

STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT

March 30, 2023



APPLICATION NUMBER - NAME
 #2023-012 – 601 Bedford Road
 Accessory Apt Special Permit & Site Plan

SBL
 101.02-2-52

MEETING DATE
 April 10, 2023

PROPERTY ADDRESS/LOCATION
 601 Bedford Road

BRIEF SUMMARY OF REQUEST

Reconstruction of the previously destroyed home and the conversion of the existing principal home into an accessory apartment.



PENDING ACTION: Plan Review Town Board Referral Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
R-1.5A One-Family Residence District (1.5 acre)	Existing Single-family home	Residential	Restoration of destroyed home	1.56 acres

PROPERTY HISTORY

The standing ruins are what remain of a house built about 1916 for William C. Squier, III which he named "Signal Hill". Two oral traditions explain the name. First, it was a Native American lookout and, second, it was a "signal hill" during the American Revolution where fires were built to guide American troops.

Squier sold to Albert J. Stone, Stone sold to Signal Hill Country Club, Inc. (see last page of report for advertisement) which failed during the early 1930s.

The building was destroyed by fire on June 24, 1953.

COMPATIBILITY with the COMPREHENSIVE PLAN

- Continue to take neighborhood context into account in approving new single-family homes.
- Continue to protect natural resources and environmentally sensitive areas such as rivers, streams, lakes, ponds, wetlands, flood plains, aquifers, wildlife habitats, steep slopes and forested areas, significant trees, and woodlands, among others, from unnecessary and avoidable impacts.
- Continue strong protection of tree cover through the tree removal permitting process.
- Preserve the current overall development pattern of North Castle and its neighborhoods. Be sure new development responds to environmental constraints, particularly for preservation of the New York City watershed.
- Maintain the quality-of-life created by physical and natural attributes, by structuring development that promotes sound conservation measures.
- The Town should encourage residential development that is compatible in scale, density, and character with its neighborhood and natural environment.

STAFF RECOMMENDATIONS

1. The Applicant should be directed to address all outstanding staff and consultant's comments.
2. The Planning Board will need to determine whether the project is compatible with the Comprehensive Plan.

Procedural Comments

1. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA).
2. A public hearing regarding the proposed special permit will need to be scheduled.
3. The Applicant will need to obtain Architectural Review Board approval for the proposed structure.
4. 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) since a special permit is being requested.

Staff Notes

General Comments

1. The submitted documentation indicates that no new gross land coverage is proposed. The Applicant should confirm that this statement is correct as the existing amount of gross land coverage, 18,900 square feet, exceeds the maximum permitted amount of 7,355 square feet. However, if all of the coverage exists, a variance will not be required.
2. The submitted documentation indicates that no new floor area is proposed. This is not correct as the existing destroyed structure does not have a roof or floors. All of the floor area associated with the restoration of the house would be considered new floor area. The proposed 21,144 square feet of gross floor area exceeds the maximum permitted amount by 11,980 square feet. The Applicant will need to obtain a variance from Section 355-26.B of the Town Code from the Zoning Board of Appeals.
3. Section 355-67 of the Town Code deals with the restoration of damaged buildings. Since the extent of damage to the building was more than 75% of the fair market value, the Applicant will need to conform to current requirements of the Town Code.
4. A comparison of the proposed structure elevation and the existing historical photograph depict a proposed structure that has a much steeper roof pitch and much larger attic area. The Applicant should compare the proposed gross floor area and building height of the proposed structure versus the historical structure. The Planning Board, Architectural Review Board and Zoning Board of Appeals will need to review the proposed changes.
5. Pursuant to Section 355-40.K(3) of the Town Code, the owner of the lot on which the accessory apartment is located shall occupy either of the dwelling units on the premises. Owner occupancy of one of the units shall continue for the duration of the special permit
6. The Applicant is proposing to convert the existing principal home into an accessory apartment and restore the previously destroyed home as the principal structure. However, pursuant to Section 355-40.K(4)(a) of the Town Code, accessory apartments are not permitted to be located in an accessory structure unless the structure was constructed prior to October 11, 1984.

The gross floor area calculations worksheet should be revised to reflect the floor area associated with the house restoration as new floor area.

The site plan should be revised to include a zoning conformance table that addresses setbacks, building height, maximum exterior wall height and maximum building coverage.

Based upon a review of the plans, the restored structure will not meet the minimum rear yard setback.



A note stating such should be added to the plan.

The Applicant shall demonstrate that the existing principal structure was constructed prior to October 11, 1984.

