

§ 144-8. Standards for site plan approval. [Added 1-18-1996 by L.L. No. 1-1996¹]

In acting on site plan applications, the Planning Board shall take into consideration the objectives of this chapter; the objectives, policies and recommendations of the Town of Somers Town Comprehensive Master Plan; the health, safety and welfare of the public in general and of the residents, employees, visitors or guests of the proposed development; the protection of environmentally sensitive lands; and the aesthetic impact on the neighborhood. The Planning Board may require such modifications, conditions and safeguards so as to bring the proposed development into compliance with the intent of these regulations. The Planning Board shall specifically take into account the following:

- A. The proposed number, size, location, height, bulk, use, appearance and architectural features of all structures and facilities.
 - (1) The overall building and site design shall enhance and protect the character and property values in the surrounding neighborhood.
 - (2) Development shall be compatible with the architectural style and visual composition of the hamlet area in which it is located.
 - (3) Development shall have a harmonious relationship with the natural terrain, physical characteristics and vegetation on the site and on adjacent properties.
- B. The safety, capacity, appearance and convenience of vehicular and pedestrian trafficways, parking and loading areas, access drives and areas related thereto.
 - (1) All off-street parking and loading facilities shall meet the requirements of Article X of Chapter 170, Zoning, of the Code of the Town of Somers.
 - (2) Adequate fire lanes and emergency zones shall be provided along with suitable legal agreements for enforcement.
 - (3) The direction of traffic movements may be defined and restricted, with appropriate signage, based upon consideration of site characteristics and site access.

1. Editor's Note: This local law also provided for the repeal of former § 144-8, Planning Board action.

- (4) The Planning Board may require proposed structures to be set back 45 feet from the center line of access drives located completely within a development site.
- (5) Interconnection of parking lots via access drives within and between lots shall be identified and required in order to provide maximum traffic efficiency, to restrict to a minimum the number of curb cuts on public streets, to enhance the development of the hamlet and to establish the safest and most convenient traffic circulation patterns.
- (6) Pedestrian and bicycle movement within the site, between the development area and the public right-of-way, and between the site and adjacent sites, shall be evaluated; sidewalks and bicycle paths shall be provided as determined necessary to ensure safe, efficient and appropriate passages.

C. The protection of environmental quality.

- (1) Buffer areas, plantings, open spaces, walls and/or fences shall be provided as determined appropriate by the Planning Board and in accordance with other requirements of the Code of the Town of Somers so as to ensure harmony with adjacent development and land, to screen parking areas and to conceal storage and utility areas.
- (2) Adequate storm and surface water drainage facilities shall be provided so as to properly drain the site, detain stormwater as necessary, minimize downstream flooding and address non-point pollution.
- (3) Exterior lighting and accessory facilities (e.g., air-conditioning systems) shall not create a nuisance for surrounding properties or the public in general.
- (4) Solar access shall be considered, including orientation of proposed buildings to sun angles, shading and windscreen potential of vegetation, and relationship to solar access for adjacent uses and properties.
- (5) Hours of operation shall be considered in the context of nearby existing and permitted uses, existing traffic conditions and characteristics of the proposed use while in operation. Hours of operation may be restricted for the purpose of preventing nuisances.
- (6) Outdoor storage or display of articles, materials or equipment shall be identified and considered in the context of the

proposed use and nearby existing and permitted uses. The Planning Board may find as part of site plan approval that certain outdoor displays do not require any screening and may be conducted as part of the permitted use.

- (7) Consideration shall be given to alternative designs and methods of preservation that limit disturbance or destruction of existing trees or vegetation. Factors to be considered include:
 - (a) The physical condition (species, size and health) of the trees and vegetation on the site to be developed.
 - (b) The effect of proposed site disturbance on existing trees and vegetation including effects on ecological systems, erosion and sedimentation potential and surrounding vegetation and habitat.
 - (c) The effect of disturbance or removal of existing vegetation on historical context and scenic resources.
 - (d) The impact of utility placements on the health, symmetry and appearance of trees, vegetation and wooded areas.