



STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

June 1, 2021

APPLICATION NUMBER - NAME
#2020-046 – 45 Hurlingham Dr
Site Plan, Special Use Permit, Servant's
Quarters, Wetlands Permit and Tree
Removal Permit Approvals

SBL
102.04-1-26

MEETING DATE
June 14, 2021

PROPERTY ADDRESS/LOCATION
45 Hurlingham Drive

BRIEF SUMMARY OF REQUEST

Construction of an 18,760 square foot single-family residence, a caretaker's cottage, a tennis court, patios and a dock.



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)	Vacant Lot	Residential	Construction of House and Appurtenances	10.309 acres

PROPERTY HISTORY

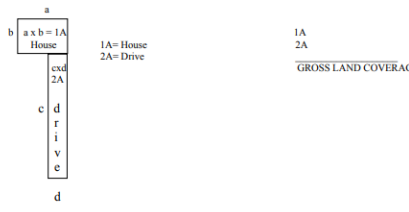
Existing Vacant Lot in the Conyers Farm Subdivision

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. Pursuant to Section 12-18(1) 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. 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. 4. A public hearing regarding the proposed site plan, special use permit and wetlands permit will need to be scheduled. 	
<u>General Comments</u> <ol style="list-style-type: none"> 1. In an effort to provide an additional buffer between the proposed house and the existing house to the south, the residence and tennis court were moved approximately 100 feet to the east. In addition, the BBQ Pavilion was detached from the house and relocated northwest of the Main Residence. 2. The submitted phantom subdivision that demonstrates compliance with the Town Code for the Servant's Quarters should be revised to include a zoning conformance chart demonstrating each lot's compliance with the minimum requirements of the R-2A Zoning District, specifically addressing net lot area and depicting the calculations used to calculate net lot area. 3. The Applicant is proposing the removal of 32 Town-regulated trees, 13 of which are Town-regulated Significant Trees. 4. The plans depict 388 square feet of Town-regulated wetland buffer disturbance associated with the proposed path leading to Converse Lake. The Applicant has prepared an 800 square feet mitigation plan that is twice the area of proposed disturbance. This plan will need to be reviewed by the Conservation Board. 5. The Applicant has provided documentation demonstrating that the proposed path to the dock can be permitted by the Town. The Town Attorney should indicate whether the Planning Board has the authority to approve the path in the Conservation Easement or whether Town Board approval of the path is required. 6. The Applicant should submit gross land coverage and gross floor area backup information. The Applicant should contact the Planning Department with any questions as how to prepare the gross land coverage backup or floor area exhibits. 	<p>All of the proposed plan changes will serve to increase the privacy between the proposed house and the adjacent house to the south.</p> <p>The Planning Board will need to determine whether the proposed amount of Town-regulated tree removal is acceptable.</p>  <p>The diagram shows a house footprint labeled 'House' with dimensions 'a' (width) and 'b' (depth). A driveway labeled 'Drive' is shown with dimensions 'c' and 'd'. A vertical strip labeled 'Pavilion' has dimensions 'd', 'r', 'i', 'v', and 'e'. A legend indicates '1A= House' and '2A= Drive'. A scale bar for 'GROSS LAND COVERAGE' is also present.</p>

7. The Applicant has submitted basement floor plans. However, the Applicant should prepare an exhibit that demonstrates that the basement level should be excluded from the calculations per the definition of floor area, gross in Section 355-4 of the Town Code.

8. The proposed amount of gross land coverage exceeds the maximum amount permitted by 822 square feet. The Applicant will need to reduce the proposed amount of gross land coverage or seek a variance from the Zoning Board of Appeals.

9. The Westchester County Health Department will need to approve the proposed septic system and well.

Pursuant to Section 355-4 of the Town Code, floor area in a basement should be counted as floor area when portions of any basement have a floor-to-ceiling height of 7.5 feet or greater if the basement is considered a "story" in accordance with one of the following three alternative measurements:

A. Where the finished surface of the floor above the basement is more than six feet above average grade.

B. Where the finished surface of the floor above the basement is more than six feet above the finished ground level for more than 50% of the total building perimeter.

C. Where the finished surface of the floor above the basement is more than 12 feet above the finished ground level at any point along the building perimeter.