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**TOWN OF HARRISON
VILLAGE OF HARRISON
ATTORNEY'S OFFICE**

MEMORANDUM

TO: Ronald Belmont, Supervisor
Members of the Town Board

FROM: Frank P. Allegretti, Town Attorney 

DATE: May 25, 2018

RE: **Public Notice - Proposed Local Law No. __ of 2018
Amending Chapter 235 entitled "Zoning, Article VI,
Supplemental Use and Dimensional Regulations**

Attached herewith is a Public Notice for a proposed Local Law regarding the above referenced matter.

If acceptable, please schedule this matter for a Public Hearing for the June 21, 2018 Town Board meeting.

If you have any questions or comments, please contact me.

FPA:ap
Attachment

PUBLIC NOTICE

Proposed Local Law No. ____ of 2018

**Amending Chapter 235, entitled "Zoning" Article VI, Supplemental Use
and Dimensional Regulations by adding Section 235-33.3-B
Two Family Residence District Supplemental Regulations**

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Harrison, at its meeting to be held at 7:00 P.M., on Thursday, June 21, 2018, at the Municipal Building, 1 Heineman Place, Harrison, New York, will hold a public hearing pursuant to Article 2, Section 10 and Article 3, Section 20 of the Municipal Home Rule Law, by Amending Chapter 235, entitled "Zoning", by adding Section 235-33.3, to Article VI, Supplemental Use and Dimensional Regulations as follows: New material underlined, deletions in [brackets].

§235-33.3 – B – Two Family Residence District Supplemental Regulations

To better facilitate the construction of two-family dwellings that respect the existing land characteristics of individual parcels without the need for excessive retaining walls or changes of grade, better manage elevation differentials between properties and adequately accommodate usable off-street parking, the following provisions shall apply in all B – Two Family Residence Districts and shall superseded any other section of this Chapter where a conflict exists.

- A. Setting of Lowest Floor. The lowest floor of the dwelling shall be set in order to minimize grading and shall be no higher than three (3) feet above the lowest pre-existing ground elevation along the rear property line. In order to establish this elevation, an applicant proposing to construct a dwelling in the B two-family district shall submit a topographic survey accurately depicting elevations along the rear property line to the Town Engineer, who shall confirm and fix the elevation of the lowest floor, in writing. In no case shall the lowest floor be set more than five (5) feet above the sidewalk elevation or the edge of road at the center of the parcel frontage, whichever is more restrictive.
- B. Building Height. The height of a residence in the B district shall be measured from the lowest floor to the mid-point of the roof. A flat roof on a residential structure in the B district shall not be permitted.

In an instance where the lowest level of a dwelling is more than half-buried by the pre-existing ground level, the building height shall be measured from the midpoint of the clear height of the lower level to the mid-point of the roof.

- C. Story Count. The lowest level of a dwelling in the B district shall not be counted as a story, regardless of its designation as a basement, cellar.
- D. Finished Exposure. The exterior walls of a dwelling in the B district shall be fully finished with an architectural facade to the finished grade. No concrete foundation exposure shall be permitted.
- E. Off-Street Parking. No off-street parking spaces shall consist of a slope in excess of 5% in any direction.
- F. Attached Garage
- (1) In instances where a conforming driveway cannot connect to a garage within the lowest level of a conforming dwelling due an excessive grade differential between the two, the following allowances apply:
 - 1) Garage may be placed on an upper level of the dwelling unit.
 - 2) Garage may be omitted from the principal dwelling structure.
 - (2) In an instance where a garage is omitted from the dwelling the following allowances apply:
 - (a) The driveway curb-cut may be up to 30' in width; centered along the parcel frontage.
 - (b) The driveway width may be up to 37' in width; centered along the parcel frontage.
 - (c) Front yard setback shall be 24' minimum.
 - (d) The driveway and required parking spaces are not required to lead to garage.

In instances where any of these three allowances are applied, adequate landscape screening and buffering shall be provided to minimize the visual impact of parking in front of the dwelling. Additionally, minimizing the extent of impervious surfaces through the use of pervious pavers or similar devices is encouraged.

Section 235 Attachment 2

Residence Districts Table of Dimensional Regulations.

Multifamily dwellings (per dwelling unit)

2-family dwelling

Minimum for 1 unit = 800

Total for 2 unit = 2,400

This Law shall take effect immediately upon filing with the Secretary of the State of New York.

ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO
ATTEND AND BE HEARD.

BY ORDER OF THE TOWN/VILLAGE BOARD OF THE TOWN/VILLAGE OF
HARRISON.

Jacqueline Greer
Town Clerk

Dated: Harrison New York
May 25, 2018