

VII. APPENDICES

A. Applications

- Town of Yorktown Site Plan Approval Application
- Town of Yorktown Wetlands Permit Application
- Site Plan Approval Documents (SP-1 thru SP-5)

TOWN OF YORKTOWN PLANNING BOARD

Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6563, Fax (914) 962-3986

APPLICATION FOR SITE PLAN APPROVAL

Date June 21, 2010

1. Name of Project: Costco Wholesale

2. Tax Map Designation: Section 26.18 Block 1 Lot 17,18,19
26.19 1 1

3. Zone: C-3 Acreage: 18.751

4. Project narrative (brief description of proposed development):
Construction of a 151,092 sq. ft. Costco wholesale club retail store, club member available filling station
and related improvements.

5. Applicant:

Name Retail Store Construction Co., Inc.
Firm C/o Breslin Realty Development
Address 500 Old Country Road
Garden City, NY 11530
Phone 516-741-7400
Fax 516-741-7128

6. Owner of Record:

Name See attached Schedule A
Address _____
Phone _____
Fax _____

7. Engineer:

Name Nickitas F. Panayotou, PE
Firm TRC Engineers, Inc.
Address 7 Skyline Drive
Hawthorne, NY 10532
Phone 914-592-4040
Fax 914-592-5046
Lic. No. _____

8. Attorney:

Name Albert A. Capellini, Esq.
Firm _____
Address 1767 Front Street
Yorktown Heights, NY 10598
Phone 914-962-3311
Fax 914-962-8145

9. Surveyor:

Name James H. Seaboldt
Firm J. Henry Carpenter & Co.
Address 2070 Saw Mill River Road
Yorktown Heights, NY 10598
Phone 914-962-2689
Fax 914-962-2623
Lic. No. 49286

10. Architect:

Name _____
Firm Malvanny G2 Architects
Address 1110 112th Ave. NE, Suite 500
Bellevue, WA 98004
Phone 425-463-2000
Fax 425-463-2002
Lic. No. _____

11. Contact Person - CHOOSE ONLY ONE:

- Applicant Owner Architect
 Attorney Engineer Surveyor

12. Is this project within 500 feet of the Town line? Yes No

13. Is this project within 500 feet of the Putnam County line? Yes No

14. Is this project within the Sustainable Development Study Area? Yes No

15. Is this project within 500 feet of:

The right-of-way of any existing or proposed state or county road? Yes No

The boundary of an existing or proposed state or county park or any state or county recreation area? Yes No

The boundary of state or county-owned land on which a public building/institution is located? Yes No

An existing or proposed county drainage line? Yes No

The boundary of a farm located in an agricultural district? Yes No

16. This project requires the following permits or approvals from the Town of Yorktown:

Wetland Permit*

Zoning Board of Appeals variance:

Excavation Permit*

Erosion Control Permit

Town Board variance or approval:

Sewer District Extension, Special Use Permit

*Permit applications must be submitted along with this application.

17. Does the entire development plan for this project propose the disturbance of more than 1 acre of land? Note: If project is phased, include all phases in determination. Yes No

18. This project requires the following permits or approvals from other outside agencies:

Westchester County Board of Health

NYC DEP:

Croton Watershed

Designated Main Street Area

NYS DEC

Other: NYSDOT, County Board of Legislators, NYS Dept. of Agriculture

19. Is a statement of easements relating to property attached? Yes None exist

20. This parcel is in the following districts:

School District Yorktown Central SD

Fire District Mohegan Lake

Water District Consolidated Water

Sewer District None


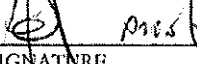
A Long Form/Full EAF with the original signature of the applicant must be attached to this application when submitted. The signature of the applicant's design professional or attorney is not acceptable.

The applicant agrees to comply with the requirements of the Road Specifications, the Land Use Regulations, Zoning Ordinance, Tree Removal and Excavation ordinance, and any additions or amendments thereto.

The applicant agrees to execution and delivery of deeds and required documents for reserved parks/recreation/open space/drainage control, roads and road widening strips and descriptions of easements at the time of the public hearing. Such execution and delivery shall not operate to vest title of said property in the Town of Yorktown until such dedication is accepted in the form of a resolution adopted by the Town Board at a regular meeting of said Board.

