



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

PLANNING BOARD
Christopher Carthy, Chair

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R E S O L U T I O N

Action: Site Plan Approval
Application Name: 94 Business Park Dr. – Outdoor Storage [2022-019]
Owner: Aggro and Brassi, LLC
Owner: Armonk Fiarview, LLC
Applicant: PODS’ Moving and Storage
Designation: 108.03-1-50
Zone: PLI Zoning District
Acreage: 5.52-acres
Location: 94 Business Park Drive
Approval Date: June 13, 2022
Date of Expiration: June 13, 2023

WHEREAS, a site plan application has been submitted to permit outdoor storage of 180 moving/storage containers at the rear of the existing warehouse building in the PLI Zoning District; and

WHEREAS, the requisite fee was paid; and

WHEREAS, the application consists of the following plans:

- Plan labeled “A1,” entitled “Concept Plan,” dated February 22, 2022, prepared by Kent Architectural Collaborative, PLLC.
- Plan labeled “1,” entitled “Site Plan for Outdoor Storage,” dated April 22, 2022, prepared by Dynamic Engineering.

WHEREAS, the proposed action would be classified as a Type II Action pursuant to SEQRA; and

WHEREAS, Type II Actions have been determined not to have a significant impact on the environment do not require any further processing pursuant to SEQRA; 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 issue deemed important to providing emergency services; and

WHEREAS, the site plan was forwarded to the Westchester County Planning Board on May 10, 2022 pursuant to Section 239-m of New York State General Municipal Law since the site is located within 500 feet of I-684; and

WHEREAS, the warehouse requires the provision of 9 loading spaces; and

WHEREAS, the proposed site plan does not depict any loading spaces; and

WHEREAS, pursuant to Section 355-58(4) of the Town Code, upon consideration of all factors entering into the loading and unloading needs of each use, the Planning Board may make appropriate reductions in the loading requirements; and

WHEREAS, a duly advertised public hearing was conducted on June 13, 2022 at which time all those wishing to be heard were given the opportunity to be heard; and

WHEREAS, the Planning Board has received and considered comments from the public, Town Attorney, Town Engineer and Town Planner; and

WHEREAS, the requirements of the Zoning Ordinance and the Town of North Castle Comprehensive Plan Update have been met; and

NOW THEREFORE BE IT RESOLVED, that upon consideration of all factors entering into the loading and unloading needs of each use, the Planning Board reducing the loading requirement for this use to zero; and

BE IT FURTHER RESOLVED, that the Application for site plan approval be, and it hereby is, granted, and the Planning Board Chairman is authorized to sign the site plan subject to the conditions identified below; and

Prior to the Signing of the Site Plan:

(The initials of the appropriate Town Official and date shall be placed in the space below to indicate that the condition has been satisfied)

- _____ 1. The site shall be revised to depict the location of five outdoor spaces reserved for commercial vehicle storage and demonstrate that the site would contain the minimum required amount of off-street parking after removing the vehicle storage spaces from the off-street parking count to the satisfaction of the Planning Department.

- _____ 2. Plan A1 depicts 36 outdoor stacks of three containers (shaded blue) for a total of 108 outdoor containers located at the rear of the property. However, Plan A1 also depicts an additional 24 stacks of three containers – for a total of 72 additional smaller containers (unshaded; optional). Plan A-1 and Plan 1 do not depict the same extent of outdoor storage area. The plans shall be coordinated so as to depict a maximum of 180 storage containers to be stored outside to the satisfaction of the Planning Department.

- _____3. Plan 1 shall be revised to depict the outdoor storage layout specifics depicted on plan A-1 to the satisfaction of the Planning Department.
- _____4. All submitted plans shall contain the seal and signature of the professional preparing the plan to the satisfaction of the Planning Department.
- _____5. The site plan depicts the construction of two new ramps into the warehouse. The Town Engineer shall determine whether the ramps are designed correctly.
- _____7. The site plan shall be revised to include notes stating that “outdoor storage of up to a total of 180 storage containers and 5 vehicles shall be permitted” to the satisfaction of the Town Planner.
- _____8. 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.
- _____9. Payment of all applicable fees, including any outstanding consulting fees.
- _____10. The applicant shall submit to the Planning Board Secretary 1 PDF set of plans (with required signature block located in the lower right corner of all plan sheets) 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.

Prior to the Issuance of a Building Permit:

(The initials of the appropriate Town Official and date shall be placed in the space below to indicate that the condition has been satisfied)

- _____1. The approved site plan shall be signed by both the Planning Board Chairman and the Town Engineer.
- _____2. 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.
- _____3. Payment of all outstanding fees, including professional review fees.
- _____4. The applicant shall submit an engineering inspection fee equal to 3% of the estimated cost of construction.

Prior to the Issuance of a Certificate of Occupancy:

(The initials of the appropriate Town Official and date shall be placed in the space below to indicate that the condition has been satisfied)

_____1. Payment of all outstanding fees, including professional review fees.

Other Conditions:

1. Outdoor storage of up to a total of 180 storage containers and 5 vehicles shall be permitted.
2. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.
3. 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.

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

Aggro and Brassi, LLC

Armonk Fiarview, LLC

PODS' Moving and Storage

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

Date Valerie B. Desimone, Planning Board Secretary

Certified as Approved by the North Castle Planning Board

KELLARD SESSIONS CONSULTING P.C.
As to Drainage and Engineering Matters

Date Joseph M. Cermele, P.E.
Consulting Town Engineer

STEPHENS BARONI REILLY & LEWIS LLP
As to Form and Sufficiency

Date Roland A. Baroni, Jr. Esq., Town Counsel

NORTH CASTLE PLANNING BOARD

Date Christopher Carthy, Chair