

**Additional
Documents for
March 8th**

Hansmann Comments

Robyn Steinberg

From: Ree Austin <reeaustin99@gmail.com>
Sent: Monday, March 08, 2021 11:15 AM
To: Robyn Steinberg
Subject: Proposed Hansmann Subdivision

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Board Members,

The residents of Osceola Heights are very concerned about the planned subdivision with a site located at 280 East Main Street, Jefferson Valley (also known as Section 6.13, Block 3, Lot 10 and Section 6.17, Block 2, Lot 63 on the Yorktown Tax Map.)

Specifically the following issues need to be addressed:

- Osceola is a small mountain road serving seven houses and cannot handle additional traffic. Has a traffic impact study been conducted for local residents? The road has a sharp bend onto Perry Street that is already a hazardous corner for residents.
- Why is the subdivision owner not providing direct access to East Main Street rather than Osceola Rd.?
- What is the scope and length of the project? How long will the proposed construction last? How soon after further clearing of trees, the first of which was not properly authorized by the Town, will construction begin? How long will the site clearing last?
- What safeguards are in place if the subdivision owner is not able to complete the project after further tree clearance and/or construction has begun?
- There is a discrepancy over a reserved land strip that appears to be owned by an Osceola Rd resident and not part of the subdivision property that is planning to use it as an access point to the subdivision.
- Environmental impact - what are the environmental impacts for the surrounding area, local residents, including drainage and runoff issues once further trees are removed and construction begins? When will an environmental impact study be completed and the results shared with area residents? This study should also take into consideration the impact on the streams that feed directly into Osceola Lake, particularly the one that flows directly down Osceola Rd to Wood Street and into Osceola Lake.
- What is the anticipated noise level, apart from the construction, tree clearing, large construction vehicles are planned to be using a small residential road to access the site, this is going to be an absolute burden on the area residents.
- Where are the construction vehicles going to park and turn around, can the current roadway handle the weight of these vehicles? Osceola Road already has a large hole on it caused by a construction truck. If there is further damage to the roads due to this construction will it be timely and effectively repaired by the Town?
- Construction and worker vehicles parked in the neighborhood will make it impossible for residents to receive services such as mail and package deliveries, garbage and recycling pick-up. Emergency vehicles will not be able to use the roads if they are blocked by construction vehicles.

The proposed subdivision will negatively impact all residents of Osceola Road and the connecting streets of Perry Street and Mountain Rd., we kindly ask the Planning Board to seriously consider these issues and not just the benefits of additional tax revenue before allowing this project to move forward.

Sincerely,

Ree and Pete Bonesso
340 Osceola Road
Jefferson Valley, NY

Robyn Steinberg

From: Eileen Wallace <eileenawallace@gmail.com>
Sent: Sunday, March 07, 2021 9:09 PM
To: Planning Department; Robyn Steinberg
Subject: Hansmann Development

Follow Up Flag: Follow up
Flag Status: Flagged

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Planning Board Members,

I would like to submit some further concerns/ questions regarding the proposed Hansmann subdivision.

1. How will the safety of all residents of Osceola Road & their homes be addressed? Will emergency vehicles be able to get to the people in need if the road is obstructed with construction vehicles & equipment? Osceola Road is very narrow.

2. Will the 300 trees slated to be removed by the developer be replaced? This seems to be an excessive amount of trees for the scope of the project. Will some type of sound barrier be placed to block the noise from Rt 6N/ East Main Street? We purchased our home 15 years ago because of the privacy, & quiet that will now be destroyed if all of these trees are allowed to be removed.

I look forward to hearing the applicant's response to these concerns & answers to all of the questions raised at the last meeting.

