

PUBLIC HEARING

February 10, 2021

At 8:22 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 February 10, 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 by amending Section 355-28. Additional R-MF-SS Residence District Regulations subsection C. AFFH units in its entirety to read as follows:

AFFH Units. The single-structure building shall be provided with one AFFH unit for every five market-rate units or fraction thereof (20%).

In an effort to promote the type of housing envisioned in this zone, an applicant shall be permitted to reduce the AFFH requirement to one AFFH unit for every 10 market-rate units or fraction thereof (10%) provided that the single structure building has been granted a permanent Certificate of Occupancy no later than June 30, 2022 subject to a reasonable extension for good cause shown provided the project is at least 75% complete as determined by the Building Inspector.

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: January 30, 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 Westchester County Planning Board, dated December 18, 2020, was marked Exhibit "D" for the record.

Letter from Director of Planning Adam Kaufman, dated January 12, 2021, regarding recommendation from the Planning Board was marked Exhibit "E" for the record.

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

Negative Declaration for consideration.

Local Law for consideration.

Councilman DiGiacinto moved, seconded by Councilman Reiter, receipt of Short Environmental Assessment (EAF).

The roll call vote was as follows:

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

Noes: None

Town Board Minutes  
February 10, 2021

Michael Fareri, the owner of the property located at 162 Bedford Road (formerly known as the Lumberyard), appeared before the Board via web conference.

Supervisor Schiliro explained that the Board is considering a proposed local law regarding the 20% requirement for AFFH (Affordable Affirmatively Furthering Fair Housing) Units in the R-MF-SS Residence District. The property at 162 Bedford Road is the only property in the R-MF-SS Residence District. The proposal is to keep the AFFH requirement at 20% with regard to the subject project, and to reduce the AFFH requirement to 10% contingent upon the applicant's completion of at least 75% of the project by a certain date.

In response to a question from Robert Dean, resident and business owner of property near the subject property, Town Attorney Roland Baroni explained that the applicant will make an application to the Planning Board to resubdivide the property into two lots and to put up two structures, one on each lot. The total of the units would be 20 market rate units and, if the AFFH requirement were reduced to 10%, there would be two affordable units.

Michael Fareri commented regarding the issues he has with the 75% completion date of June 30, 2022 and requested an extension of time.

Following further comments and discussion, Supervisor Schiliro, Councilman DiGiacinto, and Councilman Reiter indicated that they were comfortable with an amended completion date of December 31, 2022, subject to the Town's receipt of an amended Covenant for the Lumberyard property signed by Westchester County and Mr. Fareri.

After all persons were heard who desired to be heard, Councilman Reiter moved, seconded by Councilman DiGiacinto, that the Public Hearing be adjourned at 9:28 p.m.

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: February 16, 2021