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| Topic: | Development Standards |
| Resource Type: | Regulations |
| State: | New York |
| Jurisdiction Type: | Municipal |
| Municipality: | Town of Mamaroneck |
| Year (<i>adopted, written, etc.</i>): | 2000 |
| Community Type – applicable to: | Urban; Suburban; Rural |
| Title: | Town of Mamaroneck Local Impact Review |
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Abstract

The purpose of Chapter 130 of the Town Code for the Town of Mamaroneck is to address the impact of noise, traffic, cultural or aesthetic resources, existing patterns of population concentration and community or neighborhood character and thereby provide for the proper care, management and use of the streets and highways of the Town, and the protection, safety, health of persons and property therein.

Resource

Town of Mamaroneck NY Local Impact Review
Code of the Town of Mamaroneck NY
Chapter 130: Local Impact Review

[HISTORY: Adopted by the Town Board of the Town of Mamaroneck 4-12-2000 by L.L. No. 4-2000. Amendments noted where applicable.]

§ 130-1. Authority.

This chapter is adopted pursuant to the authority granted by Article 9, § 2 of the New York State Constitution and the statutes that implement the powers of local governments provided for therein, including, but not limited to, § 10 of the Municipal Home Rule Law and §§ 64 and 130 of the Town Law.

§ 130-2. Purpose and intent.

Major development projects in areas that abut, adjoin or are adjacent to the Town of Mamaroneck can result in substantial impacts to the streets and areas that surround them within the Town of Mamaroneck, including, but not limited to, impacts upon natural resources, noise, traffic, cultural or aesthetic resources, existing patterns of population concentration and community or neighborhood character. The purpose of this chapter is to address those impacts and thereby provide for the proper care, management and use of the streets and highways of the Town of Mamaroneck, and the protection, safety, health and well-being of persons and property therein. This chapter is intended to supersede any provision of the Town Law that is inconsistent herewith.

§ 130-3. Permit required.

No project that involves the construction of 250 or more residential units, or the physical alteration of 10 acres or more, or the construction of a facility with more than 100,000 square feet of gross floor area, or involves parking for more than 1,000 vehicles and abuts, adjoins or is adjacent to a town street within or upon the border of the Town of Mamaroneck shall be undertaken except upon the issuance of a permit by the Town Board.

§ 130-4. Application process.

- A. Application for the permit required by this chapter shall be made to the Town Administrator on such forms as the Town Administrator shall establish and shall include:
- (1) A detailed development plan showing the proposed use, location, height and design of all existing and proposed buildings and structures on the site, prepared by a licensed architect or professional engineer under his or her professional seal, provided on a certified survey of the site, which shall be prepared by a licensed surveyor; and
 - (2) A map showing the applicant's property and all other properties, including all improvements thereon and streets, within a radius of 500 feet from the perimeter of the site, at a scale of not more than 50 feet to the inch.
- B. In reviewing the application, the Town Board may require that the applicant provide such additional information and/or studies as the Town Board determines are relevant to the issues before it.
- C. A permit pursuant to this chapter shall be valid for a period of 24 months from the date it is granted.
- D. Every application for a permit pursuant to this chapter shall be accompanied by a fee as set forth by resolution of the Town Board from time to time to help defray the costs of processing the application. Additionally, should the approving agency deem it necessary to hire consultants for technical review, the applicant shall be required to bear the expense thereof, not to exceed the total cost to the town.

§ 130-5. Permit standards.

In reviewing an application for a permit under this chapter, the Town Board shall consider the potential impacts of the project on the streets and the areas around the project, including, but not limited to, impacts upon natural resources, noise, traffic, cultural or aesthetic resources, existing patterns of population concentration and community or neighborhood

character, and shall review the means available to mitigate such impacts, including those regulatory measures that are within the authority of the town to undertake. The Town Board shall grant a permit upon finding that the impacts associated with the project can be mitigated and that all such mitigation measures have been incorporated into the plan for the project.

§ 130-6. Certain projects excluded.

The requirements of this chapter shall not apply to any project for which site plan approval has been granted pursuant to Chapter 177 of the Code of the Town of Mamaroneck.

§ 130-7. Enforcement.

The requirements of this chapter may be enforced by legal, or equitable proceedings and by such other means as the Town Board shall determine.