



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

February 13, 2024

APPLICATION NUMBER - NAME  
#2024-005 – 448 Bedford Road – Little Sparrows  
Nursery School  
Planning Board Site Plan Approval

SBL  
108.02-1-41

MEETING DATE  
February 26, 2024

PROPERTY ADDRESS/LOCATION  
448 Bedford Road

**BRIEF SUMMARY OF REQUEST**

Amended Town Board Special Use Permit and Planning Board Site Plan Approval for the enlargement of the Little Sparrows Nursery School from two classrooms to six classrooms.



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	Church/Nursery School	Residential	None. Legalization of Expanded Nursery School	5 acres

**PROPERTY HISTORY**

1983 Town Board SUP to permit a Nursery School with two classrooms  
  
1989 Town Board SUP amendment to permit expansion of hours of operation to 7 AM to 6 PM.

**COMPATIBILITY with the COMPREHENSIVE PLAN**

The Comprehensive Plan does not specifically address the issue of daycare centers.

**STAFF RECOMMENDATIONS**

1. The Applicant should submit a special use permit application to the Town Board.
2. 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. The Applicant will need to obtain a Town Board Special Use Permit for the expanded nursery school.</li> <li>2. The Planning Board will need to schedule a Public Hearing regarding the proposed site plan.</li> <li>3. The Proposed Action would be considered an Unlisted Action pursuant to SEQRA.</li> <li>4. Pursuant to Section 7-3.A(6) 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>5. The site plan will need to be forwarded to the Chief of Police, Fire Inspector and the Armonk 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 should confirm that the existing well and septic system has been determined to be adequate by the Westchester County Department of Health.</li> <li>7. The application for site plan approval will be required to be referred to the Westchester County The Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML).</li> <li>8. The Applicant shall demonstrate that the New York State Department of Social Services has duly licensed such use.</li> </ol>	<p><u>Staff Notes</u></p> <p>The Applicant should submit the required application to the Town Board at this time.</p> <p>The Planning Board and/or Town Board should act as Lead Agency for the review of this project.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The Applicant should provide the Town Board and the Planning Board with a narrative that states the operational details of the Nursery School. Basic information that should be submitted include the size of the facility (sq. ft.), the maximum number of enrolled children, the number of staff, days of operation and hours of operation. In addition, the narrative should explain how children are dropped off and picked up at the school.</li> <li>2. Pursuant to Section 355-40.P(4)(a) of the Town Code, the Applicant shall submit a plan that depicts the size (in square feet) of the outdoor recreation area.</li> <li>3. Pursuant to Section 355-40.P(4)(a) of the Town Code, the Applicant shall submit a plan that depicts the location of drop-off and pickup areas.</li> <li>4. Pursuant to Section 355-40.P(4)(a) of the Town Code, the Applicant shall submit a plan that depicts the location of emergency equipment/vehicle access.</li> <li>5. Pursuant to Section 355-40.P(4)(c) of the Town Code, the Town Board will need to determine whether to require reports from the Building Department, the Fire Prevention Inspector, the Health Department, the Town Engineer (if required by the Building Department) and the Planning Department for review.</li> <li>6. Pursuant to Section 355-40.P(4)(d), the Applicant shall demonstrate that a certificate of insurance evidencing a current effective personal injury liability policy covering the use and operation of the premises as a day-care center. Such policy shall have a minimum policy limit of \$1,000,000 per occurrence, with an aggregate limit of \$1,000,000 for family day-care centers and group family day-care centers and a limit of \$3,000,000 per occurrence with an aggregate limit of \$3,000,000 for a day-care center.</li> <li>7. Pursuant to Section 355-40.P(5)(a), the Applicant shall demonstrate that the size of the property is large enough for the facility. Day-care centers in residence districts must have a minimum lot size of 1,000 square feet of lot area per child enrolled in such center.</li> <li>8. Pursuant to Section 355-40.P(5)(b) of the Town Code, day-care centers shall contain at least 200 square feet of outdoor play space per child per shift or class. The play area shall also be suitably fenced and separated from any driveways, streets and drop-off/pickup area. The play area shall be suitably screened and shall not be located nearer than 30 feet to any lot line or street and no nearer than 60 feet to any adjacent residential structure that is not a part of the facility.</li> <li>9. Pursuant to Section 355-40.P(5)(c) of the Town Code, a day-care center must provide an off-street drop-off/pickup area that can safely accommodate the maximum number of vehicles simultaneously dropping off or picking up children from the center, the drop-off/pickup area must be completely separated and partitioned off from the on-site recreation/play area and the drop-off/pickup area must provide direct access to the center.</li> </ol>	

10. The site plan shall be revised to depict the site's compliance with the minimum zoning requirements of the R-2A Zoning District (size, setbacks, building coverage, etc.).
11. The Applicant should submit a more detailed site plan that depicts and quantifies all off-street parking. The plan shall demonstrate that all uses on the property are provided with the minimum amount of required off-street parking pursuant to the Town Code.
- Churches require 1 space for each 3 seats or, in places without seats, 1 for each 100 square feet of floor space used for public assembly.
- Day care centers require 1 space for every 5 children, as determined by the maximum number of children that may attend the facility, and 1 for each staff member. For day-care centers which will have more than 125 students, the parking requirements may be reduced to 1 space per 8 children. For facilities where vans are used for staff transportation, applicants may apply at the time of their special use permit review for some reduction in staff parking.
12. The submitted site plan should be revised to include a note stating the maximum number of children permitted in the school.
13. Pursuant to Section 355.15.O of the Town Code, the site plan shall be revised to depict adequate facilities for refuse and recycling.
14. The site plan should be revised to demonstrate that the existing off-street parking layout meets the minimum size requirements identified in Section 355-56 of the Town Code with respect to parking stall size and aisle width.
15. The site plan should depict existing parking lot lighting. All lighting shall be compliant with [Section 355-45.M of the Town Code](#).
16. Pursuant to Section 355-37 of the Town Code, the Town Board 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 Applicant has indicated that each unit will have refuse and recycling bins.