

Town Board Minutes
Town of North Castle
15 Bedford Road
Armonk, New York
on
February 15, 2023

The Town Board Meeting was held in person at 15 Bedford Road, Armonk, New York and via videoconference. The Meeting was called to order at 5:30 p.m. and adjourned to an Executive Session, on the duly adopted motion of Councilman DiGiacinto.

- All Town Board members, the Town Attorney and the Town Administrator were present in person for the Executive Session.

The Executive Session adjourned at 7:35 p.m. The regular meeting reconvened at 7:42 p.m.

The following persons were present in person in the Meeting Room:

Supervisor: Michael Schiliro
Councilman: Barbara DiGiacinto
Councilman: Saleem Hussain
Councilman: Matt Milim
Councilman: José Berra
Town Clerk: Alison Simon
Town Attorney: Roland A. Baroni
Town Administrator: Kevin Hay

Town Supervisor Michael Schiliro provided an update on Governor Hochul's Housing Compact.

Approval of Town Board Minutes: February 8, 2023.

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, approval of Town Board Minutes: February 8, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, adoption of Resolution In Objection to Governor Hochul's "New York Housing Compact" Proposal. The Resolution follows at the end of these Minutes.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman Matt Milim, approval of request from The Friends of the North Castle Public Library for use of North Castle Community Park, including access road and parking area, for the 61st Annual Armonk Outdoor Art Show September 30, 2023 and October 1, 2023; approval of alcohol permit and waiver of permit fee; and waiver of tent permit fee.

Vote- Unanimous

Regarding the Summit Club at Armonk (formerly Brynwood), 568 Bedford Road, Armonk, Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of the following regarding the amended and extended Special Use Permit (SUP) for the golf course; proposed maintenance building; allowing public use of the golf course while the residential units are being constructed; and request to amend the Town Code:

- Proposed Local Law.
- Revised Conservation Easement and Declaration of Restrictions and Covenants.
- County Planning Board letter, dated December 19, 2022.
- Letter from Granoff Architects, dated January 11, 2023.
- Planning Board recommendation, dated January 18, 2023.
- Memo from Open Space Committee, dated February 6, 2023.
- Planning Board Recommendation, dated February 14, 2023.

Councilman: Barbara DiGiacinto further moved, seconded by Councilman: Saleem Hussain, to extend the existing Temporary Special Use Permit (SUP) to permit the applicant to operate a golf club with temporary facilities and limited operation until June 30, 2023.

Vote- Unanimous

Town Board Minutes
February 15, 2023

Regarding the Summit Club at Armonk (formerly Brynwood), Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, the scheduling of Public Hearings on March 22, 2023 to consider the following:

- Local Law to amend Section 355-32B, Zoning, of the Town Code to permit the public use of the golf club while the residential units are being constructed.
- Temporary Special Use Permit (SUP) to operate the Summit Golf Club, proposed maintenance building, and to allow public use of the golf course while the residential units are being constructed.
- Grant of Conservation Easement and Declaration of Restrictive Covenants for properties, consisting of approximately 130 acres, located at address commonly known as 568 Bedford Road, Armonk, New York.

Vote- Unanimous

Regarding amended Zoning Petition for Airport Campus, 113 King Street & Associated Properties, Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of the amended Zoning Petition from Veneziano & Associates, dated February 3, 2023 and the preliminary Final Environmental Impact Statement (pFEIS), dated February 3, 2023. Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, referral of the amended Zoning Petition to the Town and County Planning Boards. Councilman: Matt Milim moved, seconded by Councilman: Barbara DiGiacinto, referral of the pFEIS dated February 3, 2023 to the Director of Planning Adam Kaufman and Town Consultants.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of payment application No. 1 to WND Construction Corp. for the North Castle Public Library Restroom Alterations Project in the amount of \$16,466.66.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of request for use of Town roads and pool parking lot to hold Wall Street Rides FAR charity cycling event for Autism Research on Saturday, September 30, 2023.

Vote- Unanimous

Councilman Matt Milim moved, seconded by Councilman: Saleem Hussain, receipt of letter from William Quinn and Jonathan Schneider regarding Armonk Indoor Sports Center, dated December 9, 2022, and referral to Superintendent of Parks and Recreation Matt Trainor and the Parks and Recreation Advisory Board.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, authorization for the Supervisor to sign agreement with Bonadio & Co., LLP for GASB 87 Professional Consulting Services.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of letter of resignation for purposes of retirement from Lieutenant Geoffrey Harisch, Police Department, effective March 27, 2023.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Saleem Hussain, receipt of resignation of Joseline Huerta from Intermediate Clerk Full Time, Building Department; and approval of probationary appointment to Planning Board Secretary, effective February 16, 2023.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Terminal Leave Payment for Valerie Desimone, Planning Department.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, receipt of letter of resignation from James Cianci, Highway Department, effective February 11, 2023.

Vote- Unanimous

Town Board Minutes
February 15, 2023

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Saleem Hussain, approval of Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$1,429,408.68 as indicated on Warrant No. 4 dated February 15, 2023.
- Receipt of Franchise Fee payments, 4th Qtr. 2022 from Cablevision/Altice and Verizon.

