

Town Board Minutes  
Town of North Castle  
15 Bedford Road  
Armonk, New York  
on  
June 23, 2021

The Town Board meeting was online via web conference due to the Coronavirus (COVID-19) pandemic. The meeting was called to order at 5:30 p.m. and immediately adjourned to an Executive Session. All Town Board members, the Town Attorney, and the Town Administrator were present for the Executive Session. The Executive Session adjourned at 7:40 p.m.; the Town Clerk joined the regular meeting which reconvened at 7:43 p.m., and the following persons were present:

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

A Public Hearing was held to consider a Local Law to amend the Code of the Town of North Castle to add Chapter 219 to opt out of allowing cannabis retail dispensaries and on-site consumption sites as authorized under NYS Cannabis Law Article 4.

A Public Hearing was reconvened to consider a Local Law to repeal Chapter 292 of the Town of North Castle Town Code entitled Telecommunication Facilities and create a new Chapter 292 entitled Wireless Communication Facilities.

A Public Hearing was reconvened to consider Local Laws to amend Chapter 355, Zoning with regard to the proposed Eagle Ridge development at 3 North Castle Drive, Armonk.

The Minutes of the Public Hearings, which opened at 8:01 p.m. follow at the end of these Minutes.

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of Town Board Minutes: June 9, 2021, with the exception of the minutes of the Public Hearing to consider Local Laws with regard to the proposed Eagle Ridge development.  
Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, approval of Town Board Public Hearing Minutes: June 9, 2021, to consider Local Laws to amend Chapter 355, Zoning with regard to the proposed Eagle Ridge development at 3 North Castle Drive, Armonk.

The roll call vote was as follows:

Ayes:            Supervisor: Michael Schiliro, Councilman: Barbara DiGiacinto,  
                         Councilman: Barry Reiter, Councilman: José Berra  
Noes:            None  
Abstained:     Councilman: Saleem Hussain

The following actions were taken in regard to Airport Campus, 113 King Street, Armonk:

- Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, receipt of memo from Director of Planning Adam Kaufman, dated June 3, 2021; and the Draft Environmental Impact Statement (DEIS) Third Completeness Review, dated June 8, 2021.
- Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, acceptance of the Draft Environmental Impact Statement (DEIS) as complete.
- Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, establishment of a comment period until September 30, 2021.

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- Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, the scheduling of a Public Hearing for the Zoning Petition on July 28, 2021 and the scheduling of a SEQR Public Hearing for the DEIS on July 28, 2021.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: José Berra, approval of the request of 11 New King Street, LLC for a second extension of the Special Use Permit for a Long-Term Parking Structure regarding Park Place, 11 New King Street, Armonk, for a two-year period to expire July 11, 2023; and adoption of the Resolution.

The Resolution follows at the end of these Minutes

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of Payment Application No. 3 to Abbott & Price, Inc. for \$94,325.50 for Elevator Project North Castle Public Library, Armonk.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, approval of proposal from Westchester Green for breezeway repair at the North Castle Public Library, Armonk for a cost of \$13,700, and authorization for the Supervisor to sign the agreement.

Vote- Unanimous

Note: This action overrides the March 24, 2021 Town Board approvals of proposals for the same services from Castagnino Construction and AMC Contracting.

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, receipt of the recommendations of Planning Board and Town Engineers Kellard Sessions; and approval of the establishment of the new Wetland Mitigation Plan Bond in the amount of \$9,652.50, and Wetland Monitoring and Maintenance Plan Bond in the amount of \$1,316.25, for 3 Middle Patent Road Project.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of Notice of Liquor License application from Primizia Foods II, LLC for DeCicco & Sons, 17 Maple Ave, Armonk, and waiver of 30-day Notice requirement.

Vote- Unanimous

Councilman: Barbara DiGiacinto moved, seconded by Councilman: Barry Reiter, receipt of Notice of amended Liquor License application from La Crem Operating LLC for La Cremaillere Restaurant, 46 Bedford Banksville Road, Bedford, NY, and waiver of 30-day Notice requirement.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barry Reiter, receipt of Notice of amended Liquor License application from Summit Country Club LLC, 568 Bedford Road, Armonk.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barry Reiter, approval of Payment Requisition No. 3 to AFL General Construction Inc. in the amount of \$142,272, regarding the North White Plains Community Center Renovation project.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barry Reiter, approval of Film Permit application from Go 2 Productions LLC for a feature film at 2 Mianus Drive, Bedford on a date to be determined in September 2021 from 8 am to 7 pm.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: José Berra, authorization for the Supervisor to sign Summer Camp agreement with Byram Hills Central School District for use of Coman Hill and Wampus Elementary Schools for the last week in June through the first week in August, 2021.

