

## TOWN OF YORKTOWN PLANNING BOARD

Albert. A. Capellini Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone: (914) 962-6565, Fax: (914) 962-3986

### PUBLIC MEETING AGENDA VIDEO CONFERENCE

March 8, 2021

7:00 PM

To participate in this meeting, please register in advance:

<https://us02web.zoom.us/meeting/register/tZckduirrzIoE9YHRmztQLW5mXxXJRN2I32j>

1. Correspondence
2. Meeting Minutes – February 22, 2021

#### REGULAR SESSION

3. **Gallinelli Minor Subdivision**  
**Request for First 90 Day Time Extension**  
*Location:* 27.13-1-49; 2777 Quinlan Street  
*Contact:* Site Design Consultants  
*Description:* Approved 2-lot subdivision on 1.48 acres in the R1-20 zone, by Planning Board Res #18-16, dated September 17, 2018 and reapproved by Res #20-12 on August 10, 2020.
4. **Hansmann Major Subdivision**  
**Adjourned Public Informational Hearing**  
*Location:* 6.13-1-10, 6.17-2-63; 280 East Main Street, Jefferson Valley  
*Contact:* Ralph Mastromonaco, PE, PC  
*Description:* Proposed 3 lot subdivision on 11.43 acres in the R1-80 zone.
5. **Nantucket Sound, LLC**  
**Public Hearing**  
*Location:* 37.18-2-86; 385 Kear Street  
*Contact:* Site Design Consultants  
*Description:* Proposed three story, 8,100 sf building consisting of 2,500 square foot retail use on the first floor and two upper floors of 2,800 square foot and 3 apartments each on 0.36 acres in the C-2R zone.
6. **650 Pines Bridge Road**  
**Public Hearing**  
*Location:* 70.10-1-29; 650 Pines Bridge Road  
*Contact:* Ciarcia Engineering, P.C.  
*Description:* Proposed 3-lot subdivision on 8.06 acres in the R1-80 zone with one existing residence.
7. **Stahmer Subdivision Lot 2**  
**Adjourned Public Hearing Tree Permit**  
*Location:* 59.10-1-10.1; 535 Jerome Road  
*Contact:* P.W. Scott Engineering & Architecture, P.C.  
*Description:* Proposed amended site plan for Lot 2 of an approved subdivision. Proposed residence is to be a Tesla showhouse that includes a 24 kWh solar roof, which exceeds the small-scale solar permit.

**WORK SESSION**

**8. Illington Road Dam**

**Town Board Referral**

*Location:* 69.08-1-11; 408 Illington Road

*Contact:* P.W. Scott Engineering & Architecture, P.C.

*Description:* Application for a Wetlands and Tree permit for dam repair and restoration.

**9. Alek-Tris Subdivision**

**Discussion Subdivision**

*Location:* 16.10-3-26; 1075 East Main Street, Shrub Oak

*Contact:* Architectural Visions, PLLC

*Description:* Proposed 3 lot subdivision where one two-family home and cottage currently exist on 1.66 acres in the R1-10 zone.

**10. Yorktown Energy Storage Tier 2 Battery Storage System**

**Acceptance Decommissioning Plan & Bond**

*Location:* 6.17-1-24; 3901 Gomer Court, Jefferson Valley

*Contact:* Melissa Samaroo, PV Engineers, P.C.

*Description:* Approved Tier 2 (5,000kW/15,000kWh) battery energy storage system which will be no more than 15% of the lot coverage with a maximum of five containers.

**11. Little Red School House Daycare**

**Zoning Board Referral #6/21**

*Location:* 37.09-1-59; 2300 Crompond Road

*Contact:* Melanie Sindaco

*Description:* The request is for renewal of a special use permit for a daycare in the former location of the Montessori School at the United Methodist Church.

**12. Taco Bell – Mohegan Lake**

**Discussion Amended Site Plan**

*Location:* 15.16-1-21; 3571 Mohegan Avenue

*Contact:* JMC Site Development Consultants

*Description:* Proposed Taco Bell restaurant and drive-thru on 0.83 acres in the C-2 zone, at the corner of East Main Street and Mohegan Avenue.

**13. Large-Scale Solar Power Generation System at Shrub Oak Plaza**

**Discussion Special Permit**

*Location:* 16.09-2-13, 1426 East Main Street, Shrub Oak

*Contact:* Ecogy New York

*Description:* Proposed installation of a 260 kW DC/233.3 kW AC Large-Scale Roof-mounted and Ground-mounted solar energy system at the existing Shrub Oak Plaza. Ground-mounted solar energy system will be three separate accessory canopy structures over existing parking.

**14. Granite Knolls Sports Complex**

**Town Board Referral**

*Location:* 26.13-1-2; Stony Street

*Description:* A proposed resolution subject of permissive referendum authorizing the Yorktown Supervisor to sign a lease agreement to lease certain premises between the town and HESP Solar, LLC for the construction of a solar facility and four charging stations at the Granite Knolls Sports Complex.

# **Nantucket Sound**



NOTES:  
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SEAL  
 Joseph G. Thompson, RA  
 New York State License #036057

**KEAR STREET BUILDING**

Namocket Sound Sons, LLC  
 Kear Street  
 Yorktown Heights, New York 10516  
 S-B-L: 37-12-2-86  
 Town of Yorktown - Westchester County

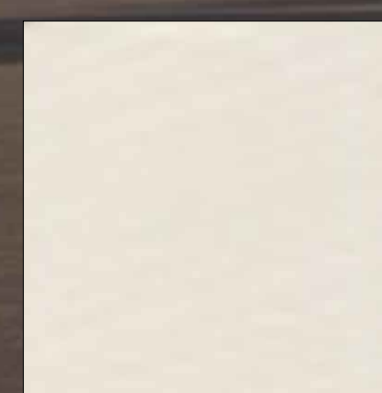
**FOR PLANNING BOARD REVIEW & APPROVAL**

Date: August 25, 2020

Revisions:




JAMES HARDIE  
 "HEATHERED MOSS"  
 SIDING



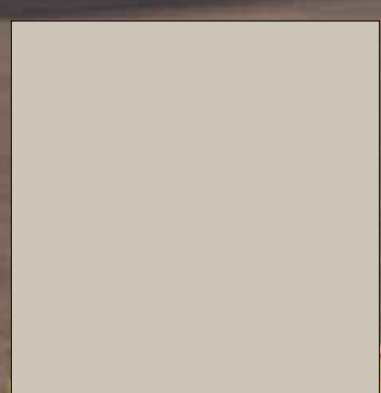
JAMES HARDIE  
 "NAVAJO BEIGE"  
 TRIM



BENJAMIN MOORE HC-166  
 "KENDALL CHARCOAL"  
 STOREFRONT TRIM



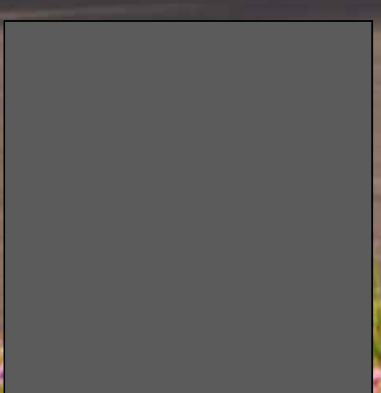
BENJAMIN MOORE  
 HC-168 "CHELSEA GREY"  
 PANEL MOULDING



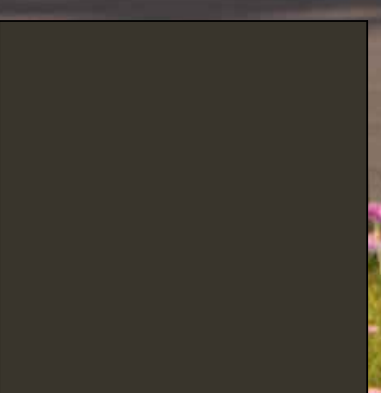
BENJAMIN MOORE  
 HC-175 "REVERE PEWTER"  
 STOREFRONT PANELS



TAMKO  
 "VIRGINIA SLATE"  
 ROOF SHINGLES



MBCI  
 "CHARCOAL GRAY"  
 METAL ROOFING



MARVIN  
 "BRONZE"  
 WINDOWS



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**KEAR STREET BUILDING**

Namicket Sound Sons, LLC  
 Kear Street  
 Yorktown Heights, New York 10516  
 S-B-L: 37-12-2-86  
 Town of Yorktown - Westchester County

**FOR PLANNING BOARD REVIEW & APPROVAL**

Date: August 25, 2020

Revisions:

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**AR0.02**

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**KEAR STREET BUILDING**

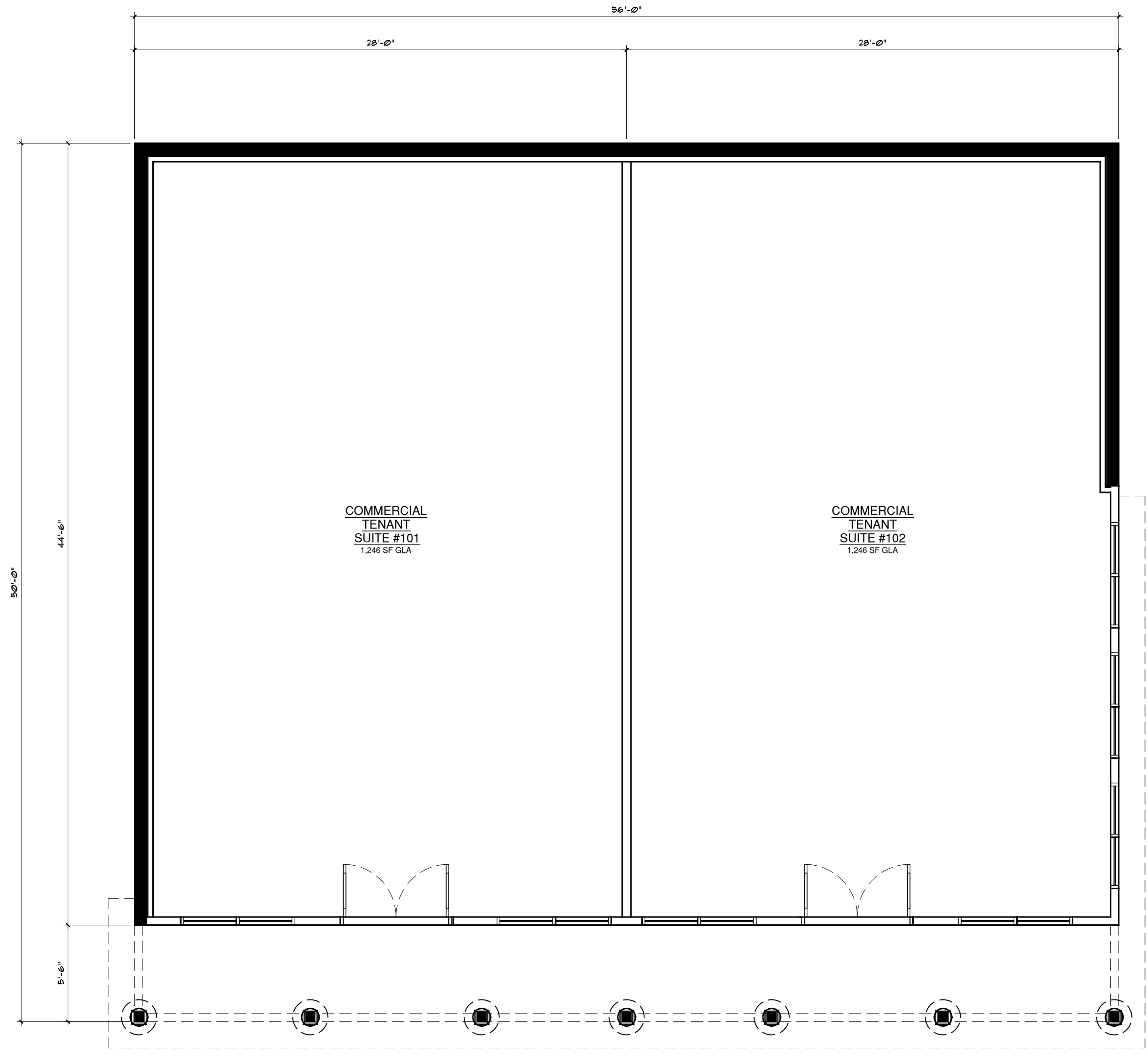
Namocket Sound Sons, LLC  
Kear Street  
Yorktown Heights, New York 10516  
S-B-L: 37-12-2-86  
Town of Yorktown - Westchester County

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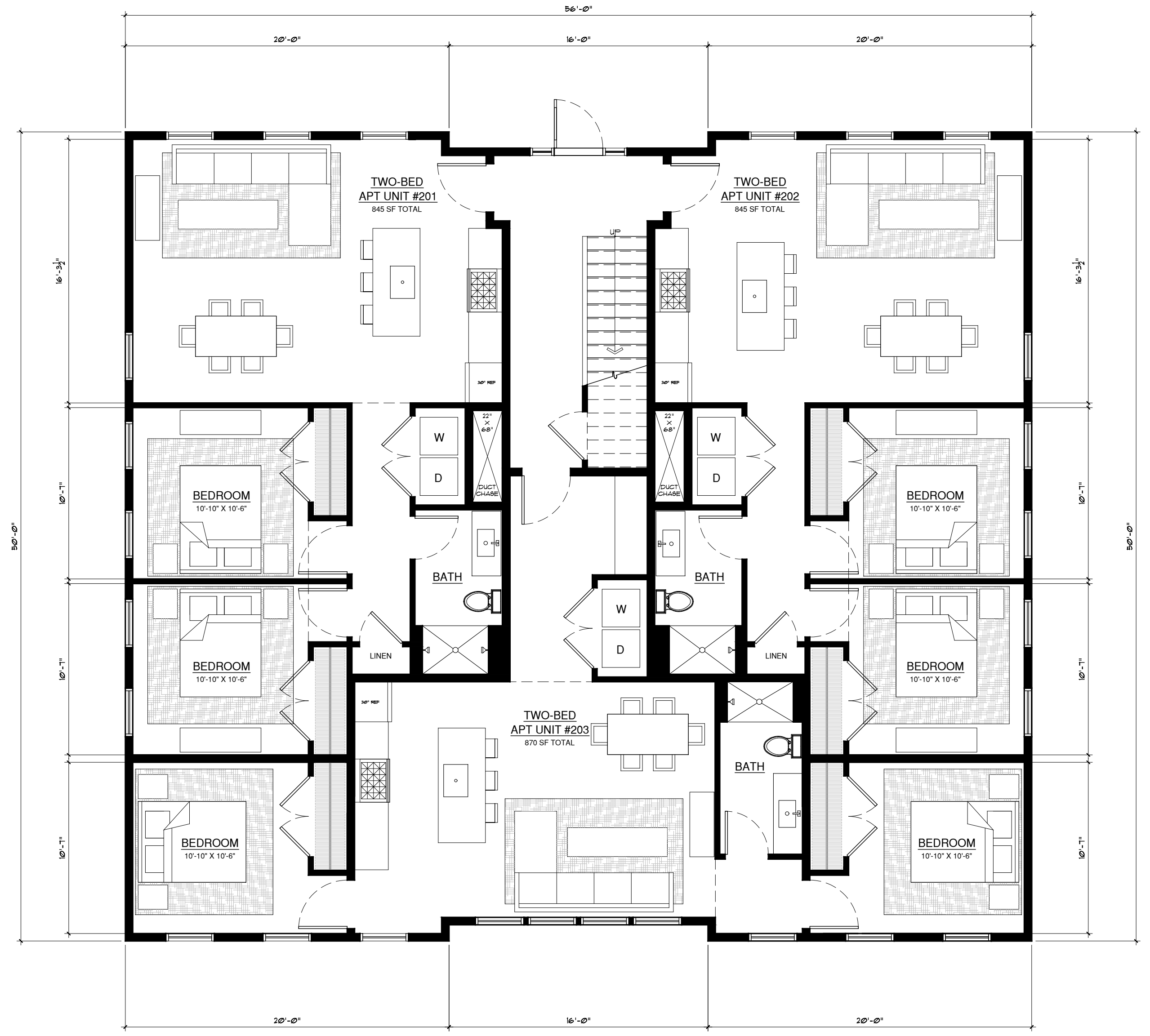
Date: August 25, 2020

Revisions:


