

TOWN OF STONY POINT
INTRODUCTORY LOCAL LAW NO. _____ OF THE YEAR 2025

A LOCAL LAW AMENDING CHAPTER 215 (ZONING) TO REGULATE OVERSIZED AND MANOR RESIDENCES,
NONCOMPLYING LOTS AND RESIDENTIAL BULK REQUIREMENTS

Be it enacted by the Town Board of the Town of Stony Point, County of Rockland, State of New York as follows:

Section 1: Title.

This local law shall be known and may be cited as the Oversize and Manor Residence Local Law of 2025.

Section 2. Legislative Purpose.

The Town Board of the Town of Stony Point hereby finds and declares:

- A. Certain detached residences have the potential to adversely impact on the character of established neighborhoods. Residents select homes in neighborhoods with the expectation that the established pattern of structures will continue. These residents purchase and maintain their homes with the expectation that their neighborhoods will remain reasonably stable in terms of traffic, ambient noise level, population density, privacy of yards, distance between homes, setbacks from street, and the proportion of open space to building area (openness). While flexibility should always be considered to allow for personal tastes and the needs of larger families, there is a rational limit beyond which the personal tastes of one resident may infringe on neighbors' expectations for family values, youth values and the blessings of quiet seclusion and clean air.
- B. Beyond a certain size threshold, very large, detached residences begin to function in a manner beyond the typical detached residence within the Town. Such very large houses often are occupied by much larger populations due to the presence of live-in household staff, multiple generations of extended family living together (family compounds), and frequent guest visitors. Such larger populations may result in increased traffic, schoolchild generation, water usage, sewage generation refuse generation and demand for community services. Additionally, due to the presence of such larger populations, the definition of "dwelling unit" is often stretched, where household staff, guests, or certain family members have both separate and in-common cooking and sanitary facilities, thereby functioning sometimes as a single-dwelling unit and sometimes as a multiple residence.
- C. Frequent use of very large homes by guests may result in transient occupancy that is more like short-term rentals, which are not generally permitted in Stony Point. Such transient occupancy may impact the expectations of their neighbors for relative privacy and security.
- D. Very large homes tend to be used more often for group assemblies, including recreational, commercial and religious assemblies held by the homeowner. Even when such assemblies do not exceed the threshold for the Town's Residential Gathering Place provisions, the frequency and intensity of use of the homes may result in significant traffic, noise and general disturbances upon the neighborhood.

Section 3. Enabling Authority.

The adoption of this Local Law is in accordance with Section 10 of the New York Municipal Home Rule Law.

Section 4: Changes to §215-5 Definitions.

The following shall be added as new terms in §215-5 (Definitions):

GROSS FLOOR AREA ABOVE GRADE

That portion of the gross floor area of a structure located within stories above grade plane.

RESIDENCE, MANOR

A one- or two-family detached residence that has more than 6,000 square feet of gross floor area above grade.

RESIDENCE, OVERSIZED

A one- or two-family detached residence that does not meet the definition of a Manor Residence, has more than 4,000 square feet of floor area above grade and is located on a non-conforming lot or any lot of less than one acre.

Section 5. Add a new section §215-19.

A new section entitled, "Special requirements for one- and two-family residences," as Section 215-19 as follows:

§ 215-19. Special requirements for one- and two-family residences

- A. *One-family and two-family detached residences shall be subject to site development plan and conditional use permit approval pursuant to §215-92.8 where such structure meets the definition of an Oversized Residence. Where a conditional use permit approval was previously granted for the Oversized Residence, an amended conditional use permit shall be required where expansion of the gross floor area is proposed by more than 10%.*
- B. *One-family and two-family detached residences shall be subject to site development plan and conditional use permit approval pursuant to §215-92.9 where such structure meets the definition of a Manor Residence. Where a conditional use permit approval was previously granted for the Manor Residence, an amended conditional use permit shall be required where expansion of the gross floor area is proposed by more than 10%.*

Section 6. Changes to §215-59.

