

Town Board Minutes
Town of North Castle
19 Whippoorwill Road, E
Armonk, New York
on
February 12, 2025

The Town Board Meeting was held in person in Whippoorwill Hall, located at the North Castle Public Library, 19 Whippoorwill Road E, Armonk, New York. The Meeting was called to order at 5:30 p.m. and adjourned to an Executive Session.

All Town Board members, the Town Attorneys and the Town Administrator were present for the Executive Session. The Executive Session adjourned. The regular meeting reconvened at 7:40 p.m.

The following persons were present in the Meeting Room:

Supervisor: Joseph A. Rende
Councilman: Barbara DiGiacinto
Councilman: Saleem Hussain
Councilman: Matt Milim
Councilman: José Berra
Town Clerk: Alison Simon
Town Attorney: Roland A. Baroni
Town Attorney: Robert Spolzino
Town Administrator: Kevin Hay

*Town Attorney Robert Spolzino left the meeting at 11:35 p.m., after the Public Hearings.

A Public Hearing was held to consider adoption of Resolutions regarding the Establishment of Water District No. 9 in the Town of North Castle.

A Public Hearing was held to consider the proposed Zoning Text Amendment from Greenwich Realty Group LLC, 23 Bedford Banksville Road, to rezone 23 Bedford Banksville Road from the CB-B Zoning District and GB Zoning District to the CB-B Zoning District, to permit Light Industrial Uses in the CB-B Zoning District and to create Light Industrial Special Use Permit (SUP) Requirements for the CB-B Zoning District.

A Public Hearing was held to consider the Matter of the Acquisition of 333 Main Street, Armonk, New York, pursuant to the Eminent Domain Procedure Law.

The Minutes of the Public Hearings, which opened at 7:47 p.m., follow at the end of these minutes.

Councilman: José Berra moved, seconded by Councilman: Matt Milim, and resolved approval of Town Board Minutes: January 22, 2025.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, and resolved receipt of memo from Director of Water & Sewer Operations Sal Misiti regarding a proposed Local Law to establish operational rules and regulations for North Castle Water District No. 8 and North Castle Water District No. 9; to establish water rates in the Master Fee Schedule; and the scheduling of a Public Hearing on March 12, 2025.

Vote: Unanimous

Regarding the Wampus Mills Subdivision, Shoemaker Lane, Armonk, the Town Board took the following actions:

- Councilman: José Berra moved, seconded by Councilman: Matt Milim, and resolved receipt of letter from Town Engineers KSCJ Consulting, dated February 4, 2025 regarding the acceptance of Public Roadway and Sewer Main and release of the Performance Bonds; and receipt of a three-year Maintenance Bond in the amount of \$159,449.
- Councilman: Matt Milim moved, seconded by Councilman: José Berra, and resolved acceptance of the dedication of Shoemaker Lane as a Town road from Madonna Enterprises LLC and residents of Shoemaker Lane.

Vote: Unanimous

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Councilman: José Berra moved, seconded by Councilman: Matt Milim, and resolved approval of request from Superintendent of Parks and Recreation Matt Trainor to purchase a Ventrac 4520N Tractor in the amount of \$70,505.82 from Sourcewell Contract as accounted for in the 2025 Operating Budget.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Matt Milim, and resolved approval of Payment Requisition No. 8 (Final Payment) in the amount of \$39,456.92 to AFL General Construction Inc. regarding North White Plains Community Center Renovation project; and receipt of General Release and Guarantee Bond.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, and resolved approval of Payment Requisition in the amount of \$66,900 to Vinco Builders LLS regarding the North White Plains Community Center (NWPCC) Exterior Accessible Ramp; and receipt of General Release and Guarantee Bond.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, and resolved receipt of Notice of new Liquor License from ABX Restaurant Corp. d/b/a IL Miglore, at 111 Bedford Road, Armonk.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, and resolved authorization for the Supervisor to sign the Annual 2025 agreement with North East Westchester Special Recreation for a fee of \$8,255.90; and authorization of payment.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, and resolved approval of provisional probationary appointment of Vincent Celetti to Recreation Supervisor, Parks and Recreation Department, effective February 18, 2025.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, and resolved approval for Director of Finance Abbas Sura to attend the 2025 NYS GFOA conference from April 2 through April 4, 2025.