**A1.01**



**1** First Floor Architectural Plan (2,492 SF Footprint)  
Scale: 3/16" = 1'-0"

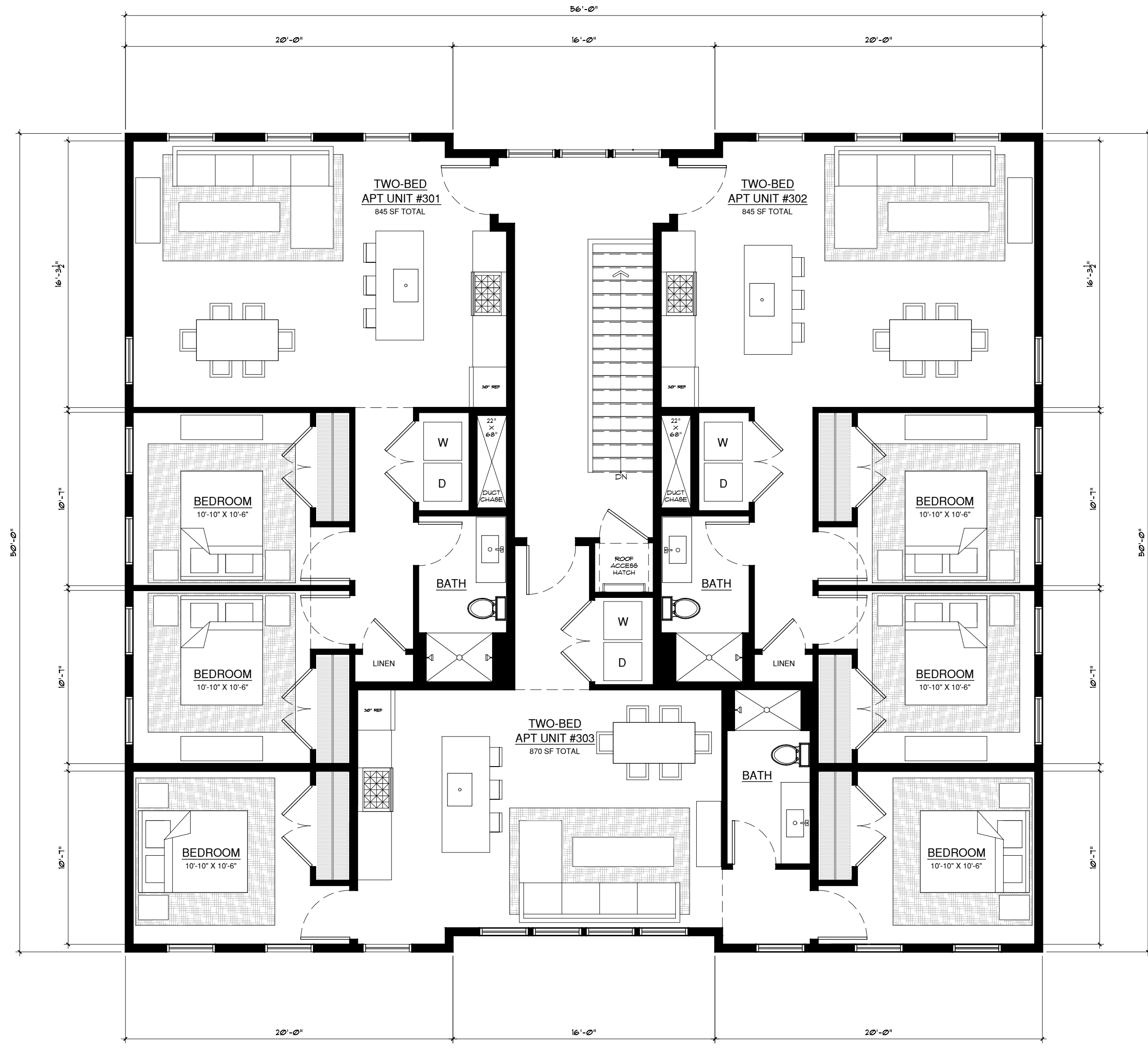


**2** Second Floor Architectural Plan (2,768 SF Footprint)  
Scale: 3/16" = 1'-0"

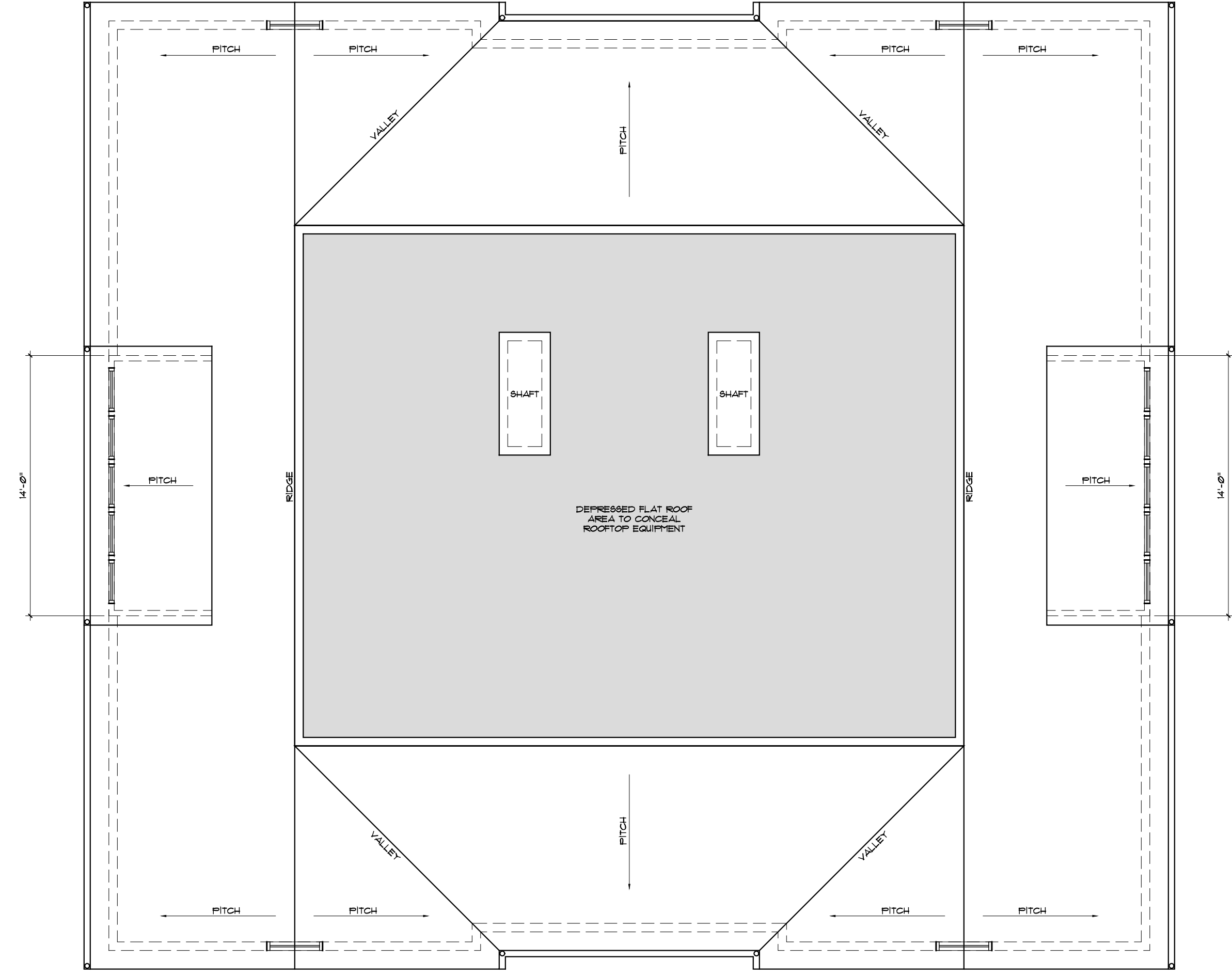
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**1** Third Floor Architectural Plan (2,768 SF Footprint)  
Scale: 3/16" = 1'-0"



**2** Roof Plan  
Scale: 3/16" = 1'-0"

**KEAR STREET BUILDING**

Namuket Sound Sons, LLC  
Kear Street  
Yorktown Heights, New York 10516  
S-B-L: 37-12-2-86  
Town of Yorktown - Westchester County

**FOR PLANNING BOARD REVIEW & APPROVAL**

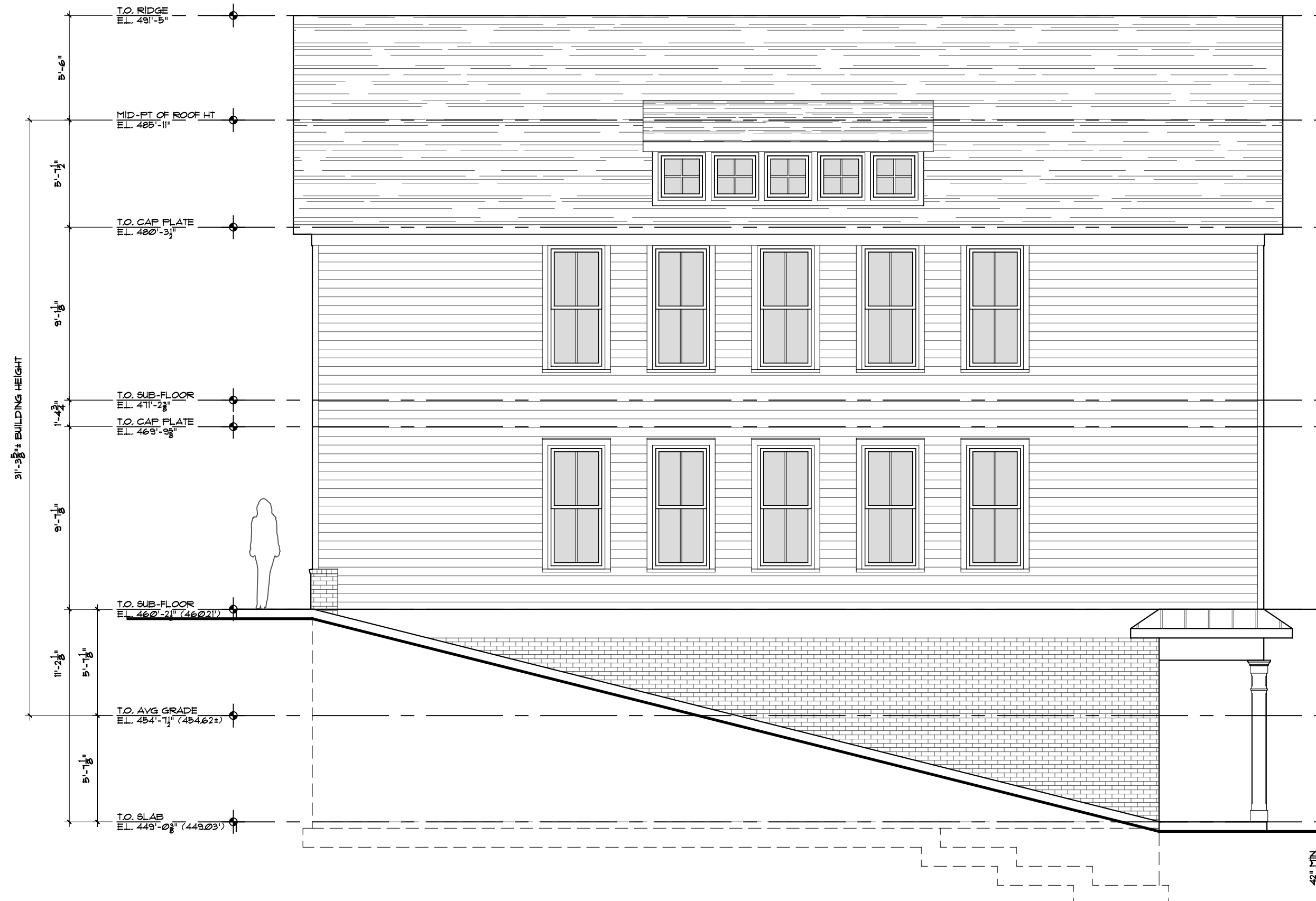
Date: August 25, 2020

Revisions:

- △
- △
- △
- △
- △



**1** South Elevation  
A2.01 Scale: 3/16" = 1'-0"



**2** West Elevation  
A2.01 Scale: 3/16" = 1'-0"



**3** North Elevation  
A2.01 Scale: 3/16" = 1'-0"



**4** East Elevation  
A2.01 Scale: 3/16" = 1'-0"






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**KEAR STREET BUILDING**

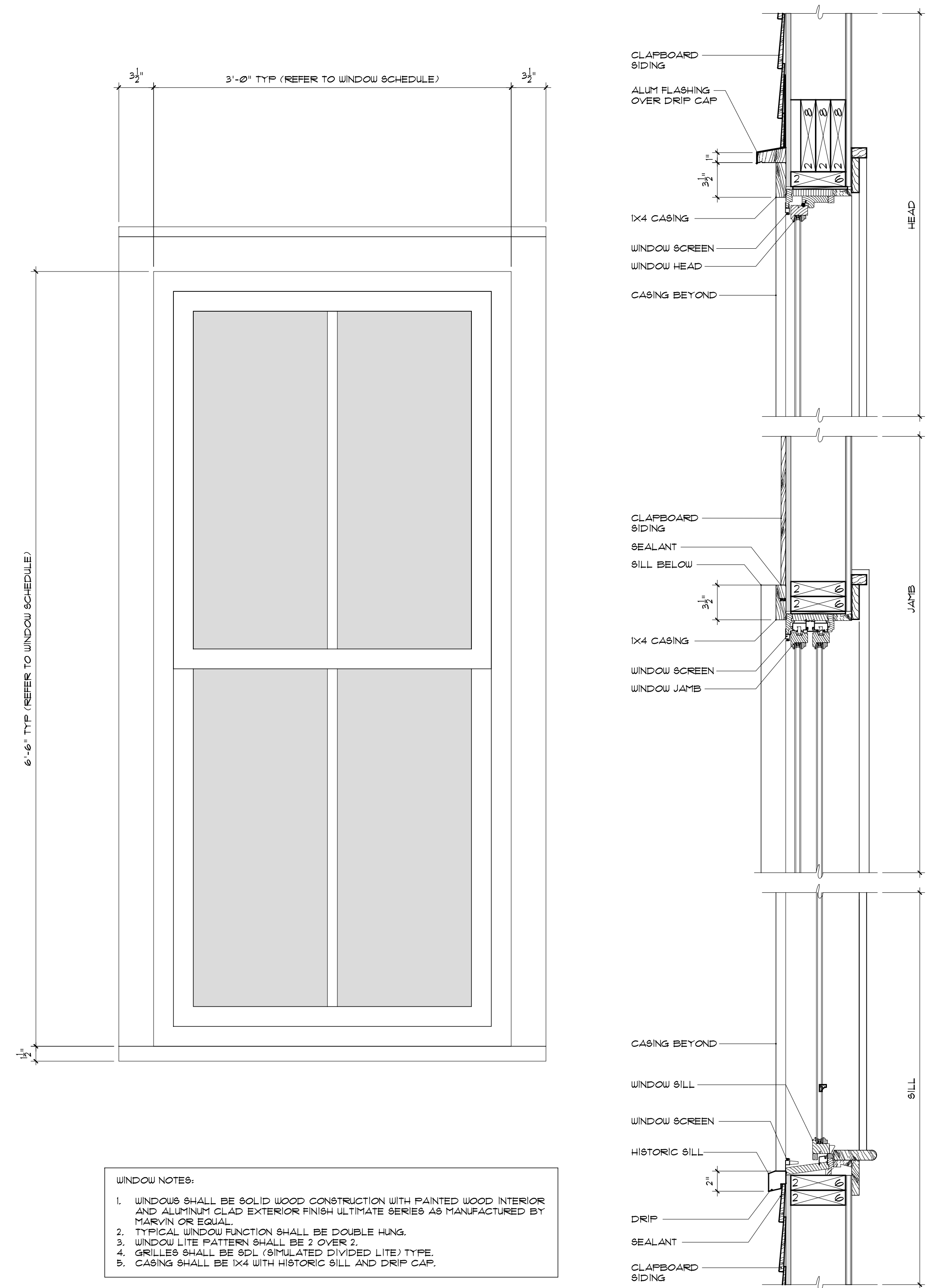
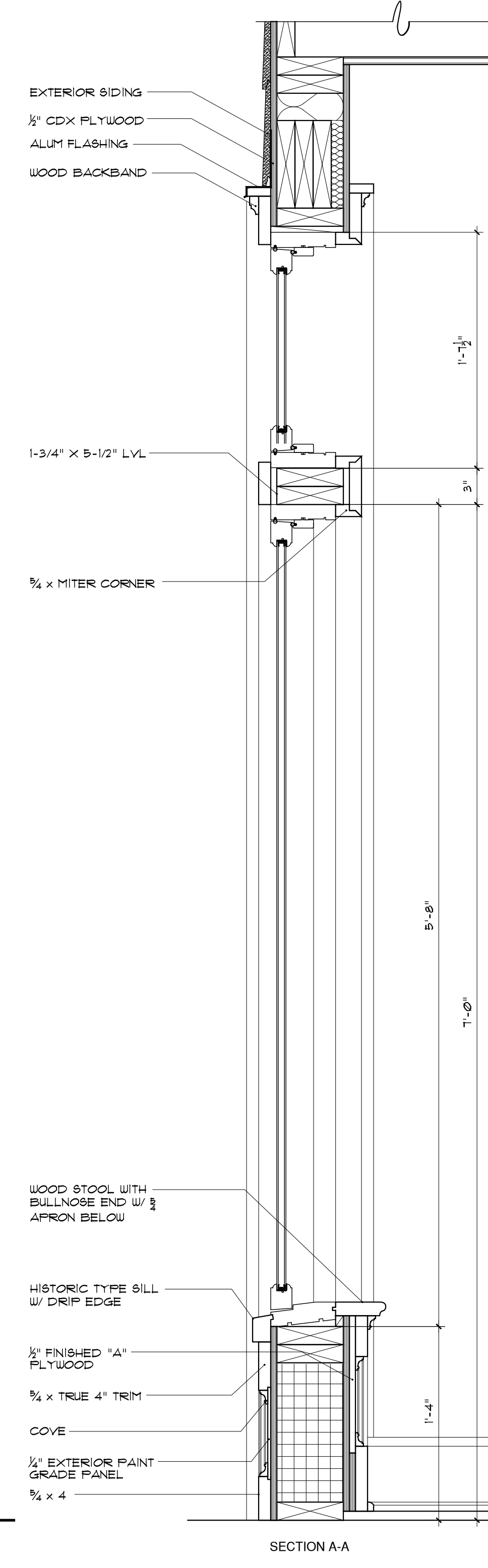
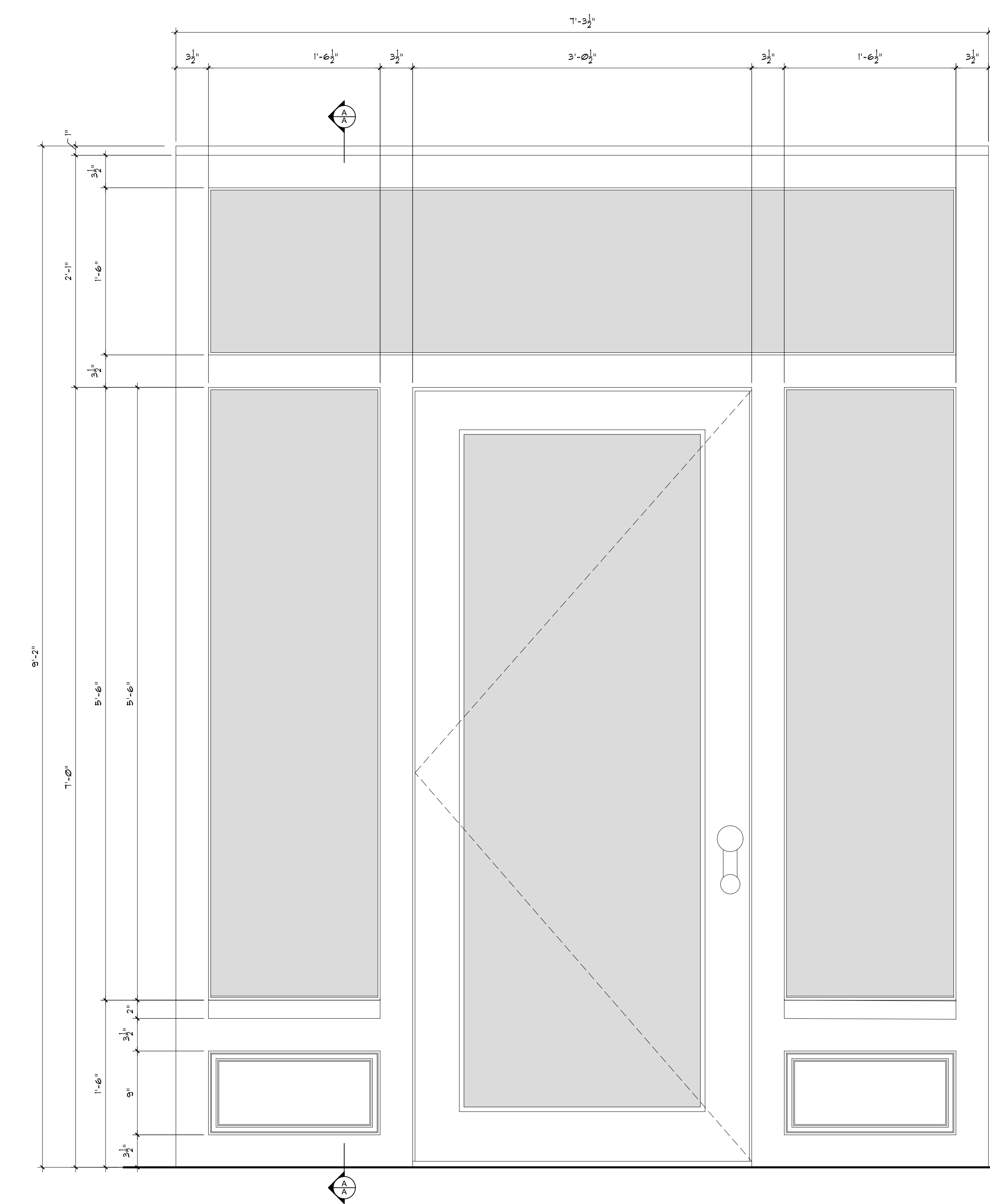
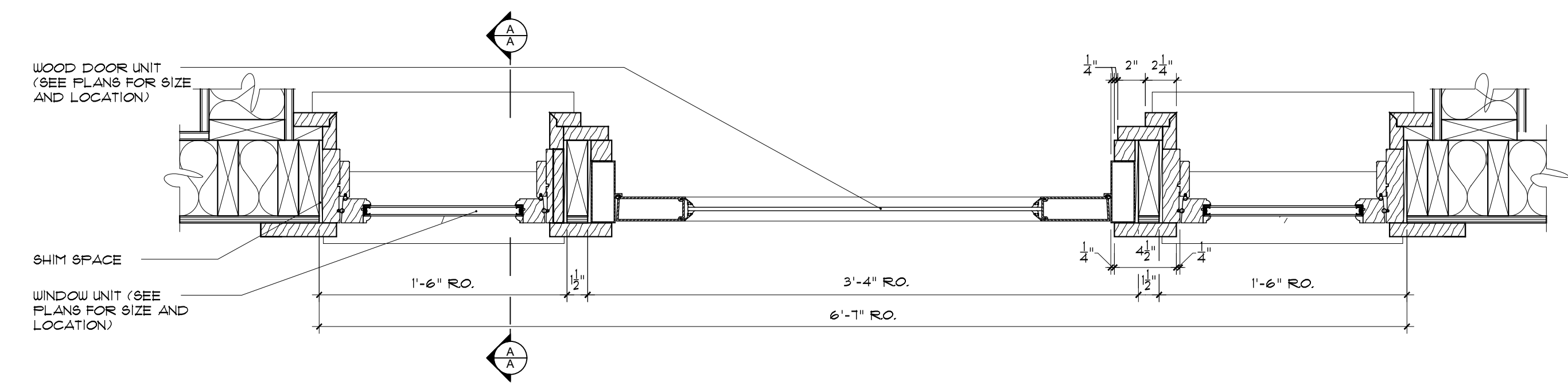
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S-B-L: 37.12.2.86  
Town of Yorktown - Westchester County

**FOR PLANNING BOARD REVIEW & APPROVAL**

Date: August 25, 2020

Revisions:


**A5.01**



- WINDOW NOTES:
1. WINDOWS SHALL BE SOLID WOOD CONSTRUCTION WITH PAINTED WOOD INTERIOR AND ALUMINUM CLAD EXTERIOR FINISH ULTIMATE SERIES AS MANUFACTURED BY MARVIN OR EQUAL.
  2. TYPICAL WINDOW FUNCTION SHALL BE DOUBLE HUNG.
  3. WINDOW LITE PATTERN SHALL BE 7 OVER 2.
  4. GRILLES SHALL BE SOL (SIMULATED DIVIDED LITE) TYPE.
  5. CASING SHALL BE 1X4 WITH HISTORIC SILL AND DRIP CAP.

