warranted.</p> <p>The Applicant shall prepare the required 2:1 mitigation plan for review. The Planning Board will need to determine whether the proposed amount of Town-regulated wetland buffer disturbance is acceptable.</p> <p>The Applicant shall submit an exhibit demonstrating that the proposed detached garage does not exceed 25% of the floor area of the main building.</p> <p>In addition, the Planning Board will need to determine whether the proposed building height is acceptable.</p> <p>The Planning Board will need to determine whether the proposed tree removal is acceptable.</p>

7. The site plan should be revised to depict the secondary access way and all structures on the site. It appears that additional structures may be located on the property. The site plan should be revised to confirm that they are located outside of the conservation easement or the Applicant shall demonstrate that they are permitted to be sited in that location. In addition, the Applicant will need to seek Planning Board approval for the secondary access pursuant to Section 355-59.F of the Town Code.



8. Pursuant to Section 355-37 of the Town Code, the Planning Board must determine that:

- The location and size of the use, the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
- The location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.
- Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted uses not requiring a special permit.
- Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety.
- Where required, the provisions of the Town Flood Hazard Ordinance.
- The Board finds that the proposed special permit use will not have a significant adverse effect on the environment.