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06.27.2023

**BY FEDERAL EXPRESS**

Mr. Christopher Carty, Chairman,  
and Members of the Planning Board  
Town of North Castle  
Town Hall  
15 Bedford Road  
Armonk, New York 10504



Re: Park Place, 11 New King Street, Armonk, New York (the "Premises")

Dear Chairman Carty and Members of the Planning Board:

On behalf of 11 New King Street, LLC (the "Applicant"), we respectfully submit this letter in support of its request for a third two-year extension of the Site Plan and Wetlands Permit, Steep Slope Permit and Tree Removal Permit Approvals, (collectively the "Planning Board Approvals"), which were initially granted on September 5, 2018 authorizing the development of the parking facility on these Premises. Extension requests were granted on September 9, 2019 and August 9, 2021 for two years with an expiration date of September 5, 2023. Copies of the Resolutions adopted by the Planning Board granting the Planning Board Approvals are enclosed for your convenience.

In May 2023, the Town Board granted a two-year extension of the "Special Use Permit for a Long-term Parking Structure" for this same project and we are seeking a parallel extension of the Planning Board Approvals. As you know, these combined approvals authorize construction of the proposed development to be known as "Park Place" - a multi-level automated parking structure located adjacent to Westchester County Airport accommodating up to 850 vehicles (the "Project"). There are no changes proposed to the approved plans for this Project.

The Environmental Findings Statement adopted in this matter following completion of an Environmental Impact Statement ("EIS") concluded that there would be no significant impact to schools, police, fire protection services and Emergency Medical Services, while generating meaningful benefits to the community, such as enhancing annual school tax revenue. Given that there are no changes to the approved concept or plans upon which the Special Permit was granted, we respectfully request this Board to grant a two-year extension of the Site Plan, Wetlands Permit, Steep Slope Permit and Tree Removal Permit approvals.

As noted, we are requesting a two-year extension to conform to the Special Use Permit timing granted by the Town Board. We look forward to appearing before the Planning Board to address any questions and thank you for your consideration herein.

Respectfully yours,

A handwritten signature in black ink, appearing to read "William S. Null", is written over a horizontal line.

Enclosures

cc: Adam Kaufman; Roland Baroni, Jr., Esq.; Jeffrey M. Brown & Kim Frank; Erick Kaeyer;  
and Justin Seeney



# TOWN OF NORTH CASTLE PLANNING BOARD

Telephone (914) 273-3000  
Fax (914) 273-3554

## REQUEST FOR EXTENSION OF TIME

**INSTRUCTIONS:** Complete this form and submit it to the Planning Department with the required fee. The Board reserves the right to request additional information if necessary to properly evaluate this request. A \$200.00 application fee, payable to the Town of North Castle, is required for the first extension from the date of expiration with an additional \$100.00 increase for each additional term, maximum of \$1,000.00 per year.

**Note:** It is expected that conditions be satisfied in an expeditious manner. The granting of a time extension by the Planning Board is discretionary. Fees are non-refundable.

### TYPE OF APPLICATION:

☒ Site Plan    ☐ Subdivision    ☐ Special Permit

### APPROVAL INFORMATION:

Project Name: Park Place Parcel ID 119.03-1-1 & 118.02-2-3 Project # \_\_\_\_\_

Original Approval Date: September 5, 2018 Last Expiration Date: September 5, 2023

Street Address: 11 New King Street

Current Owner of Record: 11 New King Street LLC

### CONDITION(S) OF APPROVAL NOT MET:

☒ Signing of Plans    ☒ Obtain Building Permit

**EXPLANATION FOR FAILURE TO MEET CONDITION(S) OF APPROVAL WITHIN SPECIFIED PERIOD OF TIME. DETAIL PROGRESS TOWARD COMPLETION OF CONDITIONS:**

**ANTICIPATED DATE OF COMPLETION:** Uncertain at this time

### AUTHORIZATION

I, the owner, hereby authorize the Planning Department and the Planning Board to enter the subject parcel to review the pending extension of time request. Town employees are also authorized to enter the premises to ascertain compliance with zoning and other building laws, regulations and ordinances.