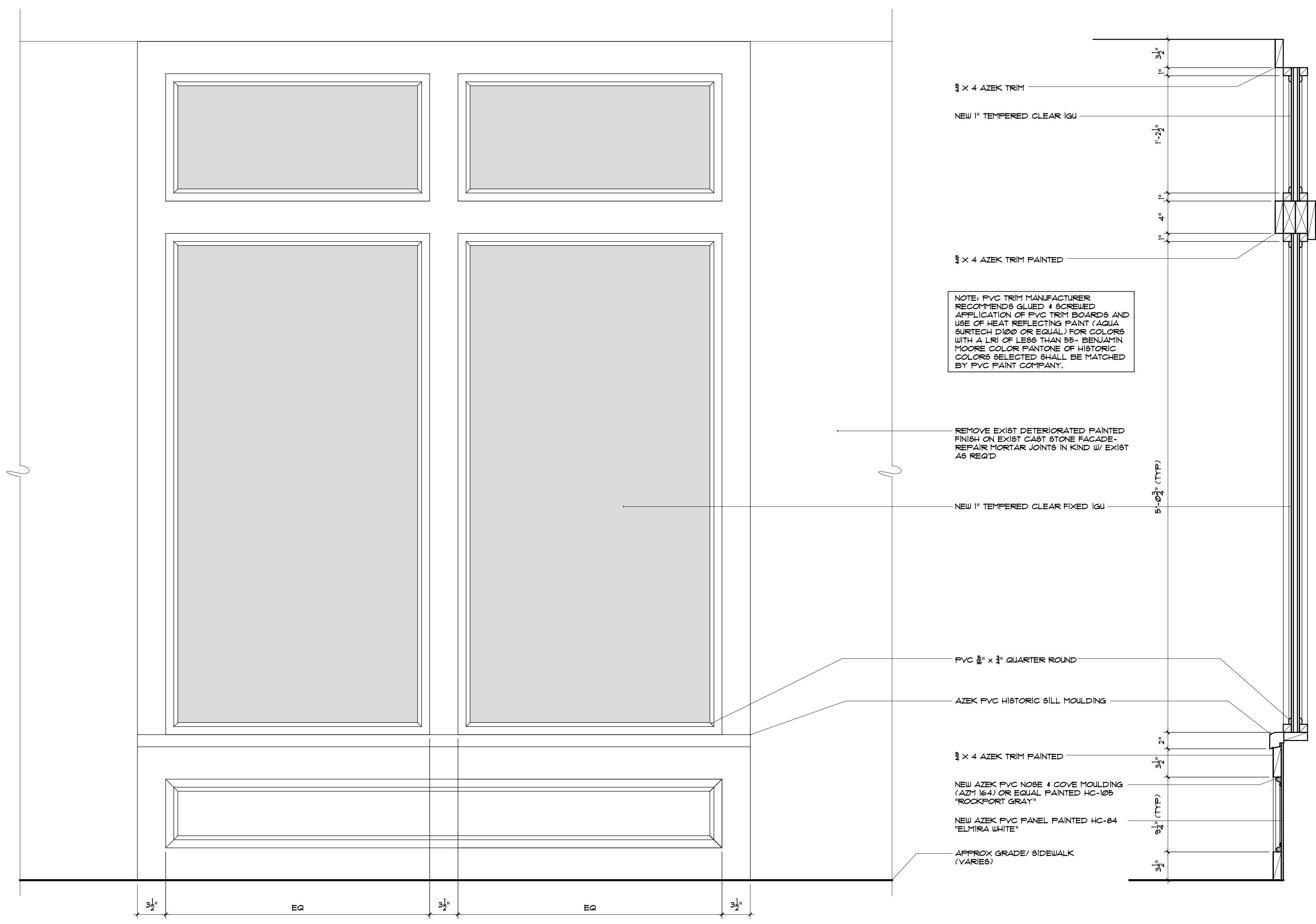
**1** New Typical Window Detail  
A5.01 Scale: 1-1/2" = 1'-0"

**2** New Entrance Door Detail  
A5.01 Scale: 1-1/2" = 1'-0"

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**1** Typical New Storefront Detail  
A5.02 Scale: 1-1/2" = 1'-0"

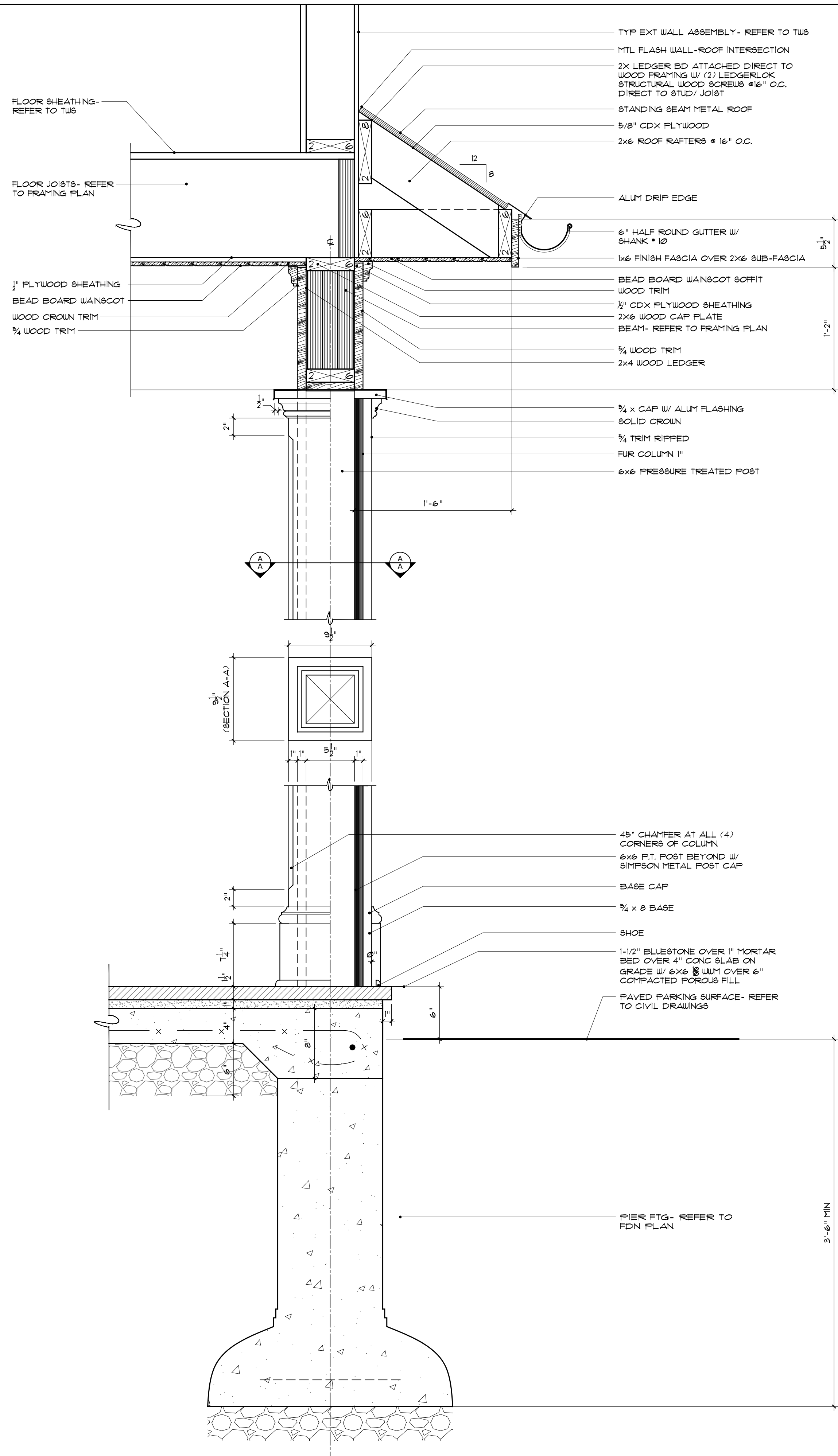
**KEAR STREET BUILDING**

Nantuxet Sound Soins, LLC  
Kear Street  
Yorktown Heights, New York 10516  
S-B-L: 37-12-2-86  
Town of Yorktown - Westchester County

**FOR PLANNING BOARD REVIEW & APPROVAL**

Date: August 25, 2020

Revisions:

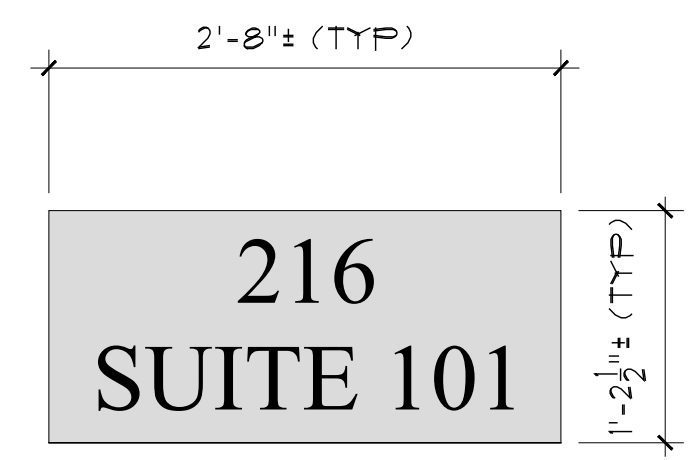
**1** Typical Covered Porch Detail  
A5.03 Scale: 1-1/2" = 1'-0"

TBD BY FUTURE TENANT

# NEW TENANT SIGNAGE

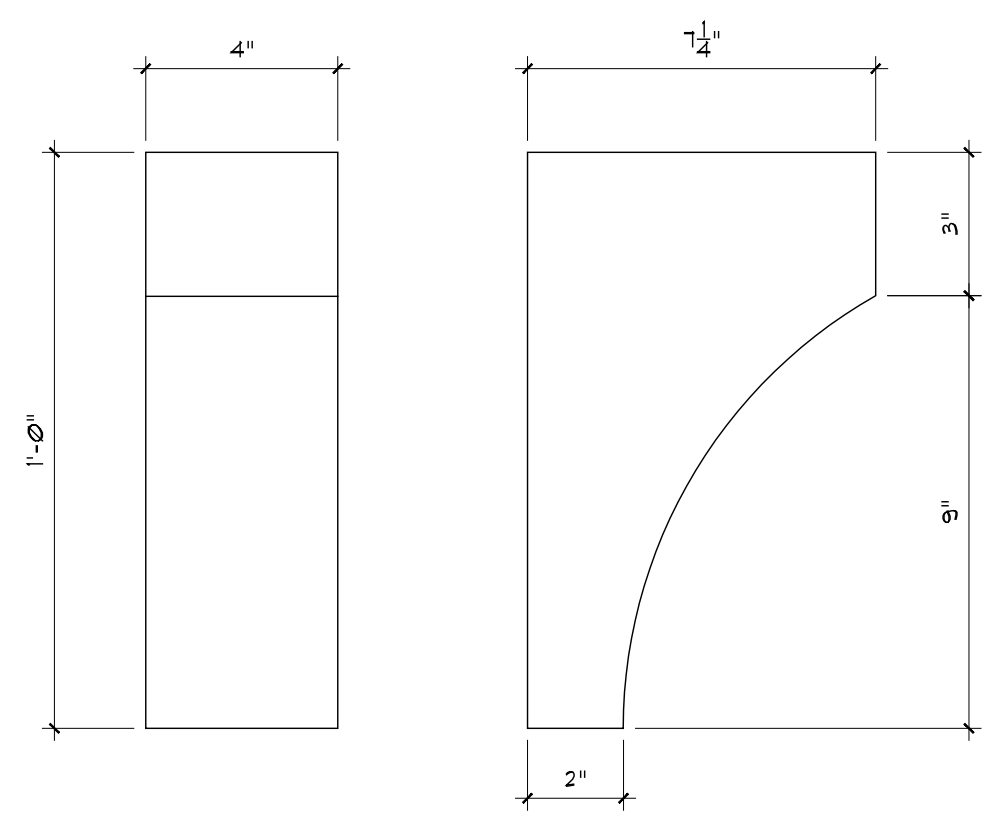
NOTE: DARK BRONZE ANODIZED ALUM "TIMES NEW ROMAN" FONT EXTERNALLY ILLUMINATED W/ VISUALLY CONCEALED 3,500K LED STRIP LIGHTING CONTROLLED VIA ASTRONOMICAL TIMER- PROJECTED JAMB NUT MOUNTED W/ SS THREADED RODS ATTACHED TO NEW SIGN BOARD AND SS JAMB NUTS TO SET SIGN DEPTH. SIGNAGE SHALL BE UNIFORM FOR ALL TENANTS. TEXT TBD BY FUTURE TENANT.

**2** New Typical Storefront Signage Detail  
A5.03 Scale: 1" = 1'-0"



- NEW TYPICAL TENANT SIGN NOTES:
1. SIGNAGE SHALL BE CUT VINYL GRAPHIC TYPE SURFACE APPLIED TO NEW TRANSOM GLAZING.
  2. FONT TYPE SHALL BE "TIMES NEW ROMAN".
  3. SIGN SIZE SHALL NOT EXCEED DIMENSIONS OF TRANSOM PANEL. LETTER SHALL BE WHITE.
  4. ALL NEW TENANT SIGNAGE SHALL CONFORM TO THE REQUIREMENTS NOTED ON THIS PLAN.
  5. 4" HT LETTERS DEPICTED BUT MAY VARY.

**3** Transom Signage Detail  
A5.03 Scale: 1" = 1'-0"



**4** Gable Bracket Detail  
A5.03 Scale: 3" = 1'-0"

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Date: August 25, 2020

Revisions:


**650 Pines Bridge Rd**

# CIARCIA ENGINEERING, P.C.

360 Underhill Avenue • Yorktown Heights • New York 10598 • (914) 245-0123 • fax (914) 245-5670

Mr. John Tegeder, RA  
Director of Planning  
Yorktown Planning Department  
1974 Commerce Street  
Yorktown Heights, New York 10598

RECEIVED  
PLANNING DEPARTMENT  
MAR 3 2021  
TOWN OF YORKTOWN

March 3, 2021

Re: 650 Pines Bridge Road  
Subdivision Application  
TM 70.10 – 1 - 29

BY HAND

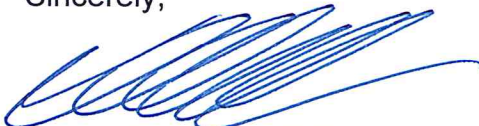
Dear John:

As requested, enclosed please find the following documents:

1. Four (4) sets of plans consisting of the following sheets:
  - a. "650 Pines Bridge Road Yorktown, NY prepared for Pines Bridge Road LLC, Existing Conditions", dated October 13, 2020 (Sheet 1 of 6)
  - b. "650 Pines Bridge Road Yorktown, NY prepared for Pines Bridge Road LLC, Proposed Site Plan", dated October 10, 2019, last revised December 29, 2020 (Sheet 2 of 6).
  - c. "650 Pines Bridge Road Yorktown, NY prepared for Pines Bridge Road LLC, Tree Removal Plan and Tree Schedule", dated October 13, 2020, last revised December 29, 2020 (Sheet 3 of 6).
  - d. "650 Pines Bridge Road Yorktown, NY prepared for Pines Bridge Road LLC, Landscape Plan", dated February 16, 2021, (Sheet 4 of 6).
  - e. "650 Pines Bridge Road Yorktown, NY prepared for Pines Bridge Road LLC, Ortho Photo", dated October 13, 2020, (Sheet 5 of 6).
  - f. 650 Pines Bridge Road Yorktown, NY prepared for Pines Bridge Road LLC, Erosion Control and Stormwater Management, dated February 16, 2021 (Sheet 6 of 6)
2. Proof of mailing for the public hearing notice (USPS form 3877).

Should you have any questions or require additional information, please call.

Sincerely,



Daniel A. Ciarcia, P.E.

DAC:mc  
xc:Alex Cochran



RECEIVED  
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 Priority Mail Express  
 Return Receipt for Merchandise  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

MAR 3 2021

Name and Address of Sender  
**Dan Ciarcia**  
**Ciarcia Engineering, P.C.**  
**360 Underhill Avenue**  
**Yorktown Heights, NY 10598**

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	SH Fee
1.	John McCabe 640 PINES BRIDGE ROAD OSSINING, NY 10562												
2.	Joseph & Francis Panebianco 304 WILDE GREENE TERR. OSSINING, NY 10562												
3.	Eugene Vanderbeek 298 WILDE GREENE TERR. OSSINING, NY 10562												
4.	Robert Manocherian 135 CENTRAL PARK WEST NEW YORK, NY 10023												
5.	Flo & Angela Nardone 648 ERIN COURT OSSINING, NY 10562												
6.	Lee A. & Riitta Pollock 767 PINES BRIDGE RD OSSINING, NY 10562												
7.	Susan Watson 772 PINES BRIDGE RD. OSSINING, NY 10562												
8.	Thomas & Michelle Weickert 665 ERIN CT. OSSINING, NY 10562												
Total Number of Pieces Listed by Sender		Postmaster, Per (Name of receiving employee)											
Total Number of Pieces Received at Post Office													



**Firm Mailing Book For Accountable Mail**

Name and Address of Sender

**Dan Ciarcia**  
**Ciarcia Engineering, P.C.**  
**360 Underhill Avenue**  
**Yorktown Heights, NY 10598**

Check type of mail or service

- Adult Signature Required
- Adult Signature Restricted Delivery
- Certified Mail
- Certified Mail Restricted Delivery
- Collect on Delivery (COD)
- Insured Mail
- Priority Mail
- Priority Mail Express
- Registered Mail
- Return Receipt for Merchandise
- Signature Confirmation
- Signature Confirmation Restricted Delivery

USPS Tracking/Article Number

- 1.
- 2.
- 3.
- 4.
- 5.
- 6.
- 7.
- 8.