Sincerely,
Eileen Wallace

Sent from my iPhone

650 Pines Bridge Rd



Vincent Sapienza P.E.
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner
Bureau of Water Supply
prush@dep.nyc.gov

465 Columbus Avenue
Valhalla, NY 10595

T: (845) 340-7800
F: (845) 334-7175

March 8, 2021

RECEIVED
PLANNING DEPARTMENT

MAR 8 2021

TOWN OF YORKTOWN

Robyn A. Steinberg, AICP, CPESC, Town Planner
Town of Yorktown
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, NY 10598

Re: **Notice of Intent to be Lead Agency**
Pines Bridge Rd, LLC
650 Pines Bridge Rd.
Town of Yorktown; Westchester County, NY
Tax Map #: 70.10-1-29
DEP Log #: 2016-CNC-0064-SQ.1

Dear Ms. Steinberg and Members of the Planning Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Yorktown Planning Board's (Board) Notice of Intent to act as Lead Agency and short Environmental Assessment Form (EAF) for the above-referenced project. DEP does not object to the Board acting as Lead Agency for the Coordinated Review of the proposed action pursuant to the New York State Environmental Quality Review Act (SEQRA).

The proposed site is located in the New Croton Reservoir drainage basin of the New York City's (NYC) Water Supply. As New Croton Reservoir is phosphorous restricted, water quality impacts to the receiving reservoir from pollutant-laden runoff must be avoided or mitigated.

The proposed action involves subdividing an 8.06-acre parcel with an existing residence into three (3) residential lots. The two new residences will be served by private on-site water supply wells and subsurface sewage treatment systems.

DEP's status as an involved agency stems from its review and approval authority for a Stormwater Pollution Prevention Plan (SWPPP) pursuant to Section 18-39 of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations). DEP also maintains review and approval authority for the subsurface treatment systems (SSTS) pursuant to Section 18-38 of the Watershed Regulations and the Delegation Agreement with the Westchester County Department of Health (WCDH).

Based upon review of the submitted documents, DEP respectfully submits the following comments for the Board's consideration:

1. The overall disturbance is noted as 1.8 acres in the EAF however, this estimate fails to account for soil disturbances associated with construction of the rain gardens, areas of subsurface sewage treatment systems, and one of the proposed wells. Additionally, the limits of disturbance are not fully legible on the plans. Note that the threshold for DEP approval of a SWPPP is two (2) acres of soil disturbance, any part of which is on a slope exceeding 15 percent or within 100 feet of a watercourse or NYS regulated wetland.
2. Should DEP determine that a SWPPP is required, deep test holes must be witnessed by DEP staff to verify depth to ground water, ledge rock and soil type and to evaluate the site for the appropriate stormwater management practices. The applicant's representative should contact Mariyam Zachariah at 914-749-5357 or mzachariah@dep.nyc.gov to schedule a site visit.
3. Although the septic absorption and reserve areas are not clearly defined on the plan, it appears that the proposed stormwater infiltration chambers are located within 100 feet of the proposed SSTs. This is prohibited per Section 18-39(c)(4) of the Watershed Regulations, as no part of the infiltration practices should be located within 100 feet of the absorption area for the SSTs.
4. Another concern is that, the infiltration practices are located up gradient of the SSTs, which is not recommended as it may increase hydraulic loading to the septic area due to its proximity and may cause premature septic failure. The project sponsor should relocate the stormwater practices so that they are not directly in line with the septic area.
5. Based on the plan in the SWPPP, runoff from the impervious areas created by the entrance portion of the two driveways (approx. 525 sf and 1200 sq. ft. respectively) to the proposed lots 29.1 and 29.2 are not captured by the infiltration practices. Due to the proximity of the New Croton Reservoir and based on the NYSDEC Stormwater Design Manual, it is advised that the project sponsor verify that runoff from all new impervious areas is captured and adequately treated.
6. According to DEP's GIS mapping system, it appears that the watercourse/local wetlands are situated more than 200 feet from the parcels being subdivided. Nevertheless, the appropriate limiting distance to the watercourse and the reservoir stem should be shown on the plan.

7. The proposed action is located in a sensitive area immediately upslope of wetlands and a stream which is tributary to New Croton Reservoir. Therefore, water quality impacts to the water supply from pollutant-laden runoff must be avoided or mitigated. The documentation as submitted does not include sufficient information to demonstrate adequate mitigation.

Thank you for the opportunity to provide comments. You may reach the undersigned at cgarci@dep.nyc.gov or (914) 749-5302 with any questions or if you care to discuss the matter further.

