

PUBLIC HEARING

August 10, 2016

At 8:27 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 August 10, 2016, at 7:30 PM, or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, NY, 10504, for the purpose of considering the special event permit request from White Plains Hospital Medical and Wellness in Armonk, in partnership with Equinox Gym and Burke Rehabilitation, for a Family Fun Day special event to hold approximately 120 people on Saturday, October 1, 2016, with a rain date of Sunday, October 2, 2016. The property is located at 99 Business Park Drive and known on the North Castle Tax Maps as 108.03-1-57 and located within the PLI Zoning District.

The special event permit application 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 North Castle Town Board
Alison Simon, Town Clerk

Dated: July 30, 2016
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.

The following letters and documents were noted as received and marked Exhibit "D" for the record:

- Application documents, dated July 18, 2016, and Short Environmental Assessment Form, Part 1.
- Letter from property owner, dated July 18, 2016, permitting use of property for the special event.
- Letter from Director of Planning Adam Kaufman, dated July 20, 2016, regarding review of application for special event permit.
- Sketch of site from Jamie Bocchino, White Plains Hospital Medical and Wellness, dated July 21, 2016.
- Email from William Richardson, Fire Marshal/Assistant Building Inspector dated July 25, 2016, regarding review of application documents and plans.
- Email from Fire Chief Carlos Cano, Armonk Fire Department, dated July 25, 2016, regarding review of application documents and plans.
- Email from Lt. Geoffrey Harisch, North Castle Police Department, dated July 28, 2016, regarding review of application documents and plans.
- Email from Westchester County Department of Planning, dated July 26, 2016, confirming receipt of notification to the Westchester County Planning Board.

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

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

The Town Clerk noted there was a Proposed Resolution of approval for consideration.

Dawn French, Vice President, Marketing & Communications, and Jamie Bocchino, Community Relations & Events Coordinator, representing White Plains Hospital and White Plains Hospital Medical and Wellness, were present. Ms. French said that White Plains Hospital and Wellness moved into the North Castle community almost a year ago and has been very well received and

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welcomed to the community. She thanked everyone for their support and said they look forward to doing an early celebration and family fun day for the community in the parking lot along with Equinox Gym and Burke Rehabilitation.

After all persons were heard who desired to be heard, Councilman D'Angelo moved, seconded by Councilman Reiter, that the Public Hearing be closed at 8:29 p.m.

The roll call vote was as follows:

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

Noes: None

Councilman D'Angelo moved, seconded by Councilman DiGiacinto, 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 impact and the Town Board hereby adopts a Negative Declaration.

The roll call vote was as follows:

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

Noes: None

Councilman D'Angelo moved, seconded by Councilman Reiter, approval of the Special Event Permit application of White Plains Hospital Medical and Wellness in Armonk for a Family Fun Day Special Event at 99 Business Park Drive (Tax ID: 108.03-1-57) on October 1, 2016, with a rain date of October 2, 2016.

The roll call vote was as follows:

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

Noes: None

The Resolution follows at the end of these minutes.

Dated: August 12, 2016

Alison Simon, Town Clerk

RESOLUTION

Action: Special Event Permit
Application Name: White Plains Hospital Medical and Wellness in Armonk Family Fun Day
Owner: 99 Business Park Drive LLC
Applicant: White Plains Hospital Medical Center
Designation: 108.03-1-57
Zone: PLI
Acreage: Approx. 7.28-acres
Location: 99 Business Park Drive
Date of Approval: August 10, 2016
Term of Special Event Permit: October 1, 2016 from 11 AM – 2 PM

WHEREAS, an application dated July 18, 2016 was submitted by White Plains Hospital Medical and Wellness in Armonk, in partnership with Equinox Gym and Burke Rehabilitation to operate a special event at 99 Business Park Drive pursuant to Chapter 263 of the Town Code; and

WHEREAS, White Plains Hospital is requesting permission to conduct a special event that is open to the public and will hold not more than 120 people at any one time; and

WHEREAS, all food preparation will occur within two food trucks that will be brought to the site; and

WHEREAS, the operation of the special event would not require any permanent construction; and

WHEREAS, overflow parking for the event will be provided at The Bristol located at 90 Business Park Drive, Armonk; and

WHEREAS, the site plan was forwarded to the Chief of Police, Armonk Fire Department and the Building Department so that they may make any pertinent recommendations to the Town Board including, but not limited to, the designation of no-parking zones, emergency vehicle access or any other issues deemed important to providing emergency services; and

WHEREAS, the 7.28-acre property is located in the PLI Zoning District and is designated on the Tax Maps of the Town of North Castle as 108.03-1-57; and