Addressee (Name, Street, City, State, & ZIP Code™)

- Ann Autieri & Edward Clark  
771 PINES BRIDGE RD.  
OSSINING, NY 10562
- Karthik Seshan  
302 WILDE GREENE TERR.  
OSSINING, NY 10562
- Kitchawan Farm, LLC  
716 KITCHAWAN RD.  
OSSINING, NY 10562

Affix Stamp Here  
 (for additional copies of this receipt).  
 Postmark with Date of Receipt.



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
		Handling Charge - if Registered and over \$50,000 in value				Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

Total Number of Pieces Listed by Sender

Total Number of Pieces Received at Post Office

Postmaster, Per (Name of receiving employee)

FEB 8 2021

TOWN OF YORKTOWN

February 8, 2021

To: Alex Cochran

From: Yorktown Tree Conservation Advisory Commission (K. Schepart, ISA; L. Klein, PE; T. Schmitt; B. Kellner)

cc: Dan Ciarcia, Planning Board, Planning Dept., Conservation Board

Re: Your query about mitigation plan for 650 Pines Bridge Road.

Chapter 270 of the Town Code provides for a variety of options for satisfying tree permit mitigation requirements. These are spelled out in §270-10.D(4), which is appended to this memo. Note that they may be applied "either singly or in combination." Thus, payment into the Tree Bank Fund as described in §270-10.D(4)(f) could be reduced were such payment to be combined with one or more additional mitigation measures.

Chapter 270 expresses a clear preference for on-site mitigation where feasible. We feel there may be opportunities for on-site mitigation in this application, including invasive species mitigation, deer control and planting native trees and shrubs. As approval authority, the Planning Board will assess whether any such measures proposed by the applicant fulfill the mitigation requirements or whether a payment into the Tree Bank Fund is required in addition.

In terms of invasive species mitigation, the Lower Hudson Partnership for Invasive Species Management (LHPRISM) provides information for invasive species management and outlines strategies for landowners. The Partners section of the LHPRISM website lists several firms that provide invasive species mitigation for private landowners.

Sincerely, Bill Kellner, Chair

Addendum—§270-10.D(4) Mitigation Plans:

- . (4) A mitigation plan may include, but not be limited to, the following measures, either singly or in combination:
  - . (a) Planting replacement trees, understory shrubs and or herbaceous ground cover on- site and/or on Town-owned land, Town right-of-way lands or other public land subject to the owner's permission pursuant to this chapter. ☐
  - . (b) Removal of invasive species from the site, and/or on Town-owned land, Town right-of- way lands or other public land subject to the owner's permission. ☐
  - . (c) Installation of fencing designed to prevent deer from overgrazing existing or newly- planted or naturally regenerating trees and shrubs ("deer



enclosures"), consistent with Town regulations, and so long as wildlife corridors are not obstructed. ☐

- . (d) Planting new trees and/or shrubs along stream corridors on the site, and/or on Town- owned land, Town right-of-way lands or other public land subject to the owner's permission. ☐
- . (e) Implementation of other measures on Town-owned land pursuant to an approved forest management plan. ☐
- . (f) Payment into the Tree Bank Fund. In lieu of replacing a lost protected tree or disturbance to a protected woodland, the payment shall be \$100 for every protected tree removed and \$300 for every 5,000 square feet of protected woodland disturbed.

# CIARCIA ENGINEERING, P.C.

360 Underhill Avenue • Yorktown Heights • New York 10598 (914) 245-0123

---

Mr. Richard Fon, Chairman, and  
Members of the Planning Board  
Yorktown Planning Department  
1974 Commerce Street  
Yorktown Heights, NY 10598

February 4, 2021

RECEIVED  
PLANNING DEPARTMENT

FEB 4 2021

TOWN OF YORKTOWN

RE: 650 Pines Bridge Road Subdivision  
Tree Mitigation Plan

Dear Mr. Fon:

We completed the tree survey for the 650 Pines Bridge Road Subdivision, and prepared a plan depicting the trees we are proposing to remove. We met with the Tree Conservation Advisory Commission (TCAC) on November 21, 2020 at the site. The TCAC asked that we install tags on the trees and describe the tree species in more detail. The trees have been tagged, and the tree schedule on the tree plan has been revised accordingly.

The proposed subdivision will require the removal of 84 trees. An additional 6 trees are proposed for removal at the request of a neighbor who has safety concerns. The applicant has initiated the mitigation process by removing some of the invasive species on the property. The following work has been completed on the property:

- Cleared approximately 5,000 sq. ft. area that was dense Japanese Honeysuckle (Tier 4) completely covered in a mat of Porcelain berry (Tier 3) that was climbing up surrounding trees.
- Cut approximately 100 smaller diameter Japanese Honeysuckle that was growing throughout the lot.
- Cleared other invasive vegetation such as Japanese Barberry (Tier 4), Winged Euonymus (Tier 4) and cut many Oriental Bittersweet vines (Tier 4) that were growing in many trees throughout the lot.

Additional mitigation work proposed:

- Remove invasive 18" Tree of Heaven tree (Tree 174)
- Remove invasive 27" Norway Maple Tree (Tree 137)
- Plant open area of approximately 5,000 sq ft with native wildflower mix to create a mowable pollinator meadow to inhibit the regrowth of invasive species.
- Continue to remove numerous Japanese Honeysuckle trees throughout the property including one very large tree.
- Plant ten (10) native screen trees along border of lot 1 and 2
- Plant four (4) new trees on front yard on each proposed lot,

Mr. Richard Fon, Chairman  
650 Pines Bridge Tree Mitigation

February 4, 2021  
Page 2

Please review this mitigation proposal and let us know if it is acceptable. Should you have any questions or require additional information, please call.

Sincerely,

Daniel A. Ciarcia

DAC:mc

Cc: Alex Cochran  
TCAC

Diane Dreier Co-Chair  
Phyllis Bock Co-Chair

Matthew Slater  
Town Supervisor

## TOWN OF YORKTOWN CONSERVATION BOARD

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

---

### MEMORANDUM

RECEIVED  
PLANNING DEPARTMENT

JAN 26 2021

TOWN OF YORKTOWN

**To:** Planning Board  
**From:** Conservation Board  
**Date:** January 21, 2021  
**Re:** 650 Pinesbridge Road LLC

---

The Conservation Board, at its January 20<sup>th</sup>, 2021 meeting discussed the application for a proposed 3 lot subdivision at 650 Pinesbridge Road. The Conservation Board has the following comments:

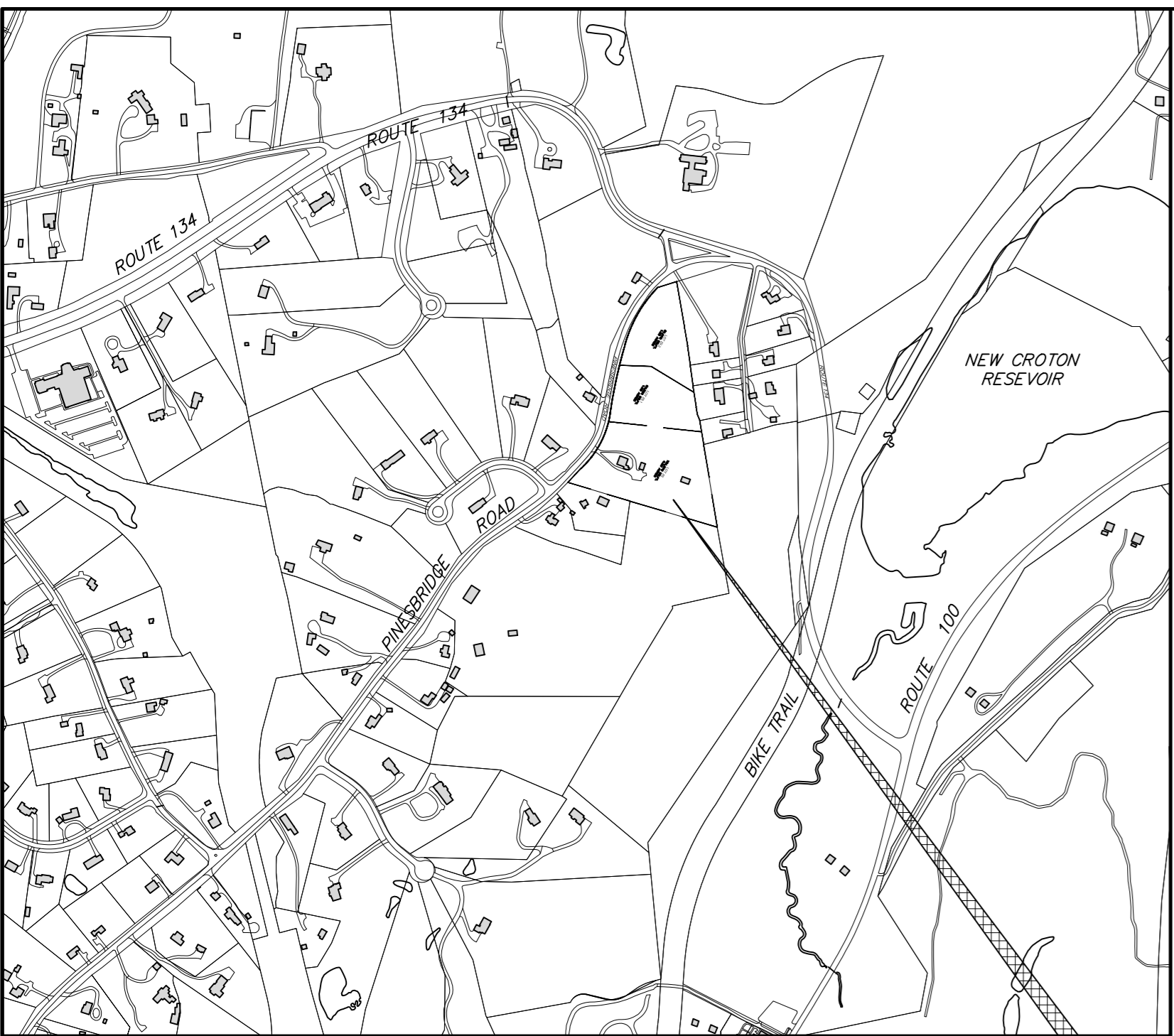
- The Conservation Board would like the applicant to follow up with a mitigation plan for the project.

Respectfully submitted:

*Phyllis Bock*

For the Conservation Board

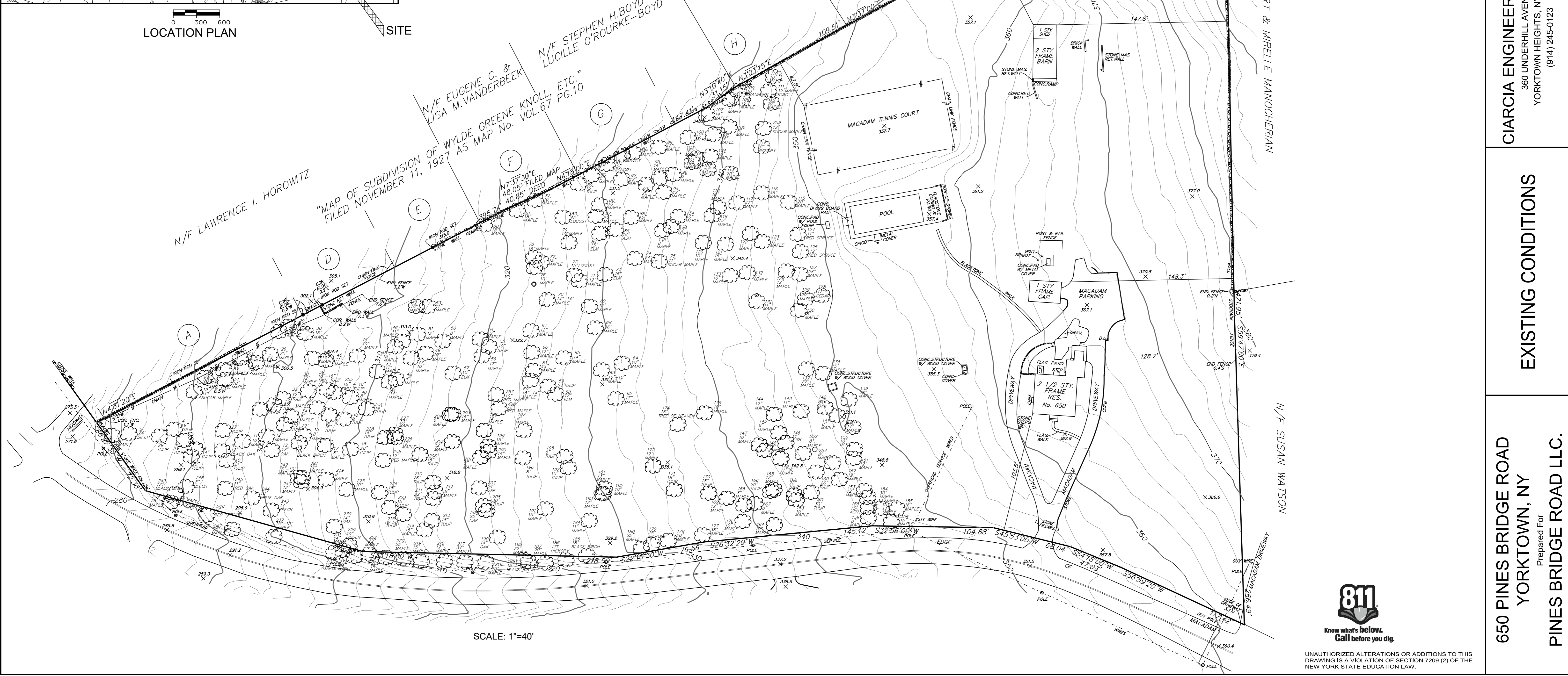
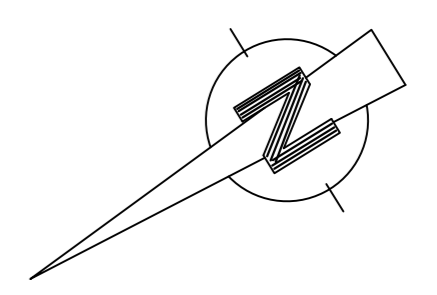
CC: Planning Board  
Town Board  
Michael Quinn, Town Engineer  
Diana Quast, Town Clerk  
Applicant



0 300 600  
LOCATION PLAN

PROPERTY DATA	
PROPERTY OWNER	PINES BRIDGE ROAD, LLC
APPLICANT	PINES BRIDGE ROAD, LLC
LOCATION	650 PINES BRIDGE ROAD YORKTOWN HEIGHTS, NY 10598
TAX MAP DATA	SECTION 70.10 BLOCK 1 LOT 29
OWNERS ADDRESS	716 KITCHAWAN ROAD OSSINING NY 10562
SITE AREA	8.06 AC.
WATERSHED	NEW CROTON RESERVOIR
WATER SUPPLY SYSTEM	PRIVATE WELL
SEWAGE SYSTEM	ON-SITE SEPTIC

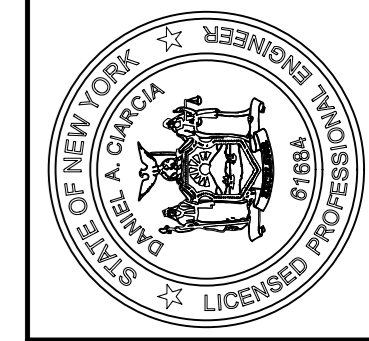
- NOTES**
1. SURVEY INFORMATION UTILIZED PREPARED BY STANLEY JOHNSON AND COMPANY LAND SURVEYORS, P.C. DATED AUGUST 13, 2020
  2. ELEVATIONS SHOWN HEREON ARE IN ACCORDANCE WITH THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88).
  3. ADDITIONAL UNDERGROUND EASEMENTS, UTILITIES OR STRUCTURES, ETC. OTHER THAN THOSE SHOWN HEREON MAY BE ENCOUNTERED.
  4. THE SUBSURFACE INFORMATION SHOWN HEREON, IF ANY, IS NOT GUARANTEED AS TO ACCURACY OR COMPLETENESS AND SHOULD BE VERIFIED BY THE CONTRACTOR BEFORE ANY EXCAVATION.
  5. AERIAL PHOTOGRAPHY BY: GEOMAPS INTERNATIONAL



SCALE: 1"=40'

SHEET NUMBER  
**1** of **6**

ORIGINAL DATE: 10/13/2020



**CIARCIA ENGINEERING, P.C.**  
360 UNDERHILL AVENUE  
YORKTOWN HEIGHTS, NY 10598  
(914) 245-0123

**EXISTING CONDITIONS**

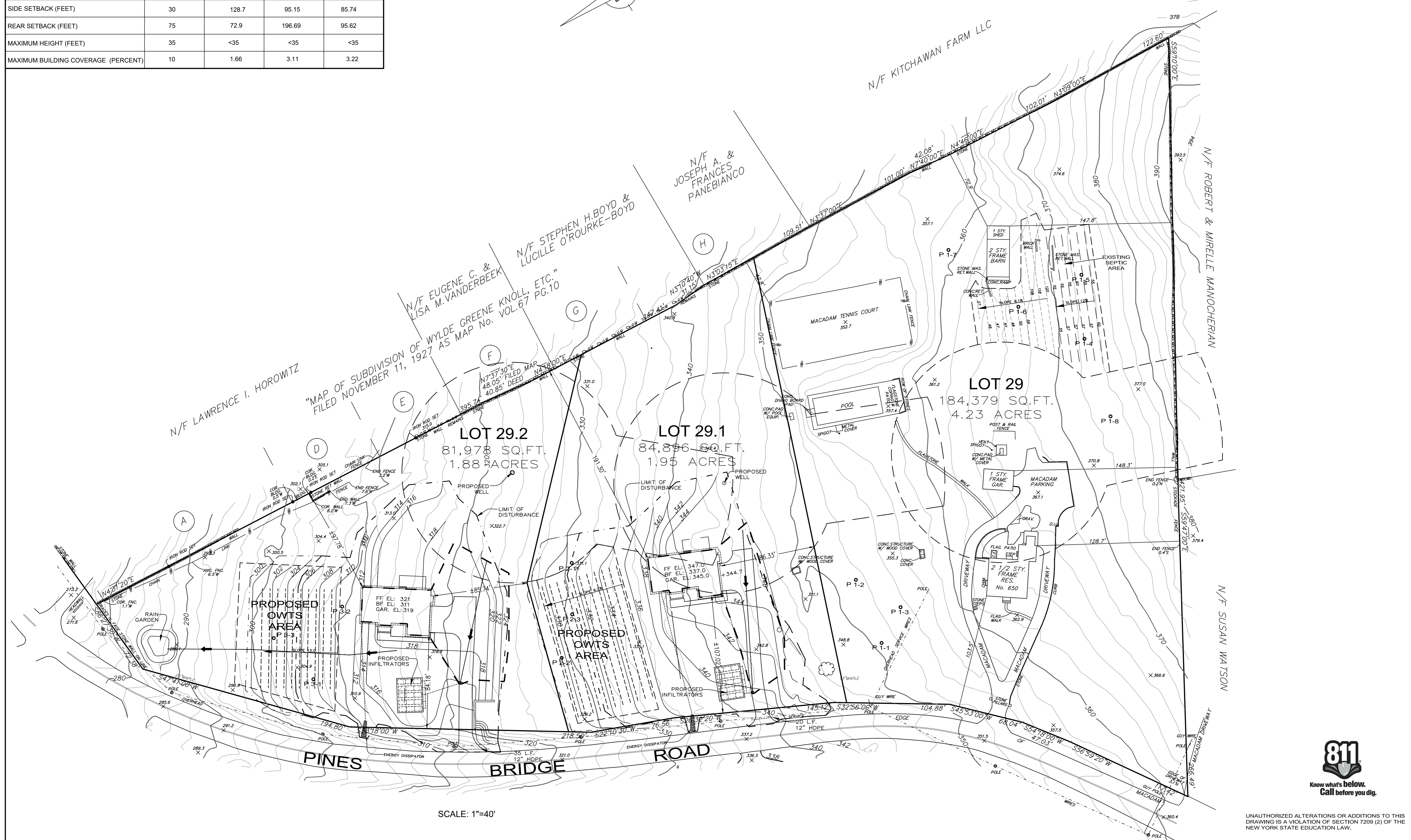
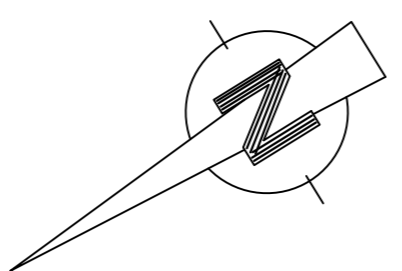
**650 PINES BRIDGE ROAD  
YORKTOWN, NY**  
Prepared For  
**PINES BRIDGE ROAD LLC.**



UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.