The execution and delivery of the deeds to the roads in the proposed subdivision as provided for by the terms of the deeds to the roads in the proposed subdivision as provided for by the terms of the approving resolution shall not operate to vest title of said roads in the Town of Yorktown until such deed is accepted in the form of a resolution adopted by the Town Board at regular meeting of said Board.

This application shall be considered officially submitted when all plans and data required by Land Development Regulations, including final reports from the Director of Planning and Town Engineer are received by the Board.

Applicant	Owner of Record
Retail Store Construction Co., Inc. NAME (PLEASE PRINT)	3220 Crompond, Ltd. NAME (PLEASE PRINT)
 SIGNATURE <i>President</i>	 SIGNATURE
<i>6-25-10</i> DATE	<i>6/2/2010</i> DATE

Note: If the property owner is not the applicant for this application, in addition to the signature above, the owner of the property must also complete and have notarized one of the owner affidavits on the following page.

Note: By signing this document the owner of the subject property grants permission for Town Officials to enter the property for the purpose of reviewing this application.

REFER TO AFFIDAVITS ON THE FOLLOWING PAGES

The applicant agrees to execution and delivery of deeds and required documents for reserved parks/recreation/open space/drainage control, roads and road widening strips and descriptions of easements at the time of the public hearing. Such execution and delivery shall not operate to vest title of said property in the Town of Yorktown until such dedication is accepted in the form of a resolution adopted by the Town Board at a regular meeting of said Board.

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Applicant

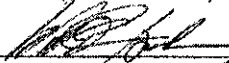
Owner of Record

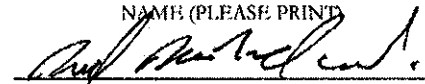
Retail Store Construction Co., Inc.

Best Rent Properties 202, LLC

NAME (PLEASE PRINT)

NAME (PLEASE PRINT)





SIGNATURE *President*

SIGNATURE

6-25-10

6/23/10

DATE

DATE

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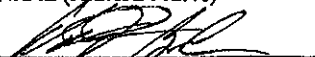
Owner of Record

Retail Store Construction Co., Inc.

Jhonny Herrera

NAME (PLEASE PRINT)

NAME (PLEASE PRINT)

By: 
SIGNATURE President

SIGNATURE

6/23/10
DATE

DATE

Note: If the property owner is not the applicant for this application, in addition to the signature above, the owner of the property must also complete and have notarized one of the owner affidavits on the following page.

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This application shall be considered officially submitted when all plans and data required by Land Development Regulations, including final reports from the Director of Planning and Town Engineer are received by the Board.

<p>Applicant</p> <p>_____ Retail Store Construction Co., Inc. NAME (PLEASE PRINT)</p> <p>_____ SIGNATURE</p> <p>_____ DATE</p>	<p>Owner of Record</p> <p>_____ Jhonny Herrera NAME (PLEASE PRINT)</p> <p>_____ <i>Jhonny Herrera</i> SIGNATURE</p> <p>_____ 6/24/10 DATE</p>
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Note: If the property owner is not the applicant for this application, in addition to the signature above, the owner of the property must also complete and have notarized one of the owner affidavits on the following page.

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REFER TO AFFIDAVITS ON THE FOLLOWING PAGES

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

Johnny Herrera, being duly sworn, deposes and says that he is the owner in fee of the property described in the foregoing application for consideration of preliminary plat, and that the statements contained therein are true to the best of his knowledge and belief.

Sworn before me this 25th date of June, 2010

Notary Public

JERRY GERSHNER
NOTARY PUBLIC, STATE OF NEW YORK
NO. 01GE4500961
QUALIFIED IN WESTCHESTER COUNTY
COMMISSION EXPIRES JULY 31, 2013

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

_____, being duly sworn, deposes and says that he resides at _____ in the County of _____ and State of _____. That he is the _____ of _____ the corporation which is owner in fee of the property described in the foregoing application for _____ and that the statements contained therein are true to the best of his knowledge and belief.