Vote: Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, and resolved receipt of letter of resignation for purposes of retirement from William Gallagher, Water and Sewer Department, effective February 28, 2025.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: José Berra, and resolved receipt of letter of resignation from Ann Putalik from the Open Space Committee, effective January 8, 2025.

Vote: Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Matt Milim, and resolved approval of the Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$39,657,885.96 as indicated on Warrant No. 3 dated February 12, 2025.
- Town Clerk Report: January 2025.
- Release of the following Highway Bond:
 - Dino Liso - Permit 1302 for a driveway alteration at 9 Hobby Lane in the amount of \$1,200.

Vote: Unanimous

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After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 11:53 p.m. in memory of Rosemary Bellantoni, longtime Armonk resident.

Alison Simon, Town Clerk

Dated: February 14, 2025

PUBLIC HEARING
February 12, 2025

At 7:47 p.m. Councilman Barbara DiGiacinto moved, seconded by Councilman Matt Milim, and resolved that a Public Hearing, would be held in accordance with the Order calling the Public Hearing, which is attached to these minutes to consider a Map, Plan and Report to be prepared showing the lands within the Town which are proposed to be included within the boundaries of a proposed water district in the Town, to be known as Water District No. 9 (the “District”).

Vote: Unanimous

Documents included in the Public Hearing record:

- The Order calling the for Public Hearing.
- The Affidavit of Posting calling for the Public Hearing.
- The Affidavit of Publication from The Journal News calling for the Public Hearing.
- WASP Engineering Group, PLLC Engineer’s Report, dated June 14, 2024.
- Short Environmental Assessment Form (EAF).
- Map, Plan and Report to be prepared showing the lands within the Town which are proposed to be included within the boundaries of a proposed water district in the Town, to be known as Water District No. 9 (the “District”).
- Notice of Permissive Referendum.
- Proposed Resolution Making Certain Determinations in Relation to the Proposed Extension.
- Proposed Resolution of Approval.

Supervisor Rende stated that the purpose of this Public Hearing is to create a Water District and aggressively work to supply the affected homes in the Quarry Heights area with clean water.

Director of Water and Sewer Operations Sal Misiti stated that the Town has been working closely with the Department of Environmental Conservation (DEC), the Department of Health (DOH), and Westchester Joint Water Works (WJWW) to provide residents with both temporary and permanent solutions for clean water. He stated that the plan is to extend the Water District to Starkey, Williams, McClure, Memorial, and Johnson Streets, and part of Old Orchard up to Rocky Ledge. Mr. Misiti also stated he is working to obtain grants to help fund this work.

Resident Liesa Alvarez stated the desperate need for clean water in the area and her frustration with the lack of solutions being offered to residents. She stated the water is contaminated with PFAS and noted many of the health risks associated with these chemicals.

Resident Nikko Marino stated her frustration and concerns regarding the lack of clean water in the area. She requested that the homes be connected to the Water District at no cost to the home owners.

Resident Martha Rosen stated her frustration because of the lack of communication from the Town regarding these water issues.

Luz Candrea stated concerns regarding the cost to residents to hook up to the Water District.

After all persons were heard who desired to be heard, Councilman Barbara DiGiacinto moved, seconded by Councilman Matt Milim, and resolved that the Public Hearing be closed at 8:22 p.m.
Vote: Unanimous

Councilman Barbara DiGiacinto moved, seconded by Councilman Matt Milim, and resolved adoption of A Resolution Making Certain Determinations in Relation to the Proposed Establishment of a Water District in the Town of North Castle, Westchester County, New York, to be Known as North Castle Water District No. 9. A copy of the Resolution follows at the end of these Minutes. The roll call vote was as follows:

Ayes: Councilman: José Berra, Councilman: Matt Milim, Councilman: Barbara DiGiacinto, Councilman: Saleem Hussain, Supervisor: Joseph A. Rende

Nos: None

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Councilman Barbara DiGiacinto moved, seconded by Councilman Matt Milim, and resolved adoption of a Resolution Approving the Establishment of a Water District in the Town of North Castle, Westchester County, New York, to be Known as North Castle Water District No. 9. A copy of the Resolution follows at the end of these Minutes.