**ZONING ANALYSIS**

ZONE	REQUIRED	LOT 1	LOT 2	LOT 3
R1-80				
AREA (SQUARE FEET)	80,000	184,379 / 4.23 AC.	84,896 / 1.95 AC.	82,000 / 1.88 AC.
MINIMUM LOT WIDTH (FEET)	200	325.6	253.7	465.5
MINIMUM LOT DEPTH (FEET)	200	514	361	245
FRONT YARD SETBACK (FEET)	75	103.5	106.97	84.18
SIDE SETBACK (FEET)	30	128.7	95.15	85.74
REAR SETBACK (FEET)	75	72.9	196.69	95.62
MAXIMUM HEIGHT (FEET)	35	<35	<35	<35
MAXIMUM BUILDING COVERAGE (PERCENT)	10	1.66	3.11	3.22



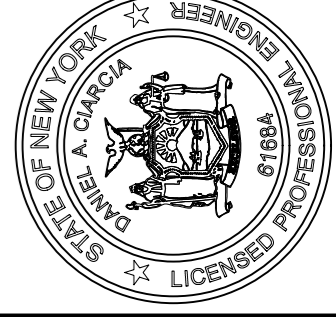
SCALE: 1"=40'



UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.

SHEET NUMBER  
**26**

5  
4  
3 SWPPP REVISIONS 12-29-20  
2 TOWN COMMENTS 10-12-20  
1 TOWN COMMENTS 12-05-19  
ORIGINAL DATE: 10/10/2019



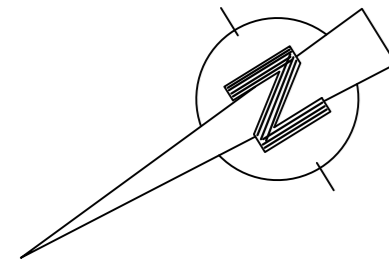
**GIARCIA ENGINEERING, P.C.**  
360 UNDERHILL AVENUE  
YORKTOWN HEIGHTS, NY 10598  
(914) 245-0123

**PROPOSED SITE PLAN**



650 PINES BRIDGE ROAD  
YORKTOWN, NY  
Prepared For  
PINES BRIDGE ROAD LLC.



PLANT LIST						
SYMBOL	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	REMARKS
TPGG	10	TSUGA PLICATA GREEN GIANT	GREEN GIANT ARBORVITAE	7-8 FT. HT.	B&B	
ARB	2	ACER RUBRUM 'BOWHALLS'	BOWHALL MAPLE	3-3 1/2" CAL	B&B	
CC	2	CERCIS CANADENSIS	REDBUD	8-10 FT. HT	B&B	



**PLANT LEGEND**

-  DECIDUOUS TREES
-  EVERGREEN TREES



SCALE: 1"=40'



UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.

SHEET NUMBER  
**46**

5	4	3	2	1	ORIGINAL DATE: 2/16/2021
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**CIARCIA ENGINEERING, P.C.**  
360 UNDERHILL AVENUE  
YORKTOWN HEIGHTS, NY 10598  
(914) 245-0123

**LANDSCAPE PLAN**

650 PINES BRIDGE ROAD  
YORKTOWN, NY  
Prepared For  
PINES BRIDGE ROAD LLC.



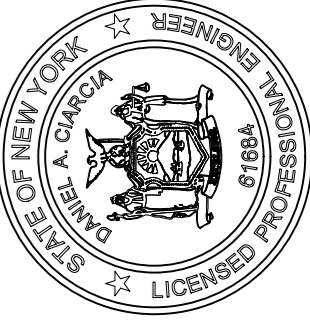


SCALE: 1"=60'

650 PINES BRIDGE ROAD  
YORKTOWN, NY  
Prepared For  
PINES BRIDGE ROAD LLC.

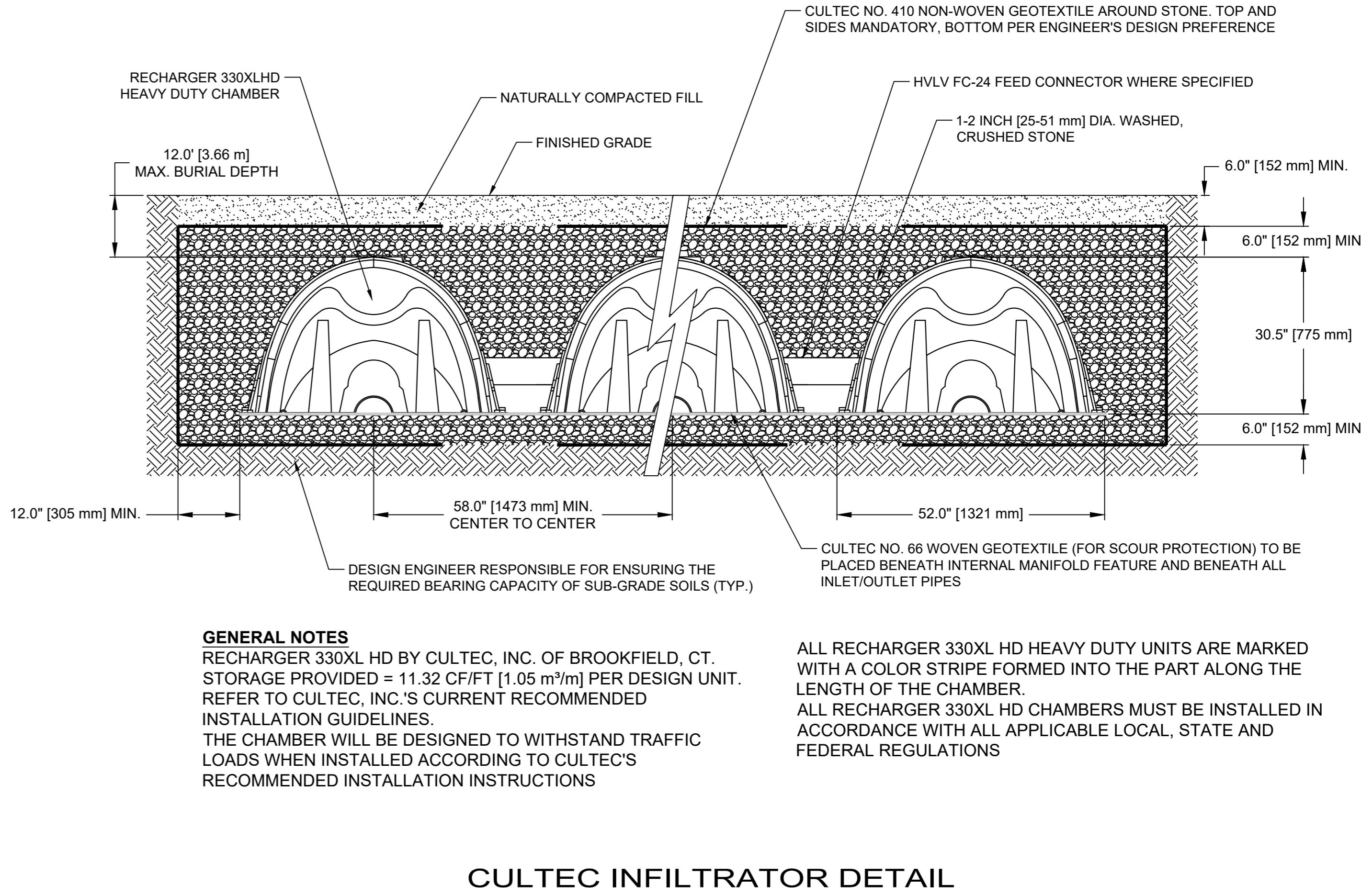
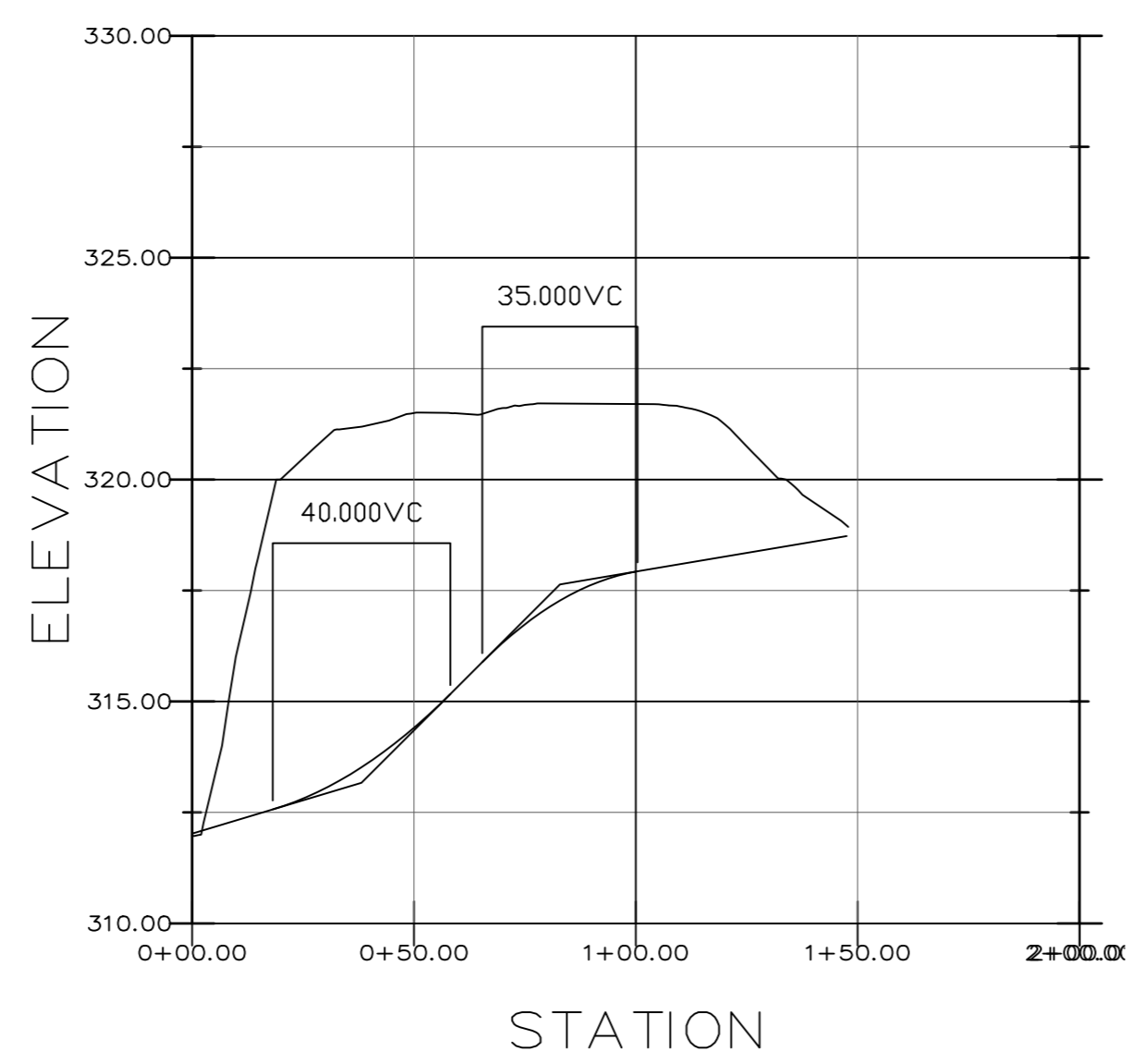
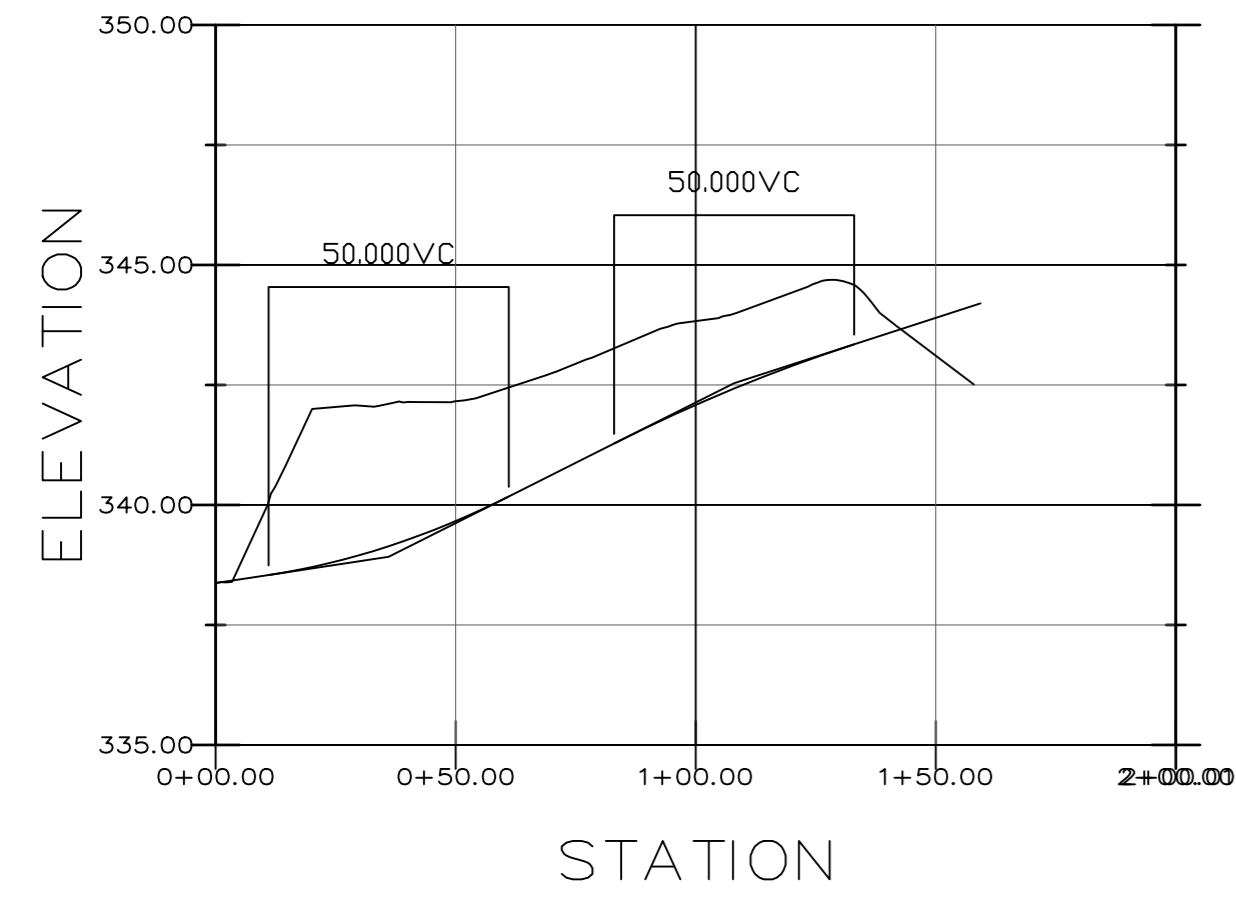
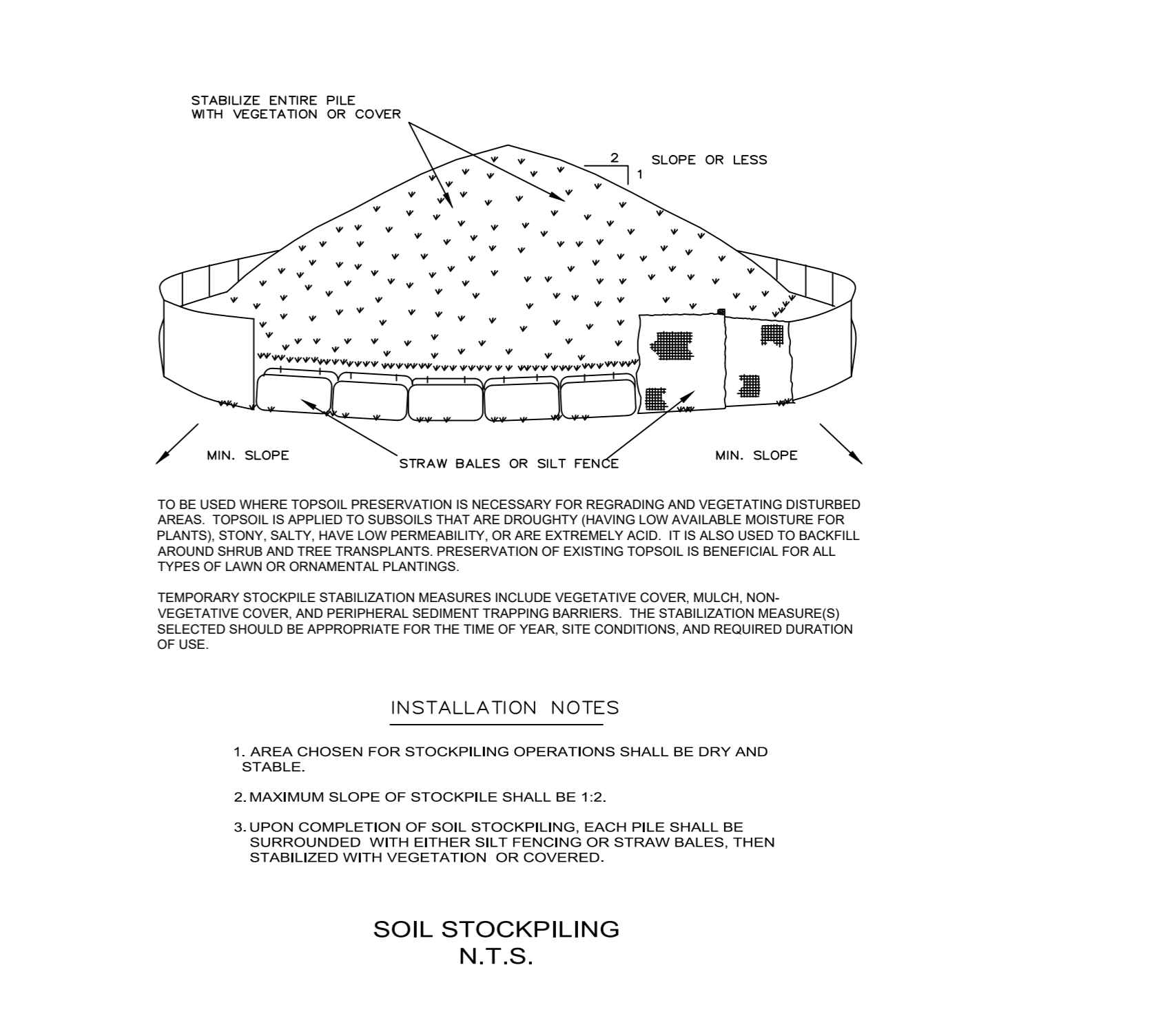
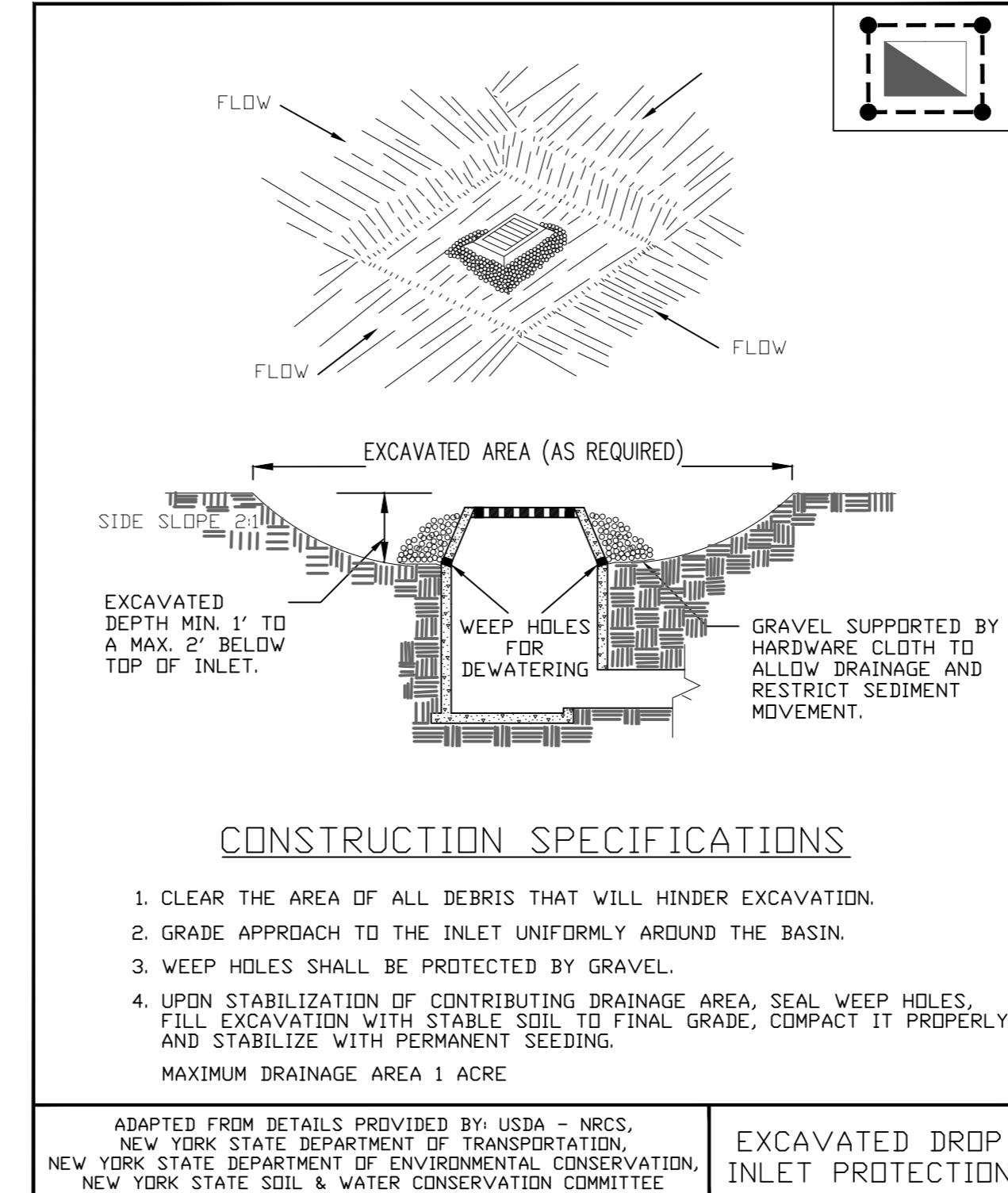
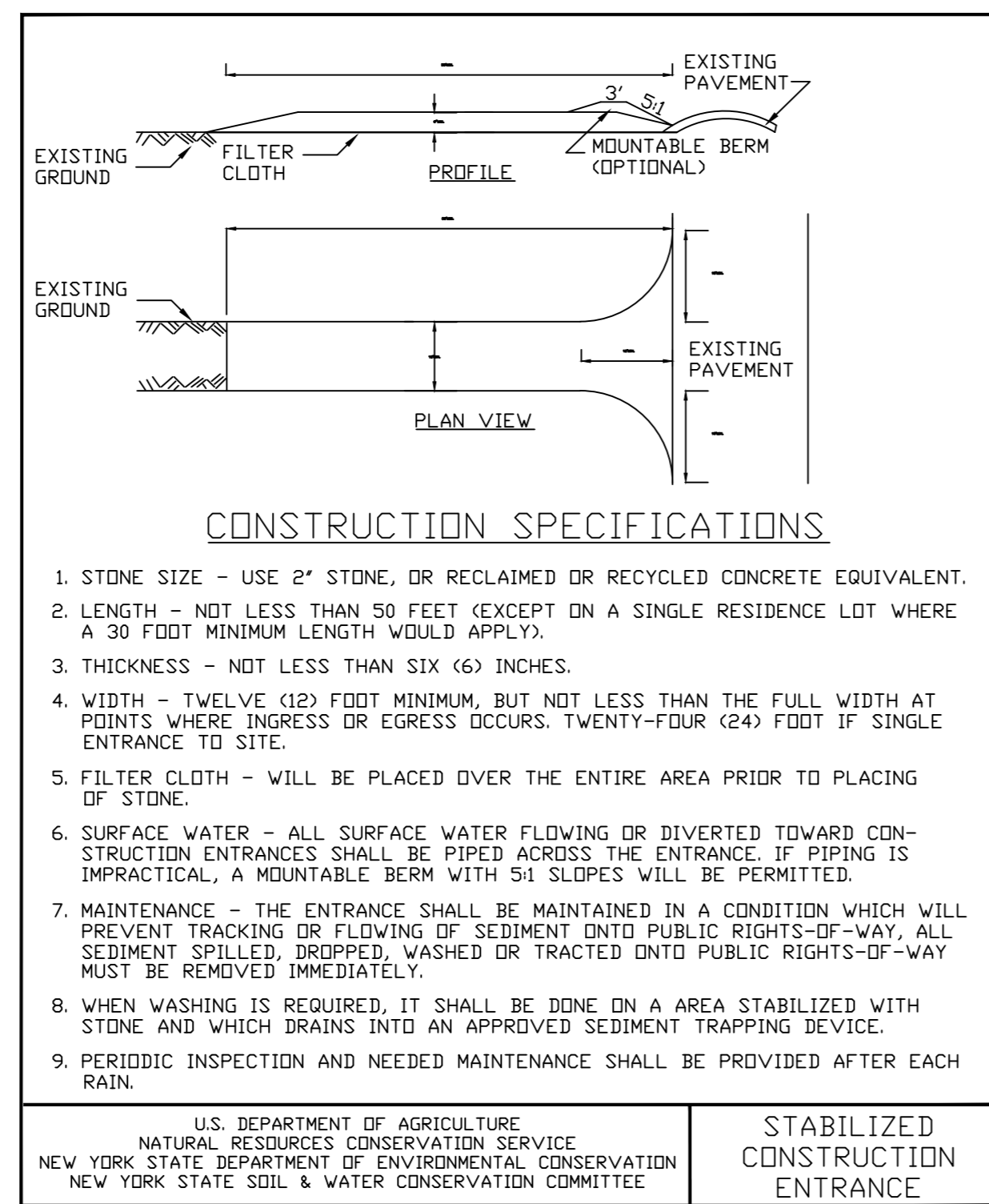
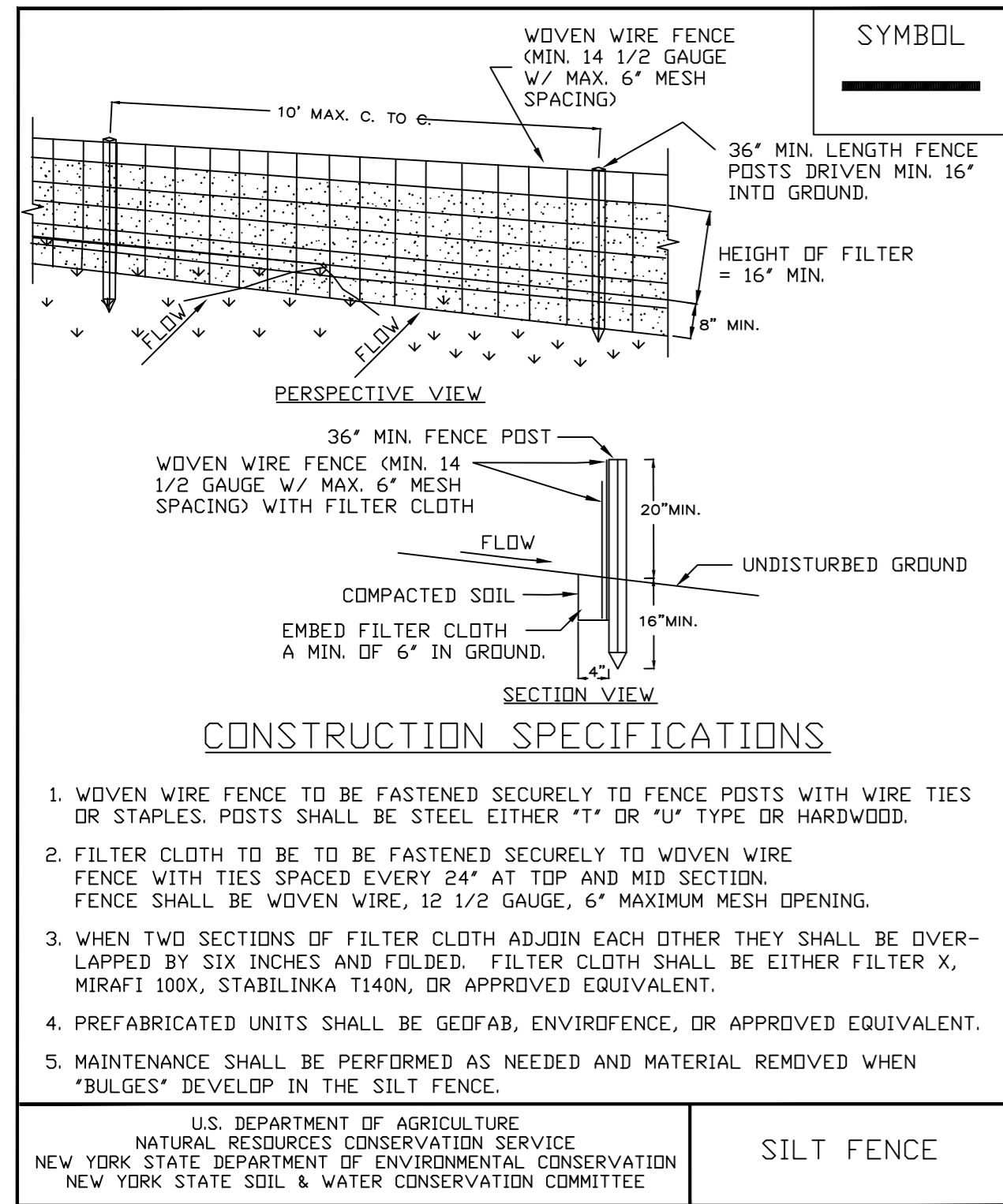
ORTHO PHOTO

