



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

May 3, 2021

APPLICATION NUMBER - NAME  
#2021-020 – 105 Washington Ave N  
Site Plan and Retaining Wall Approvals

SBL  
122.12-1-13

MEETING DATE  
May 10, 2021

PROPERTY ADDRESS/LOCATION  
105 Washington Ave N, North White Plains

**BRIEF SUMMARY OF REQUEST**

The subject property is 0.37 acres and located in the R-2F Zoning District. The proposed project includes the construction of a new retaining wall located in the rear yard of the property. The existing wall has collapsed, making the rear yard unstable. The proposal is to construct the new wall beyond the limits of the existing wall.

The Applicant is seeking approval from the Planning Board to construct a retaining wall over six (6) feet in height pursuant to Section 355-15.G(1) of the Town Code. The proposed wall will be 9.5' at the tallest point. The Applicant is also proposing to install a six (6) foot privacy fence along the southern property line.



PENDING ACTION:       Plan Review       Town Board Referral       Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-2F Two-Family Residence District	Existing 2-Family Home	Residential	New Retaining Wall & Fence	0.37 acres

**PROPERTY HISTORY**

**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 Planning Department does not object to the proposed retaining wall height given that the wall is similar in size to the existing damaged wall, not located at the property line, and is situated on a lot overlooking industrially zoned land whereby the wall will not be highly impactful to surrounding residential properties.

<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. A neighbor notification meeting regarding the proposed site plan will need to be scheduled.</li> <li>3. The site plan application will need to be referred to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML) since the site is within 500 feet of the Bronx River Parkway.</li> </ol>	
<p><u>General Comments</u></p>	
<ol style="list-style-type: none"> <li>1. The Applicant is seeking approval from the Planning Board to construct a retaining wall over six (6) feet in height pursuant to Section 355-15.G(1) of the Town Code. The proposed wall will be 9.5' at the tallest point.</li> </ol> <p>The Applicant stated that a tiered wall system was evaluated to avoid 6'+ walls. However, the Applicant determined that a tiered system would be cost prohibitive and would occupy too much of the back yard.</p>	<p>The Planning Department does not object to the proposed retaining wall height given that the wall is similar in size to the existing damaged wall, not located at the property line, and is situated on a lot overlooking industrially zoned land whereby the wall will not be highly impactful to surrounding residential properties.</p>
<ol style="list-style-type: none"> <li>2. The site plan should be revised to depict the distance the existing shed is from the northern property line. In the R-2F Zoning District, the shed should be located a minimum of 3 feet from the side property line (half the distance required for a principal structure).</li> </ol>	