Signed: \_\_\_\_\_





**PLANNING BOARD**  
Christopher Carthy, Chair

**TOWN OF NORTH CASTLE**  
**WESTCHESTER COUNTY**  
17 Bedford Road  
Armonk, New York 10504-1898

RECEIVED 9/14/2018  
TOWN CLERK'S OFFICE

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## **RESOLUTION**

**Action:** Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals  
**Application Name:** Park Place  
**Applicant/Owner:** 11 New King Street LLC  
**Designation:** 119.03-1-1 & 118.02-2-3  
**Zone:** IND-AA (Industrial AA District)  
**Acreage:** Aprox. 5 acres  
**Location:** 11 New King Street  
**Date of Approval:** September 5, 2018  
**Expiration Date:** September 5, 2019 (1 Year)

WHEREAS, the Applicant is proposing a site plan, wetlands permit, steep slope permit and tree removal permit application to construct a multi-level automated parking structure at 11 New King Street to alleviate an existing parking shortage at Westchester County Airport; and

WHEREAS, the proposed project would involve construction of a building with an approximately 31,493 square foot footprint and would house an enclosed automated parking structure capable of accommodating 850 vehicles; and

WHEREAS, in connection with the proposed development, the Applicant has submitted the following documents and plans:

- Plan labeled "C-1," entitled "Cover and Notes Plan," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-1A," entitled "Cover and Notes Plan," dated August 13, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-2," entitled "Existing Conditions Plan," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-3," entitled "Existing Steep Slope Analysis," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-4," entitled "Demolition Plan," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-5," entitled "Site Plan," dated August 25, 2010, last revised August 13, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-5A," entitled "Lighting Plan and Photometric," dated August 13, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-6," entitled "Paving, Grading, and Drainage Plan," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.

- Plan labeled "C-7," entitled "Composite Utility Plan," dated August 25, 2010, last revised August 13, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-8A," entitled "Erosion and Sediment Control Plan – Sequence 1," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-8B," entitled "Erosion and Sediment Control Plan – Sequence 2," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-8C," entitled "Erosion and Sediment Control Plan – Sequence 3," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-9," entitled "Landscape Plan," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-10," entitled "Standard Details I," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-11," entitled "Standard Details II," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-12," entitled "Standard Details III," dated August 25, 2010, last revised August 13, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-13," entitled "Standard Details IV," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "C-14," entitled "Standard Details V," dated August 25, 2010, last revised June 11, 2018, prepared by AKRF Engineering, P.C.
- Plan labeled "A2.1" entitled "Park Place Floor Plans," dated November 21, 2016, last revised June 11, 2018, prepared by Kaeyer, Garment & Davidson Architects, P.C.
- Plan labeled "A3.1" entitled "Park Place Elevations & Sections," dated November 21, 2016, last revised June 11, 2018, prepared by Kaeyer, Garment & Davidson Architects, P.C.
- Plan labeled "A3.2" entitled "Green Screen & Sign Details," dated November 21, 2016, last revised June 11, 2018, prepared by Kaeyer, Garment & Davidson Architects, P.C.
- Plan labeled "Z-1," entitled "Gross Land Coverage Exhibit," dated June 5, 2018, prepared by AKRF Engineering, P.C.

WHEREAS, the site plan depicts Town-regulated wetland disturbance associated with the proposed construction; and

WHEREAS, based upon the total amount of Town-regulated wetland buffer disturbance, the Applicant is required to provide 54,604 square feet of mitigation.; and

WHEREAS, pursuant to Section 340-5.B(1) of the Town Code, the Conservation Board is required to review the proposed wetland application and, within 45 days of receipt thereof, file a written report and its recommendation concerning the application with the Planning Board; and

WHEREAS, such report is required to evaluate the proposed regulated activity in terms of the findings, intent and standards of Chapter 340; and

WHEREAS, the Conservation Board determined that on-site mitigation of invasive species removal would not be practicable due to the presence of invasive species on adjoining properties; and

WHEREAS, off-site mitigation was explored by the Applicant, but there were not practical sites known that would provide a substantial benefit to the local wetlands system; and

WHEREAS, the consensus of the Conservation Board was to utilize the Town's Mitigation Bank to accept a payment in lieu of physical mitigation; and

WHEREAS, the Conservation Board in a July 24, 2018 letter to the Planning Board recommended approval of the wetlands permit; and

WHEREAS, the Conservation Board also recommended that the Town apply the funds towards the development of Wampus Brook Park South, as this project would provide a great benefit to the Town and would enhance an important watercourse and wetland buffer; and

WHEREAS, Section 340- 9.A(4) of the Town Code permits, the Town Board, upon recommendation of the Planning Board, has the authority to accept a cash payment to the Town of North Castle Wetland Mitigation Bank in lieu of providing some of the required wetland buffer mitigation; and

