

12 June 2020



Mr. Adam R. Kaufman  
Director of Planning  
**Planning Department**  
**Town of North Castle**  
17 Bedford Road  
Armonk, New York 10504

*Via email, hard copy to follow by mail*

**Re: 1 Labriola Court – Outdoor Storage (17-019)**  
**Benerofe Armonk, LLC**  
**Designation: 107.04-2-23**  
**Zone: RELIP**

Dear Adam:

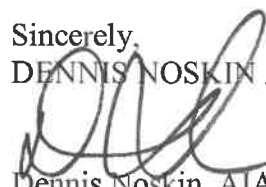
Yesterday, I was informed by Valerie DeSimone (Secretary, Planning Department) that our resolution is set to expire on June 14, 2020. (See attached).

I spoke with Andrew Gomez, the property manager for the site, and he informed me that Mike DiLapi of *Countryside Landscaping* has applied for and paid fees for a Building Permit for the project. However, unfortunately, the project has not been completed prior to the expiration date and we need to file for an extension.

Please accept this letter on behalf of ownership to file for an extension and direct us accordingly to fulfill the Town's requirements. Thank you.

If you have any questions or concerns, please contact me.

Sincerely,  
DENNIS NOSKIN ARCHITECT, PC



Dennis Noskin, AIA, LEED AP  
President

Attachment: Planning Board Resolution (Approved June 24, 2019)

Copy to: (via email only)

Andrew Gomez, Benerofe Properties  
Mitchell Benerofe, Benerofe Properties  
Valerie DeSimone, Planning Department, Town of North Castle



**TOWN OF NORTH CASTLE  
WESTCHESTER COUNTY  
17 Bedford Road  
Armonk, New York 10504-1898**

**Telephone: (914) 273-3542  
Fax: (914) 273-3554  
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**PLANNING BOARD  
Christopher Carthy, Chair**

**RESOLUTION**

<b>Action:</b>	Amended Site Plan Approval
<b>Application Name:</b>	1 Labriola Court – Outdoor Storage [17-019]
<b>Owner/Applicant:</b>	Benerofe Armonk, LLC
<b>Designation:</b>	107.04-2-23
<b>Zone:</b>	RELIP Zoning District
<b>Acreage:</b>	4.00-acres
<b>Location:</b>	1 Labriola Court
<b>Approval Date:</b>	June 24, 2019
<b>Date of Expiration:</b>	June 24, 2020

WHEREAS, a site plan application has been submitted to permit the outdoor storage of trailers, containers and material in the rear parking lot of 1 Labriola Court in the RELIP Zoning District; and

WHEREAS, the application consists of the following plans:

- Plan labeled “SP-1,” entitled “Amended Site Plan,” dated March 29, 2019, last revised May 8, 2019, prepared by JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC.

WHEREAS, the proposed action would be classified as a Type II Action pursuant to SEQRA; and

WHEREAS, Type II Actions have been determined not to have a significant impact on the environment do not require any further processing pursuant to SEQRA; and

WHEREAS, the Conservation Board has stated to the Planning Department that chemicals from some tenants are potentially being stored outdoors and that the indoor and outdoor storage of chemicals is a concern; and

WHEREAS, the site plan was forwarded to the Chief of Police, Fire Inspector and the Armonk Fire Chief so that they may make any pertinent recommendations to the Planning Board including, but not limited to, emergency vehicle access or any other issue deemed important to providing emergency services; and

WHEREAS, a duly advertised public hearing was opened on May 30, 2019 and closed on June 24, 2019 at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, the Planning Board has received and considered comments from the public, Town Attorney, Town Engineer and Town Planner; and

WHEREAS, the Building Department has determined that the proposed storage of materials and equipment is a use that is customarily incident to the permitted office use; and

WHEREAS, the Planning Board has determined that the outdoor storage is proposed in locations that are appropriately sized and visually compatible with the RELIP Zoning District; and

WHEREAS, the requirements of the Zoning Ordinance and the Town of North Castle Comprehensive Plan Update have been met; and

NOW THEREFORE BE IT RESOLVED, that the Application for site plan approval be, and it hereby is, granted, and the Planning Board Chairman is authorized to sign the site plan subject to the conditions identified below; and

**Prior to the Signing of the Site Plan:**

*(The initials of the appropriate Town Official and date shall be placed in the space below to indicate that the condition has been satisfied)*

- \_\_\_\_\_ 1. The plan shall dimension the overall size of the proposed gravel pad and include a construction detail to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 2. The plan shall illustrate and quantify the limits of disturbance and illustrate all necessary erosion and sediment control measures to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 3. The site plan shall be revised to contain a note stating “All chemical materials shall be stored inside the building, on spill containment treys, and in accordance with all applicable laws and regulations” to the satisfaction of the Planning Department.
- \_\_\_\_\_ 4. The Applicant shall submit documentation that all NYS GML 209-U paperwork has been properly filed with the Armonk Fire Chief to the satisfaction of the Planning Department.
- \_\_\_\_\_ 5. The site plan shall be updated to clearly identify the existing uses for each space in the building (graphically) to the satisfaction of the Planning Department. Any empty spaces shall be identified as currently vacant with a proposed future generic use. All identified uses shall also be reflected in the off-street parking chart.