Sworn before me this _____ date of _____, 20__

Notary Public

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

_____, being duly sworn, deposes and says that he is the owner in fee of the property described in the foregoing application for consideration of preliminary plat, and that the statements contained therein are true to the best of his knowledge and belief.

Sworn before me this _____ date of _____, 20__

Notary Public

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

Richard Leaty, being duly sworn, deposes and says that he resides at 2344 Evergreen St, Yorktown HTS in the County of Westchester and State of New York. That he is the president of 3220 Crompus Rd. the corporation which is owner in fee of the property described in the foregoing application for Site plan approval and that the statements contained therein are true to the best of his knowledge and belief.

[Signature] President

Sworn before me this 24th date of June, 2010

Mary L. Capoccia
Notary Public

Mary L. Capoccia
Notary Public, State Of New York
No. 01CA4829131
Qualified in Westchester County
Commission Expires Jan. 31, 2014

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

Majed Desheiwat, being duly sworn, deposes and says that he is the owner in fee of the property described in the foregoing application for consideration of preliminary plat, and that the statements contained therein are true to the best of his knowledge and belief.

*amended Best Plat Paper
Jed
LLC*

Majed Desheiwat

Sworn before me this 23rd date of June, 2010

Joelle R. Veix
Notary Public

JOELLE R. VEIX
Notary Public, State of New York
Registration No. 01VE6153882
Qualified in Ulster County
Commission Expires October 16, 2016

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

_____, being duly sworn, deposes and says that he resides at _____ in the County of _____ and State of _____. That he is the _____ of _____ the corporation which is owner in fee of the property described in the foregoing application for _____ and that the statements contained therein are true to the best of his knowledge and belief.

Majed Desheiwat

Sworn before me this _____ date of _____, 20__

Notary Public

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

_____, being duly sworn, deposes and says that he is the agent named in the foregoing application for _____ and that he has been duly authorized by the owner in fee to make such application and that foregoing statements are true to the best of his knowledge and belief.

Sworn before me this _____ date of _____, 20 ____

Notary Public

F:\Office\WordPerfect\APPLICATION FORMS\APPSITEPLAN-revised.wpd
Last updated: April 2006

Schedule A to Application for Site Plan Approval

6. Owner of Record #1:

Name: 3220 Crompond, Ltd
Address: c/o Robert Covino and Richard E. Leahy
50 Triangle Center
Yorktown Heights, NY 10598
c/o: Albert A. Capellini, Esq.

8. Attorney - Owner of Record #1:

Name: Albert A. Capellini, Esq.
Address: 1767 Front Street
Yorktown Heights, NY 10598
Phone: (914) 962-3311
Fax: (914) 962-8145

6. Owner of Record #2:

Name: Best Rent Properties 202, LLC
Address: c/o Maled Nesheiwat, Member - S. Aljawal, Member
c/o Attorney Jon H. Adams
Phone: _____
Fax: _____

8. Attorney - Owner of Record #2:

Name: Jon H. Adams, Esq.
Corbally, Garland & Rappleyea
Address: 35 Market Street
Poughkeepsie, NY 12601
Phone: (845) 454-1110 x 225
Fax: (845) 454-4857

6. Owner of Record #3:

Name: Jhonny Herrera
Address: c/o Attorney Joseph Colasurdo
Phone: _____
Fax: _____

8. Attorney - Owner of Record #3:

Name: Joseph Colasurdo, Esq.
Law Office of Joseph Colasurdo
Address: 2900 Westchester Avenue, Suite 206
Purchase, NY 10577
Phone: (914) 251-1111
Fax: (914) 251-0011

PROPOSED ACTIVITY:

1. Description of wetlands (check all that apply):

- | | | | |
|-----------------------|------------------|------------------------------------|------------------|
| a. Lake/pond | _____ | Control area of lake/pond | _____ |
| b. Stream/River/Brook | _____ | Control area of stream/river/brook | _____ |
| c. Wetlands | <u> x </u> | Control area of wetlands | <u> x </u> |

d. Not located in wetland/wetland buffer (skip to 2b) _____

2a. Description of Activity in the wetland and/or wetland buffer. Describe the proposed work including the following: i.e. maintenance, construction of dwelling, addition, driveway, culverts, including size and location.