Section §215-59 (General Requirements) of Article X (Site Development Plan Review) which currently reads:

No site development plan approval shall be required for single-family detached residential uses or for additions, alterations or structures accessory thereto. However, single-family detached residential uses may be subject to the requirements of the Town of Stony Point

Stormwater Management and Erosion Control Law⁽¹⁾ and said law shall be reviewed to determine its applicability to said uses. For uses other than single-family detached residences, site development plan approval shall be required prior to the issuance of a building permit, certificate of occupancy or certificate of use for the construction of a new principal structure, or external alteration or addition thereto or for the construction of any accessory structure used for a use permitted by conditional use or special permit use or external alteration or addition thereto. Modification of parking layouts, lighting, required landscaping or other site elements shall be deemed an external alteration. No lot or parcel of land shall be used except in conformity with an approved site development plan, when required. Any use permitted by right in the Waterfront Residential District shall not require site development plan approval from the Planning Board, provided that the Building Inspector verifies that the project meets bulk requirements. Any project in the R-W District which does meet the bulk requirements will require Planning Board approval and Zoning Board approval. Minor repairs and/or minor additions shall be made without Planning Board approval if they meet all zoning requirements.

Is hereby deleted and replaced by the following:

No site development plan approval shall be required for single-family detached residential uses or for additions, alterations or structures accessory thereto, except for manor residences and oversized residences pursuant to §219-19. However, single-family detached residential uses may be subject to the requirements of the Town of Stony Point Stormwater Management and Erosion Control Law and said law shall be reviewed to determine its applicability to said uses. For uses other than single-family detached residences, site development plan approval shall be required prior to the issuance of a building permit, certificate of occupancy or certificate of use for the construction of a new principal structure, or external alteration or addition thereto or for the construction of any accessory structure used for a use permitted by conditional use or special permit use or external alteration or addition thereto. Modification of parking layouts, lighting, required landscaping or other site elements shall be deemed an external alteration. No lot or parcel of land shall be used except in conformity with an approved site development plan, when required. Any use permitted by right in the Waterfront Residential District shall not require site development plan approval from the Planning Board, provided that the Building Inspector verifies that the project meets bulk requirements. Any project in the R-W District which does not meet the bulk requirements will require Planning Board approval and Zoning Board approval. Minor repairs and/or minor additions shall be made without Planning Board approval if they meet all zoning requirements.

Section 7. Changes to Article XIII:

The following sections shall be added to Article XIII (Conditional Use and Special Permit Standards):

§215-92.8. Oversized Residences

- A. Purpose. The Town of Stony Point Town Board finds that certain detached residences have the potential to adversely impact on the character of established neighborhoods. Residents select homes in neighborhoods with the expectation that the established pattern of structures will continue. These residents purchase and maintain their homes with the expectation that their neighborhoods will*

remain stable in terms of traffic, ambient noise level, population density, privacy of yards, distance between homes, setbacks from street, and the proportion of open space to building area (openness). While flexibility should always be considered to allow for personal tastes and the needs of larger families, there is a rational limit beyond which the personal tastes of one resident may infringe on neighbors' expectations for family values, youth values and the blessings of quiet seclusion and clean air.

- B. Nothing herein shall be construed to allow a two-family residence in any district where two-family residences are not listed as an authorized use in the Table of General Use Requirements.*
- C. An oversized residence shall conform with the bulk requirements and other zoning requirements prescribed in the Table of General Use Requirements except as modified by Article XIV.*
- D. The Board shall not approve any oversized residence that it finds will significantly and adversely alter the established character of the neighborhood.*
- E. The Board shall not approve any oversized residence that it finds will significantly and adversely impact the peaceful enjoyment of one or more neighboring residences.*
- F. Oversized residences shall not have the ground story elevated in a manner that makes the lot appear inconsistent with predominant natural area topography.*
- G. The Board may impose such reasonable conditions as are necessary to ensure that the residence does not impact on the peaceful enjoyment of neighboring properties including but not limited to:*
 - 1. Landscape screens*
 - 2. Incorporation of architectural features and strategies to hide bulk*
 - 3. Increased setbacks*
 - 4. Decreased heights for all or portions of the structure*
 - 5. Terrain-adaptive design to reduce visibility of structures proposed on slopes*
 - 6. Limitations on the design, placement, shielding and hours of operation of exterior lighting*
 - 7. Off-street parking*