GIARCIA ENGINEERING, P.C.  
360 UNDERHILL AVENUE  
YORKTOWN HEIGHTS, NY 10598  
(914) 245-0123



5	
4	
3	
2	
1	
ORIGINAL DATE: 2/16/2021	

SHEET NUMBER  
**56**



SHEET NUMBER  
**66**

2 TOWN COMMENTS 10-13-20  
1 TOWN COMMENTS 12-05-19  
ORIGINAL DATE: 10/10/2019

**GIARCIA ENGINEERING, P.C.**  
360 UNDERHILL AVENUE  
YORKTOWN HEIGHTS, NY 10598  
(914) 245-0123

STATE OF NEW YORK  
Professional Engineer  
No. 11000  
Exp. 12/31/2024

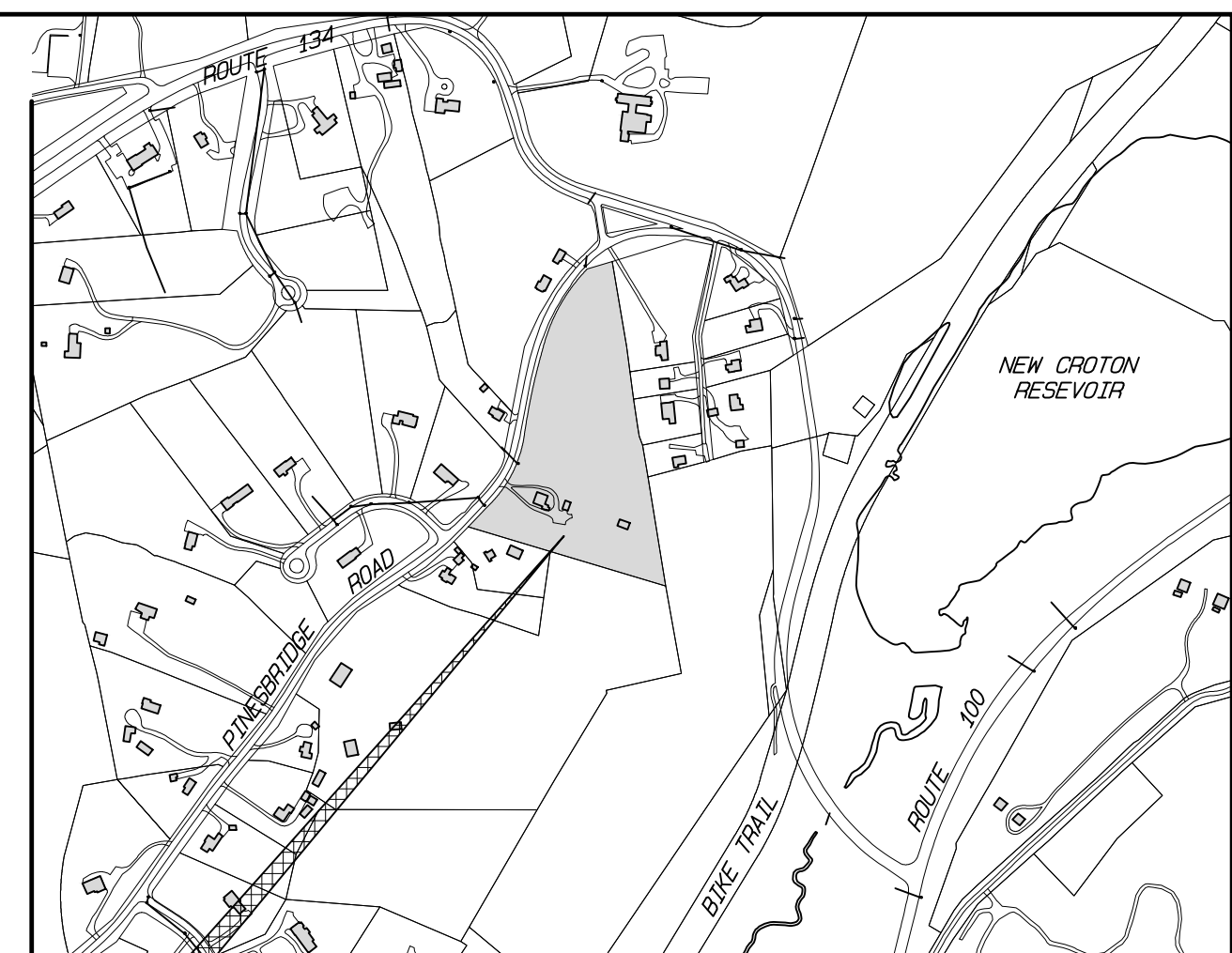
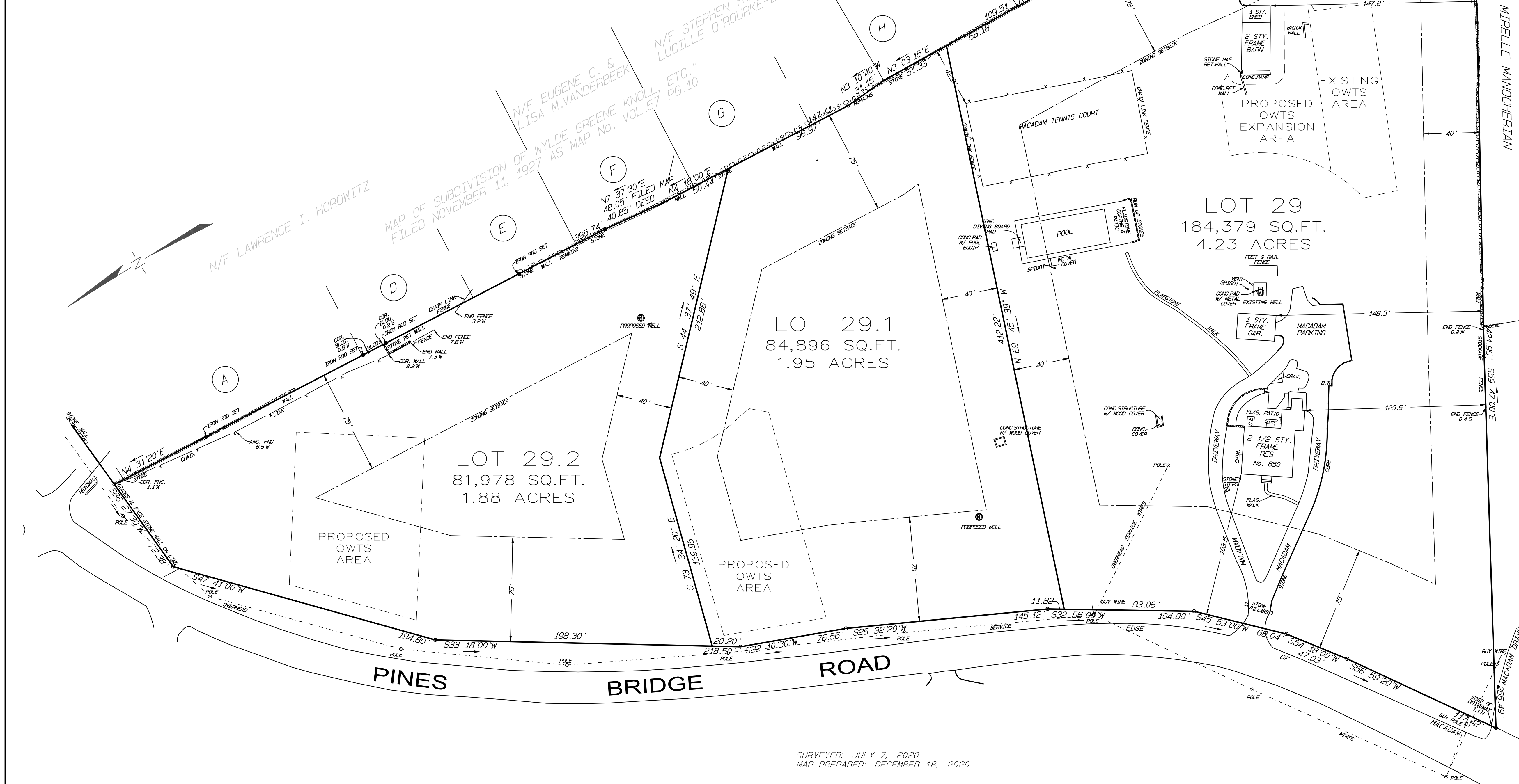
**DETAILS & PROFILES**

