



# TOWN OF NORTH CASTLE

Town Hall - 15 Bedford Road

Armonk, New York 10504

[northcastleny.com](http://northcastleny.com)

Established 1736

ALISON SIMON

Town Clerk

(914) 273-3000 x42

[asimon@northcastleny.com](mailto:asimon@northcastleny.com)

## **APPLICATION PROCEDURE FOR SPECIAL USE PERMIT** **CHAPTER 355 ZONING ARTICLE VII. SPECIAL PERMIT USES**

An application for a Special Use Permit requires a public hearing which must be scheduled and conducted by the Town Board to consider approval.

(NOTE: This does not apply for a Special Use Permit application for accessory apartments and accessory structures over 800 square feet which require Planning Board approval.)

1. Fill out the Special Use Permit Application, include the completed [Environmental Assessment Form \(EAF\)](#) and a copy of the site plan, then email the packet to the Town Clerk [asimon@northcastleny.com](mailto:asimon@northcastleny.com). Include payment of \$250 application fee, payable to *Town of North Castle*.

2. The site plan shall show the location of all buildings, parking areas, traffic access and circulation drives, open spaces, landscaping, topography, special features, and any other pertinent information, including such information about neighboring properties as may be necessary to determine and provide for the enforcement of the permit.

3. The Town Clerk will advise of the Town Board meeting date when the application will be received by the Town Board. The Town Board will refer the application to the Planning Board for its recommendation, and, if required, to other agencies for review. The Town Clerk will send copies of the application with site plan and EAF to the Planning Board.

4. The application will then appear on the next available Planning Board agenda, and the Planning Board will subsequently make its recommendation to the Town Board.

6. The Town Board will receive the Planning Board's recommendation and reports submitted by other agencies on its next available agenda. If the recommendation is positive, the Town Board will schedule a public hearing.

## **NOTIFICATION PROCESS**

### **7. PREPARATION OF LEGAL NOTICE**

Following the scheduling of the public hearing by the Town Board, the Town Clerk will prepare the Legal Notice and email it to the applicant or professional who must mail the Notice to neighboring property owners as per Town Code, and email the Notice to the Journal News for publication.

### **8. MAILING OF LEGAL NOTICE**

Contact the North Castle Assessor's Office to [request a list of neighboring property owners](#) within 250 feet to be notified of the public hearing. The Assessor's Office requires **a minimum of one week's notice** and payment of \$50 to prepare the mailing list and two sets of labels for your mailing of the Legal Notice. The Office can be contacted at 17 Bedford Road, Monday - Friday, at 273-3324. Requests can be emailed to [assessor@northcastleny.com](mailto:assessor@northcastleny.com).

The Town Clerk's Office will provide the official envelopes and Certificate of Mailing form. Using the list of neighboring property owners and labels provided by the Assessor's Office, mail the Legal Notice by First Class Mail. **The Legal Notice must be mailed no less than 10 days prior to the public hearing date and no more than 20 days prior to the public hearing date.** The Certificate of Mailing (PS Form 3817 or 3877) must include labels for all neighboring property owners on the mailing list and must be postmarked and signed by US Post Office on the date of the mailing.

#### 9. PUBLICATION OF LEGAL NOTICE

Submit the Legal Notice to the Westchester Journal News here:

<https://legals.gannettclassifieds.com/legals/nys/index.html>

You will have to create your own account if you don't already have one.

- A. Choose Westchester Journal News
- B. Choose "Govt Public Notices" from Classification Column.
- C. Choose Legal 2 Column full as your layout and **paste** in the notice headline & text.
- D. Select publication date. The Journal News **requires two or more days prior notice**, not including weekends and holidays, for ad placement. **The Legal Notice must be published no less than 10 days prior to the public hearing date and no more than 20 days prior to the public hearing date.** It is recommended that you purchase the Journal News for your records the day the Legal Notice is published.
- E. Make sure 1 Affidavit is checked. The *Affidavit of Publication* which must be submitted to the Town Clerk prior to the public hearing.

