

Chapter 342. Zoning

Article XI. Site Development Plan Approval

§ 342-76. General criteria and standards of review.

The following criteria and standards shall be used by the Planning Board in reviewing applications for site development plan approval. They are intended to provide a framework within which the designer of the site development is free to exercise creativity, invention and innovation. The Planning Board shall not specify or favor any particular architectural style or design or assist in the design of any of the buildings submitted for approval. Participation by the Board shall be restricted to a reasonable, professional review, and, except as otherwise provided in the following subsections, full responsibility for design shall be retained by the applicant.

A.

Ecological considerations. The development shall, insofar as practicable:

(1)

Result in minimal degradation of unique or irreplaceable land types and in minimal adverse impact upon the critical areas, such as streams, wetlands, areas of aquifer recharge and discharge, steep slopes, highly erodible soils, areas with a high water table, mature stands of mature vegetation and extraordinary wildlife nesting, feeding or breeding grounds.

(2)

Conform to existing geological and topographic features to the end that the most appropriate use of land is encouraged.

B.

Landscape. The landscape shall be preserved in its natural state, insofar as practicable and environmentally desirable, by minimizing tree and soil removal. If development of the site necessitates the removal of established trees, special attention shall be given to the planting of replacements or to other landscape treatment. Any grade changes shall be in keeping with the general appearance of neighboring developed areas.

C.

Relation of proposed structures to environment. Proposed structures shall be related harmoniously to themselves, the terrain and to existing buildings and roads in the vicinity that have a visual relationship to the proposed structures. The achievement of such harmonious relationship may include the enclosure of space in conjunction with other existing buildings or other proposed buildings and the creation of focal points with respect to avenues of approach, terrain features or other buildings.

(1)

Proposed structures shall be so sited as to minimize any adverse impact upon the surrounding area and particularly upon any nearby residences by reason of:

(a)

Building location, height, bulk and shadows.

(b)

Location, intensity, direction and times of use of outdoor lighting.

(c)

Likelihood of nuisances.

(d)

Other similar considerations.

(2)

Appropriate natural or artificial screening may be required to minimize any such adverse impact.

D.

Scenic, historic, archaeological and landmark sites. Scenic, historical, archaeological and landmark sites and features that are located on or adjacent to the proposed development shall be preserved and protected insofar as practicable.

E.

Surface water drainage.

(1)

A proposed development shall be designed so as to provide for proper surface water management through a system of controlled drainage that, wherever practicable, preserves existing natural drainage patterns and wetlands and enhances groundwater recharge areas and that protects other properties and existing natural and artificial drainage features from the adverse effects of flooding, erosion and the depositing of silt, gravel or stone. The design shall be in conformance with Chapter **186**, Flood Damage Prevention.

(2)

In addition to the foregoing, for site plan proposals within the Beaver Swamp Brook - Brentwood Brook Watershed, as indicated on the Village Map, the following criteria shall apply:

[Added 9-10-1986 by L.L. No. 11-1986, effective 9-25-1986]

(a)

The United States Department of Agriculture Soil Conservation Service Type III storm distribution, one-hundred-year event will be used for the design of all stormwater management facilities. This requirement may be waived or modified in certain instances only after review by the Municipal Engineer in consultation with the Westchester County Soil and Water Conservation District and pursuant to the Beaver Swamp Brook Comprehensive Watershed Management Plan prepared by Satterthwaite & Associates, Inc., for the Village of Mamaroneck, City of Rye, Town of Harrison and Westchester County.

(b)

Future discharge rates for any development shall not exceed the existing values for each of the two-, ten-, twenty-five-, fifty- and one-hundred-year storm events unless so specified by the Village Engineer in consultation with the Westchester County Soil and Water Conservation District.

(c)

All hydrologic calculations will be performed pursuant to the methodology prescribed in the United States Department of Agriculture Soil Conservation Service Technical Release No. 55, or any modifications and/or revisions thereof.

(d)

The Westchester County Soil and Water Conservation District will be consulted prior to final approval of any proposed development for review and comment.

(e)

No earthmoving or land-disturbance activities shall commence on any development site before final approval of the stormwater management plan and sediment and erosion control plan has been issued by the Village.

F.

Driveway connections to public streets. All entrance and exit driveways to public streets shall be located with due consideration for traffic flow and so as to afford maximum safety to traffic on the public streets. All such entrances and exits shall be located and designed to:

(1)

Conform to municipal sight triangle requirements at corners.

(2)

Achieve maximum practicable distance from street intersections and from existing and proposed access connections from adjacent properties.

(3)

Minimize left-hand turns, other turning movements and backing movements.

(4)

Discourage the routing of vehicular traffic to and through local residential streets.

G.

Traffic effects. The site development proposal generally shall minimize adverse traffic effects on the road networks serving the area in question.