Sincerely,



Cynthia Garcia, Supervisor
SEQRA Coordination Section

X: J. Petronella, NYSDEC
A. Kunny, P.E., WCHD

Stahmer Lot 2

MAR 8 2021

TOWN OF YORKTOWN

To: Yorktown Planning Board

From: Yorktown Tree Conservation Advisory Commission (TCAC)

Date: March 8, 2021

cc: Yorktown Planning Dept. (J. Tegeder, R. Steinberg); Engineering Dept. (M. Quinn);
Conservation Board (K. Hughes); Town Supervisor (M. Slater); Town Clerk (D. Quast);

Re: TCAC comments on amended tree permit for the Stahmer Subdivision

Dear Chairman Fon and members of the Planning Board:

The TCAC received documents relating to the Stahmer subdivision on February 24, 2021. TCAC members have reviewed these documents and submitted comments to the chair via email.

1. The TCAC recommends approval of the amended tree permit.
2. The TCAC supports the proposed mitigation and recommends acceptance of this plan.

Sincerely,

Bill Kellner, Chair, Tree Conservation Advisory Commission

Lawrence W. Klein, PE, Member

Keith Schepart, ISA, Member

Tom Schmitt, Member

Reasons Supporting This Determination:

(See 617.7(a)-(c) for requirements of this determination ; see 617.7(d) for Conditioned Negative Declaration)

If Conditioned Negative Declaration, provide on attachment the specific mitigation measures imposed, and identify comment period (not less than 30 days from date of publication in the ENB)

For Further Information:

Contact Person:

Address:

Telephone Number:

For Type 1 Actions and Conditioned Negative Declarations, a Copy of this Notice is sent to:

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

Environmental Notice Bulletin, 625 Broadway, Albany, NY 12233-1750 (Type One Actions only)

**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION APPROVING AN AMENDED SITE PLAN, STORMWATER
POLLUTION PREVENTION PLAN PERMIT, TREE PERMIT AND SPECIAL
USE PERMIT FOR A LARGE-SCALE SOLAR POWER GENERATION SYSTEM
FOR STAHLER SUBDIVISION LOT 2**

RESOLUTION NUMBER: #00-00

DATE:

On motion of _____, seconded by _____, and unanimously voted in favor by Fon, Kincart, LaScala, Bock, and Garrigan, the following resolution was adopted:

WHEREAS in accordance with the Planning Board's Land Development Regulations, Town of Yorktown Town Code Chapter 195, adopted February 4, 1969 and as amended, a formal application for the approval of a site plan to amend the development of a lot within an approved subdivision titled "Construction Site Plan," prepared by P. W. Scott Engineering & Architecture, P.C., dated July 25, 2020, and last revised January 18, 2021, was submitted to the Planning Board by P. W. Scott Engineering & Architecture, P.C. (hereinafter referred to as "the Applicant"); and

WHEREAS the property owned by Thomas Miressi, is located at 535 Jerome Road, Yorktown Heights, also known as Section 59.10, Block 1, Lot 10.1 on the Town of Yorktown Tax Map (hereinafter referred to as "the Property"); and

WHEREAS an application fee of \$625 for the special use permit application for approval of a Large-Scale Solar Power Generation System pursuant to Town Code Section 300-81.4, has been received by this Board; and

WHEREAS pursuant to SEQRA:

1. The action has been identified as an Unlisted action.
2. The Planning Board has been declared lead agency on <DATE>.
3. A negative declaration has been adopted on <DATE> on the basis of a Short EAF dated November 16, 2020.