The roll call vote was as follows:

Ayes: Councilman: José Berra, Councilman: Matt Milim, Councilman: Barbara DiGiacinto,
Councilman: Saleem Hussain, Supervisor: Joseph A. Rende

Nos: None

Alison Simon, Town Clerk

Dated: February 20, 2025

At a meeting of the Town Board of the
Town of North Castle, at the Town Hall, 15
Bedford Road, Armonk, New York, on the
8th day of January 2025, at 7:30 p.m.
Prevailing Time.

P R E S E N T : Hon. Joseph A. Rende
Barbara DiGiacinto
José Berra
Saleem Hussain
Matt Milim

-----X

In the Matter of the Establishment of a
Water District in the Town of North Castle,
Westchester County, New York, to be known
as Water District No. 9 located in the
Town of North Castle

ORDER CALLING
PUBLIC HEARING

-----X

WHEREAS, pursuant to Section 209 of the Town Law, the Town Board of the Town of North Castle, Westchester County, New York (the “Town”), has benefitted from Westchester Joint Water Works (WJWW) having caused a Map, Plan and Report to be prepared showing the lands within the Town which are proposed to be included within the boundaries of a proposed water district in the Town, to be known as Water District No. 9 (the “District”), and a general plan for the improvements and services within and by the District, and a report of the proposed method of operation thereof; and

WHEREAS, no lands within the boundaries of an incorporated village shall be included within the proposed District; and

WHEREAS, said map, plan and report have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the lands proposed to be included within the boundaries of the proposed District are the lands within the Town as set forth in “Exhibit A,” available for inspection in the Town Clerk’s office during business hours; and

WHEREAS, the services proposed within and by the proposed District consist of the distribution of water to properties within the proposed District to be provided by a connection to a water main owned and operated by WJWW; and

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WHEREAS, the maximum amount proposed to be expended for said improvements (consisting of a water transmission main, hydrants, pumps, facilities and appurtenances and professional engineering) is One Million One Hundred Thousand (\$1,100,000.00) Dollars, and WJWW having completed construction of the improvements at its cost pursuant to a Consent Decree with the U.S. Department of Justice dated June 24, 2024; and

WHEREAS, it is now desired to call a public hearing to consider the question of the establishment of the proposed District pursuant to Section 209 of the Town Law;

NOW, THEREFORE, BE IT ORDERED, by the Town of North Castle, Westchester County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of North Castle, Westchester County, New York, shall be held at the Town Hall in Armonk, New York, on the 12th day of February 2025, at 7:30 o'clock p.m., Prevailing Time, for the purpose of conducting a public hearing to consider the question of the establishment of the North Castle Water District No. 9 described in the preamble hereof and to hear all persons interested in the subject thereof concerning the same.

Section 2. The Town Clerk is hereby authorized and directed to cause a certified copy of this Order to be published in the official newspaper of the Town and posted in the manner provided by law.

Section 3. This Order shall take effect immediately.

The question of the adoption of the foregoing Order was duly put to a vote upon roll call, which resulted as follows:

Hon. Joseph A. Rende	voting Aye
Barbara DiGiacinto	voting Aye
José Berra	voting Aye
Saleem Hussain	voting Aye
Matt Milim	voting Aye

The Order was thereupon declared duly adopted.