7. Pursuant to Section 355-40.K(4)(b) of the Town Code, the Applicant should provide documentation that the principal dwelling CO was issued more than four years ago and that the Applicant has owned the property for two years.
8. Pursuant to Section 355-40.K(5) of the Town Code, only one accessory apartment is permitted per lot. The Applicant should confirm that other accessory apartments are not located on the property.
9. Pursuant to Section 355-40.K(7) of the Town Code, no accessory apartment shall be permitted on any lot currently utilized as an office of a professional person or home occupation, as defined in § 355-4 and as regulated in § 355-21.
10. The Applicant has demonstrated that the accessory building does not exceed 25% of the floor area of the main building.
11. Pursuant to Section 355-40.K(11) of the Town Code, the Applicant will need to demonstrate that the size of the apartment conforms to the Town Code. Specifically, where the gross floor area of the dwelling is less than or equal to 2,000 square feet, the accessory apartment shall in no case exceed 33% of such area. Where the gross floor area of the dwelling is greater than 2,000 square feet, the permitted maximum size of the accessory apartment may be increased by 25% of the gross floor area in excess of 2,000 square feet.
12. The site plan shall be revised to depict the location of the four required off-street parking spaces.
13. Pursuant to Section 355-40.K(12) of the Town Code, within 30 days of receipt of a completed application which indicates conformance to all dimensional standards, the Building Inspector and the Fire Inspector shall conduct an on-site inspection of the residence and shall report on such inspection to the Planning Board and shall include in these reports the compliance of the proposed accessory unit with the requirements of this subsection, as well as building and fire codes, and other information as may be requested by the Planning Board.
14. Pursuant to Section 355-40.K(14) of the Town Code, prior to the issuance of a building permit for the establishment of an accessory apartment, the existing septic disposal system shall be reviewed by the Westchester County Department of Health, except where public sewer is provided. The Building Inspector shall reject all applications for building permits for accessory apartments in those cases where the Health Department report indicates that the septic system is inadequate for the requested use, or contains recommendations for improvements to the system until such time as such recommended improvements are installed. The applicant shall demonstrate to the Building Inspector that the septic disposal system has been cleaned within one year of the date of application. For properties provided with water supply from an on-site well, the applicant shall also collect a sample of well water for microbiological analysis to determine the presence of the coliform group. Such sample shall be analyzed by a state-approved laboratory, and the results shall be reported to the Building Inspector and Health Department.
15. Pursuant to Section 355-40.K(15) of the Town Code, accessory apartments which have been approved by the Planning Board, following due notice and public hearing, shall be reinspected by the Building Inspector every three years. The purpose of such continuing reinspection of the accessory unit shall be to determine if all required conditions of approval continue to be complied with, and report on such findings to the Planning Board. At the same time of such inspection, the Building Inspector shall also review and report on compliance with off-street parking requirements. If the Building Inspector finds that additional parking is necessary for the lot, he shall report such finding to the Planning Board and recommend the number of additional spaces to be provided. On the recommendation of the Building Inspector, the Planning Board may make a finding that the original conditions of special permit approval continue to be complied with, modify the conditions of special permit approval in accordance with the Building Inspector's recommendations or revoke the accessory apartment special permit approval.

A note stating such should be added to the plan

16. Pursuant to Section 355-40.K(16) of the Town Code, a special permit uses for accessory apartments shall terminate upon change of ownership.

17. Pursuant to Section 355-37 of the Town Code, the Planning Board must determine that:

- 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.
- 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.
- 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.
- 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.
- Where required, the provisions of the Town Flood Hazard Ordinance.
- The Board finds that the proposed special permit use will not have a significant adverse effect on the environment.

The Beautiful SIGNAL HILL COUNTRY CLUB

at Armonk *Just Open* Westchester



SPECIAL OPENING RATE—FIRST SEASON ONLY
Golf—Tennis—Riding—Boating—Swimming

SIGNAL HILL is a strictly private Country Club with a carefully restricted selected membership. It is situated on the highest point in Westchester County, commanding a view from Long Island Sound to the Hudson River. It has been a show place for years—deriving its name from the site of Beacon Fires in Revolutionary Times.

GOLF—The new 18-hole course is of full championship character, second to none in the Metropolitan area. **TENNIS**—The courts are

the finest clay composition available. **\$150**
RIDING—A stable of fine saddle horses is maintained for use on miles of surrounding bridle paths. **FISHING AND BOATING**—The Club's property adjoins Byram Lake where good fishing and small boating are to be enjoyed. **CLUB LIFE**—The Club House was one of the most lovely private country homes. Its atmosphere with that of the estate, lends itself to charming social relationships and activity.

DIRECTIONS—Located about six miles north of White Plains at Armonk, on Route 22 (the road to Bedford). To reach the Club from New York City and points north, take the Irving River Parkway on Eastern Day, turn right at the first sign on the road from Forest Road marked Route 22, east to Armonk, and continue on Route 22 to the club house gate.

Write for descriptive booklet

SIGNAL HILL COUNTRY CLUB

Club House, Phone:
Bedford Village 425

512 FIFTH AVENUE
NEW YORK 1, N.Y.

New York Office Phone:
Yonkers 1-202, 688