Amended Site Plan Approval

***1 Labriola Court – Outdoor Storage [17-019]***

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- \_\_\_\_\_ 6. The outdoor storage areas are required to be associated with an on-site business. The site plan shall identify each outdoor storage area tied to a specific on-site business that is depicted on the site plan to the satisfaction of the Planning Department.
- \_\_\_\_\_ 7. The site plan shall be revised to depict a total of 6-9 new evergreen trees to be planted in the open grass area adjacent to Labriola Court to screen the existing parking area and between the front parking area and the existing trailers to screen the trailers to the satisfaction of the Planning Department.
- \_\_\_\_\_ 8. Pursuant to Section 127-17 of the Town Code, the applicant shall submit a detailed quantity cost estimate for all site improvements proposed, with the quantities certified to by the applicant's engineer, to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 9. Payment of all applicable fees, including any outstanding consulting fees.
- \_\_\_\_\_ 10. The applicant shall submit to the Planning Board Secretary one set of plans (with required signature block located in the lower right corner of all plan sheets) incorporating all required amendments to the plans as identified in this resolution of approval to the satisfaction of the Town Planner, Town Engineer and Town Attorney.
- \_\_\_\_\_ 11. The plan shall dimension the overall size of the proposed gravel pad and include a construction detail to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 12. The plan shall illustrate and quantify the limits of disturbance and illustrate all necessary erosion and sediment control measures to the satisfaction of the Town Engineer.

**Prior to the Issuance of a Building Permit:**

*(The initials of the appropriate Town Official and date shall be placed in the space below to indicate that the condition has been satisfied)*

- \_\_\_\_\_ 1. The approved site plan shall be signed by both the Planning Board Chairman and the Town Engineer.
- \_\_\_\_\_ 2. Payment of all outstanding fees, including professional review fees.
- \_\_\_\_\_ 3. The applicant shall submit an engineering inspection fee equal to 3% of the estimated cost of construction.

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**Prior to the Issuance of a Certificate of Occupancy:**

*(The initials of the appropriate Town Official and date shall be placed in the space below to indicate that the condition has been satisfied)*

\_\_\_\_\_ 1. An "as built" survey shall be submitted to the Town Building Inspector.

\_\_\_\_\_ 2. Payment of all outstanding fees, including professional review fees.

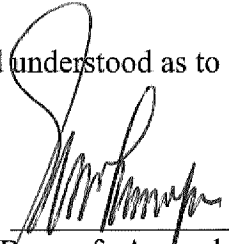
**Other Conditions:**

1. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.

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Applicant, agreed and understood as to contents and conditions, including expiration,  
contained herein

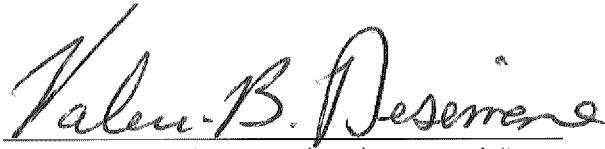
08/19/19  
Date

  
Benerofe Armonk, LLC

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NORTH CASTLE PLANNING OFFICE, as to approval by the North  
Castle Planning Board

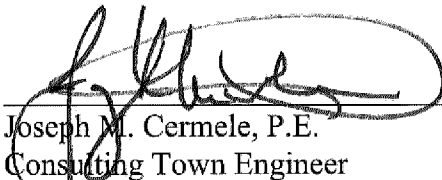
8/30/19  
Date

  
Valerie B. Desimone, Planning Board Secretary

Certified as Approved by the North Castle Planning Board

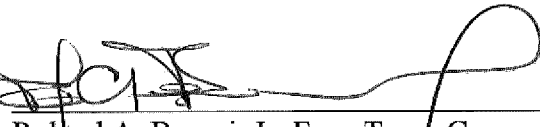
KELLARD SESSIONS CONSULTING  
As to Drainage and Engineering Matters

08/30/19  
Date

  
Joseph M. Cermele, P.E.  
Consulting Town Engineer

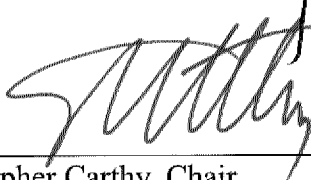
STEPHENS BARONI REILLY & LEWIS LLP  
As to Form and Sufficiency

9/3/19  
Date

  
Roland A. Baroni, Jr. Esq., Town Counsel

NORTH CASTLE PLANNING BOARD

9/4/19  
Date

  
Christopher Carthy, Chair