WHEREAS, based upon the amount of required mitigation, a fee of \$136,510 would be required; and

WHEREAS, the Planning Board finds that the proposed amount of Town-regulated wetland and wetland buffer disturbance is acceptable; and

WHEREAS, the site plan depicts the removal of 104 Town-regulated trees; and

WHEREAS, the Applicant has prepared a landscape plan to the satisfaction of the Planning Board; and

WHEREAS, the site plan depicts 9,957 square feet of Town-regulated steep slope disturbance; and

WHEREAS, the Applicant has prepared a sediment and erosion control plan to ensure that the proposed steep slope disturbance will not have a significant negative impact; and

WHEREAS, the Planning Board finds that given the existing topography of the property and the extent of the proposed construction, the proposed amount of Town-regulated steep slope disturbance is not excessive; and

WHEREAS, the site plan was forwarded to the Chief of Police, Fire Inspector and the Armonk Fire Chief so that they may make any pertinent recommendations to the Planning Board including,



but not limited to, emergency vehicle access or any other issued deemed important to providing emergency services on August 1, 2017; and

WHEREAS, the Armonk Fire Department has requested on-site water storage (proposed), internal FD access to each "floor" (proposed), proper vehicular fluid storage, and provision of on-site FD training; and

WHEREAS, the application for site development plan approval was referred to the Westchester County Planning Board pursuant to Section 239 L, M and N of the New York State General Municipal Law and Section 277.61 of the County Administrative Code on August 1, 2017; and

WHEREAS, the County expressed "serious concerns" with respect to the location of the garage within the runway protection zone of the airport and the water quality impacts on nearby wetlands and the Kensico Reservoir; and

WHEREAS, the County also questioned the need for the facility; and

WHEREAS, the County recommended the disapproval of the application due to a lack of need, location within the runway protection zone and wetland, stormwater and water quality impacts; and

WHEREAS, on July 30, 2018 and September 5, 2018, the Planning Board, pursuant to Section 355-44 of the North Castle Code, conducted a duly noticed public hearing with respect to the site plan and wetlands permit applications, at which time all those wishing to be heard with respect to the site plan were given an opportunity to be heard; and

WHEREAS, the notice of public hearing was sent to the Town of Greenwich Town Clerk pursuant to § 239-nn of New York State General Municipal Law (GML) since the subject site is located within 500 feet of the Town of Greenwich; and

WHEREAS, the Proposed Action would be classified as a Type I Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board, as Lead Agency, adopted Findings regarding the Proposed Action on June 5, 2017; and

WHEREAS, the Town Board approved a special use permit for the operation of the automated parking garage on July 11, 2018; and

WHEREAS, pursuant to Section 7-3.A(6) of the Town Code, all site development plans submitted to the Planning Board are required to be referred to the Architectural Review Board (ARB) for review and comment; and

WHEREAS, the Applicant secured approval from the ARB on July 18, 2018.

WHEREAS, the Planning Board has inspected the site and is familiar with the nature of the site, the surrounding area, and the proposed development; and

WHEREAS, the Planning Board has requested, received, and considered comments from the Town Attorney, Town Engineer, and Town Planner regarding the proposed development; and

WHEREAS, the requirements of the Zoning Ordinance of the Town of North Castle have been met by said application; and

NOW THEREFORE BE IT RESOLVED, that the application for site plan, wetlands permit, steep slope permit and tree removal permit approvals, as described herein, be and are hereby conditionally approved, subject to the following conditions and modifications; and

BE IT FURTHER RESOLVED that, this site plan, wetlands permit, steep slope permit and tree removal permit approvals shall expire one (1) year after the date of this resolution unless all of the conditions and modifications identified below have been substantially completed or an extension of time has been requested by the applicant or granted by the North Castle Planning Board.

**Prior to the Signing of the Site Plan:**

*(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)*

- \_\_\_\_\_ 1. The Town Traffic Consultant shall submit documentation stating that the approved NYSDOT traffic mitigation plan is consistent with the adopted findings statement.
- \_\_\_\_\_ 2. The site plan shall be revised, or a management plan shall be provided, to address how vehicles queuing for an available parking bay will not block the designated bus lane to the satisfaction of the Planning Department.
- \_\_\_\_\_ 3. Appropriate treatment of the driveway terminus on New King Street shall physically direct motorists to turn left only out of the site driveway to the satisfaction of the Town Traffic Consultant.
- \_\_\_\_\_ 4. Sheet C-7 shall be revised to depict full cutoff downlit fixtures to the satisfaction of the Planning Department.
- \_\_\_\_\_ 5. Sheet A3.1 shall be revised to depict building height from the average grade to roof to the satisfaction of the Planning Department.
- \_\_\_\_\_ 6. Pursuant to Section 127-17 of the Town Code, the applicant shall submit a detailed quantity cost estimate for all site improvements proposed, with the quantities certified to by the applicant's engineer, to the satisfaction of the Town Engineer.



*Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals for*

Park Place - 11 New King Street

September 5, 2018

Page 6 of 12

- \_\_\_\_\_ 7. Return of the "Planning Board Notification" sign in reusable condition with stand. If such sign is not returned as previously described a payment of \$25.00 made payable to the Town of North Castle shall be required.
- \_\_\_\_\_ 8. The Applicant, after submission of documentation from the Town Board authorizing acceptance of the fee, shall submit a \$136,510 wetland buffer mitigation fee as stated in Chapter 340 of the Town Code to the satisfaction of the Planning Department.
- \_\_\_\_\_ 9. The Applicant shall be required to submit an agreement, in recordable form satisfactory to the Town Attorney, concerning the construction, maintenance and inspection of the features of the stormwater management plan. Such agreement shall specify that the property owner shall be responsible in perpetuity for maintenance of the stormwater management facilities to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 10. The Applicant shall submit a permanent easement agreement, in recordable form satisfactory to the Town Attorney, providing for access by the individual property owner and/or the Town of North Castle, if necessary, to perform maintenance of the features of the stormwater management system.
- \_\_\_\_\_ 11. The Applicant shall submit a permanent easement agreement, in recordable form satisfactory to the Town Attorney, providing for the stormwater facilities on adjacent lot 118.02-2-3.
- \_\_\_\_\_ 12. Payment of all applicable fees, including any outstanding consulting fees.
- \_\_\_\_\_ 13. The Applicant shall submit to the Planning Board Secretary one set of plans (with required signature block) incorporating all required amendments to the plans as identified in this resolution of approval to the satisfaction of the Town Planner, Town Engineer and Town Attorney.
- \_\_\_\_\_ 14. The applicant shall submit final construction plans and details for site improvements to the Town Engineer for his approval of driveways, parking areas, storm drainage system, water and sewer connections, sidewalks, final grading, sight lines, erosion and sediment controls and any other information requested by the Town Engineer to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 15. The applicant shall prepare a SWPPP in accordance with Chapter 267, Stormwater Management of the Town Code and as required for coverage under New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit, GP-0-15-002, for Stormwater Runoff from Construction Activity to the satisfaction of the Town Engineer. The SWPPP and draft copies of the Notice of Intent (NOI) and SWPPP MS4 Acceptance Form shall be completed for review.

*Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals for*

Park Place - 11 New King Street

September 5, 2018

Page 7 of 12

- \_\_\_\_\_ 16. The applicant shall obtain approval by the Armonk Fire Department for the proposed emergency access and fire access road and water storage system to the satisfaction of the Town Engineer. The design geometry, profiles and dimensions for the fire access road shall demonstrate compliance with Appendix D of the 2015 International Fire Code.
- \_\_\_\_\_ 17. The applicant shall provide confirmation of acceptance by the Armonk Fire Department for all infrastructure and details related to the fire protection of the site, including, but not limited to, fire protection cisterns, pumps, pipe and emergency backup power systems to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 18. The applicant shall obtain approval by the Town Water and Sewer Department for proposed improvements and any required modifications to the existing sanitary sewer infrastructure to serve the proposed development to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 19. The applicant shall prepare a Landscape Plan illustrating the location and quantity of each species of plants and vegetation to the satisfaction of the Town Engineer. The applicant has indicated that the site will not be irrigated. This shall be clearly noted on the plan to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 20. The profiles of the main access drive, both into and out of the site, shall be revised to include all vertical curve data to demonstrate compliance with Section 355-59 of the Town Code and illustrate all utility crossings to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 21. The plan provides minimal protection for telephone/electric/cable services and less than two (2) feet of cover has been provided for the sanitary sewer force main at the driveway culvert crossing; providing little protection from vehicle loads and freezing. The force main should be lowered to provide a minimum four (4) foot cover. The plans shall include construction details for sewer and utility service trenches to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 22. The subbase course for the Grass Pave System Detail shall be dimensioned to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 23. As previously requested, the locations and results of all stormwater soil testing required for the proposed wetland basin, pre-treatment basin and sand filter, shall be included on the site plans to the satisfaction of the Town Engineer. All soil testing shall be witnessed by the Town Engineer.
- \_\_\_\_\_ 24. The plan shall include a detail for the proposed driveway median divider to the satisfaction of the Town Engineer.



***Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals for***

Park Place - 11 New King Street

September 5, 2018

Page 8 of 12

- \_\_\_\_\_ 25. The construction details for the proposed sand filter, temporary sediment trap and outlet protection shall be designed to meet all NYSDEC sizing criteria to the satisfaction of the Town Engineer. All design dimensions shall be shown on the detail and coordinated with sizing calculations to be provided in the SWPPP.
- \_\_\_\_\_ 26. The applicant shall provide an evaluation confirming the adequate condition and structural integrity of the existing culvert pipe proposed to remain across the entry drive to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 27. The applicant shall submit documentation demonstrating that NYCDEP approval has been obtained for the SWPPP to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 28. The applicant shall submit documentation demonstrating that the Applicant has received a USACE nationwide permit to the satisfaction of the Town Engineer.

**Prior to the Issuance of a Building Permit:**

*(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)*

- \_\_\_\_\_ 1. The applicant shall submit documentation demonstrating that the Town Sewer and Water Department Approval, Westchester County Health Department, and NYCDEP approvals have been obtained for the proposed sewer connections to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 2. The applicant shall submit documentation demonstrating that Westchester County Health Department approval has been obtained for the proposed water supply well to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 3. The applicant shall submit documentation demonstrating that the North Castle Highway Department has issued the required curb cut permit and approved of the proposed improvements within the New King Street right-of-way to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 4. The applicant shall submit documentation demonstrating that FAA approval has been obtained for the approved building height to the satisfaction of the Building Department.
- \_\_\_\_\_ 5. Submission of documentation demonstrating that Applicant has provided the FAA with the required notice of proposed construction or alteration to the satisfaction of the Building Department.
- \_\_\_\_\_ 6. The applicant shall submit documentation demonstrating that the Westchester County Department of Public Works and the New York State Department of Transportation have issued permits for the proposed off-site traffic mitigation plan



to the satisfaction of the Planning Department and Town Engineer.

- \_\_\_\_\_ 7. The applicant shall provide proof of filing the Notice of Intent (NOI) with the NYSDEC for coverage under SPDES General Permit, GP-0-15-02”.
- \_\_\_\_\_ 8. The approved site plan shall be signed by both the Planning Board Chair and Town Engineer.
- \_\_\_\_\_ 9. The submission of a complete set of building plans for review and approval by the Town Building Inspector prior to the issuance of a building permit.
- \_\_\_\_\_ 10. The applicant shall submit an engineering inspection fee equal to 3% of the estimated cost of construction.
- \_\_\_\_\_ 11. Payment of all outstanding fees, including professional review fees.
- \_\_\_\_\_ 12. The applicant shall provide the design and details of the proposed sewer ejector system and oil/water separator to the satisfaction of the Town Engineer. Provisions for the emergency operation of the ejector system shall be included and detailed on the plan.

**Prior to the Issuance of a Certificate of Occupancy/Compliance:**

*(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)*

- \_\_\_\_\_ 1. Prior to the issuance of a certificate of occupancy/compliance, the actual construction, installation and implementation of all landscaping shall be certified by a licensed landscape architect as being in compliance with the approved plans and conditions, at the sole cost and expense of the Applicant.
- \_\_\_\_\_ 2. Prior to the issuance of a certificate of occupancy/compliance, the actual construction, installation and implementation of all off-site traffic mitigation shall be certified by the Town's Traffic Consultant as being in compliance with the approved plans and conditions, at the sole cost and expense of the Applicant.
- \_\_\_\_\_ 3. The applicant shall submit documentation demonstrating that a Notice of Termination has been filed with the NYSDEC for termination of coverage under General Permit, GP-0-15-002, to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 4. The applicant shall submit documentation, to the satisfaction of the Town Engineer, from NYSDOT and WCDPW demonstrating that the off-site traffic mitigation plan has been completed.
- \_\_\_\_\_ 5. The submission to the Town Building Inspector of an "As Built" site plan.