Dated: Armonk, New York
January 8, 2025

EXHIBIT A

123.05-1-18	5 William St
123.05-1-20	9 William St
123.05-1-21	69 James St
123.05-1-50	68 James St
123.05-1-51	66 James St
123.05-1-57	65 James St
123.05-1-56	58 James St
123.05-1-59	57 James St
123.05-1-60	53 James St
123.05-1-55	50 James St
123.05-1-62	47 James St

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STATE OF NEW YORK)
) ss.:
COUNTY OF WESTESTER)

I, the undersigned Town Clerk of the Town of North Castle, Westchester County, New York, DO HEREBY CERTIFY:

That I have compared the annexed extract of the minutes of the meeting of the Town Board of said Town, including the resolution contained therein, held on January 8, 2025, with the original thereof on file in my office, and that the same is a true and correct transcript therefrom and of the whole of said original so far as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of said Board had due notice of said meeting.

I FURTHER CERTIFY that, pursuant to Section 103 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public.

I FURTHER CERTIFY that, PRIOR to the time of said meeting, the time and place of all regular meetings of the Town Board for the year were announced at an Organizational Meeting held in January 2025.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Town on January 8, 2025.

ALISON SIMON

Town Clerk

RESOLUTION DATED FEBRUARY 12, 2025

**A Resolution Making Certain Determinations in Relation
to the Proposed Establishment of a Water District in the
Town of North Castle, Westchester County, New York, to
be Known as North Castle Water District No. 9**

WHEREAS, pursuant to Section 209 of the Town Law, the Town Board of the Town of North Castle, Westchester County, New York, has heretofore duly caused a list of real property tax map designations to be prepared and filed in the office of the Clerk of said Town in relation to the establishment of a Water District in said Town, to be known as North Castle Water District No. 9 which said list of real property tax map designations has as its boundaries portions of an area of the Town known as Quarry Heights; and

WHEREAS, an Order was duly adopted by said Town Board on January 8, 2025, reciting a description of the boundaries of said proposed District by tax map designation, the manner of operation proposed, the maximum amount proposed to be expended for same, the fact that a map, plan and report prepared by the town's engineers was on file in the Town Clerk's Office for public inspection and specifying the 12th day of February 2025, at 7:30 o'clock p.m., Prevailing Time, at Whippoorwill Hall, in Armonk, New York, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 193 and 209 of the Town Law, and proof of such publication and posting has been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board has duly considered the said matter and the evidence given at the said public hearing;

NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of North Castle, Westchester County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing, it is hereby found and determined as follows:

- a) The notice of hearing was published and posted as required by law, and it is otherwise sufficient;

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b) All the property and property owners within said proposed District are benefited thereby;

c) All the property and property owners benefited are included within the limits of the proposed District; and

d) It is in the public interest to grant, in full, the relief sought.

Section 2. This resolution shall take effect immediately.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Hon. Joseph A. Rende	voting Aye
Barbara DiGiacinto	voting Aye
José Berra	voting Aye
Saleem Hussain	voting Aye
Matt Milim	voting Aye

and the resolution was thereupon declared duly adopted.

RESOLUTION DATED FEBRUARY 12, 2025

**A Resolution Approving the Establishment of a Water District
in the Town of North Castle, Westchester County, New York,
to be Known as North Castle Water District No. 9**

WHEREAS, pursuant to Section 209 of the Town Law, the Town Board of the Town of North Castle, Westchester County, New York, has heretofore duly caused a list of real property tax map designations to be prepared and filed in the office of the Clerk of said Town in relation to the establishment of a Water District in said Town, to be known as the North Castle Water District No. 9, which list of real property tax map designations has as its boundaries portions of an area of the Town known as Quarry Heights; and

WHEREAS, an Order was duly adopted by said Town Board on January 8, 2025, reciting a description of the boundaries of said proposed District by tax map designation, the manner of operation proposed, the maximum amount proposed to be expended for same, the fact that a map, plan and report prepared by the town's engineers was on file in the Town Clerk's Office for public inspection and specifying the 12th day of February 2025, at 7:30 o'clock p.m., Prevailing Time, at Whippoorwill Hall, in Armonk, New York, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, such order was duly published and posted in the manner and within the time prescribed by Section 193 and 209 of the Town Law, and proof of such publication and posting has been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place set forth in said order, as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, following said public hearing and based upon evidence given thereat, said Town Board duly adopted a resolution determining in the affirmative all of the questions set forth in subdivision 1 of Section 209-e of the Town Law; and

