



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

Telephone: (914) 273-3542
Fax: (914) 273-3554
www.northcastleny.com

PLANNING BOARD
Christopher Carthy, Chair

R E S O L U T I O N

Action: Site Plan Approval – Change of Use
Project Name: Change of Use - Site Development Plan Approval [2023-032]
Applicant: Alessandra Lauro
Owner: Jack Mutchnik
Designation: 108.03-1-1
Zone: CB-A2
Acreage: 0.34 acres
Location: 393 Main Street, Armonk
Date of Approval: November 13, 2023
Expiration Date: November 13, 2024 (1 Year)

WHEREAS, the Applicant is seeking approval for proposed change of use of 852 s.f. from office space to salon; and

WHEREAS, the property is approximately 0.34 acres in size and lies within the CB-A2 zoning district; and

WHEREAS, in connection with the proposed development, the Applicant has submitted the following plans:

- Plan labeled “S-1,” entitled “Site Plan,” dated October 2, 2023, last revised October 10, 2023, prepared by Joseph R. Crocco Architects.

WHEREAS, in 2001, the Planning Board granted site plan approval for changes to the rear of Broadway Pizza; and

WHEREAS, in 2014, the Planning Board approved a change of use from carry-out restaurant (Scoops) to office (William Ravies); and

WHEREAS, that site plan requires the provision of 32 off-street parking spaces; and

WHEREAS, The Applicant has submitted a “theoretical” maximum number of Town Code compliant off-street parking and loading spaces; and

WHEREAS, this plan depicts 32 off-street parking spaces and serves as a basis to determine whether the minimum number of off-street parking spaces “could be” provided on the site; and

WHEREAS, the theoretical maximum parking plan does not represent existing conditions; and

Site Plan Approval for

Change of Use - Site Development Plan Approval [2023-032]

November 13, 2023

Page 2 of 5

WHEREAS, the theoretical parking plan depicts off-street loading facilities in the aisle for off-hours loading; and

WHEREAS, 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 may determine reasonable and appropriate loading requirements; and

WHEREAS, the Planning Board has determined that the depicted loading scenario is acceptable; and

WHEREAS, the application for site plan approval was sent to the Westchester County Planning Board pursuant to § 239-m of New York State General Municipal Law (GML) as a “notification only” referral on September 29, 2023; and

WHEREAS, on November 13, 2023, the Planning Board, pursuant to §355-44 of the North Castle Code, conducted a duly noticed public hearing with respect to the site plan application, at which time all those wishing to be heard with respect to the site plan were given an opportunity to be heard; and

WHEREAS, the Proposed Action would be classified as a Type II Action pursuant to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the Planning Board has inspected the site and is familiar with the nature of the site, the surrounding area, and the proposed development; and

WHEREAS, the Planning Board has requested, received, and considered comments from the Town Attorney, Town Engineer, and Town Planner regarding the proposed development; and

WHEREAS, the requirements of the Zoning Ordinance of the Town of North Castle have been met by said application; and

NOW THEREFORE BE IT RESOLVED, that pursuant to Section 355-58.D of the Town Code, the Planning Board finds the proposed loading space appropriate; and

BE IT FURTHER RESOLVED, that pursuant to Section 355-56.C of the Town Code, the Planning Board finds that it is appropriate to landbank parking spaces to reflect the existing off-street parking configuration; and

BE IT FURTHER RESOLVED, that the application for site plan approval, as described herein, is hereby conditionally approved, subject to the following conditions and modifications; and

BE IT FURTHER RESOLVED, that this site plan approval shall expire one (1) year after the date of this resolution unless all of the conditions and modifications identified below have been

Site Plan Approval for

Change of Use - Site Development Plan Approval [2023-032]

November 13, 2023

Page 3 of 5

substantially completed or an extension of time has been requested by the applicant or granted by the North Castle Planning Board.

Prior to the Signing of the Site Plan:

(The Planning Board Secretary's initials and date shall be placed in the space below to indicate that the condition has been satisfied.)

- _____ 1. Plan S-1 shall be revised to include an existing conditions plan (in addition to the existing theoretical plan) that will be approved as a “landbanked” parking plan pursuant to Section 355-56.B of the Town Code to the satisfaction of the Planning Department.
- _____ 2. The Applicant shall provide written guaranties, satisfactory to the Town Attorney, for the eventual improvement of all landbanked spaces. Such spaces must be constructed within six months of the date of written notice to the property owner by the Planning Board that such spaces have been determined as necessary.
- _____ 3. Payment of all applicable fees, including any outstanding consulting fees.
- _____ 4. The Applicant shall submit to the Planning Board Secretary one PDF set of plans (with required signature block) 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 Planning Board Secretary's initials 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 Chair and Town Engineer.
- _____ 2. Payment of all outstanding fees, including professional review fees.

Prior to the Issuance of a Certificate of Occupancy/Compliance:

(The Planning Board Secretary's initials 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. Compliance with all applicable local laws and ordinances of the Town of North Castle and any conditions attached to permits issued thereunder.

Site Plan Approval for

Change of Use - Site Development Plan Approval [2023-032]

November 13, 2023

Page 4 of 5

2. Any new signs or modification to existing signage will require review and approval from the Architectural Review Board.

Site Plan Approval for

Change of Use - Site Development Plan Approval [2023-032]

November 13, 2023

Page 5 of 5

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

Date

Alessandra Lauro

Date

Jack Mutchnik

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

Date

Joseline Huerta, Planning Board Secretary

KSCJ CONSULTING
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, Chairman