

## PUBLIC HEARING

May 8, 2019

At 8:25 p.m. Supervisor Schiliro stated that the Public Hearing, which was opened and adjourned on February 27, 2019, reconvened and immediately adjourned on March 27, 2019, would be reconvened in accordance with the Public Notices that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on February 27, 2019, at 7:30 PM, or as soon thereafter, 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 add the R-MF-DA (Residential – Multifamily – Downtown Armonk) Zoning District and to map said district.

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: February 11, 2019  
Armonk, NY

At 8:25 p.m. Supervisor Schiliro said that the Public Hearing, which was opened and adjourned on March 27, 2019, would be reconvened in accordance with the Public Notice follows:

NOTICE IS HEREBY GIVEN that the North Castle Town Board will hold a Public Hearing on Wednesday, March 27, 2019 at 7:30 p.m., or as soon thereafter, at Town Hall, 15 Bedford Road, Armonk, New York, 10504, to consider amendments to the Town of North Castle Comprehensive Plan regarding the residential use of property in the NB (Nursery Business) Zoning District. The Draft Amendments are 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: March 16, 2019  
Armonk, NY

The following statements and correspondence were received and marked Exhibit "O" for the record:

Statement from Sharon Tomback, Co-Historian, the North Castle Historical Society.

Letter from the North Castle Historical Society, dated February 27, 2019.

Letter from the Landmarks Preservation Committee, dated February 27, 2019.

Statement from Father Nils Chittenden, Rector of St. Stephen's Episcopal Church, Armonk.

Letter from Michael Galante, Frederick P. Clark Associates, Inc., Town Traffic Consultant, dated March 8, 2019, was marked Exhibit "P" for the record.

Written statement from Planning Board Chairman Christopher Carthy, read aloud by Mr. Carthy at the March 12, 2019 Joint Town Board and Planning Board Work Session was marked Exhibit "Q" for the record.

Letter from Ed Woodyard, dated March 13, 2019 was marked Exhibit "R" for the record.

Letter from Veneziano & Associates, dated May 3, 2019, regarding Revised Zoning Petition/ Concept Plan, and revised plans was marked Exhibit "S" for the record.

Letter from Kerri Kazak, Chairman of Open Space Committee, dated May 7, 2019 was marked Exhibit "T" for the record.

The Town Clerk noted that there were Draft Amendments to the Comprehensive Plan, and a Short Environmental Assessment Form (EAF) Part 1.

Mark Miller, Veneziano & Associates, appeared before the Board representing 45 Bedford Road LLC, the Petitioner and owner of an approximately 4.1 acre parcel located at 45 Bedford Road which is currently the site of Mariani Gardens Nursery. Also in attendance were Rob Aiello, project engineer and Jesse Jewell, both of JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC (JMC).

Mr. Miller noted a Joint Town Board and Planning Board Site Walk of the subject property was conducted on March 5, 2019 and a Joint Work Session of the two Boards was held on March 12, 2019. He noted that the revised Concept Plan has a reduction in the number of units and the number of bedrooms.

Rob Aiello, JMC, displayed the architectural features and floor plans of the revised concept plan; and provided a summary of the revised plans. The project as currently constituted is 43 units with 112 parking spaces, 51 are inside garages. The proposed unit mix is 24 one-bedroom units, nine two-bedroom units, six three-bedroom units and four four-bedroom units yielding a total bedroom count of 76. The units would be arranged in a mix of townhouses near the front of the site, attached duplexes in the middle of the site, and a 23 unit apartment building towards the rear of the site. Ten percent of the units would be set aside as affordable affirmatively furthering fair housing (AFFH) units. No buildings are proposed in the deed restricted area bordering Maple Avenue; no living space or basement is proposed in the flood plain. The revised plan has a proposed FAR of .395, building coverage of 19% and gross floor coverage of 49%.

This project requires amendment to the Town Comprehensive Plan to include full residential uses with the area of Mariani Gardens, as well as the consideration of a new zoning district to supplant the current Nursery Business zoning district.

Councilman Berra expressed concerns regarding traffic impact, mass and scale of the project.

Councilman DiGiacinto expressed concerns about the project density. Ms. DiGiacinto requested that a balloon test be arranged so the Board Members are able to visualize the height of the proposed buildings.

Note: The balloon test occurred on site on May 17 to 20, 2019.

Supervisor Schiliro noted that traffic impact, and sewer and water capacity are concerns for the entire community.

The Town Board and several residents noted that they are in support of a residential use of the property.

Residents Ed Woodyard, Linda Fernberg, Sharon Tomback, and John Bernson, expressed concerns about the project including mass, building height, number of units, size of units, bedrooms and terraces, number of parking spaces, historic preservation, potential for flooding, water and sewer capacity, increased traffic, and changes to the Comprehensive Plan.

In response to a query from Councilman Berra, Town Attorney Roland Baroni advised that the Town Board does not control whether the units will be condominium or rental units.

Councilman D'Angelo moved, seconded by Councilman Reiter, that the two Public Hearings be adjourned at 10:10 p.m.

The roll call vote was as follows:

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

Noes: None

Town Board Minutes  
May 8, 2019

Councilman DiGiacinto moved, seconded by Councilman D'Angelo, referral to the Town Planning Board and the County Planning Board of the Revised Zoning Petition/Concept Plan with regard to 45 Bedford Road, site of Mariani Gardens, and referral of Amendments to the Town of North Castle Comprehensive Plan with regard to the residential use of property in the NB (Nursery Business) Zoning District, noting that some Town Board members have reservations and concerns with the proposed density of 43 units.

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: May 20, 2019