WHEREAS, it is now desired to adopt a further resolution pursuant to subdivision 3 of Section 209-e of the Town Law approving the establishment of said District, and the rendering of services proposed therefore;

NOW, THEREFORE, BE IT

RESOLVED, by the Town Board of the Town of North Castle, Westchester County, New York, as follows:

Section 1. The establishment of a Water District in the Town of North Castle, Westchester County, New York, pursuant to proceedings undertaken pursuant to the Town Law and the statutes of the State of New York, to be known as the North Castle Water District No. 9 (the "District"), to be bounded and described according to real property tax map designations as set forth in Exhibit A attached hereto and made a part hereof, and the rendering of services required in connection therewith, and at the maximum estimated cost and first year costs to the typical property, which is a one-family home as described and set forth in the Order Calling for the Public Hearing, is hereby approved and authorized.

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Section 2. The Town Clerk is hereby ordered and directed within ten (10) days of the adoption of this resolution to (i) record a certified copy of this resolution with the Clerk of the County of Westchester and (ii) file a certified copy of this resolution with the Office of the Department of Audit and Control in Albany, New York.

Section 3. This resolution is subject to a permissive referendum in the manner as provided for in Article 7 of the Town Law.

Section 4. The North Castle Town Board hereby determines pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review) of the Environmental Conservation Law that creation of the North Castle Water District No. 9 will not have a significant impact on the environment.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

Hon. Joseph A. Rende	voting Aye
Barbara DiGiacinto	voting Aye
José Berra	voting Aye
Saleem Hussain	voting Aye
Matt Milim	voting Aye

and the resolution was thereupon declared duly adopted.

I, Alison Simon, Town Clerk, of the Town of North Castle, do hereby certify that the above resolution was duly adopted at a regularly scheduled meeting of the Town Board of the Town of North Castle held on February 12, 2025 and that the above resolution is a true and correct transcript thereof.

Alison Simon

Dated: February 12, 2025
Armonk, New York

EXHIBIT A

123.05-1-18 5 William St
123.05-1-20 9 William St
123.05-1-21 69 James St
123.05-1-50 68 James St
123.05-1-51 66 James St
123.05-1-57 65 James St
123.05-1-56 58 James St
123.05-1-59 57 James St
123.05-1-60 53 James St
123.05-1-55 50 James St
123.05-1-62 47 James St

PUBLIC HEARING
February 12, 2025

At 8:25 p.m. Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved that a Public Hearing, would be opened in accordance with the Public Notice that follows.

Vote: Unanimous

NOTICE IS HEREBY GIVEN that the North Castle Town Board will hold a public hearing on Wednesday, February 12, 2025, at 7:30 p.m., or as soon thereafter as practical, at Whippoorwill Hall, 19 Whippoorwill Road E., Armonk, New York, 10504, to consider a Local Law to amend Chapter 355, Zoning, of the Code of the Town of North Castle to rezone 23 Bedford Banksville Road (102.04-1-9) from the CB-B Zoning District and GB Zoning District to the CB-B Zoning District, to permit Light Industrial Uses in the CB-B Zoning District and to create Light Industrial Special Use Permit Requirements for the CB-B Zoning District.

The proposed local law is available in the Town Clerk's office during regular business hours and on the Town website. 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: February 2, 2025
Armonk, NY

Councilman Barbara DiGiacinto recused herself from the discussion and the vote because her husband has an interest in the property.

Documents included in the Public Hearing record:

- The Public Notice.
- The Affidavit of Posting calling for the Public Hearing.
- The Affidavit of Publication from The Journal News calling for the Public Hearing.
- Certificates denoting mailing of Notice of Hearing to adjacent property owners.
- Letter from Veneziano & Associates, dated December 23, 2024.
- Short Environmental Assessment Form (EAF).
- Local Law for consideration.

Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved receipt of the following:

- Letter from Veneziano & Associates, dated January 10, 2025.
- County Planning Board Recommendation stating that the action is a matter for local determination, dated January 27, 2025.
- Town Planning Board recommendation, dated January 28, 2025.