Excavation and fill for the construction of proposed building, retaining walls, embankment and parking areas within wetlands buffer areas as shown on the proposed site plans.

2b. Description of Area to be excavated:

Excavation for the construction of the proposed building, parking areas and storm water management pond as shown on the proposed site plans

3. Property Owner Consent. If someone (e.g. contractor, consultant) is applying on the owner's behalf, the PROPERTY OWNER is to complete, sign and date this authorization:

PLEASE PRINT: See attached Schedule B to Wetland/Excavation Permit -
Property Owner Consent Form

I, _____ hereby authorize _____ to apply for this Wetland / Excavation Permit on my behalf.

Signature: _____ Signature provided in Schedule B Date: _____

No application will be processed without the above-mentioned, required information.


GENERAL CONDITIONS

1. By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the law, all applicable regulations and the conditions specified herein or attached hereto.
2. The permittee is responsible for maintaining an active application. If no activity occurs within a six (6) month period, as measured from the date of application, the application will become null and void. Applications fees are non-refundable. In addition to the application fee, the applicant will be required to post a bond (refundable) to ensure job completion.
3. The permitted work shall be subject to inspection by an authorized representative of the Town of Yorktown, which may order work suspended if the public interest so requires.
4. The Town of Yorktown reserves the right to modify, suspend or revoke this permit at any time after due notice when:
 - a) scope of the project is exceeded or a violation of any condition of the permit or provision of the law pertinent regulations are found; or
 - b) permit was obtained by misrepresentation or failure to disclose relevant facts; or
 - c) newly discovered information or significant physical changes are discovered.
5. The permittee is responsible for keeping the permit active by requesting renewal from the Approval Authority, including any forms, fees or supplemental information that may be required by the Approval Authority, by written notification, 30 days prior to the expiration date. The expiration date is one year from the date the bond is paid to the Engineering Department. In accordance with Chapter 178 of the Town Code, Freshwater Wetlands, Section 178-16 -Expiration of a Permit.
6. This permit shall not be construed as conveying to the applicant any right to trespass upon private lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing the impairment of any right, title or interest in real or personal property held or vested in person not party to this permit.
7. The permittee is responsible for obtaining any other permits, approvals, easements and right-of-way, which may be required.
8. Any modification of this permit granted by the Approval Authority must be in writing and attached hereto.
9. Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, consent or approval from the U.S. Army Corps of Engineers, N.Y.C. Department of Environmental Protection, N.Y.S. Department of Environmental Conservation or local government, which may be required.
10. All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediment, fuels, solvents, lubricants, epoxy coating, paints, concrete, leachate or other environmentally deleterious materials associated with the project.
11. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.
12. To prevent silting to the wetlands, erosion controls shall be installed. The erosion controls shall be continuously maintained to prevent silting of the wetlands and shall be replaced as necessary or upon the direction of the Environmental Code Officer.

RETAIL STORE CONSTRUCTION, Co., INC., Applicant

BY: WILBUR F. BRESLAW, President

PRINT NAME


SIGNATURE OF APPLICANT

4/23/10
DATE

Schedule A to Wetland/Excavation Permit
Property Owners

Owner of Record #1:

Name: 3220 Crompond, Ltd
Address: c/o Robert Covino and Richard E. Leahy
50 Triangle Center
Yorktown Heights, NY 10598
c/o: Albert A. Capellini, Esq.

Attorney - Owner of Record #1:

Name: Albert A. Capellini, Esq.
Address: 1767 Front Street
Yorktown Heights, NY 10598
Phone: (914) 962-3311
Fax: (914) 962-8145

Owner of Record #2:

Name: Best Rent Properties 202, LLC
Address: c/o Maled Nesheivat, Member - S. Alijaval, Member
c/o Attorney Jon H. Adams
Phone: _____
Fax: _____

Attorney - Owner of Record #2:

Name: Jon H. Adams, Esq.
Corbally, Garland & Rappleyea
Address: 35 Market Street
Poughkeepsie, NY 12601
Phone: (845) 454-1110 x 225
Fax: (845) 454-4857

Owner of Record #3:

Name: Jhonny Herrera
Address: c/o Attorney Joseph Colasurdo
Phone: _____
Fax: _____