WHEREAS, a duly advertised public hearing was held on said application before the Town Board on August 10, 2016 and closed on that date at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, the Town Board is familiar with the nature of the site and surrounding area;

WHEREAS, the Town Board has requested, received and considered comments from the Town Attorney, the Town Engineer and Town Planner regarding the proposed special event; and

WHEREAS, the proposed action is an Unlisted Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Town Board determined to conduct an uncoordinated SEQRA Review; and

NOW, THEREFORE, BE IT RESOLVED, that in accordance with Article 8 of the New York State Environmental Quality Review Law and 6 NYCRR Part 617, the Town Board hereby makes a determination that the proposed action will not have a significant adverse impact on the environment and that a draft environmental impact statement will not be prepared; and

BE IT FURTHER RESOLVED, that the special event permit is approved for Saturday October 1, 2016 from 11 AM – 2 PM, with a rain date of Sunday October 2, 2016 from 11 AM – 2 PM, subject to the conditions identified below; and

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BE IT FURTHER RESOLVED, that this permit shall be deemed to authorize only the particular use or uses specified, and shall expire if the site is not maintained and if all conditions and standards are not complied with throughout the duration of the use; and

Prior to the Issuance of the Special Event Permit:

(The Town Clerk's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____1. The property owner of 99 Business Park Drive shall submit documentation authorizing the special event on the property to the satisfaction of the Town Attorney.
- _____2. Pursuant to Section 263-4.F of the Town Code, the sponsor shall, at its sole expense, maintain insurance on its own behalf and furnish to the Town of North Castle certificates of insurance from an insurance company licensed to do business in New York State, in accordance with the Town's minimum insurance requirements, together with an indemnification and hold harmless agreement. Should it be determined that the extent of the operations in any particular case require insurance coverage in greater amounts than the Town's minimum insurance requirements, the sponsor shall provide certificates of insurance in the requested amounts.
- _____3. Pursuant to Section 263-4.I of the Town Code, the Applicant shall post a cash bond of \$500 to guarantee cleanup by the exhibitor after the special event, except where the special event is conducted on premises owned by the person making the application.
- _____4. A pre-permit site meeting shall be held with the Applicant and with the Building Inspector, Fire Marshal, Fire Department, and Police Department to discuss the operation of the special event. Once all issues have been adequately addressed to the satisfaction of the Building Inspector, Fire Marshal, Fire Department and Police Department, the Building Department shall transmit a letter stating such to the Town Clerk.

Other Conditions:

1. Overflow parking for the special event shall be provided at The Bristol located at 90 Business Park Drive, Armonk; and
2. Pursuant to Section 83-3.A of the Town Code, all special events shall require the provision of a "fire watch" by the local Fire Department and/or North Castle Fire Marshal, the cost of which shall be paid for by the applicant. The Fire Marshal may also approve other fire-protection measures to the satisfaction of the North Castle Fire Marshal, the cost of which shall be paid for by the applicant.

Pursuant to Fire Department recommendation:

- The entrance closest to NYS Route 22 shall only be open to emergency vehicles (fire/police), anyone in need of medical attention at the urgent care, or anyone who might have an appointment at the White Plains Hospital facility.
 - All event vehicular access shall utilize the 2nd entrance to the parking lot (closest to Community Park).
3. Pursuant to Section 83-3.B of the Town Code, all special events shall require the provision of security and/or traffic control upon the recommendation of the Town of North Castle Police Department, the cost of which shall be paid for by the applicant. The Chief of Police may also approve other security and/or traffic control measures to the satisfaction of the Chief of Police, the cost of which shall be paid for by the applicant.
 4. This special event permit is not assignable.

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5. This special event permit is revocable for a violation of the Town Code or any other ordinance or law, pursuant to Chapter 83-6 of the Town Code.
6. The Applicant shall observe all state, county and Town laws, rules and regulations as to health, safety and general welfare and shall be subject to reasonable regulations of the Building Department, Fire Marshal, Police Department and Highway Department of the Town of North Castle.
7. Full use of the parking lot at 99 Business Park Drive shall be available on October 2nd after the special event conclusion, or October 3rd if the special event is held on the rain date of October 2nd.
4. All rubbish from the premises and from any parking area must be gathered and deposited in closed containers by no later than 6:00 p.m. of the day following and removed from the premises by 6:00 p.m. of the next day following.
6. The Applicant shall not permit any unnecessary or unreasonable noise by means of loudspeakers, power amplifier devices or any other means which would create or tend to create a public nuisance.