

PUBLIC HEARING

April 15, 2020

At 8:42p.m. Supervisor Schiliro stated that the Public Hearing to consider a Local Law regarding a Comprehensive Town Code Update, which was opened and adjourned on March 11, 2020, would be reconvened in accordance with the Public Notice that follows:

Note: The Public Hearing was scheduled to be reconvened on March 25, 2020, but not held on that date as the meeting was cancelled due to the Coronavirus (COVID-19) pandemic.

NOTICE IS HEREBY GIVEN THAT the North Castle Town Board will hold a Public Hearing on March 11, 2020, at 7:30 PM, or as soon thereafter as practical, at Town Hall, 15 Bedford Road, Armonk, NY 10504, to consider a Local Law regarding a Comprehensive Town Code Update to amend various Chapters of the Town Code to improve the administration of the Code by the Building Department.

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 29, 2020
Armonk, NY

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

The Town Clerk noted there was a proposed Local Law for consideration.

The Town Clerk noted there was a Revised Master Fee Schedule for consideration.

Email from Michael Fareri, dated April 15, 2020, was marked Exhibit "G" for the record.

Email from Robert Dean, dated April 15, 2020, was marked Exhibit "H" for the record.

The Supervisor said that, due to the Coronavirus (COVID-19) pandemic, people could participate in the Public Hearing by sending an email with questions and comments to the Town Clerk.

Town Clerk Alison Simon read aloud an email from Michael Fareri, dated April 15, 2020.

Town Clerk Alison Simon read aloud an email from Robert Dean, dated April 15, 2020, which included questions regarding specific Sections of the proposed Local Law. In response to a question regarding whether deer fencing is classified under Section 45, Structure, Director of Planning Adam Kaufman confirmed that deer fencing is included, as fences other than those less than four feet require a permit from the Building Department. With regard to a question regarding Section 51, Portable Storage Structures, Mr. Kaufman explained that this new section pertains to residential projects; and that any type of temporary structure on a commercial piece of property requires Planning Board approval.

With regard to Section 51, Portable Storage Structures, the Board agreed that it was not necessary to require the third party supplying the portable on-demand storage structure to provide certificates of liability insurance and that proposed language should be removed from the proposed legislation.

Councilman DiGiacinto recommended that the legislation include a listing of items which could not be stored in the portable storage structures, as well as specific activities which would not be permitted in the structures. Ms. DiGiacinto reiterated that she thought the legislation should permit only one pod at any residential property at one given time.

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Discussion ensued among the Board members, Building Inspector Rob Melillo, Town Attorney Roland Baroni, and Mr. Kaufman with regard to the recommendations proposed by Councilman DiGiacinto.

Mr. Kaufman said that Section A of the proposed legislation includes what is typically expected to be stored in structures. Mr. Melillo said that the structures were not designed to accommodate heavy weights, like that of a car; and he added that the New York State Building Code covers what is habitable space, therefore people could not legally inhabit these structures. Supervisor Schiliro, Councilman Hussain, and Councilman Berra did not want to restrict the number of pods in an effort to make the process easier for residents.

Following discussion and clarification with Mr. Kaufman, the Board agreed that fences four feet or more in height would require the issuance of a building permit.

After all persons were heard who desired to be heard, Councilman Berra moved, seconded by Councilman Reiter, that the Public Hearing be adjourned at 9:23 p.m., to the April 29, 2020 Town Board meeting.

The roll call vote was as follows:

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

Noes: None

Alison Simon, Town Clerk

Dated: April 23, 2020