

C-1

**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, August 16, 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 supersede any other section of this Chapter where a conflict exists.

All levels of a dwelling unit shall be set to best correlate with the existing topography of the site; minimize structure exposure, retaining walls, and grade change. This may include the implementation of increased floor-to-ceiling heights, and/or alternate access configurations.

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 four (4) vertical 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 no case shall the lowest floor of a dwelling be set more than five (5) feet above the edge of road at the center of the parcel frontage.

B. Building Height. The height of a residence in the B district shall be measured from two (2) feet above 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 or 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 substantial concrete foundation exposure shall be permitted.

E. Off-Street Parking. No required off-street parking spaces shall have a slope in excess of 5% in any direction.

F. Attached Garage

(1) In instances where a conforming driveway or parking area cannot connect to a garage within the lowest level of a conforming dwelling due an excessive grade differential between the two, the garage may be placed on an upper level of the dwelling unit.

(2) To minimize impacts of substantially exposed foundations, in instances where the garage is proposed to be located within the lowest level of the dwelling unit and proposed to be compliant with 235-33.3 A and 235-33.3 E, the following mitigation measure shall be required:

(a) Where the existing ground elevation at the rear property line is below, or less than seven (7) vertical feet above the existing ground elevation at the front property line, the driveway and off-street parking area shall extend into the parcel at a negative gradient of nine percent (9%), thereby superceding 235-33.3 E.

G. Retaining Walls. No retaining wall greater than three (3) feet in height shall be located within four (4) horizontal feet of the rear property line.

H. Any application consisting of a parcel having an elevation differential of fifteen (15) feet or more between the ground surface at the front and rear property lines shall be referred to the Planning Board for site plan approval, which may provide relief from the requirements of this chapter.

Section 235 Attachment 2

Residence Districts Table of Dimensional Regulations.

Habitable floor area (minimum, in square feet)

1-family dwelling

Minimum for 1 dwelling unit = 800

Total Minimum for 2 dwelling 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  
July 19, 2018