650 PINES BRIDGE ROAD  
YORKTOWN, NY  
Prepared For  
**PINES BRIDGE ROAD LLC.**

LOT NUMBER	LOT AREA (ACRES)	DEEP TEST HOLE DESCRIPTION	MOTTLING AND/OR GROUND WATER ELEVATION	IMPERVIOUS LAYER ELEVATION	% SLOPE S.S.T.S. AREA	PERC TEST #	PERC RATE (MIN/IN)	PERC DESIGN RATE (MIN./IN.)	REQUIRED AMOUNT OF ABSORPTION TRENCHES (LF)				PROPOSED S.S.T.S. AREA (N.S.F.)	R.O.B. GRAVEL FILL		CURTAIN DRAIN DEPTH	CURTAIN DRAIN LENGTH (L.F.)	REMARKS
									3 BEDROOM	4 BEDROOM	5 BEDROOM	6 BEDROOM		DEPTH	VOLUME (C.Y.)			
1	4.22	TP1-1 0' TO 10" TOPSOIL: 10" TO 80" SANDS WITH SILT (LIGHT BROWN)	>84"	>84"	12.0%	P1-1	134	6-10	336	448	500'	672'	10,100	1.0'	125	NA	NA	SYSTEM CONSTRUCTED PERMIT # Y1016-03 MINOR RUN OF BANK (ROB) FILL REQUIRED IN ABSORPTION AREA FOR GRADING PURPOSES PUMPING REQUIRED
		TP1-2 0' TO 10" TOPSOIL: 10" TO 80" SANDS WITH SILT (LIGHT BROWN)																
		TP1-3 0' TO 10" TOPSOIL: 10" TO 80" SANDS WITH SILT																
		TP1-4 0' TO 8" TOPSOIL: 8" TO 24" SILTY LOAM: 24" TO 84" SILT & SAND																
		TP1-5 0' TO 8" TOPSOIL: 8" TO 24" SILTY LOAM: 24" TO 84" MIXED SANDS																
		TP1-6 0' TO 8" TOPSOIL: 8" TO 24" SILTY LOAM: 24" TO 84" MODERATELY COMPACTED SANDS & SILT																
		TP1-7 0' TO 8" TOPSOIL: 8" TO 24" SILTY LOAM: 24" TO 84" MIXED SANDS																
		TP1-8 0' TO 6" TOPSOIL: 6" TO 24" SILTY LOAM: 24" TO 84" MIXED SAND																
2	1.95	TP2-1 0' TO 6" TOPSOIL: 6" TO 88" SANDS WITH SILT (LUMPY)	>85"	>85"	9.2%	P2-1	24	21-30	504	672'	840'	NA	10,800	1.0'	400	NA	MINOR RUN OF BANK (ROB) FILL REQUIRED IN ABSORPTION AREA FOR GRADING PURPOSES	
		TP2-2 0' TO 4" TOPSOIL: 4" TO 85" SANDS WITH TRACE SILT																
		TP2-3 0' TO 4" TOPSOIL: 4" TO 90" SANDS WITH SILT																
3	1.88	TP3-1 0' TO 5" TOPSOIL: 5" TO 16" SILTY LOAM: 16" TO 84" FINE TO MED. SAND WITH GRAVEL	>84"	>84"	13.0%	P3-1	15	11-15	375	500	625'	NA	11,040	0.5'	205	NA	MINOR RUN OF BANK (ROB) FILL REQUIRED IN ABSORPTION AREA FOR GRADING PURPOSES	
		TP3-2 0' TO 5" TOPSOIL: 5" TO 16" SILTY LOAM: 16" TO 88" FINE TO MED. SAND WITH GRAVEL																
		TP3-3 0' TO 5" TOPSOIL: 5" TO 24" SILTY LOAM: 24" TO 88" FINE TO MED. SAND WITH GRAVEL																

1 DOSING REQUIRED  
 1 TESTED BUT OUTSIDE APPROVED SEPTIC AREA

### HEALTH DEPARTMENT SEPTIC SCHEDULE



**LOCATION PLAN**

PROPOSED INDIVIDUAL WELL / SEPARATE SEWAGE TREATMENT SYSTEM  
 Westchester County Department of Health  
 New Rochelle, New York

Approved pursuant to Chapter 873, Article X, Sections 873.951 and 873.1011 and Articles VII and VIII of the Westchester County Sanitary Code subject to the provision of individual well water supply and separate sewage treatment facilities to serve each habitable building hereafter constructed. These facilities are to be installed in accordance with land improvement plans and specifications approved by and filed in this office prior to the construction of such building.

Each purchaser of property shown hereon shall be furnished a true copy of this plat showing this endorsement. Any erasures, changes, additions or alterations of any kind, except the addition of signatures of other approving authority and the date thereof made on this plan after this approval, shall invalidate this approval.

Date \_\_\_\_\_  
 Approved by the Assistant Commissioner of Health on behalf of the Department of Health

Area = 8.064 Acres.  
 Deed Reference: Liber 4396 Page 189.  
 Tax Identification: Section 70.10 Block 1 Lot 29.

In accordance with the existing Code of Practice for Land Surveys as adopted by the New York State Association of Professional Land Surveyors, Inc.

Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 2208, Subdivision 2 of the New York State Education Law.

All certifications are valid for this map and copies thereof only if said map or copies bear the impressed seal of the surveyor whose signature appears hereon.

The location of underground improvements or encroachments hereon, if any exist, are not certified or shown.

Property shown hereon is subject to the "Rules and Regulations for the Protection from Contamination of the New York City Water Supply and its Sources"

**OWNER'S ACKNOWLEDGMENT AND CONSENT**  
 THE UNDERSIGNED OWNERS OF THE PROPERTY HEREON, STATE THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENTS, AND LEGENDS, AND HEREBY CONSENT TO THE FILING OF THIS MAP.  
 SIGNED THIS \_\_\_\_\_ DAY OF DECEMBER 2020

ALEXANDER COCHRAN, MANAGING MEMBER  
 DATE \_\_\_\_\_

**OWNER OF RECORD:**  
 PINES BRIDGE ROAD, LLC  
 716 KITCHAWAN ROAD  
 OSSINGTOWN, NY 10562

**PLANNING BOARD APPROVAL**  
 APPROVED BY TOWN OF YORKTOWN PLANNING BOARD RESOLUTION 21-7, DATED FEBRUARY 8, 2021, SUBJECT TO ALL REQUIREMENTS AND CONDITIONS OF SAID RESOLUTION. ANY CHANGE, ERASURE, MODIFICATION OR REVISION TO THIS PLAT AFTER THE ABOVE DATE, SHALL VOID THIS APPROVAL.

DATE \_\_\_\_\_  
 RICHARD FON, CHAIRMAN  
 TOWN OF YORKTOWN PLANNING BOARD

DATE \_\_\_\_\_  
 JOHN KINCART, SECRETARY  
 TOWN OF YORKTOWN PLANNING BOARD

**SUBDIVISION OF PROPERTY**  
 PREPARED FOR  
**PINES BRIDGE ROAD, LLC**  
 SITUATE IN THE  
**TOWN OF YORKTOWN**  
**WESTCHESTER COUNTY, NEW YORK**

SCALE: 1" = 40'

H. STANLEY JOHNSON AND COMPANY  
 LAND SURVEYORS, P.C.  
 42 SMITH AVENUE P.O. BOX 93  
 MT. KISCO, N.Y. 10549  
 TEL. 914-241-3872  
 FAX. 914-241-0438

WESTCHESTER COUNTY INDEX MAP  
 SHEET: 190 BLDG: 9394

SURVEYED: JULY 7, 2020  
 MAP PREPARED: DECEMBER 18, 2020

BY: \_\_\_\_\_  
 NEW YORK STATE LICENSED LAND SURVEYOR NO. 50037  
 ROBERT S. JOHNSON, P.L.S.

BY: \_\_\_\_\_  
 NEW YORK STATE LICENSED PROFESSIONAL ENGINEER NO. 61684  
 DANIEL A. CIARCIA, P.E.

CIARCIA ENGINEERING, P.C.  
 360 UNDERHILL AVENUE  
 YORKTOWN HEIGHTS, NY 10596  
 (914) 245-0123

PREPARED BY: SMS, JRJ CHECKED BY: RSJ

# Short Environmental Assessment Form

## Part 1 - Project Information

RECEIVED  
PLANNING DEPARTMENT

DEC 9 2019

TOWN OF YORKTOWN

### Instructions for Completing

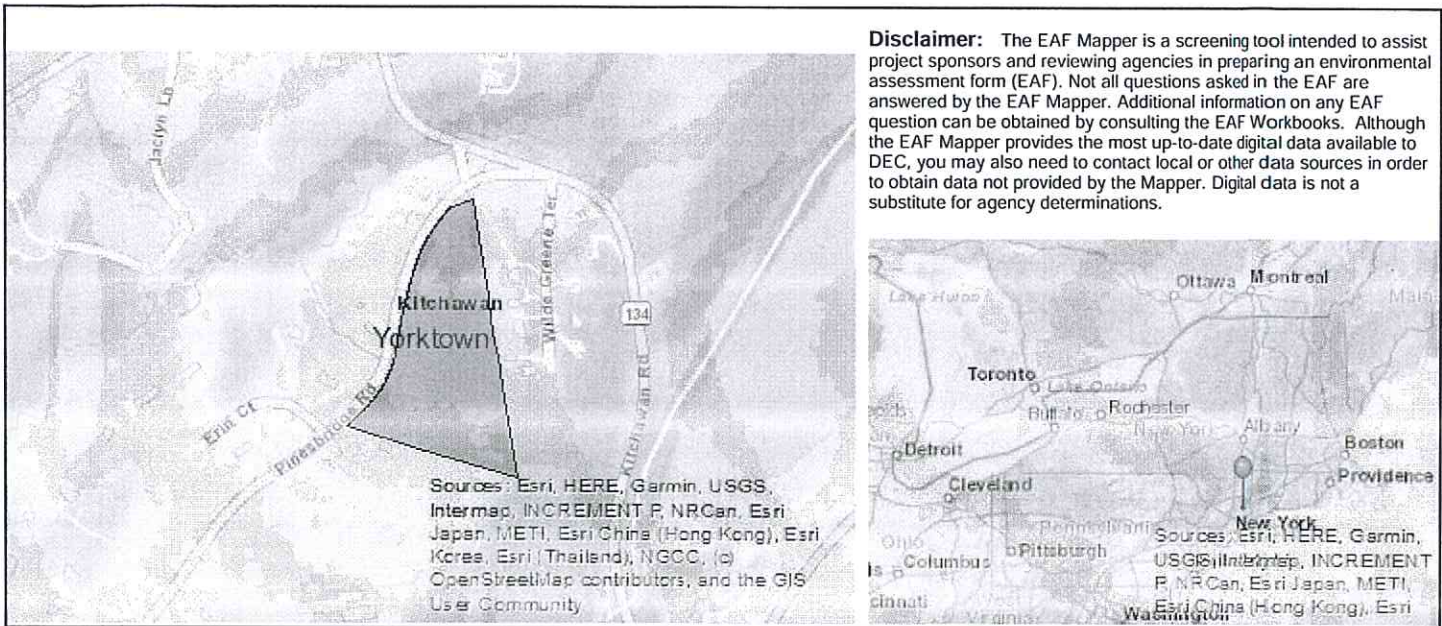
**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: 650 Pines Bridge			
Project Location (describe, and attach a location map): 650 Pines Bridge Road, Yorktown Heights, NY 10598			
Brief Description of Proposed Action: Applicant proposes to subdivide a property with an existing residence into three (3) lots. The existing residence will remain and two (2) new residences will be constructed. The application also proposes an access easement to serve the adjacent parcel on the east side of the property.			
Name of Applicant or Sponsor: Pines Bridge Road, LLC		Telephone: (914) 602-4005 E-Mail: mooseflex@mac.com	
Address: 716 Kichawan Road			
City/PO: Ossining		State: NY	Zip Code: 10562
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Planning Board - Subdivision, WCDOH - Subdivision, Town of Yorktown- Stormwater and Tree Removal, NYCDEP Stormwater			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		8.06 acres	
b. Total acreage to be physically disturbed?		1.80 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		8.06 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? Name:County & State Park Lands, Reason:Exceptional or unique character, Agency:Westchester County, Date:1- If Yes, identify: <u>31-90</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: <u>All new construction will comply with state energy code requirements</u>	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?  If No, describe method for providing potable water: _____ No public water available in the area, water will be supplied to the existing and proposed residences with individual wells	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?  If No, describe method for providing wastewater treatment: _____ No public sewer facilities available in the area, sewage will be disposed with individual septic systems	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			





Part 1 / Question 7 [Critical Environmental Area]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:County & State Park Lands, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

# **Stahmer Lot #2**





ROBIBERO

OLIVIER

KILEY

KILEY

KILEY

LUCENO

LUCENO

SABIA

JEROME ROAD

Portion of  
LOT 3

TEAM 38 PARTNERS, LP

SHROEDER

BIRDSALL DRIVE

FIORE  
LOT 1

LOT 3

LOT 2

STAHMER

BIRDSALL DRIVE

NORTH COUNTY TRAILWAY

TOWN OF YORKTOWN

ALPERT

ALPERT

ALPERT

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

	P.W. Scott	pwscott@pwscott.com
	Engineering & Architecture, P.C.	www.pwscotteac.com
	3871 Route 6	(845) 278-2110
	Brewster, NY 10509	Fax (845) 278-2166

February 24, 2021

Michael Quinn, P.E.  
Town of Yorktown Engineering Department  
Town of Yorktown

RECEIVED  
PLANNING DEPARTMENT

FEB 24 2021

TOWN OF YORKTOWN

Re: Tree Permit  
535 Jerome Road

At a Planning Board Public Hearing it was brought to our attention that a Tree Permit is required for the proposed development of Lot #2. It was our understanding that the lot had a Tree Removal Permit from the approval of the subdivision which was filed on 12/2019. The application for 535 Jerome Road was filed for a permit with the Town of Yorktown prior to 12/2020 and was directed to appear before the Planning Board for a Public Hearing with the original tree permit remaining open during this administrative time period.

The submission to the Planning Board was required to address the increase in size of the residence from the approved subdivision. The increase in the extent of the tree removal from this expansion serves as the basis of this amended Tree Permit. Other site activities such as the driveway and stormwater management system are proposed in compliance with the subdivision and are not included in this amended Tree Permit. The septic system components are exempt from a Tree Permit.

Please refer to drawing SY4 Tree Plan for the following discussion.  
The expansion of the house footprint impacted 30 trees as is marked on the pdf with a red cross. The list of dbh for each tree is tabulated on the attached page.  
The total tree impact: 330 (dbh x tree number) for the house expansion.

The mitigation is as follows:

Refer to the Tree Mitigation Plan, SY4A

I) Removal and restriction of invasive species.

The site contains bamboo on the north east corner totaling an area of 20x60 feet (1200sf), approx: 2" @ 12" oc. = 1200 x 2 = 2400 dbh

The bamboo extends from the adjacent property.

The bamboo shall be excavated and burned on the site. A 4' deep trench shall be excavated parallel to the property line the length of the bamboo + 10 feet on each end, 7 mil poly barrier shall be installed vertically in the trench and the trench backfilled. This shall prevent root migration of the bamboo.

- II) Installation of a buffer along the east property line  
 Species: Skip Laurel: Prunus Laurocoraus: 10'-18' tall, 5'-7' wide  
 For size comparison, purchased at 3-4 ft tall planted at 4' oc for buffer  
 Mitigation: 2400 sf. At 4'oc this equates to  $400lf / 4 = 100 \text{ trees} @ 2'' = 200 \text{ dbh}$
- III) Installation of tree buffer along the west side of the driveway, blocking the view of the house from the neighbors to the north along Jerome  
 Species: Arborvitae: Green Giant; size: 50-60 tall, 10'-20', wide  
  
 The intent is to have each tree independent, so the conical shape is clearly defined along the driveway. The planting spacing is at 20' on center, which when viewed from the north will form a buffer.  
 Mitigation:  $8 \times 3'' = 24 \text{ dbh}$  (at full growth: 24'' dbh each)
- IV) Installation of tree buffer on the north property line along the edge of the septic system which is within 10' of the property line  
 Species: Arborvitae: Black American; size: 20-30' tall, 4-5' wide, plant at 4' oc.  
 Mitigation: 440 sf. At 4'oc this equates to:  $112lf / 4'oc = 28 \text{ trees} @ 2'' = 56 \text{ dbh}$
- V) Landscape planting along the residence

While not yet determined, the house shall have extensive plantings along the north, west and south faces. The planting beds shall measure 5' from the roof drip line and extend along the face of the building.

This area is equal to a total of: 824 sf of planting beds as noted on the plans.

Total mitigation proposed:

Total dbh equals 280 dbh

Removal of invasive plants: 2400 dbh

Landscape beds: 840 sf

This plan provides visual buffers to the neighboring house sites. The owner purchased the lot to the west as a buffer and which will remain as a forested site until a house is constructed, at which time the project shall be submitted for a tree permit and review of the proposed buffers to the west. Please refer to drawing SY4A for the location of the specific plants noted above.

With regards,

Peder W. Scott, P.E., R.A.  
 President  
 Attachment: tree impact table

TREE IMPACT TABLE FROM HOUSE EXPANSION
---

#	Tree dbh	species
1	10	locust
2	8	black birch
3	8	black birch
4	22	beech
5	12	locust
6	10	locust
7	8	locust
8	8	locust
9	20	beech
10	8	cherry
11	10	cherry
12	8	black birch
13	10	locust
14	12	oak
15	10	black birch
16	10	black birch
17	12	locust
18	10	locust
19	10	cherry
20	12	locust
21	10	black birch
22	10	black birch
23	8	black birch
24	12	locust
25	10	cherry
26	10	black birch
27	12	black birch
28	10	black birch
29	20	beech
30	10	black birch
total	330	

# TOWN OF YORKTOWN PLANNING BOARD

Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565, Fax (914) 962-3986

## SPECIAL USE PERMIT APPLICATION

If this application is not being made in conjunction with a request for site plan approval from the Planning Board, a site plan/plot plan and Short EAF must also be submitted with this application. The required fee is \$625.00 for new applications and \$312.00 for requests to renew an existing permit.

Date 1/12/21

1. Tax Map Designation (Section, Block, Lot) 59.1-1-10.1

2. Property Address 535 Jerome Road

3. Zone: R1-80 Total Acreage: 4.3 Acres

4. Indicate requested special use permit:

- |                                     |                  |   |
|-------------------------------------|------------------|---|
| <input type="checkbox"/>            | §300-21(8)(a)[1] | Outdoor service in commercial districts.  |
| <input type="checkbox"/>            | §300-40          | Bus passenger shelters.   |
| <input type="checkbox"/>            | §300-54          | Religious institutions, social, cultural, charitable and recreational nonprofit uses. |
| <input type="checkbox"/>            | §300-55          | Parochial, private elementary and high schools, colleges and seminaries.              |
| <input type="checkbox"/>            | §300-69          | Valet parking at banquet halls.   |
| <input type="checkbox"/>            | §300-71          | New and/or used car automobile sales.   |
| <input type="checkbox"/>            | §300-73.1(A)(2)  | Permanent seasonal outdoor sales in commercial districts.                             |
| <input type="checkbox"/>            | §300-75          | Warehouse or storage in retail shopping centers.                                      |
| <input type="checkbox"/>            | §300-78          | Cemeteries.   |
| <input type="checkbox"/>            | §300-79          | Self-storage centers.   |
| <input type="checkbox"/>            | §300-80          | Sidewalk cafes. (outdoor dining for more than 12 seats)                               |
| <input type="checkbox"/>            | §300-81.1        | Helistops.  |
| <input type="checkbox"/>            | §300-81.2        | Accessory recycling facilities.   |
| <input checked="" type="checkbox"/> | §300-81.4        | Large-Scale Solar Power Generation Systems and Facilities                             |
| <input type="checkbox"/>            | §300-81.5        | Tier 2 Battery Energy Storage Systems   |
| <input type="checkbox"/>            | §300-238.1       | Multifamily dwelling units in the Country Commercial Zone.                            |

5. Description of proposed use (if applying for outdoor dining, indicate proposed dining area square footage and number of seats):

Large Scale Solar Power Generation System. Refer to attached Power Outline.

