

PUBLIC HEARING

April 14, 2021

At 8:06 p.m. Supervisor Schiliro stated that the Public Hearing, which was opened and adjourned on February 10, 2021, reconvened and adjourned on February 24, 2021, March 10, 2021, and March 24, 2021, would be reconvened 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

Negative Declaration for consideration.

Local Law for consideration.

The Town Clerk noted that no additional correspondence was received since the public hearing was reconvened on March 24, 2021.

Town Attorney Roland Baroni said he has received the fully executed amended Covenant back from Westchester County; and has the fully executed documents to record the Covenant, and will be arranging for the recording of the Covenant. Mr. Baroni noted that there were three changes to the original document which were the reduction in the total number of units from 22 to 20, two of the units will be AFFH units; the completion date of the project which is now December 31, 2022; and the word 'structure' in the zoning amendment was changed to 'project'.

Supervisor Schiliro said that the local law provides that if the applicant completes the project by at least 75% by December 31, 2022, the number of AFFH units required to be built is reduced from 20% to 10% of the number of market rate units. Supervisor Schiliro said that the local law is structured to ensure that the project will be built, and if it is not, the law still has the 20% requirement for the number of AFFH units.

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

In response to questions from Councilman Berra, Mr. Fareri reviewed the approvals needed to begin the project.

Councilmen DiGiacinto and Reiter expressed support of the project.

Councilmen Berra said he did not agree with changing what had previously been agreed to.

Town Board Minutes
April 14, 2021

After all persons were heard who desired to be heard, Councilman Reiter moved, seconded by Councilman DiGiacinto, that the Public Hearing be closed at 8:35 p.m.

The roll call vote was as follows:

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

Noes: None

Councilman Reiter 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 impacts and the Town Board hereby adopts a Negative Declaration.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Reiter, Hussain, Supervisor Schiliro

Noes: Councilman Berra

Councilman Reiter moved, seconded by Councilman DiGiacinto, the adoption of Local Law 1 of 2021, 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. The Local Law follows at the end of these minutes.

The roll call vote was as follows:

Ayes: Councilmen DiGiacinto, Reiter, Hussain, Supervisor Schiliro

Noes: Councilman Berra

Alison Simon, Town Clerk

Dated: April 23, 2021

TOWN OF NORTH CASTLE

Local Law No. 1 For the Year 2021
Adopted April 14, 2021

A Local Law to amend the Code of the Town of North Castle by amending Chapter 355 entitled Zoning.

Be It Enacted by the Town Board of the Town of North Castle as follows:

1. Section 355-28. Additional R-MF-SS Residence District Regulations subsection C. AFFH units is hereby amended in its entirety to read as follows:

C. 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 December 31, 2022 subject to a reasonable extension for good cause shown provided the project is at least 75% complete as determined by the Building Inspector.

2. Effective Date. This Local Law shall be effective upon filing of same with the Secretary of State of the State of New York.