Vote: Unanimous

Attorney for the applicant Anthony Veneziano gave a brief history of the property and stated that this change in zoning will legalize the current uses at the property and allow for the continuation of wood working and iron work that is currently being done on site. Architect Peter Gregory described the layout of the property.

Supervisor Rende stated that the change in zoning is the result of a compromise with the applicant which in turn has resulted in improvements to the property. The Board members supported the change and noted that it serves to improve the area for residents.

Resident Peter Navara stated his support for the use of the property. In response to a question from resident Sonny Vetaj, director of Planning Adam Kaufman stated the CB-B or Central Business Zoning allows for offices, retail and two specific light industrial uses: wood working and iron work.

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After all persons were heard who desired to be heard, Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved that the Public Hearing be closed at 8:48 p.m.
Vote: Unanimous

Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved that based upon review of the Environmental Assessment Form and all other materials, it has been determined that there will be no significant adverse environmental impacts and the Town Board hereby adopts a Negative Declaration.

Vote: Unanimous

Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved the adoption of Local Law 1 of 2025 to amend Chapter 355, Zoning, of the Code of the Town of North Castle to rezone 23 Bedford Banksville Road (102.04-1-9) from the CB-B Zoning District and GB Zoning District to the CB-B Zoning District, to permit Light Industrial Uses in the CB-B Zoning District and to create Light Industrial Special Use Permit Requirements (SUP) for the CB-B Zoning District. The Local Law follows at the end of these minutes.

Vote: Unanimous

Alison Simon, Town Clerk

Dated: February 20, 2025

TOWN OF NORTH CASTLE

**Local Law No. 1 For the Year 2025
Adopted February 12, 2025**

A LOCAL LAW to rezone 23 Bedford Banksville Road from the CB-B Zoning District and GB Zoning District to the CB-B Zoning District, to permit Light Industrial Uses in the CB-B Zoning District and to create Light Industrial Special Use Permit Requirements for the CB-B Zoning District.

BE IT ENACTED by the Town Board of the Town of North Castle as follows:

Section 1. Amend the “Zoning Map of the Town of North Castle, New York,” as established in Section 355-6 of the Town Zoning Code, so as to reclassify all of lot 102.04-1-9 from the CB-B and GB Zoning Districts to the CB-B Zoning District.

Section 2. Amend Section 355-22 of the Town Code to include the following use in the CB-B Zoning District:

- * Wood processing
- * Assemblage of pre-cut metal and aluminum.

Section 3. Amend Section 355-4 of the Town Code to include the following new definitions in proper alphabetical order:

Wood processing - wood processing, including receipt and indoor storage of treated wood, application of bleach, sanding, stain and topcoat of specimens.

Assemblage of pre-cut metal and aluminum - Metal assemblage, including receipt and indoor storage of metal and aluminum, assemblage of either product which may require welding and/or cutting.

Section 4. Amend Section 355-57 of the Town Code to add Wood processing, and assemblage of pre-cut metal and aluminum to the off-street parking requirements as follows:

Wood processing 1 space per 1,200 square feet of gross floor area.

Assemblage of pre-cut metal and aluminum. 1 space per 1,200 square feet of gross floor area.

Section 5. Create the following new Section 355-40.AB in the Town Code as follows:

AB. Wood processing, and Assemblage of pre-cut metal and aluminum uses. In zones where permitted, wood processing, and assemblage of pre-cut metal and aluminum uses shall be subject to the following additional requirements:

(1) Lot location and size. The site of a wood processing, and assemblage of pre-cut metal and aluminum use shall only be permitted within a 1-story building constructed prior to January 1, 1990 and not subjected subsequently expanded with a minimum gross floor area of 15,000 square feet, and shall be limited to no more than 60% of any building.

