

**STAFF REPORT - TOWN OF NORTH CASTLE PLANNING DEPARTMENT**

December 15, 2022



APPLICATION NUMBER & NAME  
 #2020-048 – 360 Main Street – Site  
 Plan and Wetlands Permit Applications

SBL  
 101.03-1-69

MEETING DATE  
 January 17, 2023

PROPERTY ADDRESS/LOCATION  
 360 Main Street, Armonk

**BRIEF SUMMARY OF REQUEST**

The Applicant is seeking site plan approval for the placement of three, 2.6-ft deep x 6-ft high x 4.5-ft wide, resin vertical storage sheds and to bring existing conditions (ice storage area, oil storage area, dumpster/refuse area, vacuum area, propane exchange area, air pump area) into conformance. In addition, the Applicant intends to re-stripe the site to delineate 32 parking spaces. Finally, the Applicant is seeking a special use permit (Town Board) to allow outdoor sales (e.g., firewood, window wiper fluid). No changes are proposed to the buildings and no ground disturbance is proposed.



PENDING ACTION:       Plan Review       Town Board Referral       Preliminary Discussion

EXISTING ZONING	EXISTING LAND USE	SURROUNDING ZONING & LAND USE	SITE IMPROVEMENTS	SIZE OF PROPERTY
CB Central Business District	Gasoline and Service Station	Commercial development along NYS Route 128;	See above	0.4 acres

PROPERTY HISTORY	COMPATIBILITY with the COMPREHENSIVE PLAN
- Existing gasoline and service station	The Comprehensive Plan is silent with respect to gas stations in general in the CB Zoning District.

**STAFF RECOMMENDATIONS**

- Once all staff and consultant's comments are addressed, the Planning Board should give consideration to approving the requested permits.

<p><u>Procedural Comments</u></p> <ol style="list-style-type: none"> <li>1. The application for site plan approval requires referral to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML). This referral is required because the subject site is located within 500 feet of NY Route 128.</li> <li>2. The Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA).</li> <li>3. A Public Hearing for the proposed site plan will need to be scheduled.</li> <li>4. The site plan should be 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, the designation of no-parking zones, emergency vehicle access or any other issued deemed important to providing emergency services.</li> </ol>	<p><u>Staff Notes</u></p> <p>The referral was made on November 30, 2020.</p> <p>Construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities;</p> <p>A public hearing has been scheduled for the January 9, 2023 Planning Board meeting.</p> <p>The referral was made on November 30, 2020.</p>
<p><u>General Comments</u></p> <ol style="list-style-type: none"> <li>1. The Planning Board, at the November 23, 2020 meeting, directed that the Applicant revise the site plan to depict plantings in the island fronting NYS Route 128.</li> <li>2. The Applicant (or tenant) is currently leasing space from the Town of North Castle.</li> <li>3. The site plan depicts a proposed 1,000 gal oil storage tank that is proposed to be covered (existing condition). The proposed structure does not meet the rear yard setback requirement.</li> <li>4. The site plan depicts a number of existing zoning non-conformities. The Applicant should submit a copy of the previous ZBA resolutions of approval as well as revise the Zoning Bulk Table to reference the date the Zoning Board of Appeals granted the required variances for the following non-conformities: <ul style="list-style-type: none"> <li>• Rear yard setback of 22.7 ft where 30 ft is required.</li> <li>• Front yard setback for pump of 9.1 ft where 10 ft is required.</li> </ul> </li> <li>5. The Applicant stated that outdoor display and sales is proposed. While outdoor sales and display is subject to a Town Board special use permit, the site plan should also be revised to depict the location, design and material proposed to be displayed and sold.</li> </ol>	<p>The Town Attorney has stated that the Planning Board should not approve the site plan until all rent has been paid and the lease has been assigned to the property owner.</p> <p>The Applicant will need to obtain a variance from the Zoning Board of Appeals.</p> <p>Prior to the Applicant obtaining site plan approval, the Applicant will need to obtain the requested special use permit from the Town Board.</p>