



**TOWN OF NORTH CASTLE**  
**WESTCHESTER COUNTY**  
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**PLANNING BOARD**  
Christopher Carthy, Chair

## **R E S O L U T I O N**

<b>Action:</b>	Site Plan Approval – Change of Use
<b>Project Name:</b>	70 Lafayette Ave Change of Use - Site Development Plan Approval [2023-039]
<b>Owner/Applicant</b>	Marquis Associates LLC
<b>Designation:</b>	122.12-1-28
<b>Zone:</b>	IND-A
<b>Acreage:</b>	1.1 acres
<b>Location:</b>	70 Lafayette Ave, NWP
<b>Date of Approval:</b>	January 8, 2024
<b>Expiration Date:</b>	January 8, 2025 (1 Year)

WHEREAS, the Applicant is seeking approval for a change of use of 4,100 s.f. from warehouse space to studio/office space for use as a video recording and photography studio; and

WHEREAS, the property is approximately 1.1 acres in size and lies within the IND-A zoning district; and

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

- Plan labeled “A1,” entitled “Site Plan Zoning Table,” dated October 5, 2023, prepared by O’Neill Architects.
- Plan labeled “A2,” entitled “Floor Plans,” dated October 8, 2023, prepared by O’Neill Architects.

WHEREAS, in 1970, the Planning Board granted site plan approval for a building with warehouse on the first floor and office on the second floor; and

WHEREAS, in 2009, the Planning Board approved the conversion of warehouse space to office space in unit 130 and unit 200; and

WHEREAS, the Property is currently improved with a two-story office/warehouse building with 66 off-street parking spaces; and

WHEREAS, in 2009, the Applicant received a parking variance of 12 off-street parking spaces; and

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WHEREAS, the proposed video sound stage use is subject to the minimum off-street parking requirements applicable to professional business offices or studios; and

WHEREAS, as a result of the proposed change of use, the total number of parking spaces required for the entire building is 91 spaces, where 66 spaces are provided, resulting in a deficit of 25 spaces; and

WHEREAS, the Zoning Board of Appeals, on December 7, 2023, approved the required off-street parking variance; 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 November 14, 2023; and

WHEREAS, on January 8, 2024, 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 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 substantially completed or an extension of time has been requested by the applicant or granted by the North Castle Planning Board.

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**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. The site plan shall be revised, to the satisfaction of the Planning Department, to include the October 7, 2023 parking table that was submitted to the ZBA.
- \_\_\_\_\_ 2. Payment of all applicable fees, including any outstanding consulting fees.
- \_\_\_\_\_ 3. 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.
2. Any new signs or modification to existing signage will require review and approval from the Architectural Review Board.

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Marquis Associates LLC

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