- \_\_\_\_\_ 6. Submit a Completed Works Approval by the Westchester County Health Department for the construction of the drilled well to the satisfaction of the Town Engineer.
- \_\_\_\_\_ 7. Prior to the issuance of a Certificate of Occupancy, the applicant shall obtain final signoff from the Town Sewer and Water Department and the Town Highway Department.

**Other Conditions:**

1. The Applicant shall staff the facility at all times.
2. If rock/material crushing is proposed, submission of a permit to "Construct and Operate Portable Rock Crushing and Power Screening Equipment" from the Westchester County Department of Health (WCDOH) to the satisfaction of the Town Engineer.
3. If blasting is proposed, submission of a permit to blast issued by the Building Department pursuant to Chapter 122 of the Town Code.
4. Prior to the start of construction and throughout the construction period, area of disturbance lines shall be clearly delineated in the field with snow fence or another demarcation acceptable to the Building Department and Town Engineer, which shall be placed around the entire proposed construction area. Except as necessary to provide mitigation plantings, no encroachment beyond these limits by workers or machinery shall be permitted.
5. Grading and clearing and other construction-related activities shall take place only within the delineated area of disturbance lines. These area of disturbance lines represent the maximum limits of construction activities. Every attempt shall be made to further reduce grading and clearing activities within the area of disturbance lines by maintaining natural vegetation and topography wherever practicable.
6. Prior to the commencement of any site work, the Applicant shall stake the location of the proposed construction for inspection and approval by the Building Department and Town Engineer.
7. For each phase of construction, soil erosion and sedimentation control measures shown on the plans shall be in place prior to the start of any site work (excluding mechanized tree work) as described in the sequence of construction, to the satisfaction of the Town Engineer. The Town Engineer shall have inspected the installation of all required soil erosion and sedimentation control measures prior to the authorization to proceed with any phase of site work.

8. Throughout the construction period, a qualified professional retained by the Applicant shall, on at least a weekly basis, prior to any predicted rain event and after any runoff-producing rain event, inspect the soil erosion and sedimentation control measures to ensure their proper functioning. Soil shall be removed from the silt fence when bulges develop in the fence in accordance with Westchester County recommendations. Records shall be kept onsite and made available for review by Town personnel. Inspections shall be in accordance with the NYSDEC Phase II regulations.
9. If the Applicant, during the course of construction, encounters such conditions as flood areas, underground water, soft or silty areas, improper drainage, or any other unusual circumstances or conditions that were not foreseen in the original planning, he shall report such conditions immediately to the Building Department and Town Engineer. The Applicant may submit, if he so desires, his recommendations as to the special treatment to be given such areas to secure adequate, permanent and satisfactory construction. The Building Department, without unnecessary delay, shall investigate the condition or conditions, and shall either approve the Applicant's recommendations to correct the conditions, order a modification thereof, or issue his own specifications for the correction of the conditions. In the event of the Applicant's disagreement with the decision of the Building Department, or in the event of a significant change resulting to the site plan or any change that involves the wetlands regulated areas, the matter shall be decided by the Planning Board. Any such conditions observed by the Planning Board or its agents shall be similarly treated.
10. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.
11. The applicant shall provide sedimentation and erosion control measures to the satisfaction of the Town Engineer and in accordance with the measures set forth in the Westchester County Best Management Practices for Construction and Related Activities.
12. All landscaping shown on this plan shall be maintained in a vigorous growing condition throughout the duration of the use. All plants not so maintained shall be replaced with new plants of comparable size and quality at the beginning of the next immediately following growing season.



*Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals for*  
Park Place - 11 New King Street  
September 5, 2018  
Page 12 of 12

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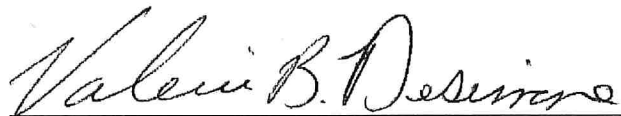
APPLICANT, agreed and understood as to contents and conditions, including expiration, contained herein

9/5/2018  
Date

  
\_\_\_\_\_  
11 New King Street LLC

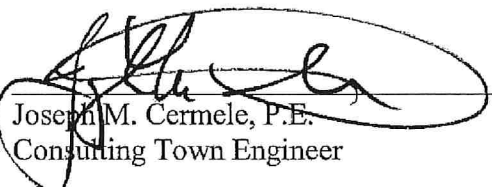
NORTH CASTLE PLANNING OFFICE,  
as to approval by the North Castle Planning Board

