



TOWN OF NORTH CASTLE

Town Hall - 15 Bedford Road

Armonk, New York 10504

northcastleny.com

Established 1736

ALISON SIMON

Town Clerk

(914) 273-3000 x42

asimon@northcastleny.com

TOWN BOARD APPLICATION PROCEDURE FOR SPECIAL USE PERMIT **CHAPTER 355 ZONING ARTICLE VII. SPECIAL PERMIT USES**

An application for a Special Use Permit requires a public hearing which must be scheduled and conducted by the **Town Board** to consider approval.

(NOTE: This does not apply for a Special Use Permit application for accessory apartments and accessory structures over 800 square feet which require Planning Board approval.)

1. Fill out the Special Use Permit Application, include the completed [Environmental Assessment Form \(EAF\)](#) and a copy of the site plan, then email the packet to the Town Clerk asimon@northcastleny.com. Include payment of \$250 application fee, payable to *Town of North Castle*.

2. The site plan shall show the location of all buildings, parking areas, traffic access and circulation drives, open spaces, landscaping, topography, special features, and any other pertinent information, including such information about neighboring properties as may be necessary to determine and provide for the enforcement of the permit.

3. The Town Clerk will advise of the Town Board meeting date when the application will be received by the Town Board. The Town Board will refer the application to the Planning Board for its recommendation, and, if required, to other agencies for review. The Town Clerk will email the application with site plan and EAF to the Planning Board.

4. The application will then appear on the next available Planning Board agenda, and the Planning Board will subsequently make its recommendation to the Town Board.

6. The Town Board will receive the Planning Board's recommendation and reports submitted by other agencies on its next available agenda. If the recommendation is positive, the Town Board will schedule a public hearing.

NOTIFICATION PROCESS

7. PREPARATION OF LEGAL NOTICE

Following the scheduling of the public hearing by the Town Board, the Town Clerk will prepare the Legal Notice and email it to the applicant or professional who must mail the Notice to neighboring property owners as per Town Code, and email the Notice to the Journal News for publication.

8. MAILING OF LEGAL NOTICE

Contact the North Castle Assessor's Office to [request a list of neighboring property owners](#) within 250 feet to be notified of the public hearing. The Assessor's Office requires **a minimum of one week's notice** and payment of \$50 to prepare the mailing list and two sets of labels for your mailing of the Legal Notice. The Office can be contacted at 17 Bedford Road, Monday - Friday, at 273-3324. Requests can be emailed to assessor@northcastleny.com.

The Town Clerk's Office will provide the official envelopes and Certificate of Mailing form. Using the list of neighboring property owners and labels provided by the Assessor's Office, mail the Legal Notice by First Class Mail. **The Legal Notice must be mailed no less than 10 days prior to the public hearing date and no more than 20 days prior to the public hearing date.** The Certificate of Mailing (PS Form 3817 or 3877) must include labels for all neighboring property owners on the mailing list and must be postmarked and signed by US Post Office on the date of the mailing.

9. PUBLICATION OF LEGAL NOTICE

Submit the Legal Notice to the Westchester Journal News here:

<https://legals.gannettclassifieds.com/legals/nys/index.html>

You will have to create your own account if you don't already have one.

- A. Choose Westchester Journal News
- B. Choose "Govt Public Notices" from Classification Column.
- C. Choose Legal 2 Column full as your layout and **paste** in the notice headline & text.
- D. Select publication date. The Journal News **requires two or more days prior notice**, not including weekends and holidays, for ad placement. **The Legal Notice must be published no less than 10 days prior to the public hearing date and no more than 20 days prior to the public hearing date.** Note the Journal News does not publish on Saturdays. It is recommended that you purchase the Journal News for your records the day the Legal Notice is published.
- E. Make sure 1 Affidavit is checked. The *Affidavit of Publication* which must be submitted to the Town Clerk prior to the public hearing.

10. PROOF OF MAILING AND PUBLICATION

No later than 24 hours prior to the public hearing, the following **must** be submitted to the Town Clerk's Office:

- List of Neighboring Property Owners prepared by the Assessor's Office
 - Certificate of Mailing – PS form 3817 or 3877 postmarked by the US Post Office
 - *Affidavit of Publication* from the Journal News
 - If the Affidavit is not received prior to the hearing, the page from the Journal News which includes the Notice and date of publication should be submitted to the Town Clerk's Office. *Affidavit of Publication* must be submitted to the Town Clerk's Office when received to complete the public hearing file.

The public hearing will not be held without the required proof of mailing to neighboring property owners and publication in the Journal News. At the public hearing, the Town Board may approve or deny the application or adjourn the hearing.



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SPECIAL USE PERMIT APPLICATION

FEE \$250

APPLICANT: _____

ADDRESS: _____

PHONE: _____ E-MAIL _____

PROPERTY OWNER:* _____

* Property owner must complete Verification form on attached page 2.