- (2) Density. The Town Board shall find that any building accommodating a wood processing, and assemblage of pre-cut metal and aluminum use shall have a maximum occupancy of 20 people at one time.
- (3) Operation plan. The applicant for a wood processing, and assemblage of pre-cut metal and aluminum shall submit a preliminary operation plan identifying proposed operations, hours, capacity and staffing requirements. All chemicals shall be stored, vented, applied and disposed of properly.
- (4) Parking. Parking shall be provided pursuant to Section 355-57 of the Town Code unless a greater or lesser number is found by the Town Board to be warranted based on review of the operation plan.
- (5) Exterior lighting and access. Exterior lighting shall be of such a nature as to minimize impact upon adjoining landowners. Wood processing, and Assemblage of pre-cut metal and aluminum uses shall have direct individual access to the outside of the building and be limited to operating on the first floor.
- (6) Site plan. The review and approval of a site plan by the Planning Board shall be made a condition of the issuance of a special use permit.

Section 6. Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 7. Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 8. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: February 12, 2025

PUBLIC HEARING
February 12, 2025

At 8:52 p.m. Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved that a Public Hearing, would be opened in accordance with the Public Notice that follows.

Vote: Unanimous

PLEASE TAKE NOTICE that in accordance with the provisions of Eminent Domain Procedure Law (EDPL) § 202, the Town Board of the Town of North Castle will conduct a public hearing at the Whippoorwill Hall, 19 Whippoorwill Road E., Armonk, New York, on February 12, 2025, at 7:30 p.m., with respect to the acquisition of the property known as 333 Main Street, Armonk, New York, for use as a Town Hall. At the public hearing, all interested persons will be given the opportunity to express their views concerning the economic and social effects of the action, its impacts on the environment and its consistency with the goals and objectives established by the community. The proceedings will be recorded. Persons may make oral statements and/or file written statements. Written statements submitted at the hearing or otherwise received by the Town Clerk no later than the commencement of the hearing will be made part of the record.

PLEASE TAKE FURTHER NOTICE that pursuant to EDPL § 202(C)(2), those property owners who may subsequently wish to challenge the condemnation of their property may do so only on the basis of issues, facts, and objections raised at the hearing (and

PLEASE TAKE FURTHER NOTICE that each individual assessment record billing owner ("property owner") or his or her attorney of record whose property may be acquired shall note that, under EDPL § 207(A), a petition to seek judicial review of the Town Board's determination and findings must be filed within 30 days after the Town Board's completion of its publication of its determination and findings, and that exclusive jurisdiction for judicial review of the Town Board's determination and findings resides in the Appellate Division of the Supreme Court of the State of New York.

Alison Simon
Town Clerk
Town of North Castle

Dated: Armonk, New York
January 27, 2025

Documents included in the Public Hearing record:

- The Order calling the Public Hearing.
- The Affidavit of Posting calling the Public Hearing.
- The Affidavit of Publication from The Journal News calling the Public Hearing.
- The notices mailed to property owner, dated January 27, 2025.
- The certified mail receipts denoting mailing to property owner.
- Short Environmental Assessment Form (EAF).
- Appraisal of property from William R. Beckmann, Beckmann Appraisals, Inc., dated December 18, 2024.

Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved receipt of the following correspondence:

- Letter from DelBello Donnellan Weingarten Wise & Wiederkehr, LLP dated February 11, 2025.
- Memo from Town of North Castle Police Chief Peter Simonson, dated February 11, 2025.
- Letter from Town Co-Historian, Sharon Tomback, dated February 11, 2025.
- Letter from resident Sharon Tomback, dated February 11, 2025.
- Email from resident Nora Manuele, dated February 11, 2025.
- Letters from residents Betty Sanchirico and Steve Condon, dated February 12, 2025.

- Emails from residents Gayle Kolt, JoAnn Gala, Carolyn Hoffman and Deborah Wood, Diane Borgia, and Daniela Israelov, dated February 12, 2025.

Vote: Unanimous

Stenographer Nathan Davis of Veritext transcribed the Public Hearing. A transcription of the Public Hearing will be saved with these Minutes.

Town Attorney Robert Spalzino gave a presentation on the legality of Eminent Domain and the application of the law in this particular case.

Architect Gary Gianfrancesco of CGR Systems gave a presentation highlighting the disrepair and unsatisfactory working conditions of the Police Department and Justice Court.