Vote- Unanimous

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Councilman: Saleem Hussain moved, seconded by Councilman: Barry Reiter, authorization for the Supervisor to sign Summer Camp Bus Lease Agreement with Byram Hills Central School District effective June 28, 2021 to August 6, 2021, for the fees outlined in the agreement.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization for the Supervisor to sign Memorandum of Understanding with the Byram Hills School District for the provision by the Town of School Resource Police Officer (SRO) for the 2021-2022 school year.

Vote- Unanimous

Councilman: José Berra moved, seconded by Councilman: Barbara DiGiacinto, authorization for Supervisor to sign Prisoner Transportation Agreement for 2021 and 2022 with Westchester County Department of Correction for the fees outlined in the agreement.

Vote- Unanimous

Councilman: Barry Reiter moved, seconded by Councilman: Barbara DiGiacinto, appointment of Paula Landi to full time Library Page, effective June 23, 2021.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, appointment of Elisabeth Esposito to Junior Clerk in the Town Court, effective June 24, 2021.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, reappointment of Stuart Brown to the Landmarks Preservation Committee (LPC) for a three-year term to expire May 17, 2024.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barbara DiGiacinto, appointment of Melissa Horowitz to the Landmarks Preservation Committee (LPC) for a three-year term to expire June 23, 2024.

Vote- Unanimous

Councilman: Saleem Hussain moved, seconded by Councilman: Barry Reiter, approval of Consensus Agenda as follows:

- Audit and approval of payments in the amount of \$738,444.51 as indicated on Warrant No.12 dated June 23, 2021.
- Receipt of Notice of Claim in the Matter of Philp Hahn vs. The State of New York, The New York State Police, the Armonk Police Department, The La Quinta Inns & Suites, The Town of North Castle Police, John Doe 1, John Doe 2, John Doe 3, John Doe 4, John Doe 5 to 100 (fictitious person).

Vote- Unanimous

After all persons were heard who desired to be heard, the Supervisor closed the regular meeting at 10:36 p.m.

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Alison Simon, Town Clerk

Dated: July 7, 2021

## RESOLUTION

**Action:** Special Use Permit for a Long-term Parking Structure –  
Second Extension of Time  
**Application Name:** Park Place  
**Owner/Applicant:** 11 New King Street LLC  
**Zone:** IND-AA (Industrial AA District)  
**Location:** 11 New King Street  
**Original Date of Approval:** July 11, 2018  
**1<sup>st</sup> Extension Date of Approval:** July 24, 2019  
**2<sup>nd</sup> Extension Date of Approval:** June 23, 2021  
**Expiration Date:** July 11, 2023 (2 years)

WHEREAS, the Town of North Castle Town Board received a special use permit application to construct a multi-level automated parking structure at 11 New King Street to alleviate an existing parking shortage at Westchester County Airport; and

WHEREAS, the proposed project would involve construction of a building with an approximately 31,493 square foot footprint and would house an enclosed automated parking structure capable of accommodating 850 vehicles; and

WHEREAS, the SEQRA review of the Proposed Action has been concluded; and

WHEREAS, the Town Board adopted a Findings Statement on June 28, 2017.

WHEREAS, the Town Board, based upon its review of the entire record, found that the potential environmental impacts associated with the project would be adequately mitigated; and

WHEREAS, the original resolution of approval was set to expire on July 11, 2019 and the Applicant had not yet met all of the conditions of such approval; and

WHEREAS, the Applicant had requested a 2-year extension of time; and

WHEREAS, on July 24, 2019 the Town Board reviewed said request and determined that there were no reasons to deny an extension of time; and

WHEREAS, the first extension of time approval is set to expire on July 11, 2021 and the Applicant has not yet met all of the conditions of such approval; and

WHEREAS, the Applicant has requested a 2-year extension of time; and

WHEREAS, on June 23, 2021 the Town Board reviewed said request and determined that there were no reasons to deny an extension of time; and

NOW, THEREFORE, BE IT RESOLVED, that the request for an extension of time is granted; and

BE IT FURTHER RESOLVED, that all conditions of the resolution of Special Use Permit Approval dated July 11, 2018 shall remain valid and in full force and effect.