

THE LAW OFFICE OF KORY SALOMONE, P.C.

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April 12, 2021

Christopher Carthy, Chairman  
North Castle Planning Board  
17 Bedford Road  
Armonk, NY 10504

**Re: 3 North Castle Drive, Armonk, New York**  
**Eagle Ridge Zoning Petition**

Honorable Chair and Members of the Board:

As you know, this firm represents Maddd Madonna Armonk LLC (“MADDD”), the owners of the approximately 32-acre property located at 3 North Castel Drive (the “Subject Property”) with respect to its petition to develop the site with a mixed-use development. This petition was submitted to the Town Board in March of 2018. We made our initial appearance before the Town Board on March 28, 2018. At that meeting, the Town Board declared its intent to be Lead Agency for the environmental review and referred the petition to your Board for its review and recommendation.

We made our initial presentation to your Board on April 23, 2018. At that meeting we presented our original development proposal, which included a 97-room boutique hotel with restaurant, café, bar, ballroom, banquet/conference rooms, fitness center and pool to be constructed on 6 acres of the Subject Property. Additionally, 69 one-, two-, and three-bedroom apartments were proposed to be constructed above the hotel. On the remaining 26 acres, Maddd proposed to develop 94 townhouses.

Since that initial presentation in 2018, the Town Board, as Lead Agency, adopted a Positive Declaration requiring the preparation of a Draft Environmental Impact Statement and Final Environmental Impact Statement. During the environmental review, based on comments received from the Town Board, other involved and interested agencies, and members of the public, the proposed development plan has changed several times in order mitigate certain environmental impacts<sup>1</sup>.

The current development plan calls for the construction of a 115 key hotel, with 135 seat restaurant, 45 seat bar, and meeting space for up to 100 people on approximately 10.6 acres of the Subject Property. Additionally, 72 age-restricted townhouses are proposed to be constructed on

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<sup>1</sup> For a full discussion of the plan changes from initial submission to the current plan, your Board is directed to my March 3, 2021 letter to the Town Board, which was included in the Town Board’s transmittal to the Planning Board.

the remaining approximately 21.8 acres. We most recently discussed this proposal with the Town Board at its March 24, 2021 meeting. At the conclusion of that meeting, the Town Board referred this application to your Board for its review and recommendation.

Currently, the Subject Property is located in the Office Business Hotel (OBH) zoning district<sup>2</sup>. In order to accommodate the proposed development, amendments to the North Castle Zoning Code are required to modify certain bulk and area regulations in the OBH zoning district. In addition, Madd is also requesting that the Residential Multi-Family Senior Citizen Housing floating zone (R-MF-SCH) be placed on 21.8 acres of the Subject Property to accommodate the age-restricted townhouse development. The proposed text amendments are enclosed herewith for your review and comment.

It is respectfully requested that this matter be placed on the Planning Board's April 26, 2021 agenda for discussion and, if your Board deems appropriate, a positive recommendation to the Town Board.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,



Kory Salomone

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<sup>2</sup> Please note that the Subject Property is the only property in North Castle that is located in the OBH zone.

**TOWN OF NORTH CASTLE**

**Local Law No. \_\_\_ For the Year 2021**

Underlined text is added; ~~strikethrough~~ text is deleted.

A Local Law to amend Chapter 355 of the Town of North Castle Town Code with respect to the OBH Zoning District.

**Section 1.** Amend Section 355-23 of the Town of North Castle Town Code, 355 Attachment 3 (Schedule of Office and Industrial District Regulations) by amending Permitted Principal Use #1 in the OBH Zoning District as follows:

“1. Hotels, on a lot with not less than ~~4,700~~ 3,250 square feet of lot area for each guest sleeping room.”

