

PUBLIC HEARING

May 26, 2021

At 9:46 p.m. Supervisor Schiliro said that the Public Hearing, which was opened on June 26, 2019 and adjourned, and reconvened and adjourned on July 10, 2019, would be reconvened in accordance with the Public Notice that follows:

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will reconvene a Public Hearing, previously adjourned on July 10, 2019, on May 26, 2021, at 7:30 PM, or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, NY 10504 via web conference, to consider the following Local Laws to amend Chapter 355, Zoning, of the Town of North Castle, with regard to the proposed Eagle Ridge development at 3 North Castle Drive, Armonk:

1. Local Law to amend Section 355-23, Attachment 3 Schedule of Office and Industrial District Regulations, by amending Permitted Principal Use # 1 in the OBH Office Business Hotel Zoning District, and by modifying requirements in the OBH Zoning District.
2. Local Law to amend the Town Zoning Map to reclassify a 21.89-acre portion of Parcel ID 108.03-1-62.1 from the OBH Office Business Hotel Zoning District to R-MF-SCH Residential Multifamily Senior Citizen Housing Zoning District, and establishing requirements for that 21.89-acre portion of the property.

The proposed local laws 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: May 15, 2021
Armonk, NY

Supervisor Schiliro noted that Councilman Saleem Hussain is not participating in the Public Hearing, and recused himself because he is an employee of IBM.

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 Town Clerk noted that the certificates denoting mailing of Notice of Hearing to the adjacent property owner was in order.

The Town Clerk noted there were proposed Local Laws for consideration.

Email, dated November 17, 2020, was received from resident Fred Schwam expressing support of the project.

Emails, dated May 2021, were received from the following residents expressing support of the project: Richard Wolf, Alyson Justman, Andrew Solow, Catherine and Michael Tusiani, Craig Schissler, Danielle Wolf, David Eder, Gregg and Jessica Rosh, Jordan Matusow, Justin Karp, Evan and Leslie Goldman, Lindsay Shapiro, Marnie Levy-Smith and Mark Smith, Matt Jacobs, Lauren and Scott Anchin, Sean Gann, Sue Miller, Adam Wolf, and Robert Klein.

Email, received May 25, 2021, from resident Jeremy Jacobs expressing concerns about the project.

Following is a listing of correspondence and documents previously received by the Town Board from the applicant, Town consultants, and government agencies, since the Public Hearing was adjourned on July 10, 2019, which are available on the Eagle Ridge landing page of the Town website:

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- Letter from Kory Salomone, dated May 7, 2020
- Revised Proposed Local Law with respect to Office Business Hotel (OBH) Zoning District, received by Town Board on May 13, 2020
- Letter from Kory Salomone, dated May 15, 2020
- Eagle Ridge Development Feasibility Study, submitted by Urbanomics, Inc., dated June 2020
- Letter from Director of Planning Kaufman, dated June 30, 2020
- Letter from Kory Salomone, dated June 30, 2020
- Memo from Kellard Sessions, dated July 14, 2020
- Letter from Frederick P. Clark Associates, dated July 16, 2020
- Letter from Director of Planning Kaufman, dated July 17, 2020
- Letter from Kory Salomone, dated July 28, 2020
- Memo from Kellard Sessions, dated October 21, 2020
- Memo from Director of Planning Adam Kaufman, dated October 22, 2020
- Letter from Frederick P. Clark Associates, dated November 13, 2020
- Westchester County Planning Board letter, dated January 4, 2021
- Draft SEQRA Findings Statement, with comments from Director of Planning Adam Kaufman, dated January 2021
- Letter from Kory Salomone, dated March 3, 2021; revised site plan & grading plan; comparison chart of DEIS plan, FEIS plan, and newly proposed hotel/townhouse plan
- Letter from Director of Planning Adam Kaufman, dated April 27, 2021
- Letter from Kory Salomone, dated May 6, 2021
- Memo from Conservation Board and Open Space Committee, dated May 12, 2021

Town Attorney Roland Baroni explained that the Town Board is considering a zoning text amendment, which would allow the senior floating zone, a zone which exists in the Zoning Code through adoption by a previous Town Board. Mr. Baroni noted that if a property qualifies, the Board can overlay the zone on the property.

Kory Salomone, representing Madd Madonna Armonk LLC (MADDD); Frank Madonna, Josh Weissman, and George Madruga; and Ralph Alfonzetti, the project engineer, appeared before the Board via video conference.

Mr. Salomone noted the public hearing is to consider the proposed amendments to the OBH Zoning District and placement of the R-MF-SCH floating zone on a portion of the property to accommodate the proposed mixed-use project. Mr. Salomone provided a brief overview of the current proposal before the Board which includes a 115 key hotel, 135 seat restaurant, 45 seat bar, and meeting space for up to 100 people, and 72 age-restricted condominiums. Mr. Salomone said that the Planning Board recommended that the requested changes be adopted.

The following residents appeared before the Board via video conference:

Residents Andrew Solow, Robert Klein, Kara Schissler, Scott Anchin, and Mark Smith expressed support of the project.

Residents Matt Milim and Jeremy Jacobs expressed concerns about the project

Town Clerk Alison Simon read aloud a statement from Kerri Kazak, Chair of the Open Space Committee, dated May 26, 2021, regarding the memo from the Conservation Board and the Open Space Committee, dated May 12, 2021, expressing concerns about the project.

Town Clerk Alison Simon read aloud a letter from residents Catherine and Michael Tusiani expressing support of the project.

Discussion ensued among the Board, Town Attorney Baroni, and Mr. Weissman regarding condominium taxation for the proposed residential units. Mr. Baroni explained that the Town Board does not control the type of unit that a developer builds; the ultimate control the Board has is whether or not it grants the zoning. He noted that the proposed units are condominiums, not townhouses.

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After all persons were heard who desired to be heard, Councilman Reiter, seconded by Councilman DiGiacinto, that the public hearing be adjourned at 11:24 p.m., and reconvened at the June 9, 2021 Town Board Meeting.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Reiter, Berra, Supervisor Schiliro

Noes: None

Abstained: Councilman Hussain

A transcript of the public hearing was recorded via Zoom.

Alison Simon, Town Clerk

Dated: June 2, 2021