



TOWN OF NORTH CASTLE
WESTCHESTER COUNTY
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Armonk, New York 10504-1898

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PLANNING BOARD
Christopher Carthy, Chair

R E S O L U T I O N

Action: Site Plan Approval
Application Name: 4 New King Street – Outdoor Storage and Overnight Vehicle Parking [2022-021]
Owner/Applicant: New King Street Associates
Designation: 188.02-2-1
Zone: IND-AA Zoning District
Acreage: 2.33-acres
Location: 4 New King Street
Approval Date: September 11, 2023
Date of Expiration: September 11, 2024

WHEREAS, a site plan application has been submitted to permit overnight parking of 7 vehicles associated with PS Electric, 5 vehicles associated with Mariani Landscaping, and a gravel outdoor storage pad area; and

WHEREAS, the requisite fee was paid; and

WHEREAS, the application consists of the following plans:

- Plan labeled “C-000,” entitled “Cover Sheet,” dated April 25, 2023, prepared by JMC Panning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled “C-010,” entitled “Overall Existing Conditions Map,” dated April 25, 2023, prepared by JMC Panning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled “C-100,” entitled “Amended Site Plan,” dated April 25, 2023, prepared by JMC Panning, Engineering, Landscape Architecture & Land Surveying, PLLC.
- Plan labeled “C-900,” entitled “Construction Details,” dated April 25, 2023, prepared by JMC Panning, Engineering, Landscape Architecture & Land Surveying, PLLC.

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, emergency services providers did not submit any comments to the Planning

Site Plan Approval

4 New King Street – Outdoor Storage and Overnight Vehicle Parking [2022-021]

September 11, 2023

Page 2 of 5

Board; 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 referral to Westchester County is a “referral only” and a response is not provided to the Town; and

WHEREAS, the public hearing notice was sent to the Town of Greenwich, CT 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, outdoor storage and overnight storage of vehicles are only permitted for on-site uses; and

WHEREAS, the Applicant has submitted leases for both Mariani and PS Electric shall demonstrating that Mariani (3,125 s.f.) and PS Electric (829 s.f.) have offices in the building; and

WHEREAS, in order for the Planning Board to approve the storage of vehicles in the existing parking lot, the Planning Board must determine that the storage of vehicles and a landscaping yard are customary uses associated with the operation of the offices; and

WHEREAS, the Planning Board has determined that the landscaping yard is a customary use associated with the operation of the landscaping business office; and

[NOTE: PB AT 6/12/23 MEETING EXPRESSED CONCERN WITH STORAGE OF LARGE EQUIPMENT – PLEASE REVIEW THIS SECTION – THIS SECTION SHOULD BE REVISED IF SUBMITTED LIST OF EQUIPMENT IS NOT ACCEPTABLE]

WHEREAS, a duly advertised public hearing was conducted on September 11, 2023, 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

Site Plan Approval

4 New King Street – Outdoor Storage and Overnight Vehicle Parking [2022-021]

September 11, 2023

Page 3 of 5

NOW THEREFORE BE IT 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. Site plan elements located outside of NY have been removed from the plan. However, a note, to the satisfaction of the Planning Department, shall be added to the site plan stating that all improvements in CT require approval from the Town of Greenwich.

- _____2. Any existing and proposed lighting that was not approved in a previous site plan approval shall be depicted on the site plan and contain details of the lighting fixtures to the satisfaction of the Planning Department. The Applicant shall demonstrate that all lighting meets the requirements of Section 355-45.M of the Town Code with respect to being down-lit and shielded to the satisfaction of the Planning Department.

- _____3. Payment of all applicable fees, including any outstanding consulting fees.

- _____4. 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.

Site Plan Approval

4 New King Street – Outdoor Storage and Overnight Vehicle Parking [2022-021]

September 11, 2023

Page 4 of 5

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. The overnight parking of 7 vehicles associated with PS Electric, 5 vehicles associated with Mariani Landscaping, and a gravel outdoor storage pad area shall be permitted as depicted on the approved site plan.
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

New King Street Associates

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

Date

Joseline Huerta, 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