Attorney - Owner of Record #3:

Name: Joseph Colasurdo, Esq.
Law Office of Joseph Colasurdo
Address: 2900 Westchester Avenue, Suite 206
Purchase, NY 10577
Phone: (914) 251-1111
Fax: (914) 251-0011

Schedule B to Wetland/Excavation Permit
Property Owner Consent Form

Owner of Record #1:

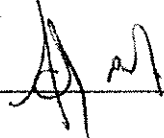
Name: 3220 Crompond, Ltd
Address: c/o Robert Covino and Richard E. Leahy
50 Triangle Center
Yorktown Heights, NY 10598
c/o: Albert A. Capellini, Esq.

Attorney for Owner of Record #1:

Name: Albert A. Capellini, Esq.
Address: 1767 Front Street
Yorktown Heights, NY 10598
Phone: (914) 962-3311
Fax: (914) 962-8145

Property Owner Consent. If someone (e.g. contractor, consultant) is applying on the owner's behalf, the PROPERTY OWNER is to complete, sign and date this authorization: PLEASE PRINT:

I, Richard E. Leahy hereby authorize Retail Store Construction to apply
for this Wetland / Excavation Permit on my behalf. Co., Inc.

Signature:  Date: 6/21/2010

Schedule B to Wetland/Excavation Permit
Property Owner Consent Form

Owner of Record #2:

Name: Best Rent Properties 202, LLC
Address: c/o Maled Nesheiwat, Member - S. Aljawal, Member
c/o: Attorney Jon H. Adams

Attorney for Owner of Record #2:

Name: Jon H. Adams, Esq.
Address: Corbally, Garland & Rappleyea
35 Market Street
Poughkeepsic, NY 12601
Phone: (845) 454-1110 x 225
Fax: (845) 454-4857

Property Owner Consent. If someone (e.g. contractor, consultant) is applying on the owner's behalf, the PROPERTY OWNER is to complete, sign and date this authorization. PLEAS PRINT:

I, Majeed Nesheiwat, member Best Rent Properties 202 LLC
hereby authorize TRC Engineers, Inc. to apply
for this Wetland / Excavation Permit on my behalf. and/or Reta Structures Inc.

Signature: [Handwritten Signature] Date: June 23 2010

Schedule B to Wetland/Excavation Permit
Property Owner Consent Form

Owner of Record #3:

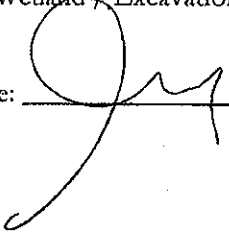
Name: Jhonny Herrera
c/o: Attorney Joseph Colasurdo

Attorney for Owner of Record #3:

Name: Joseph Colasurdo, Esq.
Address: Law Office of Joseph Colasurdo
2900 Westchester Avenue, Suite 206
Purchase, NY 10577
Phone: (914) 251-1111
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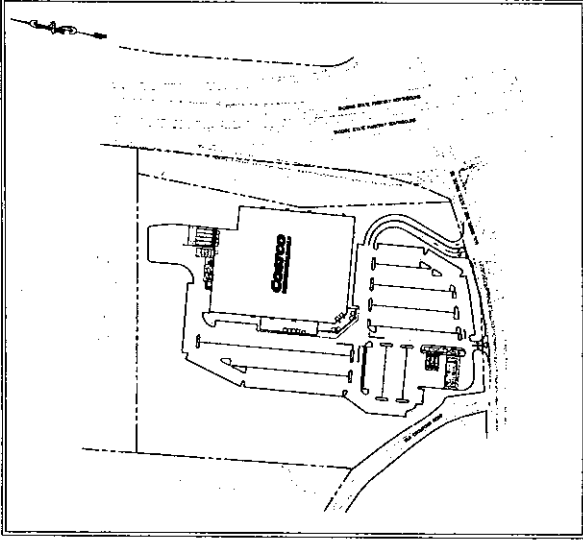
Property Owner Consent. If someone (e.g. contractor, consultant) is applying on the owner's behalf, the PROPERTY OWNER is to complete, sign and date this authorization: PLEASE PRINT:

I, Jhonny Herrera hereby authorize Retail Store Construction Co., Inc. to apply for this Wetland/Excavation Permit on my behalf.