9/7/18  
Date

  
\_\_\_\_\_  
Valerie B. Desimone, Planning Board Secretary

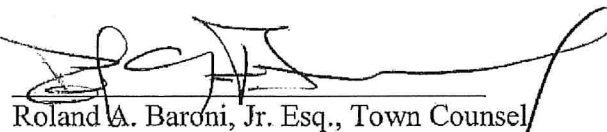
KELLARD SESSIONS CONSULTING  
As to Drainage and Engineering Matters

09/13/18  
Date

  
\_\_\_\_\_  
Joseph M. Cermele, P.E.  
Consulting Town Engineer

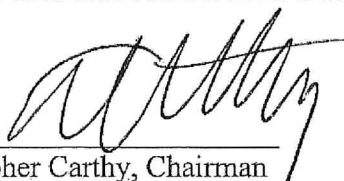
STEPHENS BARONI REILLY & LEWIS LLP  
As to Form and Sufficiency

9/14/18  
Date

  
\_\_\_\_\_  
Roland A. Baroni, Jr. Esq., Town Counsel

NORTH CASTLE PLANNING BOARD

9/14/18  
Date

  
\_\_\_\_\_  
Christopher Carthy, Chairman



**PLANNING BOARD**  
**Christopher Carthy, Chair**

**TOWN OF NORTH CASTLE**  
**WESTCHESTER COUNTY**  
**17 Bedford Road**  
**Ammonk, New York 10504-1898**

RECEIVED 9/16/2019  
TOWN CLERK'S OFFICE

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**Fax: (914) 273-3554**  
**www.northcastleny.com**

## **RESOLUTION**

<b>Action:</b>	Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals [#09-032]
<b>Application Name:</b>	Park Place
<b>Applicant/Owner:</b>	11 New King Street LLC
<b>Designation:</b>	119.03-1-1 & 118.02-2-3
<b>Zone:</b>	IND-AA (Industrial AA District)
<b>Acreage:</b>	Aprox. 5 acres
<b>Location:</b>	11 New King Street
<b>Original Date of Approval:</b>	September 5, 2018
<b>Original Expiration Date:</b>	September 5, 2019 (1 Year)
<b>Extension Approval Date:</b>	September 9, 2019
<b>Extension Approval Expiration:</b>	September 5, 2021 (2 Years)

WHEREAS, the Applicant received approval for a site plan, wetlands permit, steep slope permit and tree removal to construct a multi-level automated parking structure at 11 New King Street to alleviate an existing parking shortage at Westchester County Airport; and

WHEREAS, the proposed project would involve construction of a building with an approximately 31,493 square foot footprint and would house an enclosed automated parking structure capable of accommodating a maximum of 850 vehicles; and

WHEREAS, the original resolution of approval is set to expire on September 5, 2019 and the Applicant has not yet met all of the conditions of such approval; and

WHEREAS, the Applicant has requested an extension of time in which to complete all conditions of approval; and

WHEREAS, on September 9, 2019 the Planning Board reviewed said request and determined that there were no reasons to deny an extension of time; and

NOW, THEREFORE, BE IT RESOLVED, that the request for an extension of time is granted; and

BE IT FURTHER RESOLVED, that all conditions of the resolution of Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals dated September 5, 2018 shall remain valid and in full force and effect.



**PLANNING BOARD**  
**Christopher Carthy, Chair**

**TOWN OF NORTH CASTLE**  
**WESTCHESTER COUNTY**  
**17 Bedford Road**  
**Armonk, New York 10504-1898**

**RECEIVED 8/16/2021**  
**TOWN CLERK'S OFFICE**

**Telephone: (914) 273-3542**  
**Fax: (914) 273-3554**  
[www.northeastleny.com](http://www.northeastleny.com)

## **R E S O L U T I O N**

<b>Action:</b>	Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals – Second Extension of Time [#09-032]
<b>Application Name:</b>	Park Place
<b>Applicant/Owner:</b>	11 New King Street LLC
<b>Designation:</b>	119.03-1-1 & 118.02-2-3
<b>Zone:</b>	IND-AA (Industrial AA District)
<b>Acreage:</b>	Aprox. 5 acres
<b>Location:</b>	11 New King Street
<b>Original Date of Approval:</b>	September 5, 2018
<b>Original Expiration Date:</b>	September 5, 2019 (1 Year)
<b>1<sup>st</sup> Extension Approval Date:</b>	September 9, 2019
<b>2<sup>nd</sup> Extension Approval Date:</b>	August 9, 2021
<b>Extension Approval Expiration:</b>	September 5, 2023 (2 Years)

