

February 10th, 2022

Via Email:

Supervisor Michael J. Schiliro
and Members of the Town Board
Town of North Castle Town Hall
15 Bedford Road
Armonk, New York 10504-1898

Christopher Carthy and Members of
the Planning Board
Town of North Castle
17 Bedford Road
Armonk, New York 10504-1898

**Re: Amended Site Plan, Wetlands and Stormwater Permits
New King Street LLC
7 New King Street, SBL 118.02-2-3**

Dear Supervisor Schliro and Chairman Carthy,

As Chairman Carthy already knows, the undersigned represents the above referenced property owner with regard to the approvals for a 4.2 acre improved property at 7 New King Street in the Town of North Castle.

Our client is applying for approval from the Planning Board to expand an existing 7,220 square foot warehouse by 6,007 square feet. Our client is also seeking relocation of existing site fixtures such as the trash containment area and some parking plus the construction of new additional parking spaces. The proposed expansion, in addition to site plan approval, will require Town wetland and stormwater permits and a stormwater permit from the NYC DEP.

We appeared before the Planning Board on January 24th with regard to the sought for approvals and at which time the Planning Board was in receipt of a memo from the Town Planner recommending the Planning Board approve the requested site plan amendment, subject to some minor amendments to the submitted site plan as the plan is compatible with the Town's Comprehensive Plan.

The Planning Board appeared to be favorably disposed to such approval, however both the Town Planner and Town Attorney correctly pointed out that warehouses are not permitted in the IND-AA Zoning District in which this property is located except at the Westchester County Airport property. Chairman Carthy, the Town Planner, and Town Attorney all recommended we seek an amendment to the provisions of the IND-AA Zoning District to permit warehouses on a case-by-case site plan approval basis.

Hollis Laidlaw & Simon

Upon undertaking that task, we realized that Section 355-90 of the Town's Zoning Code requires a petition duly signed and acknowledged by 50% of the owners of all properties within the IND-AA District. We realized what a difficult undertaking that particular task might be.

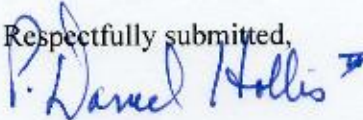
Whether the restriction of warehouses in the IND-AA, an industrial district, at the time of its creation was an oversight or not, that restriction now imposes a burden on our client because it purchased the property with the 7,220 square foot warehouse in place and utilized as such a number of years ago.

Our client's property is immediately adjacent to 11 New King Street where the Town has approved an automated parking structure for hundreds of vehicles. To not allow the existing warehouse, directly appurtenant to the parking structure parcel, would be both unfair to our client and discordant with the uses in the District.

Because the filing of the zoning petition with the signatures of at least 50% of the property owners in the District would cause an additional hardship to our client, the undersigned is respectfully requesting that the Town undertake this amendment on its own initiative.

We would be glad to discuss this request further with each or both of your Boards.

I look forward to your response.

Respectfully submitted,


P. Daniel Hollis., III