WHEREAS the applicant has submitted as part of his application the following maps and documents:

Site Plans

1. A map, Sheet SY-1, titled "Construction Site Plan," prepared by P. W. Scott Engineering & Architecture, P.C., dated July 25, 2020, and last revised January 18, 2021; and
2. A map, Sheet SY-1A, titled "ABACA Site Plan for 535 Jerome Road Yorktown

- Heights,” prepared by P. W. Scott Engineering & Architecture, P.C., dated July 25, 2020, and last revised January 18, 2021; and
3. A map, Sheet SY-2, titled “Site Plan Details,” prepared by P. W. Scott Engineering & Architecture, P.C., dated September 29, 2020; and
 4. A map, Sheet SY-3, titled “Site Plan Details,” prepared by P. W. Scott Engineering & Architecture, P.C., dated September 29, 2020; and
 5. A map, Sheet SY-4, titled “Tree Clearing Plan for 535 Jerome Road Yorktown Heights,” prepared by P. W. Scott Engineering & Architecture, P.C., dated November 16, 2020; and
 6. A map, Sheet SY-4A, titled “Tree Mitigation Plan for 535 Jerome Road Yorktown Heights,” prepared by P. W. Scott Engineering & Architecture, P.C., dated July 25, 2020, and last revised January 18, 2021; and
 7. A map, Sheet D-1, titled “Drainage Overlays,” prepared by P. W. Scott Engineering & Architecture, P.C., dated July 24, 2020; and

Architectural Plans

8. A drawing, Sheet P1, titled “Main Floor Plan,” prepared by P. W. Scott Engineering & Architecture, P.C., dated January 15, 2021; and
9. A drawing, Sheet P2, titled “Lower Level & Office Plan,” prepared by P. W. Scott Engineering & Architecture, P.C., dated January 15, 2021; and
10. A drawing, Sheet A3, titled “Elevations,” prepared by P. W. Scott Engineering & Architecture, P.C., dated November 16, 2020; and
11. A drawing, Sheet PL, titled “Power Location Plan,” prepared by P. W. Scott Engineering & Architecture, P.C., dated January 15, 2021; and
12. A drawing, Sheet AB, titled “ABACA Presentation,” prepared by P. W. Scott Engineering & Architecture, P.C., dated November 16, 2020; and

Additional Documents & Reports

13. A report, titled “Stormwater Pollution Prevention Plan,” prepared by P. W. Scott Engineering & Architecture, P.C., dated November 2020, and last revised January 8, 2021; and
14. A report, titled “Drainage Report for Amended Site Plan,” prepared by P. W. Scott Engineering & Architecture, P.C., dated November 18, 2020; and

WHEREAS the building materials and colors have been reviewed by the Advisory Board on Architecture & Community Appearance and recommended for approval by this Board, pursuant to their memo dated December 21, 2020; and

WHEREAS a special use permit from the Town of Yorktown Zoning Board of Appeals to allow a professional office use in a residence pursuant to Town Code Section 300-76, must be obtained for the proposed office shown on the plan to be operated by the Property Owner; and

WHEREAS the Applicant has applied for a special use permit from this Board to allow a large-scale solar power generation system pursuant to Town Code Section 300-81.4, to allow a 25kWh Tesla shingled roof; and

WHEREAS the Applicant has proposed landscape screening and tree mitigation as shown on Sheet SY-4A to buffer the proposed development from the adjacent properties and mitigate the proposed trees to be removed for the proposed development; and

WHEREAS a special use permit from the Building Inspector to allow a battery energy storage system pursuant to Town Code Section 300-81.5 for the storage of the power generated by the large-scale solar power generation system of Tesla roof shingles; and

WHEREAS the Planning Board has referred this application to the following boards and agencies and has received and considered reports of the following:

Boards & Agencies	Report Date
ABACA	12/21/2020
Planning Department	01/22/2021
Town Engineer	01/08/2021
Tree Conservation Advisory Commission	03/08/2021
NYC DEP	01/25/2021

WHEREAS the requirements of this Board's Land Development Regulations, Town Code Chapter 195, have been met; and

WHEREAS the proposed amendments to the development of the Property have been approved by the Westchester County Board of Health on November 9, 2020; and

WHEREAS having reviewed all current site plans, building plans, environmental plans and reports, comments and reports from Town professional staff, the public, and other interested and involved agencies associated with the application before it; and having conducted a public hearing held in accordance with §195-39(B)(2) of the Yorktown Town Code on the said site plan application commencing on February 22, 2021, and continuing and closing on March 8, 2021 by Zoom video conferencing;

