

PUBLIC HEARING

January 25, 2017

At 8:00 p.m. Supervisor Schiliro stated that Public Hearings would be held in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN that the North Castle Town Board will hold public hearings on Wednesday, January 25, 2017, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New York, 10504, for the purpose of considering the Special Use Permit Application of Michael Fareri to: (1) allow for more than one residential unit per building; and (2) allow residential units on the first floor. The property is located at 470 Main Street, Armonk, NY, and known on the North Castle Tax Maps as 108.01-6-19, and located within the CB Zoning District.

The special use permit application is available in the Town Clerk's office during regular business hours. ALL PERSONS HAVING AN INTEREST IN THE MATTER ARE INVITED TO ATTEND AND BE HEARD.

By Order of the Town Board  
Alison Simon, Town Clerk

Dated: January 6, 2017  
Armonk, NY

The Public Notice was marked Exhibit "A" for the record.

The Affidavit of Posting calling the Public Hearing was marked Exhibit "B" for the record.

The Affidavit of Publication from The Journal News calling the Public Hearing was marked Exhibit "C" for the record.

The following letters and documents were noted as received from the applicant Michael Fareri and marked Exhibit "D" for the record:

- Letter and Special Use Permit Application, dated July 27, 2016, including site plans.
- Letter dated October 20, 2016, including site plans.
- Updated Short EAF, Part 1 dated November 3, 2016.
- Letter dated January 19, 2017, including changes to the project plans and views of the existing and proposed property.

The following memos and letters were noted as received and marked Exhibit "E" for the record:

- Memos from Kellard Sessions Consulting, P.C. dated September 23, 2016 and October 25, 2016.
- Letters from Director of Planning Adam Kaufman, dated October 20, 2016, and November 9, 2016.
- Letter from the Westchester County Planning Board, dated January 9, 2017.

The Town Clerk noted that the certificates denoting mailing of Notice of hearing to adjacent property owners were in order.

Michael Fareri appeared before the Board regarding his Special Use Permit application pertaining to his proposed multifamily development at 470 Main Street. Mr. Fareri said that he is requesting two special use permits and also permission to relocate six affordable housing (AFFH) units from the Lumberyard property (known as 162 Bedford Road) to the 470 Main Street property. Supervisor Schiliro clarified that tonight's hearing pertains to the special use

permits for the 470 Main Street property, not the relocation of affordable housing units from another property. Town Attorney Roland Baroni said the request to relocate the affordable units would not require a public hearing; however, it would require a separate resolution. Mr. Baroni said that before the Board votes regarding the issuance of the special use permits, it may wish to consider such a resolution with respect to relocating the AFFH units.

Mr. Fareri described the 470 Main Street property as comprised of 39,588 square feet on .9 acres with a retail building in the front along Main Street and two existing four bedroom houses toward the rear of the property. He said that the gross floor area for the property is 15,835 square feet, and he noted that the existing retail building is 1,400 square feet, and there could be 14,435 square feet of new construction if the two existing residential houses are torn down. He said that the property could support 16 residential units. Mr. Fareri displayed renderings of the proposed building with eight units on the ground floor, eight on the second floor; and floor plans depicting ten two-bedroom units and six one-bedroom units. He noted that each unit would have its own private outdoor space; first floor units would have patios in the rear, second floor units would have terraces in the front of the building. Mr. Fareri displayed photographs of the site, both with and without the proposed building superimposed.

Mr. Fareri said that a building of approximately 15,000 square feet of retail use could be built on the 470 Main Street property and comply with existing zoning, but said he did not think he would be able to rent it. He said there is significant need in the Town for apartments, smaller condos and multifamily buildings. His current application for this property is for 16 fair and affordable (AFFH) units, six units to be built at this time and ten units to be land banked for affordable housing requirements for future developments to be built by him or other developers. Mr. Fareri asked if it would be better for the community to build seven AFFH units and nine market rate units at the 470 Main Street location with the ability to convert the market rate units to AFFH units in the future. In response to a query from Councilman D'Angelo, Mr. Fareri said he would prefer to sell the seven AFFH units and he would rent the nine market rate units, for no longer than a two year lease, so they could become available to be converted to AFFH units at some future date.

In response to a query from Mr. D'Angelo, Mr. Fareri said that he is in contract to buy the 470 Main Street property with a certain date to obtain approvals, and after that date he has 45 days to close on the property.

In response to query from Councilman DiGiacinto, Mr. Baroni confirmed that Mr. Fareri's current application is for sixteen AFFH units and Mr. Fareri is willing to amend his application to seven AFFH units and nine market rate units if the Town Board is willing to approve this change. Mr. Baroni noted that the letter from the Westchester County Planning Board indicated that it was supportive of the development with all AFFH units. In response to a query from Ms. DiGiacinto, Mr. Baroni said that the Town Board, as the Lead Agency, could request any studies it needed with regard to traffic, water and sewer which Mr. Fareri would need to prove out.

Resident Frank Herbert and his wife were present on behalf of his wife's mother who owns the neighboring property at 480 Main Street which they manage. Mr. Herbert expressed concerns about the proposed parking for the development not being sufficient, the property owner's rights concerning the shared driveway with the subject property, and the potential negative impacts on the 480 Main Street tenants. In response to a query from Councilman D'Angelo, Director of Planning Adam Kaufman said the applicant has demonstrated that he meets the minimum off-street parking requirements for the proposed uses on site. Mr. Fareri said that his proposal which provides for 39 parking spaces would meet the requirements of an amended application of seven AFFH units and nine market rate units and no variances would be required.

In response to comments from Mr. Fareri, Supervisor Schiliro reviewed the history of the approval process for the development of multifamily housing on the Lumberyard property.

Town Attorney Baroni suggested to the Board that the public hearing be adjourned.

After all persons were heard who desired to be heard, Councilman D'Angelo moved, seconded by Councilman Berra, that the Public Hearing be adjourned at 9:31 p.m. and reconvened at the February 8, 2017 meeting.

Town Board Minutes  
January 27, 2017

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

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Alison Simon, Town Clerk

Dated: February 6, 2017