H.

Pedestrian safety. Insofar as practicable, pedestrian and bicycle circulation shall be separated from motor vehicle circulation. Safe and convenient pedestrian circulation, including appropriate sidewalks, shall be provided on the site and its approaches. The pedestrian circulation plan shall be designed to minimize adverse effects of vehicular traffic upon sidewalks and bicycle paths.

I.

On-site parking and circulation. The location, width and layout of interior drives shall be appropriate for the proposed interior circulation. The location and layout of accessory off-street parking and loading spaces shall provide for efficient circulation and the safety of pedestrians and vehicles. Insofar as practicable, separate rows or aisles in parking areas shall be divided by trees, shrubbery and other landscaping devices. The location of parking areas shall not detract from the design of proposed buildings and structures or from the appearance of the existing neighboring buildings, structures and landscape. Provision shall be made for access by police, fire and emergency vehicles.

J.

Utility services. Electric, telephone and other wire-served utility lines and service connections shall be underground insofar as feasible and subject to state public utilities regulations. Any utility installations remaining above ground shall be located so as to have a harmonious relation to neighboring properties and to the site.

K.

Disposal of wastes. There shall be adequate provision for the disposal of all solid, liquid and gaseous wastes and for the avoidance of odors and other air pollutants that may be generated at the site. All applicable federal, state, county and local pollution control standards shall be observed.

L.

Noise. All applicable federal, state and local regulations dealing with the control of outside noise which is expected to be generated at the site shall be complied with.

M.

Advertising features. The size, location, height, design, color, texture, lighting and materials of permanent signs and outdoor advertising structures or features shall not detract from the design of proposed buildings and structures or of the surrounding properties.

N.

Special features. Outside storage areas, service and machinery and structures, service areas, truck loading areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings and other screening methods as shall reasonably be required to prevent any adverse effect upon the environment or nearby property.

O.

Reservation of parkland.

[Added 6-11-2007 by L.L. No. 6-2007, effective 6-21-2007]

(1)

Findings.

(a)

The provision of adequate park and recreational facilities for both active and passive recreational pursuits by existing and future residents of the Village is necessary and appropriate to their health, safety and well-being.

(b)

New residential development will create an additional demand for both active and passive recreational facilities and areas, and new facilities and areas will need to be established to meet the needs of residents occupying dwelling units that will be built after enactment hereof.

(c)

It is fair and appropriate that the new demand be borne substantially or entirely by developers of new residential properties.

(2)

Dedication and reservation of parks and open space. In order to meet the new demand on recreational facilities, land suitable for recreational and park use by the residents of the Village of Mamaroneck, or payment in lieu thereof if the Planning Board finds that no suitable parkland exists as part of the site plan, shall be required for each new dwelling unit constructed.

(3)

Payment required in lieu of land. Any monies required by the Planning Board in lieu of land for park, playground or other recreational purposes, pursuant to the provisions of this section, shall be deposited in a Village trust fund to be used by the Village exclusively for park, playground or other recreational purposes, including the acquisition of property. Such payment shall be a condition of site plan approval and shall be assessed in accordance with the site plan recreation fee schedule established under Chapter **A347**, Fees, in the Village Code. No site plan shall be signed by the Village until such payment has been received by the Village and receipt therefor provided to the Planning Board.

(4)

Credit to applicant. Notwithstanding the foregoing provisions, if the land included in a site plan under review is a portion of the subdivision plat which has been reviewed and approved pursuant to §§ 7-728 and 7-730 of the Village Law, the Planning Board shall credit the applicant with any land set aside or money donated in lieu thereof under such subdivision approval. In the event of resubdivision of such plat, nothing shall preclude the additional reservation of parkland or money donated in lieu thereof.

P. 50-foot Buffer Area. In addition to the other criteria and standards set forth in this section, for any development within the 50-foot Buffer Area that is permitted by the Zoning Board of Appeals pursuant to section 240-30, the site development plan must:

- (1) Require a landscape plan for the area between the building, structure or parking area that incorporates native plantings and shade trees to the satisfaction of the Planning Board. Non-native plants must not be planted within the 50-foot Buffer Area.
- (2) Demonstrate that the bank of the coastal shoreline, waterbody or watercourse is stable and will remain stable after development to the satisfaction of the Planning Board.
- (3) Require that any parking or paved areas within the 50-foot Buffer Area must be constructed of permeable or porous materials. Impervious parking surface within the 50-foot Buffer Area is prohibited.
- (4) Satisfy the water quantity requirements of Chapter 294, regardless of whether direct discharge is possible.
- (5) Incorporate any other requirements to minimize the environmental impact of the development in the 50-foot Buffer Area on the coastal shoreline, waterbodies, watercourses.