

## PUBLIC HEARING

February 24, 2016

At 9:51 p.m. Supervisor Schiliro stated that the Public Hearing that was adjourned on January 27, 2016 would reconvene to consider a local law to amend Chapter 355, Zoning, of the Code of the Town of North Castle with respect to the Residential Multifamily Senior Citizen (R-MF-SCH) Zoning District to increase the minimum required building setbacks and increase the maximum number of stories from 2 to 2.5.

The proposed Local Law is available in the Town Clerk's Office during regular business hours and on the Town's 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: January 13, 2016  
Armonk, New York

Letter from Veneziano & Associates, dated February 16, 2016, was marked Exhibit "H" for the record.

Email from Christine Eggleton, dated December 14, 2015, was marked Exhibit "I" for the record.

Negative Declaration for consideration.

Proposed Local Law for consideration.

Sewer Installation Agreement for consideration.

Kory Salomone, Veneziano & Associates, appeared before the Board with his client, Frank Madonna, in connection with the age-restricted project on Route 128 and Old Mt. Kisco Road.

Supervisor Schiliro said there have been concerns expressed by residents about this application regarding the townhouse plan in multiple buildings and the proposed change to a single building on the property, and concerns among the Board regarding the single building plan. In response, the applicant had a video developed to visualize how the single building with five years of growth would look from the street.

Mr. Salomone said the applicant is willing to provide a boulevard entrance, an island in the middle of the driveway, with trees breaking up the massing of the building as viewed from the street. In response to a query from Councilman Berra, Mr. Salomone said the driveway would be a few feet wider with the boulevard. Mr. Salomone displayed the 3D video of the single building alternative traveling north on Route 128 and south on Old Mt. Kisco Road.

Supervisor Schiliro summarized that the concept of the single building was to increase setbacks from Route 128 and Old Mt. Kisco Road, locate the building closer to the center of the property, thereby providing a lower profile and reducing the visual impact versus the townhouse project which would be closer to the street, especially on Old Mt. Kisco Road. He said that some Old Mt. Kisco Road residents seem to prefer the single building over the townhouses.

In response to a query from Councilman D'Angelo, Mr. Salomone said they are also proposing to change the peak in the middle of the building to an atrium.

Councilman DiGiacinto complimented Mr. Madonna, Mr. Salomone and their team for their professionalism, preparation and accessibility. Ms. DiGiacinto said she likes the way the single building plan looks, but she wrestles with placing the building, which is massive, on the property. Ms. DiGiacinto expressed concerns about the roof line and roof design and said she would be more comfortable in terms of the massiveness with a two story building rather than the two and a half stories as requested by the applicant. Mr. Salomone said he discussed it with their architect and if they were to remove the penthouse units the roof line would not drop much and it would look essentially the same. If the roof were lower, it would be a flat roof and be out of context. He said regarding the berms and trees which would be planted, you would have to be on the site to see this view. Ms. DiGiacinto said she understands the reasons that residents on Old Mt. Kisco Road support the project, noting that the single building would result in less land disturbance and less impervious surface than the townhouses. She said Town residents have contacted her and expressed the same concerns regarding the size of the building. She said she hoped that there could be some

## Town Board Minutes

February 24, 2016

compromise in terms of the design to give her a comfort level. She said she is in support of the project which provides necessary senior housing with a location within walking distance to restaurants and shops.

Supervisor Schiliro noted that the project is age-restricted for 55 and over and because of the affordable housing law, there are 2 affordable units in the design.

Mr. Salomone said the townhouse plan which has been approved would be closer to Route 128 and not provide the opportunity for screening. He said he understands the concerns about the building height, but with the berms and trees the building would only be visible on Route 128 from right in front of the driveway. He noted there is not a park or a restaurant across the street and with the speed of traffic the visual impact would not be an issue and reiterated that with the addition of the boulevard people would not see this view.

Councilman Reiter said he liked the boulevard and thought it would make a difference in the view, adding that the building would not be a focus for traffic driving by. Mr. Reiter said he likes the way the plan looks if it is built this way, noting that he would like to see it smaller, but it is not something he would insist on. He said it provides a good opportunity for seniors since it is age-restricted with a great location especially if a walkway to downtown is developed. He noted that Adam Kaufman, Director of Planning, is in support of the single building plan.

Councilman Berra complimented Mr. Madonna for his accessibility. Mr. Berra said the plan for 14 townhouse units in multiple scattered buildings would fit better on the property, has already been approved, provides for senior housing, and is preferable to the single building. He said that the single building would be a big impact and be very noticeable, similarly noticeable to Armonk Town Centre, and result in the downtown area creeping northbound. He said he is concerned about safety regarding where the road is located. Mr. Berra said there should be a compelling reason to increase the density from 14 to 16 units and he did not see a huge benefit to the Town for granting the density. He reiterated that he was not in favor of condominium taxation for the single building versus the fee simple taxation for the townhouses.

Ms. DiGiacinto said that all members of the Board are concerned about the taxes and it is part of the balance the Board has to consider in terms of fee simple versus condominium taxation. She noted that the Comprehensive Plan suggests the Town should look at alternative housing including condominiums.

Councilman D'Angelo said the visual impact of this development has always been his concern, adding that this may be a problem during the construction as with any project, noting that the Planning Board would require the applicant to provide the appropriate landscaping. Mr. D'Angelo said he is still wrestling with which plan would be better visually and better for the Town.

Supervisor Schiliro recapped the background of the project, noting that the as of right is about five or six units and there were several previous proposals with much greater density than the townhouse plan which was finally approved after many years of working with the applicant to get the unit count down. Mr. Schiliro cited two reasons to increase the density. It will provide for senior housing, through the use of the overlay of the Senior Citizen Housing (R-MF-SCH) Zoning District for age 55 and over which should not have an impact on the schools, and if it does, it should be minimal. It will provide infrastructure potential to extend the sewer district to this property and the homes on Old Mt. Kisco Road, the cost of which will be paid by the applicant. He noted that the single building would have a footprint of about 15,000 square feet versus about 24,000 square feet for the townhouses; the overall square footage of both plans is similar. Mr. Schiliro said he has studied the design and frequently drives the loop around the property and, as of right now he cannot support the single building design and is not ready to move it forward. He asked if it could be looked at again regarding a hybrid option which could reduce the size of the single building and add two smaller buildings. Mr. Salomone said the hybrid plan would not work from a marketing standpoint and they could not sell it. Art Adelman, former Chairman of the Planning Board, said that the hybrid plan prepared by the applicant was reviewed by the Planning Board. Mr. Adelman said that the Planning Board unanimously agreed that the single building plan was a better plan.

In response to a query from John Polera, Armonk, Mr. Madonna provided information regarding the increase from 14 units in the townhouse plan to 16 units in the single building plan. He said the reduction in square footage from 2,500 to 3,000 for the townhouse units to 1,900 square foot units

Town Board Minutes

February 24, 2016

in the single building necessitated the addition of two penthouse units without creating any additional height. Mr. Salomone added that plan has changed over time and is now a better plan.

Supervisor Schiliro recommended that the public hearing be adjourned.

Councilman Reiter asked if there were any requests instructions for the applicant. Ms. DiGiacinto reiterated that she would like to see the building with two stories rather than two and a half. Mr. Salomone noted that the two and half story design is within the 30 foot height requirement.

After all persons were heard who desired to be heard, Councilman DiGiacinto moved, seconded by Councilman D'Angelo, that the Public Hearing be adjourned at 10:25 p.m.

The roll call vote was as follows:

Ayes: Councilmen D'Angelo, DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

---

Alison Simon, Town Clerk

Dated: March 7, 2016