Town Supervisor Joseph Rende stated that the purchase of 333 Main Street would only occur following a Public Referendum, or public vote. This will give the public the ability to decide if they want to move this purchase forward or not.

Residents Susan Shimer and Ed Woodyard stated concerns with the future plans for the current Town Hall property and effects that changes to this area this will have on the character of Town and the impacts to the Historic Districts located on or around the current Town Hall property. Tim Radice Co-Chair of the North Castle Historical Society shared these concerns and stated his opposition to the development of the current Town Hall property located at 15 Bedford Road.

Resident William Bagliebter stated concerns with future plans for the current Town Hall including: property, traffic, tax liability and cost of purchasing and developing the new building.

Residents Keith Rosenthal and Neal Baumann questioned where the money would come from in order to purchase 333 Main Street and stated concerns with the development of the existing Town Hall property and the impacts these changes will have on the nature of the Town. Mr. Rosenthal stated that the potential development of 15 Bedford Road, the existing Town Hall property, should be considered at the same time as the purchase of 333 Main Street.

Parhm Alizadeh, owner of the property adjacent to 333 Main Street, stated his support for the purchase of 333 Main Street and the relocation of Town Hall.

Resident Brendan Molloy said the Highway Department needs a new facility and, while he is not in favor of selling the current Town Hall property, he does recognize a need to improve the Town Buildings and the working environment of the Town employees.

Resident Julie DeFilippo questioned what would become of the ball field, Highway Yard and American Legion Hall in the event that the Town Hall is moved to the new location. She pointed out that the Comprehensive Plan indicated a need for improvements to Town Hall buildings and suggested purchasing the American Legion Hall to expand the Town Hall complex.

Armonk Chamber of Commerce President and business owner Neal Schwartz stated his support for the purchase of 333 Main Street and expressed the need for growth balanced with keeping the charm of the Town of North Castle.

Resident Stephan Martinovic stated his support for the improvements to Town and the purchase of 333 Main Street.

Resident Tony Futia suggested that the Town use the current Town Hall property to build a new Town Hall complex to meet the Town's needs. He stated this would be more cost effective than purchasing an existing building and paying to retrofit it to meet the Town's needs.

Resident Antonette Guido stated the Board should consider the purchase of 333 Main Street at the same time that they consider the potential use of the existing Town Hall Property. She questioned the cost of the purchase of 333 Main Street and the loss of taxes from that location.

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Resident Ed Lashin stated his support for the purchase of 333 Main Street, but shared concerns regarding the process of eminent domain.

Resident Ed Lobermann stated his opposition to the purchase of 333 Main Street.

Resident Fred Cohen questioned the subject of the public referendum and what specifically the public would be voting on.

Councilman Saleem Hussain stated his appreciation to residents for their comments and efforts to move forward to solve the existing problem.

Councilman Barbara DiGiacinto acknowledged the current need to improve Town offices, but is apprehensive about the cost to purchase and retrofit 333 Main Street and what will happen to the current Town Hall property at 15 Bedford Road. She recommended that a parallel study of the existing Town Hall property be done at the same time as a study 333 Main Street.

Councilman José Berra shared concerns regarding the condition of existing Town buildings, the need for improvements and comments on the purchase of 333 Main Street as well as concerns regarding the future development on the current Town Hall property located at 15 Bedford Road.

Councilman Matt Milim stated that the current Town facilities are inadequate and that he does not think the purchase of 333 Main Street should be considered at the same time as the prospects for the existing Town property. He stated that holding off on the purchase of 333 Main Street to review the existing property would delay the process and the potential purchase of 333 Main Street is too good of an opportunity to pass up.

Supervisor Rende stated that 333 Main Street is a well-constructed building that would well fit the needs of Town departments and employees and would be accessible to the diverse needs of the public.

After all persons were heard who desired to be heard, Councilman José Berra moved, seconded by Councilman Matt Milim, and resolved that the Public Hearing be adjourned at 11:34 p.m.
Vote: Unanimous

Alison Simon, Town Clerk

Dated: February 20, 2025