

PUBLIC HEARING

January 11, 2023

At 8:26 p.m. Supervisor Schiliro stated that a Public Hearing would be held in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on January 11, 2023, at 7:30 PM, or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, NY 10504, to consider a Local Law to amend Chapter 355, Zoning, of the Code of the Town of North Castle by amending Section 355-28. Additional R-MF-SS Residence District Regulations subsection C. AFFH units its entirety to read as follows:

AFFH Units. The single-structure building shall be provided with one AFFH unit for every five market-rate units or fraction thereof (20%).

In an effort to promote the type of housing envisioned in this zone, an applicant shall be permitted to reduce the AFFH requirement to one AFFH unit for every 10 market-rate units or fraction thereof (10%) provided that the single structure building has been granted a permanent Certificate of Occupancy no later than December 31, 2024 subject to a reasonable extension for good cause shown provided the project is at least 75% complete as determined by the Building Inspector.

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: December 28, 2022  
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 Town Clerk noted that certificates denoting mailing of Notice of Hearing to adjacent property owners were in order.

Negative Declaration for consideration.

Local Law for consideration.

Short Environmental Assessment (EAF) for consideration.

Supervisor Schiliro explained that the Board is considering an extension of time with respect to the local law regarding the 20% requirement for AFFH (Affordable Affirmatively Furthering Fair Housing) Units in the R-MF-SS Residence District. The property at 162 Bedford Road (formerly known as the Lumberyard) is the only property in the R-MF-SS Residence District. The proposal is to keep the AFFH requirement at 20% with regard to the subject project, and to reduce the AFFH requirement to 10% contingent upon the applicant's completion of at least 75% of the project by a certain date.

On April 14, 2021 the Town Board adopted a Local Law to amend Chapter 355, entitled Zoning, of the Town of North Castle Town Code to amend Section 355-28 to modify the AFFH (Affordable Affirmatively Furthering Fair Housing) requirements in the R-MF-SS Zoning

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District provided that the single structure building has been granted a permanent Certificate of Occupancy no later than December 31, 2022 subject to a reasonable extension for good cause shown provided the project is at least 75% complete as determined by the Building Inspector.

The Supervisor explained that the Board is now tasked to consider an extension of the date for which the applicant must obtain a permanent certificate of occupancy to December 31, 2024 or to a period no later than 18 months after the issuance of a Building Permit.

Town attorney Roland Baroni stated that the issue with the 18 month alternative is that it is indefinite because we do not know when the applicant will request the Building Permit.

Nicole Fareri, the property owner, appeared before the Board and indicated that she believes the Building Permit issuance is imminent and that either extension alternative is acceptable.

The Supervisor explained that the Planning Board had not yet considered this matter and therefore this Public Hearing would be adjourned to allow for Planning Board review.

Following further comments and discussion regarding the alternatives, the Board agreed to recommend the extension to a date certain of December 31, 2024 to the Planning Board.

After all persons were heard who desired to be heard, Councilman DiGiacinto moved, seconded by Councilman Hussain, that the Public Hearing be adjourned at 8:44 p.m.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Berra, Hussain, Milim, Supervisor Schiliro

Noes: None

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Alison Simon, Town Clerk

Dated: January 23, 2023.