

PUBLIC HEARING

October 27, 2021

At 9:02 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 October 27, 2021, 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 to amend the provisions of the RELIP Research, Electronic and Light Industrial Park Zoning District to permit outdoor dog areas associated with a Commercial Dog Care Facility.

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: October 13, 2021  
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.

Letter from Leslie Maron, Maron & Mazzanti, attorney for the applicant, Pleasant Grooming of Armonk, Inc., located at 1 Labriola Court, with proposed amendment to the Zoning Code and preliminary plan of the proposed outdoor area, dated June 21, 2021, was marked Exhibit "D" for the record.

Letter from Westchester County Planning Board, dated July 27, 2021, stating that the action is a matter for local determination was marked Exhibit "E" for the record.

Letter from Benerofe Armonk LLC, owners of the building at 1 Labriola Court, dated August 4, 2021, stating that they consent to and support the petition to amend the Zoning Code to permit an outdoor fenced in area for dogs, and an application for a building permit and site plan approval, was marked Exhibit "F" for the record.

Letter from Director of Planning Adam Kaufman, dated August 10, 2021, regarding a positive recommendation from the Planning Board was marked Exhibit "G" for the record.

Email from the Police Department, dated September 17, 2021, noting they have not received any issues or complaints associated with Pleasant Grooming, was marked Exhibit "H" for the record.

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

The Town Clerk noted there was an Environmental Assessment Form.

The Town Clerk noted there was a Negative Declaration for consideration.

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

Director of Planning Adam Kaufman noted that proposed amendment to the RELIP Zoning District would permit a Commercial Dog Care Facility to have up to ten dogs in an outdoor area.

Town Board Minutes  
October 27, 2021

Leslie (Les) Maron appeared before the Board via video conference on behalf of the applicant, Pleasant Grooming of Armonk, Inc., along with Tyler Zuckerman, the owner of Pleasant Grooming.

There was brief discussion between Mr. Maron and the Board. The Board expressed support of the proposed local law.

After all persons were heard who desired to be heard, Councilman Reiter moved, seconded by Councilman Berra, that the Public Hearing be closed at 9:17 p.m.

The roll call vote was as follows:

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

Noes: None

Councilman DiGiacinto moved, seconded by Councilman Hussain, that based upon review of the Environmental Assessment Form and all other materials, it has been determined that there will be no significant adverse environmental impacts and the Town Board hereby adopts a Negative Declaration.

The roll call vote was as follows:

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

Noes: None

Councilman DiGiacinto moved, seconded by Councilman Hussain, the adoption of Local Law 8 of 2021, to amend Chapter 355, Zoning, of the Code of the Town of North Castle to amend the provisions of the RELIP Research, Electronic and Light Industrial Park Zoning District to permit outdoor dog areas associated with a Commercial Dog Care Facility. The Local Law follows at the end of these minutes.

The roll call vote was as follows:

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

Noes: None

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Alison Simon, Town Clerk

Dated: November 3, 2021

**TOWN OF NORTH CASTLE**

**Local Law No. 8 For the Year 2021  
Adopted October 27, 2021**

A local law amending Chapter 355 Zoning to amend provisions of the RELIP Zoning District to permit outdoor dog areas associated with a Commercial Dog Care Facility.

**Section 1.** Amend Section 355-30(E)(4)(a), and add a new Section 355-30(E)(4)(k) as follows:

- (4) Commercial dog care facilities shall be subject to the following standards and conditions:
- (a) Workspaces, runs, pens or other facilities shall be located within a completely enclosed, soundproof building, and such commercial dog care facility shall be operated in such a manner as to produce no objectionable noise, odors or other nuisances beyond the boundaries of the site on which it is located, provided, however, that outdoor areas may be located, installed and operated as permitted by Section (k) hereof.
  - (b) A commercial dog care facility located in a multitenanted building shall have a separate main entrance for dropoff and pickup of dogs. To help keep the dogs separate from other tenants and the general public, such separate main entrance shall be located at least 30 feet from any entrance used by other tenants in the building, shall have direct access to the exterior of the building and shall not be located in a hallway or entranceway that is shared with other tenants of the building. In addition to the main entrance, there shall be a side or rear entrance for use by the staff of the commercial dog care facility to take the dogs outside for exercise or walking.
  - (c) All animal fecal material from dogs occupying or being cared for at a commercial dog care facility shall be removed from the building, grounds and roadways and placed in plastic bags or containers and disposed of properly in the trash.
  - (d) All commercial dog care facilities shall be connected to public water and sewer.
  - (e) Not more than 20% of the floor area or 1,000 square feet, whichever is less, of the commercial dog care facility may be devoted to the retail display and sale of dog-related products.
  - (f) No veterinary or medical services or care shall be provided at a commercial dog care facility.
  - (g) All commercial dog care facilities shall submit documentation to the Building Department of having obtained a Westchester County Department of Health animal facilities permit.
  - (h) On-site staff shall be provided during all times that dogs are present at the commercial dog care facility.
  - (i) All commercial dog care facilities shall provide appropriate access to a safe outdoor dog-walking area or areas.
  - (j) No commercial dog care facility shall exceed 5,000 square feet of gross floor area.
  - (k) Outdoor areas may be located, installed and operated subject to the following conditions:

- (i) The outdoor area must be enclosed by a fence made of solid opaque material at least four (4) feet in height.
- (ii) Not more than 10 dogs shall be permitted in any one outdoor area.
- (iii) On-site staff shall be present at outdoor areas at all times that dogs are present in outdoor areas.
- (iv) A building permit shall be required to construct all outdoor areas.

**Section 2. Conflicting Standards.**

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

**Section 3. Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

**Section 4. Effective Date.**

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: October 27, 2021