

## PUBLIC HEARING

July 11, 2018

At 8:01 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 Wednesday, July 11, 2018, at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New York, 10504, to consider the Special Use Permit Application of 11 New King Street, LLC to enable construction of the proposed development to be known as “Park Place”, to operate a multi-level automated parking structure located adjacent to Westchester County Airport. The Site comprises two contiguous tax map parcels at 11 New King Street and 7 New King Street, North Castle, NY, known on the North Castle Tax Maps as 119.03-1-1, (Section 3, Block 4, Lot 14B) and 118.02-2-3 (Section 3, Block 4, Lot 13A), and located within the IND-AA Zoning District. All of the 2.47-acre 11 New King Street parcel and approximately 0.87 acres of the parcel of the 4.20-acre parcel at 7 New King Street is included within the Project Site.

The special use permit application is available in the Town Clerk's office during regular business hours and on the Town of North Castle 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: June 30, 2018  
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 William Null, Cuddy & Feder LLP, dated June 18, 2018, regarding Special Use Permit Application, with Site Plans and Architectural Plans was marked Exhibit “D” for the record.

Letter from Director of Planning Adam Kaufman, dated July 10, 2018, regarding positive recommendation from the Planning Board was marked Exhibit “E” for the record.

Letter from Westchester County Planning Board to Town Clerk Alison Simon, dated July 11, 2018, was marked Exhibit “F” for the record.

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

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

William Null, Cuddy & Feder, LLP appeared before the Board on behalf of 11 New King Street, LLC. Also in attendance was Kim Frank of 11 New King Street, LLC, the applicant. Mr. Null said the application concerns an automated parking facility adjacent to Westchester County Airport and has been the subject of review by the Town of North Castle for nine years. As part of the review, on June 5, 2017, the Planning Board, as Lead Agency, adopted a Statement of Environmental Findings. On June 28, 2017, the Town Board adopted a Statement of Environmental Findings and amended the Zoning Code to allow parking structures in the Industrial AA (IND-AA) zoning district as a principal use subject to issuance of a special permit.

Town Board Minutes  
July 11, 2018

Mr. Null said that the project initially began with 1,450 vehicles proposed on the site, and has been reduced to 850 vehicles. He described the automated parking process.

Mr. Null said that the special use conditions are detailed in the Resolution, and most of the issues of concern were addressed in the Environmental Findings adopted by the Board. Referencing the standards for special permits in the Zoning Code, Mr. Null cited sections of his letter dated June 18, 2018. Mr. Null said that the compliance with the standards of the special permit have been amply proven.

In response to a query from Supervisor Schiliro, Mr. Null said that the RPZ is a Runway Protected Zone in which the FAA (Federal Aviation Administration) prefers to restrict the types of buildings that will be present in this area. He said the FAA does not particularly want buildings of public assembly, including office building as currently exists in this location. He said parking facility is expressly noted as being acceptable in FAA regulations; and the FAA has twice given clearance to have the building at the proposed height, as referenced in both the Resolution and his letter to the Town Board.

Resident Kate Parker expressed concerns about the number of airport flights, and noise and air pollution.

Town Attorney Roland Baroni said the Conservation Board has not yet recommended the wetland mitigation plan for this project to the Planning Board.

Following discussion, the Town Board determined that the public hearing would be closed, and that consideration of approval of the Special Use Permit application be addressed after receipt of correspondence of the Conservation Board.

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 8:27 p.m. except for receipt of the correspondence of the Conservation Board.

The roll call vote was as follows:

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

Noes: None

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Alison Simon, Town Clerk

Dated: July 20, 2018