

## PUBLIC HEARING

April 12, 2023

At 8:58 p.m. Supervisor Schiliro stated that a Public Hearing, would be opened in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on April 12, 2023, at 7:30 p.m., or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, NY 10504, to consider a Local Law to amend Section 355-27, Zoning, of the Code of the Town of North Castle; Re property located at 113 King Street, Armonk, NY, to permit density at the discretion of the Town Board for office building to senior housing conversions in the R-MF-SCH (Multifamily-Senior Citizen Housing) Zoning District and reclassify the Airport Campus property from the DOB-20A (Designed Office Business 20A) Zoning District to the R-MF-A (Multifamily-A Residence) and R-MF-SCH Zoning Districts.

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: March 29, 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.

Certificate of Mailing of Notice of Hearing to adjacent property owners was marked Exhibit "D" for the record.

Letter from Veneziano & Associates on behalf of applicant Airport Campus I-IV regarding Amendment to Zoning Petition, dated February 2, 2023, was marked Exhibit "E" for the record.

Letter from Director of Planning Adam Kaufman regarding positive recommendation from the Planning Board, dated March 28, 2023, was marked was marked Exhibit "F" for the record.

The Town Clerk noted there was a proposed Local Law for consideration.

Councilman Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, receipt of following:

1. Planning Board Recommendation, dated March 28, 2023.
2. Letter from County Planning Board, dated March 31, 2023.
3. Letter from Riverkeeper and NRDC, dated April 6, 2023.
4. Memo from Kerri Kazak, Chair, Open Space Committee, dated April 10, 2023.
5. Letter from State of New York, Environmental Protection Bureau, NYC Watershed Inspector General, dated April 12, 2023.
6. Letter from NYC Department of Environmental Protection, dated April 12, 2023.

The roll call vote was as follows:

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

Noes: None

Attorney for the applicant Tony Veneziano explained the purpose of the proposed zone text amendments is to rezone the 39-acre parcel, now in the Designed Office Business district, into two separate designations; a 4.5-acre piece including the existing southern office building would become Residential Multifamily Senior Citizen Housing (R-MFSCH), and the remaining 34.3 acres would be the Residential Multifamily district.

In the senior zone the developer is planning to repurpose the existing 100,000-squarefoot office building and build 50 age-restricted two-bedroom units with condominium taxation. 125 three-bedroom townhomes, with fee simple taxation, are planned to be built by Toll Brothers in the residential district.

Mr. Veneziano said the project is in keeping with the Town's Comprehensive Plan and will increase the Town's tax revenue. The public water supply for the project will come from Old King Street and a water tank will be built on-site. He said this connection will constitute the community benefit.

Mr. Veneziano said the existing house on the property, built in the 1820s, does not qualify for historic designation, but the Town or the historical society may take it and place it elsewhere. Councilman Matt Milim suggested moving it to Lombardi Park.

Michael Dulong, attorney for Riverkeeper, Inc., stated that this project will result in a significant change to the property and the entire site plan will impact the Kensico Reservoir which supplies water to over 8 million New York City and Westchester County residents. Mr. Dulong stated that the property is subject to the conservation easement, and the agreements Riverkeeper entered into in 2003 and 2006 with prior property owner Municipal Bond Insurance Association (MBIA) should be considered. The 2006 agreement is included in the DEIS.

Henry Bram, of Natural Resources Defense Council (NRDC) stated concerns regarding the projects impacts to the reservoir and water supply. Mr. Dulong and Mr. Bram requested that the Town Board abstain from taking any action regarding this rezoning application until Riverkeeper, NDRC and Westchester Land Trust have a chance to meet with the developer and determine how to advance the project in a manner consistent with the conservation easements and in consideration of the developments impact on the Kensico Reservoir water supply.

Mr. Veneziano agreed to meet with representatives from Riverkeeper and NDRC in an effort to develop a plan and take the necessary steps to safeguard the Reservoir.

Councilman Matt Milim and Councilman Jose Berra expressed concerns regarding the projects density with respect to potential modifications of the site plan due to the conservation easements. Mr. Berra also expressed concerns regarding impervious surfaces and water runoff.

Supervisor Michael Schiliro said he is comfortable with the project as long as the applicant can satisfactorily address the environmental issues.

Town Attorney Roland Baroni said the Board should include the conservation easements and the Planning Board's recommendations in their findings. He said concerns regarding density and environmental impacts should not affect the Town Board's issuance of findings or consideration of the zoning amendments because those concerns are addressed by the Planning Board.

Director of Planning Adam Kaufman said the zone text amendment imposes minimum building lot sizes. He said the Town Board will have time to review the Planning Board's recommendations regarding density and water infrastructure including adequate interconnections with Water District 4.

At the request of Councilman Barbara DiGiacinto, Mr. Kaufman reviewed concerns expressed in the Planning Board memo which include: Density; water infrastructure concerns, specifically plans for connections to the Town's water supply and where the proposed water tank will be located; internal circulation within the property and external connectivity from the property; the view of the property from the street; noise attenuation and mitigation measures given the project's proximity to the airport; additional pathways on neighboring properties; and the efficient operation of intersections around the project. Mr. Kaufman said these concerns and mitigation measures should be included in the Town Boards findings.

Mr. Veneziano stated the applicant had submitted the Final Environmental Impact Statement (FEIS) and is waiting on comments from Town Engineers Kellard Sessions. Mr. Baroni said that the Town Board will receive the completed the FEIS at the April 26, 2023 or May 10, 2023 meeting, and then the Town Board will adopt the FEIS at the following meeting.

Town Board Minutes  
April 12, 2023

After all persons were heard who desired to be heard, Councilman Barbara DiGiacinto moved, seconded by Councilman Saleem Hussain, that the Public Hearing be adjourned at 10:02 p.m. and reconvene on April 26, 2023.

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: April 21, 2023