Signature:  Date: 6/25/10

NO.	DATE	REVISION

- LIST OF DRAWINGS**
- SP-1 COVER SHEET
 - SP-2 EXISTING CONDITIONS PLAN
 - SP-3 PRELIMINARY SITE PLAN
 - SP-4 EXISTING UTILITIES PLAN
 - SP-5 PRELIMINARY SECTIONS
- DISTRICTS**
- SCHOOL DISTRICT: YORKTOWN CENTRAL
 - WATER DISTRICT: YORKTOWN CONSOLIDATED WATER DISTRICT
 - SEWER DISTRICT: NONE
 - AGRICULTURAL DISTRICT: ZINO NURSERY



SEE DRAWING SP-3 FOR NOTES

OWNER:	Costco Wholesale U.S.A. 2030 Rte 202, Yorktown, NY 11984 Tel: (516) 393-5000 Fax: (516) 393-5225
DESIGNER:	CTRC 710, 6th Street, Yorktown, NY 11984 Tel: (516) 393-5225 Fax: (516) 393-5226
DATE:	11/10/2003
PROJECT:	Costco Wholesale U.S.A. 2030 Rte 202, Yorktown, NY 11984 Tel: (516) 393-5000 Fax: (516) 393-5225
DATE:	11/10/2003

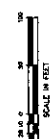


PRELIMINARY SITE PLAN APPROVAL DRAWINGS
U.S. ROUTE 202 / N.Y. ROUTE 35
YORKTOWN, NEW YORK

PROJECT:	U.S. Route 202 / N.Y. Route 35 Yorktown, New York
DATE:	11/10/2003
SCALE:	AS SHOWN
DRAWN BY:	CTRC
CHECKED BY:	CTRC
PROJECT NO.:	10211
SHEET NO.:	SP-1

NO.	REVISION

SEE DRAWING SP-3 FOR NOTES
 COSTCO LOGO AND UTILITY
 PROVISIONS TO BE ACQUIRED
 & LOC. RELEASE AUGUST 1, 2024



J. Henry Company & Co.
 1100 North Avenue, York, PA 17402
 Tel: (717) 765-8333
 Fax: (717) 765-8334

Surveyor:
 J. Henry Company & Co.
 1100 North Avenue, York, PA 17402
 Tel: (717) 765-8333
 Fax: (717) 765-8334

Contractor:
 J. Henry Company & Co.
 1100 North Avenue, York, PA 17402
 Tel: (717) 765-8333
 Fax: (717) 765-8334