§215-92.9 Manor Residences

- A. Purpose The Town Board further finds that beyond a certain size threshold, very large, detached residences begin to function in a manner beyond the typical detached residence within the Town. Such very large houses often are occupied by much larger populations due to the presence of live-in household staff, multiple generations of extended family living together (family compounds), and frequent guest visitors. Such larger populations may result in increased traffic, schoolchild generation, water usage, sewage generation refuse generation and demand for community services. Additionally, due to the presence of such larger populations, the definition of "dwelling unit" is often stretched, where household staff, guests, or certain family members have both separate and in-common cooking and sanitary facilities, thereby functioning sometimes as a single-dwelling unit and*

sometimes as a multiple residence. Frequent use of very large homes by guests may result in transient occupancy that is more like short-term rentals, which are generally not permitted in Stony Point. Such transient occupancy may impact the expectations of their neighbors for relative privacy and security. Lastly, very large homes tend to be used more often for group assemblies, including recreational, commercial and religious assemblies held by the homeowner. Even when such assemblies do not exceed the threshold for the Town's Residential Gathering Place provisions, the frequency and intensity of use of the homes may result in significant traffic, noise and general disturbances upon the neighborhood.

- B. Nothing herein shall be construed to allow a two-family residence in any district where two-family residences are not listed as an authorized use in the Table of General Use Requirements.*
- C. Notwithstanding the bulk requirements prescribed by the Table of General Use Requirements, a Manor Residence shall conform with the bulk requirements of use group d.0. in the APRP, SR and SR-R zoning district and use group d.5 in all other districts.*
- D. The Board shall not approve a Manor Residence on a lot of less than 5 acres where it finds that significant adverse impacts to the established character of a neighborhood will result.*
- E. The Board shall not approve a Manor Residence where it finds that it will result in significant adverse impacts upon the peaceful enjoyment of one or more neighboring residences located within 1,000 feet as measured from the neighboring residence to the proposed principal structure or any accessory structure, pool, parking or assembly area.*
- F. Manor residences shall be subject to architectural review by the ARB except where the Planning Board finds it is not substantially visible from any substantial viewpoint.*
- G. The Planning Board may impose such reasonable conditions as are necessary to ensure that the residence does not impact the peaceful enjoyment of neighboring properties including but not limited to:*
 - 1. Landscape screens*
 - 2. Incorporation of architectural features to hide bulk*
 - 3. Increased setbacks*
 - 4. Decreased heights for all or portions of the structure*
 - 5. Terrain-adaptive design to reduce visibility of structures proposed on slopes*
 - 6. Limitations on the design, placement, shielding and hours of operation of exterior lighting*
 - 7. Off-street parking*

Section 8. Additional Bulk Requirements to Paragraph 1 of Subsection D of Section 215-94

Paragraph 1 of subsection D (Noncomplying lots) of Section 215-94 (Building, structures or lots with noncomplying bulk) is amended to add the following additional requirements:

(e) Maximum development coverage shall be 30%

(f) Oversized residences shall require a conditional use permit and site plan approval

Section 9. Amending the Table of General Use Requirements. A note should be added to each Table of General Use Requirement of Chapter 215 (Zoning) as follows:

Where a one- or two-family detached residence meets the definition of Oversized Residence or Manor Residence, it shall require conditional use approval by the Planning Board pursuant to §215-92.8 or §215-92.9 respectively.

