

PUBLIC HEARING

August 10, 2022

At 8:10 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 Wednesday, August 10, 2022, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New York, 10504, to consider the Special Use Permit Application of Brothers Green Nursery. The proposed use of the premises is to continue its well-established use of the property as a nursery. The property is located at 11 Bedford Banksville Road, Banksville, NY, and known on the North Castle Tax Maps as 102.04-1-18, and located within the CB-B (Central Business B) and GB (General Business) Zoning Districts.

The special use permit application 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: July 27, 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.

Application documents, including letter from Kory Salomone, Zarin & Steinmetz, dated May 4, 2022; Short Environmental Assessment Form (EAF) Part 1; and report from Director of Planning, Adam Kaufman dated May 9, 2022, were marked Exhibit "D" for the record.

Letter from Westchester County Planning Board, dated May 20, 2022, stating that the action is a matter for local determination was marked Exhibit "E" for the record.

Letter from Conservation Board to the Planning Board, dated July 26, 2022, was marked Exhibit "F" for the record.

The Town Clerk noted that the certificates denoting mailing of Notice of Hearing to adjacent property owners were in order.

The Public Hearing to consider a Special Use Permit Application of Brothers Green Nursery, 11 Bedford Banksville Road, Bedford, for a contractor's yard was opened at 8:14 pm and ran concurrently with this Public Hearing.

Kory Salomone, Zarin & Steinmetz, attorney for the applicant Brothers Green Corp., summarized the reason for the amended application and indicated that, based on recommendations from the Town Board, Planning Board, and Conservation Board, the applicant revised the site plan and relocated all equipment and materials associated with a contractor's yard to the portion of the property that is within the General Business District (GB), which permits contractor's yards by special permit, and placed all equipment and materials related to the nursery use in the portion of the property that is within the Central Business District (CB-B), which permits nurseries by special permit. These changes required a special permit for the nursery use and an additional special permit for a contractor's yard.

Councilman Milim questioned the limitations on pesticide use and recommend that the permitted nursery use should be limited to current uses and should not include additional uses.

Councilman Berra requested a list of equipment used in the contractor's yard and for nursery use.

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Applicant Richard Green indicated his intent to maintain the same degree of use on the property as there has been for the past forty years.

After all persons were heard who desired to be heard, Councilman DiGiacinto moved, seconded by Councilman Hussain, that the Public Hearing be adjourned at 8:25 p.m., and reconvened at the September 14, 2022 Town Board Meeting.

The roll call vote was as follows:

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

Noes: None

Alison Simon, Town Clerk

Dated: September 1, 2022