

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

May 2, 2022



APPLICATION NAME & NUMBER
670 N. Broadway – Amended Site Plan - #2022-020

SBL
122.20-1-34

MEETING DATE
March 9, 2022

PROPERTY ADDRESS/LOCATION
670 N. Broadway (Stop & Shop), NWP

BRIEF SUMMARY OF REQUEST

Volta proposes to install two (2) Electric Vehicle (EV) Charging Stations/Display Kiosks within the interior parking area of the Stop and Shop parking lot. The fixtures provide subsidized EV charging services to all vehicles at no cost to EV drivers or site partners through use of third-party advertisements displayed on LED display screens built into the fixtures.



PENDING ACTION: Plan Review Town Board Referral Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
SC Shopping Center District	Existing Shopping Center	Commercial development along Route 22	2 Outdoor Advertising/Charging Kiosks	7.55 acres

PROPERTY HISTORY

COMPATIBILITY with the COMPREHENSIVE PLAN

The Comprehensive Plan does not address this proposal in a meaningful way.

STAFF RECOMMENDATIONS

1. The Applicant should be directed to address all staff and consultant's comments.

Procedural Comments

Staff Notes

1. The application for site plan approval requires referral to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of the City of White Plains, the Central Westchester Parkway and New York Route 22.
2. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA).
3. A notice will need to be sent to the City of White Plains City Clerk pursuant to § 239-nn of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of the City of White Plains.
4. Pursuant to Section 355-16.D of the Town Code, the Planning Board shall refer all sign plans to the Architectural Board of Review for approval of sign, type, size, color, illumination and location, as a condition of site plan approval
5. A Public Hearing for the proposed site plan will need to be scheduled.

General Comments

1. The site is located in the SC Shopping Center Zoning District. The SC zone permits uses such as retail, restaurants, personal service establishments, banks and offices.

In addition, the SC zone permits several accessory uses: accessory buildings or uses customarily incident to a permitted use, off-street parking and loading, signs, lighting, coin operated amusement devices, solar energy collectors, dish antennas, outside display and sales and outdoor dining.

Section 355-22 of the Town Code states that "Any use not specifically listed shall be deemed to be prohibited." The proposed EV charging station is currently a prohibited use in the SC Zoning District since it is not specifically listed in the table of permitted accessory uses.

In addition, electric vehicle charging is not customarily incident to the operation of a shopping center. It is noted that there are no existing EV charging stations in the Town of North Castle associated with a commercial operation.

Permitting EV charging stations as a permitted accessory use in the SC Zoning District (and other districts) may be an appropriate accessory use. The Applicant should petition the Town Board to add this use to Section 355-22 of the Town Code. This will give the Town Board the opportunity to evaluate the proposed accessory use and adopt appropriate Town Code amendments.