Section 10. Adding a new use group to Part 1A of the Table of Bulk Requirements. The following row shall be added as a new use group in Parts 1 and 1A of the Table of Bulk Requirements of Chapter 215 (Zoning):

1	2	3	4	5	6	7	8	9	10	11
<i>Use Group</i>	<i>Minimum Lot Area (square feet unless otherwise noted)</i>	<i>Minimum Lot Width (feet)</i>	<i>Required Front Yard Depth/ Front Setback (feet)</i>	<i>Required Side Setback/ Total Side Setback (feet)</i>	<i>Required Rear Setback (feet)</i>	<i>Required Side and Rear Yard Depth (feet)</i>	<i>Required Street Frontage (feet)</i>	<i>Maximum Building Height (feet)</i>	<i>Development Coverage (percent)</i>	<i>Floor Area Ratio</i>
d.5	2 acres	200	50/50	50/100	50	25	150	35	15	*

Section 11. Amending Table of Bulk Requirements. Column 11 (Floor Area Ratio) of Parts I, IA and II of the Table of Bulk Requirements of Chapter 215 (Zoning) are amended as follows:

- Use group c is changed from “0.35” to “*” on both Parts I and IA
- Use groups d.1 through d.4 are changed from “0.40” to “*” on both Parts I and IA
- Use groups e through g are changed from “0.35” to “*” on both Parts I and IA
- Use groups h.1 through h.5 are changed from “0.40” to “*” on Part II

Additionally, all bulk tables shall be amended to include the following note:

* - This use group and all one-family and two-family detached residences shall conform to §215-16D with respect to floor area ratio.

Section 12. Adding a New Provision Governing Floor Area Ratio of One- and Two-Family Detached Residences. The following paragraph shall be added to §215-16 (Special Requirements) of Article V (Bulk Requirements) of Chapter 215 (Zoning):

D. For one-family and two-family detached residences, the maximum gross floor area of all buildings on a lot shall be the lesser of the floor area calculated utilizing the FAR listed below in column B that corresponds to the lot's size listed in column A, or the maximum square footage indicated in column C that corresponds to the lot size listed in column A.

A	B	C
Lot Area (SF)	FAR	Max Home Size (SF)
<i>Less than 5,000</i>	<i>0.25</i>	<i>1,250</i>
<i>5,000 to 9,999</i>	<i>0.23</i>	<i>2,200</i>
<i>10,000 to 12,499</i>	<i>0.22</i>	<i>2,375</i>
<i>12,500 to 14,999</i>	<i>0.19</i>	<i>2,550</i>
<i>15,000 to 17,499</i>	<i>0.17</i>	<i>2,625</i>
<i>17,500 to 19,999</i>	<i>0.15</i>	<i>2,800</i>
<i>20,000 to 24,999</i>	<i>0.14</i>	<i>3,000</i>
<i>25,000 to 29,999</i>	<i>0.12</i>	<i>3,300</i>
<i>30,000 to 39,999</i>	<i>0.11</i>	<i>3,600</i>
<i>40,000 to 49,999</i>	<i>0.09</i>	<i>4,000</i>
<i>50,000 to 59,999</i>	<i>0.08</i>	<i>4,200</i>
<i>60,000 to 79,999</i>	<i>0.07</i>	<i>4,600</i>
<i>80000 or more</i>	<i>0.05</i>	<i>5,000</i>

Section 13. Severability.

If a court of competent jurisdiction determines that any clause, sentence, paragraph, subdivision, or part of this Local Law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court's order or judgment shall not affect, impair, or invalidate the remainder of this Local Law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this Local Law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

Section 14. Inconsistency.

All other local laws and ordinances of the Town of Stony Point that are inconsistent with the provisions of this local law are hereby repealed; provided, however, that such repeal shall be in addition to such other local laws or ordinances regulating and governing the subject matter covered by this local law.

Section 15. Code Preparation.

The Town's Code preparation contractor is authorized, without further action of the Town Board, to correct typographical errors, numbering and other related technical changes that do not affect or alter the substantive provisions of this local law.

Section 16. Effective date.

This Local Law shall take effect immediately upon filing in the office of the Secretary of State in accordance with Section 27 of the New York Municipal Home Rule Law.