

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

February 12, 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

February 22, 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

R-2A  
One-Family  
Residence District  
(2 acres)

EXISTING LAND  
USE

Vacant Lot

SURROUNDING  
ZONING & LAND  
USE

Residential

SITE  
IMPROVEMENTS

Construction of House  
and Appurtenances

SIZE OF PROPERTY

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"> <li>1. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>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.</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. A public hearing regarding the proposed site plan, special use permit and wetlands permit will need to be scheduled.</li> <li>5. The Planning Board should schedule a site visit.</li> </ol>	
<u>General Comments</u> <ol style="list-style-type: none"> <li>1. 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 (net lot area, frontage, lot width, lot depth and minimum contiguous buildable area).</li> <li>2. The Applicant is proposing the removal of 29 Town-regulated trees, 13 of which are Town-regulated Significant Trees.</li> <li>3. The site plan should be revised to depict the proposed amount of Town-regulated wetland disturbance and Town-regulated wetland buffer disturbance. A mitigation plan that is twice the area of proposed disturbance should be submitted for review by the Planning Board and Conservation Board.</li> <li>4. The Applicant should provide documentation demonstrating that the proposed path to the dock would be permitted to be installed within the existing Conservation Easement.</li> <li>5. The Applicant should submit gross land coverage backup information.</li> <li>6. The Applicant should submit a building height exhibit for review for the principal dwelling and servant's quarters.</li> <li>7. The Applicant should submit a maximum exterior wall height exhibit for review for the principal dwelling and servant's quarters.</li> <li>8. The Applicant should submit the basement floor plans for review for the principal dwelling and servant's quarters. The Gross Floor Area Worksheet does not contain any floor area for this level. 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.</li> <li>9. The BBQ Pavilion gross floor area should be added to the Gross Floor Area Calculations Worksheet and backup data.</li> <li>10. The Westchester County Health Department will need to approve the proposed septic system and well.</li> </ol>	<p>The Planning Board will need to determine whether the proposed amount of Town-regulated tree removal is acceptable.</p> <p>This accessory structure is larger than 800 square feet and a Planning Board special use permit is required. The Applicant will need to demonstrate that this structure is less than 15 feet in height and not more than 25% of the gross floor area of the principal dwelling.</p>

<p>11. The Applicant will need to secure approval from the Town of Greenwich for the driveway improvements located in that Town.</p> <p>12. The Applicant should submit Gross Floor Area and Gross Land Coverage Calculation Worksheets for the entire parcel (total land area of 10.3 acres) in addition to the worksheets already provided for the phantom subdivision.</p> <p>13. The Applicant should give consideration to eliminating the proposed archery range or relocating the proposed stairs since the stairs exit into the middle of the archery range.</p> <p>14. Permitted Accessory Use #7 appears to limit the number of garage spaces to four bays. In this case, the principal dwelling appears to have five bays. The Building Inspector should determine whether a variance would be required in this instance.</p> <p>15. The site plan should be revised to include a note stating that the tennis court will not be lit.</p> <p>16. The landscape plan should be revised to include a planting schedule that includes plant material names, quantity and sizes.</p> <p>17. The site plan should be revised to include details regarding the proposed dock and construction of the dock and dock path.</p>	<p>The site plan should be revised to contain a note stating that the improvements approved by the Town of North Castle are limited to only those improvements located in the Town of North Castle.</p> <p>This information is important as the proposal approaches the maximum permitted amount of both GLC and GFA.</p>
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