BE IT NOW RESOLVED that the application of P. W. Scott Engineering & Architecture, P.C. for the approval of an amended site plan, stormwater pollution prevention plan permit, tree permit and special use permit for a large-scale solar power generation system, with submitted plans titled "535 Jerome Road Yorktown Heights" as prepared by P. W. Scott Engineering & Architecture, P.C., and last revised January 18, 2021, be approved subject to the modifications and conditions listed below, and that the Chairman of this Board be and hereby is authorized to endorse this Board's approval of said plan upon compliance by the

applicant with such modifications and requirements as noted below:

Modify plans to show:

1. _____
2. _____
3. _____

RESOLVED since the large-scale solar power generation system is a proposed Tesla shingled roof for the residence, a decommissioning plan shall not be required; and

RESOLVED there shall be no parking on Jerome Road during construction of the development; and

Additional requirements prior to signature by the Planning Board Chairman:

1. Submission of a Final Stormwater Pollution Prevention Plan acceptable to the Town Engineer and approved by the Planning Board.
2. Approval from the NYSDEC and NYCDEP.
3. Submission of inspection fees and security, in a form satisfactory to the Town Attorney, to the Engineering Department as required by the Town Engineer. Fees to be determined after Planning Board approval and a complete final set of drawings are submitted to the Town Engineer.

Additional requirements:

4. Applicant must obtain all necessary permits from outside agencies.
5. Upon completion of the project, the Applicant must submit an as-built survey, on paper and in digital AutoCAD DWG readable format, showing all improvements on the site.

BE IT FURTHER RESOLVED, that in accordance with Town Code Chapter 248 and Chapter 270, the application of Thomas Miressi for the approval of a Stormwater Pollution Prevention Plan and Tree Removal Permit #**T-FSWPPP-067-20-Miressi** is approved subject to the conditions listed therein; and

RESOLVED, Permit #**T-FSWPPP-067-20-Miressi** shall not be valid until it has been signed

by the Chairman of this Board;

RESOLVED the Applicant will retain an independent third-party Environmental Systems Planner, a “Qualified Inspector” as defined by the New York State Department of Environmental Conservation in the SPDES General Permit for Stormwater Discharges from Construction Activity, to supervise and be present during the construction of the erosion control measures, and which Environmental Systems Planner will provide bi-weekly inspection reports regarding the status of erosion control measures to the approval authority via the Environmental Inspector and the Planning Department throughout construction; and

RESOLVED the Applicant must notify the Planning Board in writing stating the name of the Environmental Systems Planner or Firm that will be completing the bi-weekly inspection reports and shall notify the Planning Board in writing if this Planner or Firm changes; and

BE IT FURTHER RESOLVED that unless a building permit has been issued by <DATE>, or a time extension has been granted by the Planning Board, this approval will be null and void.

Taco Bell
Mohegan Lake

Daniel Ciarcia, P.E.
Acting Town Engineer

Matthew Slater
Town Supervisor

TOWN OF YORKTOWN
ENGINEERING DEPARTMENT

Town of Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598, Phone (914) 962-5722


MEMORANDUM

RECEIVED
PLANNING DEPARTMENT

MAR 8 2021

TOWN OF YORKTOWN

To: Planning Board

From: Acting Town Engineer 

Date: March 5, 2021

Re: Taco Bell, Mohegan Lake / SBL: 15.16-1-21 (3571 Mohegan Avenue)
Application #FSWPPP-045-20

The Engineering Department received a referral from the Planning Board for the above referenced project. The following documents were reviewed:

- Landscaping Plan prepared by JMC Engineering, revised 02/19/21, 1 sheet.
- Site Sections prepared by JMC Engineering, dated 02/19/21, 1 sheet.

At this time all technical comments from the Engineering Department have been satisfied. Engineering Department staff can meet with the applicant to further review any concern or technical issue associated with the proposed commercial development.

DAC:lmk:F:\Permits\Engineering Permits 2020\045-20-FSWPPP-Patel_Celestial Rt. 6 _ Taco Bell Rt. 6\Memo -Taco Bell_03-05-21.docx

cc: Planning Department
Planning Board Attorney
Conservation Board
Applicant
Applicant's Engineer
Water Superintendent
Highway Superintendent
Building Inspector
Town Attorney