WHEREAS, the Applicant received approval for a site plan, wetlands permit, steep slope permit and tree removal to construct a multi-level automated parking structure at 11 New King Street to alleviate an existing parking shortage at Westchester County Airport; and

WHEREAS, the proposed project would involve construction of a building with an approximately 31,493 square foot footprint and would house an enclosed automated parking structure capable of accommodating a maximum of 850 vehicles; and

WHEREAS, the original resolution of approval was set to expire on September 5, 2019 and the Applicant had not yet met all of the conditions of such approval; and

WHEREAS, the Applicant requested an extension of time in which to complete all conditions of approval; and

WHEREAS, on September 9, 2019 the Planning Board reviewed said request and determined that there were no reasons to deny an extension of time; and

WHEREAS, the first extension of time is set to expire on September 5, 2021 and the Applicant has not yet met all of the conditions of such approval; and

WHEREAS, the Applicant has requested an extension of time in which to complete all conditions of approval; and



***Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals – Second Extension of Time for***

Park Place

August 9, 2021

Page 2 of 2

WHEREAS, on August 9, 2021 the Planning Board reviewed said request and determined that there were no reasons to deny an extension of time; and

NOW, THEREFORE, BE IT RESOLVED, that the request for an extension of time is granted; and

BE IT FURTHER RESOLVED, that all conditions of the resolution of Site Plan, Wetlands Permit, Steep Slope Permit, and Tree Removal Permit Approvals dated September 5, 2018 shall remain valid and in full force and effect.

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# Short Environmental Assessment Form

## Part 1 - Project Information

### Instructions for Completing


**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

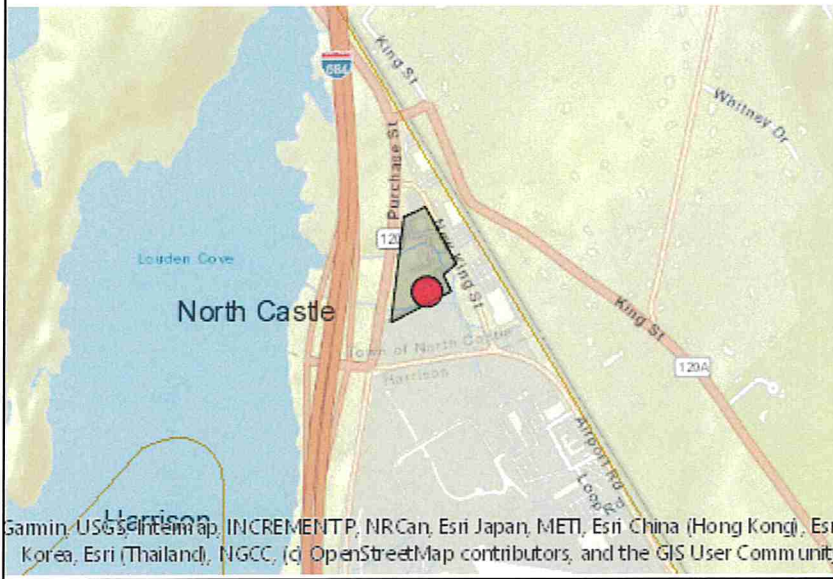
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
11 New King Street LLC			
Name of Action or Project: Application for site plan, wetlands permit, steep slope and tree removal permit			
Project Location (describe, and attach a location map): 11 New King Street, North Castle, NY			
Brief Description of Proposed Action: Application for a site plan, wetlands permit, steep slope and tree removal permit to construct a multi-level automated parking structure at 11 New King Street.			
Name of Applicant or Sponsor:  11 New King Street LLC		Telephone: 215-938-5000  E-Mail: jmb@jmbassociates.com	
Address: 2337 Philmont Avenue			
City/PO: Huntingdon Valley		State: PA	Zip Code: 19006
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			YES <input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 5.0 acres b. Total acreage to be physically disturbed? _____ 5.0 acres c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 5.0 acres			YES <input type="checkbox"/>
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name: Airport 60 Ldn Noise Contour, Reason: Exceptional or unique character, Agency: Westchester County, If Yes, identify: <u>Date: 1-31-90</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>William S. Null</u> Date: <u>7/7/2021</u>  Signature:  Title: <u>Attorney for Applicant</u>		



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:Airport 60 Ldn Noise Contour, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes