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Co-Town Historian with The North Castle Historical Society

My name is Sharon Tomback. I speak as Co-Town Historian for North Castle.

Protecting historic properties depends on your votes with regard to Zoning.

According to our community's Town Code (quote) *"The purpose of the Zoning Code is for the protection and promotion of the public health, safety, morals and general welfare of the community."* Among the 11 detailed purposes are (quote)

"To guide the future growth and development of the Town in accordance with a Comprehensive Plan of land use..."

"To limit development to an amount equal to the availability and capacity of public facilities and services."

"To protect the Town against unsightly, obtrusive and obnoxious land uses and operations ..."

From the time of purchase 14 years ago Mark Mariani has repeatedly requested and received less restrictive and additional land uses for 45 Bedford Road through no less than 5 Zoning Text Amendments, 3 new Local Laws, and a full Rezoning of almost one acre.

How many more Zoning waivers for this one property? One property is no more important than the several neighboring properties. One property should not be granted Zoning waivers time after time after time.

Let's remember some of those concessions -- an office building - storage of petroleum – storage of propane – storage of chemicals – wine bar – accessory café – increase the size of the café – renting the café -- alcohol service – tents - social functions like weddings – catering hall - wait staff – valet parking – restaurant – flower shop – boutique clothing and furniture – luxury lifestyle accessories - renting to Soul Cycle ...

The Town Engineer advised January 13, 2019 that the nursery business was using land in the right-of-way of Maple Avenue. Is the Mariani Nursery still in violation of Town Code?

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Please do not vote for this new Local Law Zoning Change. It would create a brand new bulk, high-density, multi-family housing development Zoning District custom-tailored-for-the-applicant.

According to the applicant's projected site plan, passing this new Local Law would permit a 50 unit housing development with 93 bedrooms including an apartment building for 27 apartments towering 40 feet plus 23 additional house-style apartments in separate buildings.

By any standard a dramatic change to Zoning.

This small block is anchored by an 1872 church building on one corner and an 1842 church building on the other. The applicant's property borders NCPD No.1 and faces the Bedford Road Historic District 1850s houses.

Consider:

More Traffic. When an intersection is operating at F (failure) capacity and more traffic is added there's no lower rating and an impact cannot be rated.

Police, Fire and Emergency services.

Property Size constraints – just over 3 usable acres.

Historic Preservation Districts on two sides.

Inadequate sewer capacity.

Insufficient water supply.

Property is in a Federally-designated flood plain.

Increased storm water runoff

Contrary to the 2018 Comprehensive Plan.

Spot Zoning.

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North Castle Zoning Code **DOES NOT say** pass Local Laws to encourage development that further compounds traffic, creates grand-scale impervious surfaces; lies in a flood-plain, exceeds available capacity of the sewer plant and further compounds an insufficient water supply. Town Zoning Law **DOES NOT say** pass laws to encourage development that flies in the face of existing historic assets.

North Castle Zoning Law **DOES say** (quote) *direct and guide in accordance with a Comprehensive Plan and limit development to an amount equal to the availability and capacity of public facilities and services.*

This proposal is the best you can do? **Absolutely not!**

Local Laws and Zoning Text Amendments go both ways, and God knows we've certainly had lots of practice passing lenient ones for Mr. Mariani. **Limit** the currently permitted uses on 45 Bedford Road. **Reverse** the Zoning waivers previously granted.

Please stop further dilution of our Zoning laws.

Choose historic preservation.

Please Vote "NO". Do not create this new Local Law Zoning District custom-designed for Mark Mariani.

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