

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

September 16, 2022



**APPLICATION NAME & NUMBER**  
 3 Cowdray Park Drive [2022-040] – Special Use  
 Permit for Accessory Structure Over 800 sf

SBL  
 102.04-1-24

**MEETING DATE**  
 September 29, 2022

**PROPERTY ADDRESS/LOCATION**  
 3 Cowdray Park Dr.

**BRIEF SUMMARY OF REQUEST**

**Special Permit request to construct a new pool house off the rear of the existing pool terrace which will house a pool bath, living space and a gym work out room on the basement walkout level.**



**PENDING ACTION:**       Plan Review       Town Board Referral       Preliminary Discussion

| EXISTING ZONING | EXISTING LAND USE  | SURROUNDING ZONING & LAND USE | SITE IMPROVEMENTS   | SIZE OF PROPERTY |
|-----------------|--------------------|-------------------------------|---------------------|------------------|
| R-2A            | Single Family Home | Residential                   | Detached Pool House | 12.46 acres      |

**PROPERTY HISTORY**

1997 – CO issued for main house.

**COMPATIBILITY with the COMPREHENSIVE PLAN**

The proposed development is consistent with the Comprehensive Plan.

**STAFF RECOMMENDATIONS**

1. The project is compatible with the Comprehensive Plan.

| <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 Planning Board must issue a special use permit.</li> <li>3. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>4. A Public Hearing for the proposed accessory structure over 800 square feet special permit applications 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> </ol>   |                    |
| <p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. Section 355-21 of the Town Code permits private gardenhouses, toolhouses, greenhouses, gatehouses, garages or similar private accessory uses not over 1 story and 15 feet in height and limited to 800 square feet in area, except that the Planning Board may, by special permit, authorize the construction of accessory buildings not over 2 stories or 22 feet in height, provided that any such individual accessory building does not exceed 25% of the floor area of the main building, and further provided that all such accessory buildings meet all required setbacks for main buildings in the district in which they are located and are not located within any front yard.</li> <li>2. The Applicant shall provide an exhibit demonstrating the proposed number of stories and proposed building height using the definition of story, half story, height of building and gross floor area as defined in Section 355-4 of the Town Code. Based upon a review of the submitted elevations, it is possible that the proposed structure would be considered 2.5 stories, which is not permitted.</li> <li>3. The site contains Town-regulated wetlands. The site plan depicts the location of the wetland and wetland buffer. The proposed pool house is located outside of the regulated area. The Town Engineer will need to confirm the wetland boundary and determine whether a wetlands permit would be required for the proposed construction.</li> <li>4. The Applicant shall submit a Gross Floor Area Calculations Worksheet and backup information.</li> <li>5. The Applicant shall submit a Gross Land Coverage Calculations Worksheet and backup information.</li> <li>6. The Applicant will need to submit an exhibit demonstrating that the detached accessory structure is no more than 25% of the GFA of the principal building.</li> <li>7. Pursuant to Section 355-37 of the Town Code, the Planning Board must determine that: <ol style="list-style-type: none"> <li>a. The location and size of the use, the nature and intensity of the operations involved in it or conducted in connection with it, the size of the site in relation to it and the location of the site with respect to streets giving access to it are such that it will be in harmony with the appropriate and orderly development of the district in which it is located.</li> <li>b. The location, nature and height of buildings, walls, fences and the nature and extent of existing or proposed plantings on the site are such that the use will not hinder or discourage the appropriate development and use of adjacent land and buildings.</li> <li>c. Operations in connection with any special use will not be more objectionable to nearby properties by reason of noise, fumes, vibration or other characteristics than would be the operations of any permitted uses not requiring a special permit.</li> </ol> </li> </ol> |                    |

d. Parking areas will be of adequate size for the particular use, properly located and suitably screened from adjoining residential uses, and the entrance and exit drives shall be laid out so as to achieve maximum convenience and safety.

e. Where required, the provisions of the Town Flood Hazard Ordinance.

f. The Board finds that the proposed special permit use will not have a significant adverse effect on the environment.