

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

January 5, 2023



APPLICATION NAME & NUMBER  
78 Lafayette Ave [2022-032] – Site Development,  
Steep Slope, Tree Removal Permit Approvals

SBL  
122.12-1-29

MEETING DATE  
January 17, 2023

PROPERTY ADDRESS/LOCATION  
78 Lafayette Avenue, NWP

**BRIEF SUMMARY OF REQUEST**

**Proposed construction of a 6,612 square foot office/warehouse building and appurtenances.**



PENDING ACTION:             Plan Review             Town Board Referral             Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
IND-A	Vacant Land	Industrial	New building and yard	0.6 acres

**PROPERTY HISTORY**

**COMPATIBILITY with the COMPREHENSIVE PLAN**

The Comprehensive Plan states the following with respect to the IND-A Zoning District:

- Consider amendments to the IND-A district to incorporate standards for landscaping and sidewalks, to improve conditions along Virginia Road and Lafayette Avenue.

**STAFF RECOMMENDATIONS**

1. The Applicant should be directed to address the outstanding comments in this report.
2. The Applicant shall demonstrate the proposed outdoor yard is essential to the warehouse use and is limited to 15% of the lot area.
3. The Planning Board shall closely review the proposed retaining wall height and determine whether such proposed walls heights are appropriate.

<u>Procedural Comments</u>	<u>Staff Notes</u>								
<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 special permit 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 site is within 500 feet of the Bronx River Parkway.</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 North White Plains 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 notice of public hearing will need to be sent to the Towns of Greenburgh and Mt. Pleasant Town 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 Towns of Greenburgh and Mt. Pleasant.</li> </ol>									
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The Planning Board previously requested that the Applicant submit floor plans and elevations for review. The Applicant has not yet submitted this essential information.</li> <li>2. The site plan depicts outdoor storage of material. Pursuant to Accessory Use 2 in the IND-A Zoning District, Outdoor storage of materials and equipment is permitted, only when determined by the Planning Board as accessory and essential to a permitted use and only when such storage areas do not exceed 15% of the lot area, are suitably screened and are approved by the Planning Board as to location and screening.  The property is 17,554 square feet in size. Therefore, the maximum permitted amount of outdoor storage is 2,633 square feet. The Applicant is proposing 2,385 square feet of outdoor storage area.</li> <li>3. The off-street parking requirement chart indicates that 4 commercial vehicles will be parked on the site. The site plan should be revised to depict where the vehicles will be parked on the site. The vehicles can't be parking in any of the required 14 off-street parking spaces.</li> <li>4. Pursuant to Section 355-56.G of the Town Code, the proposed 13.5 foot wide access drive does not meet the minimum size requirement. The site plan shall be revised.</li> <li>5. The site plan should contain a proposed lighting plan. If only site safety lighting is required, it is recommended a minimum level of 0.2 Fc and an average level of 0.8Fc is recommended. In addition, the lot should be evenly lit with a Max/Min level 20:1 and average/min of 4:1.</li> <li>6. The site plan depicts the construction of retaining walls well in excess of 6 feet in height in order to fully develop the property (22 feet lower wall and 20 foot upper wall). The Planning Board will need to determine whether the proposed retaining walls are appropriate and conform to the requirements of Section 355-15.G of the Town Code.</li> <li>7. The site plan depicts the removal of all but one Town-regulated trees. The Planning Board will need to determine whether the proposed amount of Town-regulated tree removal is acceptable.</li> <li>8. The site plan should depict Town-regulated steep slopes and depict the areas of Town-regulated steep slope disturbance. The area of disturbance should be quantified in square feet.</li> </ol>	<p>Generally, standard warehouse uses do not require an outdoor yard. The Applicant will need to explain how the proposed yard is accessory and essential to the permitted warehouse use.</p> <table border="0" data-bbox="1089 1354 1528 1459"> <thead> <tr> <th style="text-align: left;">Size of Parking Area (number of spaces)</th> <th style="text-align: left;">Required Width of Access Drive (feet)</th> </tr> </thead> <tbody> <tr> <td>1 to 5</td> <td>15</td> </tr> <tr> <td>6 to 20</td> <td>20</td> </tr> <tr> <td>21 and above</td> <td>24</td> </tr> </tbody> </table>	Size of Parking Area (number of spaces)	Required Width of Access Drive (feet)	1 to 5	15	6 to 20	20	21 and above	24
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9. Pursuant to Section 355-45.E of the Town Code, the site plan should be revised to depict the underground installation of all utilities and services, including lines and equipment, for providing power and/or communication, in order to achieve greater safety and improved appearance.