ADDRESS: _____

PHONE: _____

PREMISES: Tax ID # _____

situated on the _____ side of _____ (street)

_____ feet from the intersection of _____

_____ (street).

Description of proposed use and improvements to the premises:

(Include overall square footage of building(s) when applicable.)

Signature of Applicant

Date

SPECIAL USE PERMIT APPLICATION

Page 2

VERIFICATION BY PROPERTY OWNER

I, _____, being duly sworn, depose and say that I am the property owner in the foregoing application, that I have read the same and that the same is true and correct.

Signature of Property Owner

Sworn to before me this _____
day of _____, 20____.

Notary Public

TOWN OF NORTH CASTLE ASSESSOR'S OFFICE

NEIGHBOR NOTIFICATION ORDER FORM

(One form per radius)



Assessment Department will provide the following:

1. One list of names and mailing addresses of owners within radius; *
2. Two sets of mailing labels;
3. A hard copy of labels.

* Ownership data is believed accurate but not warranted and provided "as is". Assessor's Office is not responsible for ownership differences that may occur due to deed processing time or any other outside influence that may reflect a difference between data provided and actual ownership.

Information

Date: _____

Owners within 250' \$50.00 \$ _____

Section/Block/Lot: _____

Owners within 500' \$50.00 \$ _____

Owner's Name: _____

Add'l set of labels \$10.00 \$ _____

Property Address: _____

Please make check payable to Town of North Castle

Name of Firm or Representative (if any): _____

Total: \$ _____

Contact Person: _____

Contact Phone Number: _____

Total payment required prior to any commencement of work. **Please allow up to five business days to process request.**

E-Mail Address: _____

Ownership data generated from this request, to be used, solely, for Town related business. Not intended for solicitation.

FORM OF PROOF OF SERVICE

State of New York
County of Westchester

SS:

_____, being duly sworn, deposes and says that (s)he is over twenty-one years of age and resides at: _____, in the State of _____, that (s)he is the applicant or agent for the applicant proceeding before the Town Board, Town of North Castle for a Special Use Permit for premises located at _____, that (s)he gave notice of this application to each and all of the persons named on the list of owners or property affected which (s)he filed with said application, in person or by certified mail on _____, 20__ to each of said owners a notice, a true copy of which is attached to this affidavit.

(Applicant)

Sworn to me this ____ day of _____, 20__

(Notary Public-
Commissioner of Deeds)



Name and Address of Sender		Check type of mail or service ☐ Adult Signature Required ☐ Priority Mail Express ☐ Adult Signature Restricted Delivery ☐ Registered Mail ☐ Certified Mail ☐ Return Receipt for Merchandise ☐ Certified Mail Restricted Delivery ☐ Signature Confirmation ☐ Collect on Delivery (COD) ☐ Signature Confirmation Restricted Delivery ☐ Insured Mail ☐ Priority Mail		Affix Stamp Here (for additional copies of this receipt). Postmark with Date of Receipt.												
USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)		Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1.					Handling Charge - if Registered and over \$50,000 in value											
2.																
3.																
4.																
5.																
6.																
7.																
8.																
Total Number of Pieces Listed by Sender	Total Number of Pieces Received at Post Office	Postmaster, Per (Name of receiving employee)														

Mailer's Approval for Privately Printed Facsimile PS Form 3877

For three or more pieces with extra services presented for mailing at one time, the mailer may use PS Form 3877 (firm sheet) or privately printed firm sheets in lieu of the receipt portion of the individual form.

The Postal Service allows mailers to use privately printed or computer-generated firm sheets that contain the same information and that are nearly identical to the USPS-provided PS Form 3877, *Firm Mailing Book For Accountable Mail*. For the locations where you are presenting your mailings, the local postmaster or manager of Business Mail Entry provides approval of the form in writing. On the mailer's approved form, you may omit columns that are not applicable to the extra service requested. For additional information, see DMM 503.1.10.

Mailers must retain their original written approvals by the postmaster or manager of Business Mail Entry, as evidence that their privately prepared facsimile of PS Form 3877 was approved by the Postal Service. The Postal Service does not retain documentation of the facsimile approval. Mailers using privately printed forms must periodically verify them against the USPS-provided versions, make routine updates, and obtain approval of the updated facsimile form.

When using an approved, privately prepared form, a mailer who wants the firm sheets postmarked by the Postal Service must present the books with the articles to be mailed at a Post Office. The sheets of the books become the mailer's only receipt; the Postal Service does not retain a copy.

For Registered Mail and COD, the mailer submits the forms in duplicate and receives one copy as the mailer's receipt after the USPS employee accepting the mailing has verified the entries.

For Certificates of Mailing with domestic or international mailings, the mailer must use either PS Form 3665, *Certificate of Mailing – Firm*, or PS Form 3817, *Certificate of Mailing*. For Certificates of Bulk Mailing, the mailer must use either PS Form 3606-D, *Certificate of Bulk Mailing — Domestic*, or PS Form 3606, *Certificate of Bulk Mailing — International*.