



APPLICATION NAME & NUMBER  
 11 Bedford Banksville Road 2022-025

SBL  
 102.04-1-18

MEETING DATE  
 May 23, 2022

PROPERTY ADDRESS/LOCATION  
 11 Bedford Banksville Road, Banksville

**BRIEF SUMMARY OF REQUEST**

**Proposed site plan for a Nursery in the CB-B and GB Zoning Districts.**



PENDING ACTION:             Plan Review             Town Board Referral             Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
CB-B Fronting BBR GB in Rear	Vacant Building	Commercial development along Bedford Banksville Road	None	10.816 acres

PROPERTY HISTORY	COMPATIBILITY with the COMPREHENSIVE PLAN
Old Farmers Market – 1960s – 2000s  Ace Endico  Greenwich Hardware  Pizzeria  Tack Shop/Saddle  George Bridge Nursery	The Comprehensive Plan states the following: <ul style="list-style-type: none"> <li>As demand has been noted for restaurants and grocery stores in the Eastern District – a preference also stated by residents at the Banksville public workshop -- planning efforts should focus on attracting similar food businesses such as neighborhood grocers, restaurants and food delivery services. With limited foot traffic in this area, a small mixed-use site accessible by car along Bedford-Banksville Road with a food store, retailer and other convenience shopping may be desired.</li> </ul>

**STAFF RECOMMENDATIONS**

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

<p><u>Procedural Comments</u></p> <ol style="list-style-type: none"> <li>1. 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>2. The application for site plan 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 subject site is located within 500 feet of County Route 56.</li> <li>3. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>4. A Public Hearing for the proposed site plan will need to be scheduled.</li> <li>5. The site plan should be forwarded to the Chief of Police, Fire Inspector and the Banksville Fire Chief so that they may make any pertinent recommendations to the Planning Board including, but not limited to, the designation of no-parking zones, emergency vehicle access or any other issued deemed important to providing emergency services.</li> <li>6. The Applicant may need to obtain a curb cut permit from the Westchester County Department of Public Works.</li> <li>7. The Applicant will need to obtain a Town Board Special Use Permit for the proposed legalization of the existing Nursery.</li> <li>8. The Applicant will need to obtain a floodplain development permit from the Building Department.</li> </ol>	<p><u>Staff Notes</u></p> <p>The Applicant should confirm that all on-site buildings have proper building permits/COs and that ARB approval was granted or demonstrate that ARB approval was not required.</p> <p>The Planning Board should determine whether the Board wishes to coordinate the environmental review. If so, the Planning Board should declare their intent to act as Lead Agency.</p> <p>Unless the Building Department determines that the LOMA referenced in the cover letter obviates the need for a floodplain development permit.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The Applicant is seeking approval of a nursery. A nursery is defined in Section 355-4 of the Town Code as “any place used as a garden for the open cultivation and growing of trees, shrubs and other plants, including the replanting of said plants grown at places other than the nursery. Based upon aerial photographs that depict almost the entire site as paved, and the uses depicted on the submitted site plan, along with a <a href="#">description of the business</a>, it appears that existing uses are more akin to a contractor’s yard than a nursery as defined in the Town Code. If a nursery is to be proposed, the site plan will need to be revised to conform to the definition of a nursery in the Town Code.</li> <li>2. The Applicant should supply additional information regarding the operation of the nursery by describing the specific activities proposed, number of employees, amount of vehicles used on the site, equipment used, traffic generation, etc.</li> <li>3. The site plan depicts topsoil storage, aggregate screening equipment, paver, curbing and screened aggregate storage and material storage in the nursery. Those proposed uses do not appear associated with the open cultivation and growing of trees, shrubs and other plants.</li> <li>4. The submitted site plan does not depict any proposed outdoor storage of vehicles and equipment. Based upon aerial photos the site contains a significant amount of vehicle and equipment storage. If not proposed, a note should be added to the site plan stating that no outdoor storage of equipment and vehicles are proposed.</li> <li>5. The site plan should describe in more detail how the storage/garage buildings are used.</li> <li>6. The majority of the site is located in a Town-regulated wetland buffer. The Planning Board will need to determine whether the proposed intensity of use within the Town-regulated wetland buffer is appropriate.</li> </ol>	<p>Perhaps the Applicant could relocate all non-nursery activities to the GB portion of the site and apply for a Town Board special permit for “storage of contractor’s equipment” in that area.</p>

7. The site plan should be revised to provide an off-street parking analysis demonstrating conformance with the Town Code.
8. The site plan shall depict an adequate, convenient and safe vehicular and pedestrian circulation system, so that traffic generated by the development will be properly handled both within the site and in relation to the adjoining street system.
9. The site plan should be revised to demonstrate that parking areas meet the minimum requirements of Section 355-56 of the Town Code with respects to parking space size, location, access drives and aisles.
10. A site plan should be submitted that depicts the reasonable screening at all seasons of the year from the view of adjacent streets of all parking and loading areas or other features that, in the opinion of the Planning Board, require such screening.
11. A site plan should be submitted that provides for outdoor lighting meeting the requirements of Section 355-45.M of the Town Code.
12. Pursuant to Section 355-56.H of the Town Code, the site plan shall be revised to provide at least one tree, not less than three inches caliper at time of planting, within the parking area for each 10 parking spaces. The site plan should be revised to demonstrate compliance with the Town Code.
13. Pursuant to Section 355-56.H of the Town Code, the site plan shall be revised to depict at least 10% of the interior of the parking area curbed and landscaped with trees, shrubs and other plant material. The site plan should be revised to demonstrate compliance with the Town Code.
14. The site contains NYSDEC and local wetlands. The site plan should quantify the area being utilized in the Town-regulated wetland buffer (wetland permit legalization). The Applicant will need to provide a mitigation plan pursuant to the requirements of the Town Code.
15. The site plan should be revised to include a plan for refuse disposal. The area should be large enough to accommodate all of the existing uses on site.

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