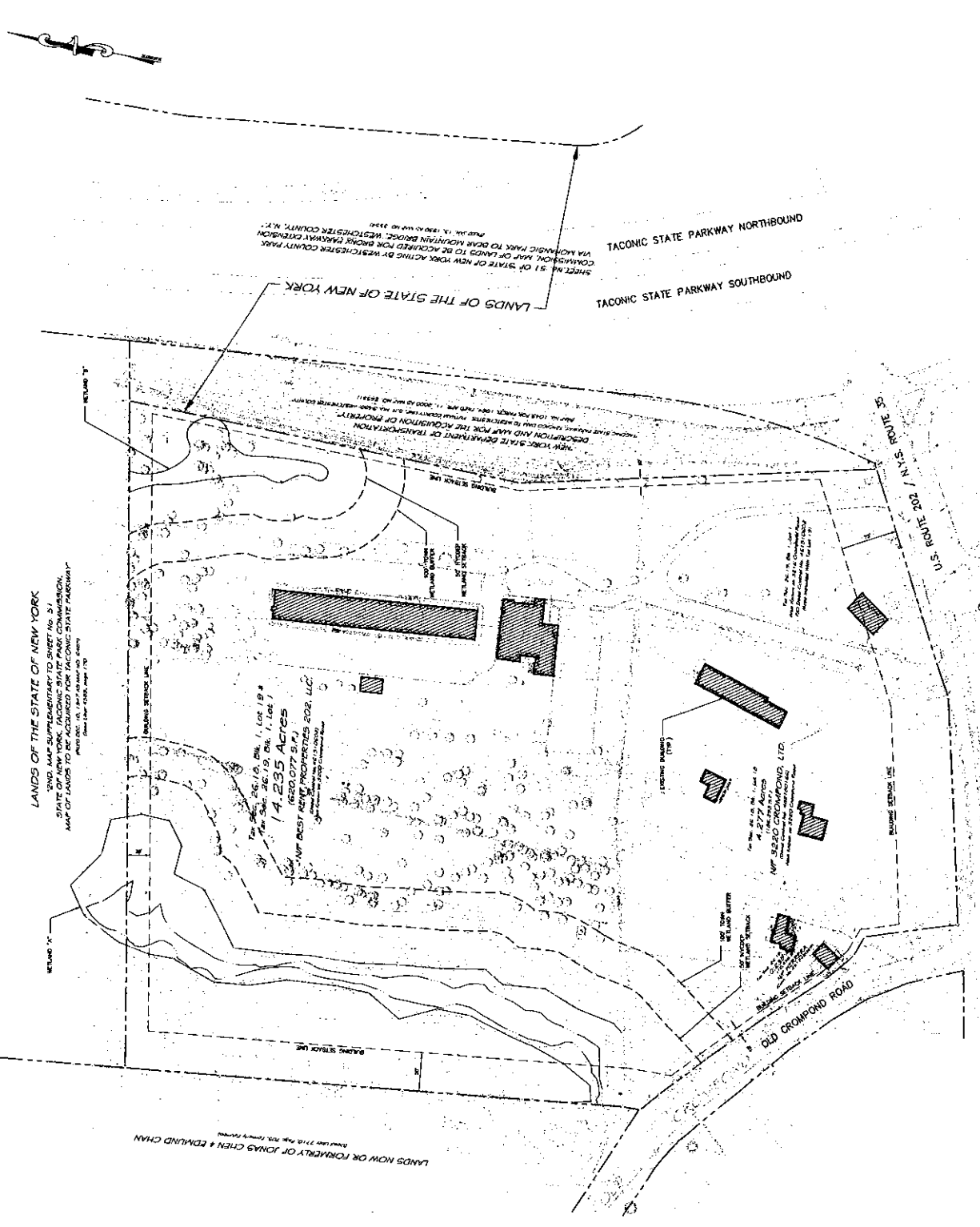
CTRC
 1100 North Avenue, York, PA 17402
 Tel: (717) 765-8333
 Fax: (717) 765-8334

Costco
 U.S. Route 302 / N.Y. Route 35
 Yorktown, New York

Existing Conditions Plan



SP-2



LANDS OF THE STATE OF NEW YORK
 SHOWN MAP SUPPLEMENTARY TO SHEET NO. 21
 STATE OF NEW YORK, TAICONIC STATE PARK COMMISSION,
 MAP OF LANDS TO BE ACQUIRED FOR TAICONIC STATE PARKWAY

For the 1/23/24 Sale, 1 Lot 19 #
 14.295 ACRES
 6520 07 S.P.J.
 NEW BOST ACME PROPERTIES 202, LLC

For the 2/2/24 Sale, a total of
 277 Acres
 NEW BOST ACME PROPERTIES 202, LLC

LANDS NOW OR FORMERLY OF JONAS CHEN & EDWARD CHAN
 Bound Line 7/10/24 From The Former Owners

TAICONIC STATE DEPARTMENT OF TRANSPORTATION
 HAS NOW BEEN APPROVED TO MAINTAIN THE ACQUISITION OF THE
 TAICONIC STATE PARKWAY PROJECT TO BE ACQUIRED FOR TAICONIC STATE
 PARKWAY TO BE ACQUIRED FOR TAICONIC STATE PARKWAY
 PROJECT TO BE ACQUIRED FOR TAICONIC STATE PARKWAY
 PROJECT TO BE ACQUIRED FOR TAICONIC STATE PARKWAY

TAICONIC STATE PARKWAY SOUTHBOUND
 TAICONIC STATE PARKWAY NORTHBOUND

U.S. ROUTE 302 / N.Y. ROUTE 35

OLD CROMPOND ROAD