**Section 2.** Amend Section 355-23 of the Town of North Castle Town Code, 355 Attachment 3 (Schedule of Office and Industrial District Regulations) by modifying the following requirements in the OBH Zoning District:

Maximum Floor Area Ratio:	<del>0.12</del> <u>0.20</u>
Minimum Lot Area:	<del>20</del> <u>9.0</u> acres
Minimum Lot Frontage:	500 feet
Minimum Lot Depth:	<del>500</del> <u>400</u> feet
Minimum Front Yard:	<del>150</del> <u>80</u> feet
Minimum Side Yard:	<del>300</del> <u>80</u> feet
Minimum Rear Yard:	300 feet

Maximum Building Coverage: 10 %

Maximum Building Height:	
Stories	3
Feet	45

**Section 4.** Amend Section 355-30(G) (Additional office and industrial district regulations – Hotels) as follows:

**G. Hotels.** Hotels are subject to the following standards and conditions:

- (1) Use. Use of a hotel site and any buildings thereon shall be limited to the usual hotel activities, as defined herein, and accessory uses incidental to the operation of a hotel, and of the same general character, including but not necessarily limited the following, provided that all accessory uses shall be planned as an integral part of the hotel and located on the same site therewith:

- (a) One house or apartment with or without kitchen facilities for the use of the hotel manager and caretaker and his family.
- (b) Restaurants, cafes, bars, and lounges, serving either hotel guests exclusively or the general public, provided that no music or other sound shall be audible beyond the boundaries of the lot on which the use is conducted.
- (c) Fitness and sport facilities, including swimming pools, children's playgrounds, tennis or other game courts and game recreation rooms.
- (d) Automobile parking garages or carports and off-street parking spaces.
- (e) Office and lobby.
- (f) Banquet/Conference Rooms
- (g) Business center

(2) Hotel Room

- (a) Hotel sleeping rooms shall not be interconnected by interior doors in groups of more than two.
- (b) Each sleeping room shall have an area, inclusive of bathroom and closet space, of at least 225 square feet.

(3) Access and service roads. Access and service roads shall be properly related to easement driveways or streets, public or private streets, and highways so as to avoid unsafe conditions and traffic congestions. Points of ingress and egress shall be limited to a total of two on any street. No backing of cars into any highways shall be permitted.

(4) Off-street parking: as required by Article IX. Where a hotel includes a restaurant, lounge, or other eating and drinking facilities, required parking space shall be provided for such facilities, in addition to required parking spaces for sleeping rooms and other floor space

(5) Signs. Signs shall be subject to the same provisions as are applicable to motels as contained in § **355-16(F)(9)**.

**Section 5.** Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State

of New York, or other applicable rules or regulations, the requirements of this Local Law shall prevail.

**Section 6. Severability.**

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

**Section 7. Effective Date.**

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: \_\_\_\_\_, 2021

**TOWN OF NORTH CASTLE**

**Local Law No. \_\_\_\_ For the Year 2021**

A Local Law to amend Chapter 355 of the Town of North Castle Town Code with respect to the R-MF-SCH Zoning District.

**Section 1.** In accordance with Section 355-80, amend the “Zoning Map of the Town of North Castle, New York,” as established in Section 355-6 of the Town Zoning Code, so as to reclassify a 21.89-acre portion of Parcel Id. 108.03-1-62.1 from the OBH Office Business Hotel District to the R-MF-SCH Residential Multifamily Senior Citizen Housing district, and establishing the following requirements for that 21.89-acre portion of the property known as Parcel Id. 108.03-1-62.1:

Maximum Floor Area Ratio:	0.30
Minimum Lot Area:	15.0 acres
Minimum Lot Frontage:	500 feet
Minimum Lot Width:	500 feet
Minimum Lot Depth:	500 feet
Minimum Perimeter Front Yard:	30 feet
Minimum Perimeter Side Yard:	30 feet
Minimum Perimeter Rear Yard:	175 feet
Minimum Dwelling Unit Size:	1 bedroom unit – 800 s.f. 2 bedroom unit – 1,000 s.f. AFFH Units – in accordance with Section 355-24(I)
Maximum Building Coverage:	25%
Maximum Building Height:	Stories      2.5 Feet            30

**Section 2.** Conflicting Standards.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of North Castle, the Town Law of the State of New York, or other applicable rules or regulations, the requirements of this Local Law shall prevail.

**Section 3.** Severability.

The invalidity of any word, section, clause, paragraph, sentence, part or provision of this Local Law shall not affect the validity of any other part of this Local Law that can be given effect without such invalid part or parts.

**Section 4. Effective Date.**

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.

Dated: \_\_\_\_\_, 2021