

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

June 21, 2022



APPLICATION NAME & NUMBER
11 Bedford Banksville Road 2022-025

SBL
102.04-1-18

MEETING DATE
June 27, 2022

PROPERTY ADDRESS/LOCATION
11 Bedford Banksville Road, Banksville

BRIEF SUMMARY OF REQUEST

Proposed site plan for a Nursery in the CB-B Zoning District and Storage of Contractor's Equipment in the GB Zoning District.



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	Nursery and Contractor's Yard	Commercial development along Bedford Banksville Road	None	10.816 acres

PROPERTY HISTORY

COMPATIBILITY with the COMPREHENSIVE PLAN

The Comprehensive Plan states the following:

- 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.

STAFF RECOMMENDATIONS

1. 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"> 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. 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. 3. The Proposed Action would be classified as an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA). 4. A Public Hearing for the proposed site plan will need to be scheduled. 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. 6. The Applicant may need to obtain a curb cut permit from the Westchester County Department of Public Works. 7. The Applicant will need to obtain a Town Board Special Use Permit for the proposed legalization of the existing Nursery. 8. The Applicant will need to obtain a floodplain development permit from the Building Department. 	<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 referral was part of the Lead Agency letter sent to Westchester County on May 24, 2022.</p> <p>The Planning Board should declared their intent to act as Lead Agency on May 24, 2022.</p> <p>The referral was made on May 24, 2022.</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"> 1. As previously discussed, the site plan has been revised to place all nursery operations within the CB-B Zoning District and all Contractor's equipment and storage uses in the GB Zoning District. 2. 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 proposed, the site plan should be revised to depict the location of such vehicle storage. 3. 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. 4. The site plan should be revised to provide an off-street parking analysis demonstrating conformance with the Town Code. The Analysis should identify all existing uses, off-street parking requirement as well as number of spaces provided (nursery, residence, contractor's yard). The Applicant will need to demonstrate that the minimum required amount of parking is provided or seek a variance from the Zoning Board of Appeals. 5. 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. 6. A site plan should be submitted that provides for outdoor lighting meeting the requirements of Section 355-45.M of the Town Code. 	<p>The Applicant will need to apply for a Town Board special permit for "storage of contractor's equipment" in the GB Zoning District.</p> <p>It is noted that spaces that are not accessible via a road or aisle should not be counted (spaces 10 and 11).</p>

7. 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.
8. 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.
9. 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.
10. 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.