**Note the following REVISED deadlines and information provided by the Journal News:**

Date of Publication	Deadline Day	Deadline Time
Monday	Wednesday	2 PM
Tuesday	Thursday	10 AM
Wednesday	Friday	10 AM
Thursday	Monday	10 AM
Friday	Tuesday	10 AM
Saturday	No paper printed	
Sunday	Wednesday	2 PM

#### 10. PROOF OF MAILING AND PUBLICATION

No later than 24 hours prior to the public hearing, the following **must** be submitted to the Town Clerk's Office:

- List of Neighboring Property Owners prepared by the Assessor's Office
  - Certificate of Mailing – PS form 3817 or 3877 postmarked by the US Post Office
  - *Affidavit of Publication* from the Journal News
    - If the Affidavit is not received prior to the hearing, the page from the Journal News which includes the Notice and date of publication should be submitted to the Town Clerk's Office. *Affidavit of Publication* must be submitted to the Town Clerk's Office when received to complete the public hearing file.

**The public hearing will not be held without the required proof of mailing to neighboring property owners and publication in the Journal News. At the public hearing, the Town Board may approve or deny the application or adjourn the hearing.**



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## SPECIAL USE PERMIT APPLICATION

**FEE \$250**

APPLICANT: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ E-MAIL \_\_\_\_\_

PROPERTY OWNER:\* \_\_\_\_\_

\* Property owner must complete Verification form on attached page 2.

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_

PREMISES: Tax ID # \_\_\_\_\_

situated on the \_\_\_\_\_ side of \_\_\_\_\_ (street)

\_\_\_\_\_ feet from the intersection of \_\_\_\_\_

\_\_\_\_\_ (street).

Description of proposed use and improvements to the premises:

(Include overall square footage of building(s) when applicable.)

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\_\_\_\_\_  
Signature of Applicant

\_\_\_\_\_  
Date

## **SPECIAL USE PERMIT APPLICATION**

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### **VERIFICATION BY PROPERTY OWNER**

I, \_\_\_\_\_, being duly sworn, depose and say that I am the property owner in the foregoing application, that I have read the same and that the same is true and correct.

\_\_\_\_\_  
Signature of Property Owner

Sworn to before me this \_\_\_\_\_  
day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

# **TOWN OF NORTH CASTLE ASSESSOR'S OFFICE**

## **NEIGHBOR NOTIFICATION ORDER FORM**

(One form per radius)



Assessment Department will provide the following:

1. One list of names and mailing addresses of owners within radius; \*
2. Two sets of mailing labels;
3. A hard copy of labels.

\* Ownership data is believed accurate but not warranted and provided "as is". Assessor's Office is not responsible for ownership differences that may occur due to deed processing time or any other outside influence that may reflect a difference between data provided and actual ownership.

### **Information**

Date: \_\_\_\_\_

Owners within 250'    \$50.00    \$ \_\_\_\_\_

Section/Block/Lot: \_\_\_\_\_

Owners within 500'    \$50.00    \$ \_\_\_\_\_

Owner's Name: \_\_\_\_\_

Add'l set of labels    \$10.00    \$ \_\_\_\_\_

Property Address: \_\_\_\_\_

Please make check payable to Town of North Castle

Name of Firm or Representative (if any): \_\_\_\_\_

Total:    \$ \_\_\_\_\_

Contact Person: \_\_\_\_\_

Contact Phone Number: \_\_\_\_\_

Total payment required prior to any commencement of work. **Please allow up to five business days to process request.**

E-Mail Address: \_\_\_\_\_

Ownership data generated from this request, to be used, solely, for Town related business. Not intended for solicitation.

## **FORM OF PROOF OF SERVICE**

State of New York  
County of Westchester

SS:

\_\_\_\_\_, being duly sworn, deposes and says that (s)he is over twenty-one years of age and resides at: \_\_\_\_\_, in the State of \_\_\_\_\_, that (s)he is the applicant or agent for the applicant proceeding before the Town Board, Town of North Castle for a Special Use Permit for premises located at \_\_\_\_\_, that (s)he gave notice of this application to each and all of the persons named on the list of owners or property affected which (s)he filed with said application, in person or by certified mail on \_\_\_\_\_, 20\_\_ to each of said owners a notice, a true copy of which is attached to this affidavit.

\_\_\_\_\_  
(Applicant)

Sworn to me this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
(Notary Public-  
Commissioner of Deeds)