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:29 p.m. in memory of former resident Dorothy Landor.

Alison Simon, Town Clerk

Dated: February 24, 2023

TOWN OF NORTH CASTLE

Town Hall - 15 Bedford Road

Armonk, New York 10504

northcastleny.com

(914) 273-3000

Established 1736

On a motion made by Councilman Barbara DiGiacinto and seconded by Councilman Saleem Hussain, the following resolution was unanimously adopted:

RESOLUTION: TOWN OF NORTH CASTLE – FEBRUARY 15, 2023

In Objection to Governor Hochul’s “New York Housing Compact” Proposal

WHEREAS, Governor Hochul FY 2024 Executive Budget included the “New York Housing Compact”; and

WHEREAS, the “New York Housing Compact” consists of the “New Homes Targets and Fast-Track Approval Act” and the “Transit-Oriented Development Act of 2023”; and

WHEREAS, the Governor claims that the “New Homes Targets and Fast-Track Approval Act” is necessary in order to forestall restrictive land use practices that inhibit and limit housing development; and

WHEREAS, as proposed the “New Homes Targets and Fast-Track Approval Act” amends General Municipal Law and overrides the Town of North Castle land use regulations as adopted in the Town’s Zoning Code and consistent with the Town’s Comprehensive Plan; and

WHEREAS, the “New Homes Targets and Fast-Track Approval Act” requires the Town to meet or exceed a Residential Dwelling Growth Target or enact by local law two of five “preferred actions” in order to be considered in “Safe Harbor” status; and

WHEREAS, all of the Town of North Castle services; police, volunteer emergency services, water, sewer, and the school community would be grossly impacted; and

WHEREAS, all five “preferred actions” require extreme and substantial amendments to the Town of North Castle’s local zoning including but not limited to, no restrictions on minimum lot size, height limits, setbacks, parking and no environmental review, planning board review and aesthetic review; and

WHEREAS, Appeals can be brought to a new State Housing Review Board usurping the Home Rule authority of local land use boards who understand the local community; and

WHEREAS, the “Transit-Oriented Development Act of 2023” would amend Town Law to adopt land use regulations within three years, for higher density development for areas located within one half mile of any publicly accessible areas of an MTA transit station; and

WHEREAS, the Hamlet of North White Plains would fall into Tier 1 of transit-oriented development, requiring aggregate development of 50 residential dwelling units per acre within a ½ mile of the North White Plains Metro North train station; and

WHEREAS, the forced land use regulations would result in the potential for over 6,000 new residential units in the 125 acres that must be rezoned within ½ mile of the Metro North station in the Hamlet of North White Plains; and

WHEREAS, the new amended Town Law would require the new zoning to be exempt from SEQRA review, which would prohibit the study and evaluation of the existing and proposed road network, impact upon volunteer emergency services, impacts on police department staffing, ability of school districts to absorb new students, traffic impacts, sidewalk connectivity, and all standard evaluation criteria in a generic environmental impact statement; and

WHEREAS, the new amended Town law would prohibit Municipalities from adopting reasonable and appropriate development regulations to insure the development is compatible with the surrounding uses, such as lot coverage, open space, building height, setbacks, floor area ratios or parking restrictions; and

WHEREAS, the Governor’s proposed Transit Oriented Development proposal would create adverse impacts within the already densely populated Hamlet of North White Plains; and

WHEREAS, the Town of North Castle shares many of the same goals as the Governor having a long history of and consistently demonstrating a commitment to providing a wide variety of housing choice and maintaining and strengthening hamlet centers as service and higher-density residential areas; and

WHEREAS, the Town of North Castle local zoning code provides for multi-family housing, two-family housing, accessory dwelling units, affordable housing units, middle income housing units, age restricted units and the flexibility for North Castle to rezone to increase the density of any project; and

WHEREAS, the residents of the Town of North Castle have had a voice and participated in land use decisions for decades, from the updating of the Town’s Comprehensive Plan, participating in public hearings and volunteering on Town Boards and Committees; and

WHEREAS, the residents of the Town of North Castle will be disenfranchised from their local elected officials, local volunteer Boards and render all of the residents input meaningless; and

NOW THEREFORE BE IT RESOLVED, that the Town of North Castle implores the Legislature to remove the Housing Compact proposal from the FY 2024 Budget, and future budgets, and engage local Governments in dialogue and address our common goals; and

BE IT FURTHER RESOLVED, that the Town of North Castle adamantly opposes the Governor's Housing Compact and urges the State Legislature to preserve and protect Municipal Home Rule and Local Zoning Powers.

I, Alison Simon, Town Clerk of the Town of North Castle, do hereby certify that the above resolution was duly adopted at a regular meeting of the Town Board of the Town of North Castle held on February 15, 2023 and that the above resolution is a true and correct transcript thereof.

Alison Simon, Town Clerk

Dated: February 16, 2023
Armonk, New York