**6. Applicant**

Name Peder Scott  
Firm PW Scott Engineering & Architecture, PC  
Address 3871 Danbury Road, Brewster, NY 10509  
Phone 845-278-2110  
Email pwscott@pwscott.com

**7. Owner of Record**

Name Thomas Miressi  
Firm \_\_\_\_\_  
Address 499 North Broadway, White Plains, NY 10603  
Phone 917-532-7238  
Email luigie1@aol.com

In the event the permit is issued, the undersigned applicant will comply with all provisions of the Code of the Town of Yorktown and all other applicable laws, codes, rules and regulations of any Federal, State or County Government, bureau or department thereof, having jurisdiction over said premises and the use to be conducted thereat.

**Applicant**



SIGNATURE

PEDER SCOTT

PRINT NAME

Peder Scott

DATE

1/15/21

**Owner of Record**



SIGNATURE

THOMAS MIRESSI

PRINT NAME

Thomas Miressi

DATE

1/15/21

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.

F:\Office\WordPerfect\Application Forms\APP-SpecialPermit.wpd  
This form last updated: September 2020

TOWN OF YORKTOWN PLANNING BOARD

# Large Scale Solar Power Generation Systems & Facilities Special Permit Application Addendum

## GENERAL PROJECT INFORMATION

Project Name: 535 Jerome Road

Section, Block, Lot: 59.1-1-10.1

Existing Site Use:  Residential  Commercial Zone: R1-80

Is Applicant?  Property Owner  Lessee

Proposed Lot Coverage: Roof Top: 5,400 SF (3% Coverage)

## PROVIDE THE TOTAL SYSTEM CAPACITY RATING

A Large Scale Solar Energy system is a Solar Energy System that exceeds 20 kW DC as rated by its nameplate capacity. The maximum system capacity and the maximum area of land upon which the system shall be erected are as follows:

- (1) Up to one megawatt AC on an area of land no larger than 10 acres, excluding any easement for accessing the parcel; or over 1 but not to exceed 5 Megawatt AC on an area of land no larger than 20 acres, excluding any easement for accessing the parcel.

Total System Capacity Rating: 25 kWh Power Rating 25 kW (Select One)  AC or  DC

## SELECT INSTALLATION TYPE

Ground  Rooftop

## PROPOSED SOLAR ENERGY SYSTEM INSTALLATION INFORMATION

### Sponsor Company

Contact Name Ted Finkle

Business Name Apex Solar Power

Address 64 Main Street, Queensbury, NY 12804

Phone 518.447.9631

Email tfinkle@apexsolarpower.cc



Contractor/Installation Company

Contact Name Ted Finkle  
Business Name Same as above  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

**PROPOSED OWNER AND/OR OPERATOR (IF DIFFERENT FROM ABOVE)**

Name Thomas Miressi  
Firm \_\_\_\_\_  
Address 499 North Broadway, White Plains, NY 10603  
Phone 917-532-7238  
Email luigie@aol.com

**SUBMITTAL REQUIREMENTS**

In order to submit a complete permit application for a new large-scale solar power generation system, the applicant must include:

- a) Completed Planning Board Special Use Permit Application with this Large Scale Solar Power Generation System Addendum.
- b) A special permit application fee of \$625.00 paid by check made payable to the Town of Yorktown.
- c) Required documents as listed in Section 300-84.1(F):
  - Equipment specification sheets shall be submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed.
  - A property Operation and Maintenance Plan shall be submitted.
  - A carbon sequestration for tree loss calculation.
  - Proposed tree loss mitigation, if applicable.
  - A Decommissioning Plan
- d) All site plan application requirements pursuant to Section 300-85/1(I) of the Town of Yorktown Town Code.

# TESLA TEXTURED GLASS SHINGLE EXAMPLE



HIP DETAIL



TYPICAL ROOF TEXTURE

## 535 Jerome Road

Yorktown, NY

### Tesla Solar Power Outline

The proposed house proposes the use the of the Tesla Power system including the following components:

#### **Solar Panel System: Tesla Series 3 roof shingle system - textured glass shingle**

Approximately 80% of the shingles are BPIV PV module roofs with a yield of approximately 12KW per 2000 sf. The remainder are “dummy” shingles with identical architectural profiles as the active panels.

Roof size: 5040 sf

80% power shingles = 4000 sf = 25 kw (more than the 20 kw limit) This represents a 90% energy usage offset for this residence due to the two vehicle charging stations.

The limit is 25 kwh due to CESIR study requirements and upgrade of street transformers.

The project is considered a large-scale solar energy system per the zoning which requires a Special Permit (attached).

The entire system is mounted on the roof as weatherproof shingles.

The aesthetics of the roof shingles have been reviewed by ABACA and approved as submitted.

#### **Battery Energy Storage System**

The building proposes (3) Tesla Power Wall 2 units and (1) Tesla Power Wall systems ground mounted external wall placed units along the east side of the building with the fourth mounted on an east facing wall next to the fireplace. Refer to the site plan for location. These east wall locations face an existing Tennis Court on the adjacent lot with extensive natural buffer remaining within the side yard of this property and the placement of the house 12' below the elevation of the adjacent property line.

Each Power wall 2 is rated at 14 kwh and recharged by 5 Kw of the roof panels for a total of 42 kwh plus the fourth Power Wall unit rated at 13 Kwh dedicated to the vehicle charging station located in the garage and operating on either solar or service power for charging.

Total exterior power rated at 55 Kwh < 80 Kwh, residential limit.

The power walls are rated for exterior use and operate safely within the temperature range of the north-east climate.

#### **Vehicle Charging Station**

Two Tesla vehicle charging stations provided are Tesla Gen 3 wall connector with WIFI monitoring. These are integral to the power system for safe and efficient charging. The wall connector is rated 11.5 kwh, 48-amp, 240 volt. One charger can support 2 vehicles with an 18-foot power cable and are mounted in the rear of the garage along the east wall.

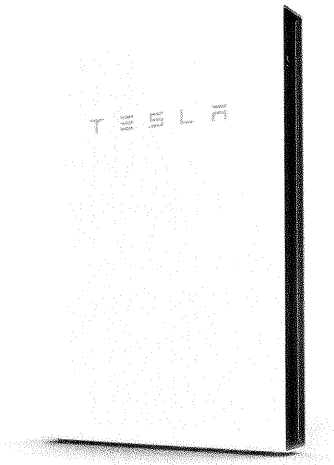
#### **Power Equipment components**

The system includes 3 solar inverters for each Power Wall, a subpanel, a separate Tesla Backup Gateway unit connecting to a main panel of 400 amps to a power meter and subsurface conduit extending to Jerome Road and the grid. The 3" conduit follows the proposed driveway shoulder.

# POWERWALL

Tesla Powerwall is a fully-integrated AC battery system for residential or light commercial use. Its rechargeable lithium-ion battery pack provides energy storage for solar self-consumption, time-based control, and backup.

Powerwall's electrical interface provides a simple connection to any home or building. Its revolutionary compact design achieves market-leading energy density and is easy to install, enabling owners to quickly realize the benefits of reliable, clean power.



## PERFORMANCE SPECIFICATIONS

AC Voltage (Nominal)	120/240 V
Feed-In Type	Split Phase
Grid Frequency	60 Hz
Total Energy <sup>1</sup>	14 kWh
Usable Energy <sup>1</sup>	13.5 kWh
Real Power, max continuous <sup>2</sup>	5 kW (charge and discharge)
Real Power, peak (10s, off-grid/backup) <sup>2</sup>	7 kW (charge and discharge)
Apparent Power, max continuous	5.8 kVA (charge and discharge)
Apparent Power, peak (10s, off-grid/backup)	7.2 kVA (charge and discharge)
Maximum Supply Fault Current	10 kA
Maximum Output Fault Current	32 A
Overcurrent Protection Device	30 A
Imbalance for Split-Phase Loads	100%
Power Factor Output Range	+/- 1.0 adjustable
Power Factor Range (full-rated power)	+/- 0.85
Internal Battery DC Voltage	50 V
Round Trip Efficiency <sup>1,3</sup>	90%
Warranty	10 years

<sup>1</sup> Values provided for 25°C (77°F), 3.3 kW charge/discharge power.

<sup>2</sup> In Backup mode, grid charge power is limited to 3.3 kW.

<sup>3</sup> AC to battery to AC, at beginning of life.

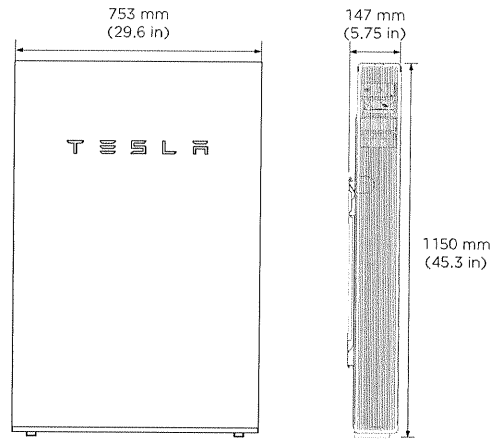
## COMPLIANCE INFORMATION

Certifications	UL 1642, UL 1741, UL 1973, UL 9540, IEEE 1547, IEC 62109-2
Grid Connection	Worldwide Compatibility
Emissions	FCC Part 15 Class B, ICES 003
Environmental	RoHS Directive 2011/65/EU
Seismic	AC156, IEEE 693-2005 (high)

## MECHANICAL SPECIFICATIONS

Dimensions <sup>1</sup>	1150 mm x 755 mm x 147 mm (45.3 in x 29.6 in x 5.75 in)
Weight <sup>1</sup>	114 kg (251.3 lbs)
Mounting options	Floor or wall mount

<sup>1</sup> Dimensions and weight differ slightly if manufactured before March 2019. Contact Tesla for additional information.

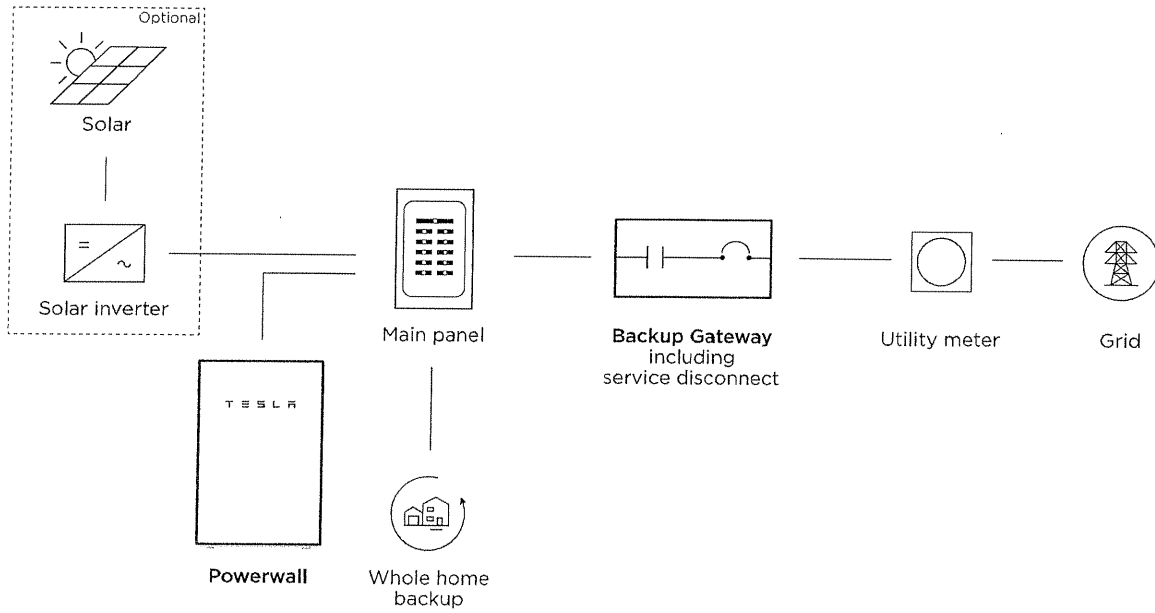


## ENVIRONMENTAL SPECIFICATIONS

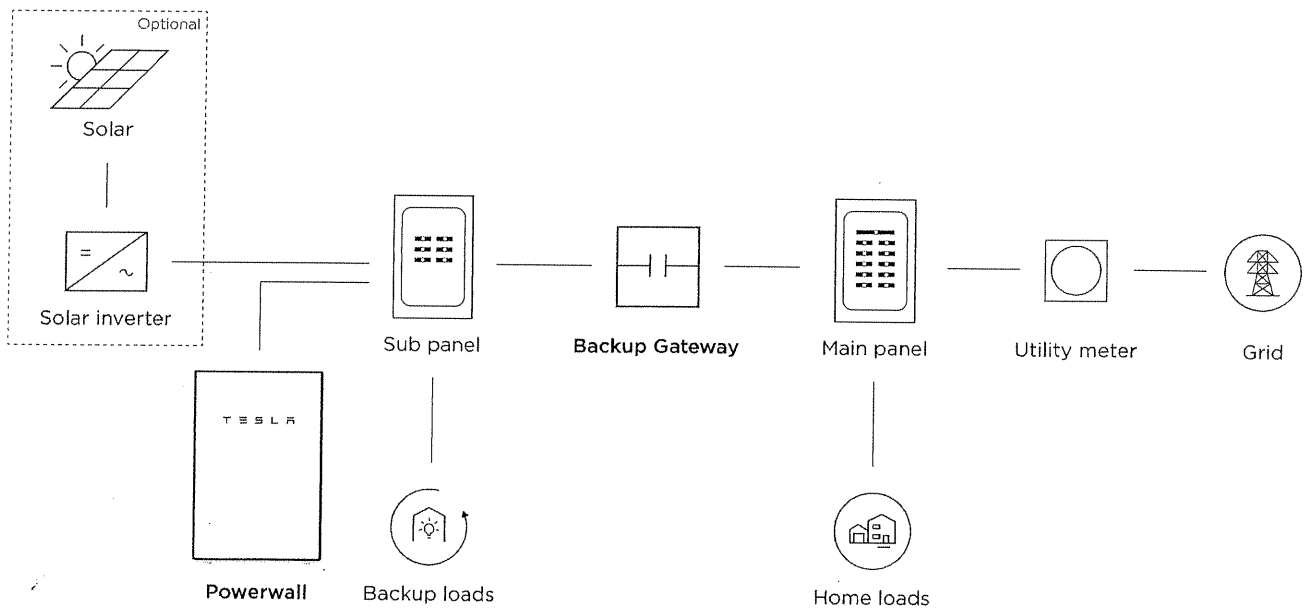
Operating Temperature	-20°C to 50°C (-4°F to 122°F)
Recommended Temperature	0°C to 30°C (32°F to 86°F)
Operating Humidity (RH)	Up to 100%, condensing
Storage Conditions	-20°C to 30°C (-4°F to 86°F) Up to 95% RH, non-condensing State of Energy (SoE): 25% initial
Maximum Elevation	3000 m (9843 ft)
Environment	Indoor and outdoor rated
Enclosure Type	NEMA 3R
Ingress Rating	IP67 (Battery & Power Electronics) IP56 (Wiring Compartment)
Wet Location Rating	Yes
Noise Level @ 1m	< 40 dBA at 30°C (86°F)

# TYPICAL SYSTEM LAYOUTS

## WHOLE HOME BACKUP



## PARTIAL HOME BACKUP





## SOLAR INVERTER

---

3.8 kW | 7.6 kW

Tesla Solar Inverter completes the Tesla home solar system, converting DC power from solar to AC power for home consumption. Tesla's renowned expertise in power electronics has been combined with robust safety features and a simple installation process to produce an outstanding solar inverter that is compatible with both Solar Roof and traditional solar panels. Once installed, homeowners use the Tesla mobile app to manage their solar system and monitor energy consumption, resulting in a truly unique ecosystem experience.

### KEY FEATURES

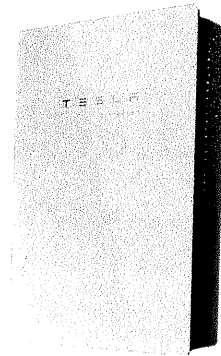
- Built on Powerwall 2 technology for exceptional efficiency and reliability
- Wi-Fi, Ethernet, and cellular connectivity with easy over-the-air updates
- Designed to integrate with Tesla Powerwall and Tesla App
- 3.8 kW and 7.6 kW models available

# SOLAR INVERTER

Tesla Solar Inverter provides DC to AC conversion and integrates with the Tesla ecosystem, including Solar Panels, Solar Roof, Powerwall, and vehicle charging, to provide a seamless sustainable energy experience.

## KEY FEATURES

- Integrated rapid shutdown, arc fault, and ground fault protection
- No neutral wire simplifies installation
- 2x the standard number of MPPTs for high production on complex roofs



## ELECTRICAL SPECIFICATIONS

OUTPUT (AC)	3.8 kW	7.6 kW
Nominal Power	3,800 W	7,600 W
Maximum Apparent Power	3,328 VA at 208 V 3,840 VA at 240 V	6,656 VA at 208 V 7,680 VA at 240 V
Maximum Continuous Current	16 A	32 A
Breaker (Overcurrent Protection)	20 A	40 A
Nominal Power Factor	1 - 0.85 (leading / lagging)	
THD (at Nominal Power)	<5%	
INPUT (DC)		
MPPT	2	4
Input Connectors per MPPT	1-2	1-2-1-2
Maximum Input Voltage	600 VDC	
DC Input Voltage Range	60 - 550 VDC	
DC MPPT Voltage Range <sup>1</sup>	60 - 480 VDC	
Maximum Current per MPPT (I <sub>mp</sub> )	11 A	
Maximum Short Circuit Current per MPPT (I <sub>sc</sub> )	15 A	

## PERFORMANCE SPECIFICATIONS

Peak Efficiency <sup>2</sup>	97.5%	98.0%
CEC Efficiency <sup>2</sup>	97.5%	
Allowable DC/AC Ratio	1.4	
Customer Interface	Tesla Mobile App	
Internet Connectivity	Wi-Fi (2.4 GHz, 802.11 b/g/n), Ethernet, Cellular (LTE/4G) <sup>3</sup>	
AC Remote Metering Support	Wi-Fi (2.4 GHz, 802.11 b/g/n), RS-485	
Protections	Integrated arc fault circuit interrupter (AFCI), Rapid Shutdown	
Supported Grid Types	60 Hz, 240 V Split Phase 60 Hz, 208 V Wye	
Required Number of Tesla Solar Shutdown Devices per Solar Module	See <i>Solar Shutdown Device Requirements per Module</i> on page 3	
Warranty	12.5 years	

<sup>1</sup> Maximum current.

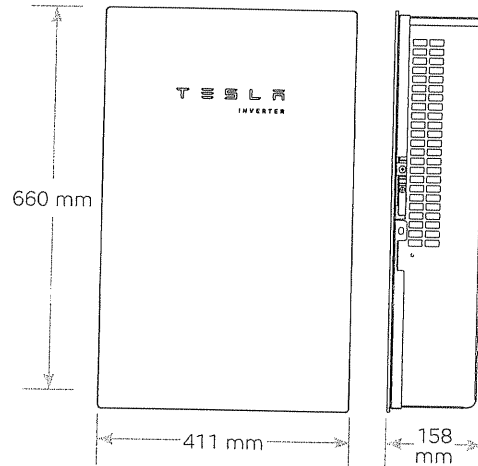
<sup>2</sup> Expected efficiency pending final CEC listing.

<sup>3</sup> Cellular connectivity subject to network operator service coverage and signal strength.

## MECHANICAL SPECIFICATIONS

Dimensions	660 mm x 411 mm x 158 mm (26 in x 16 in x 6 in)
Weight	52 lb <sup>4</sup>
Mounting options	Wall mount (bracket)

<sup>4</sup> Door and bracket can be removed for a mounting weight of 37 lb.



## ENVIRONMENTAL SPECIFICATIONS

Operating Temperature <sup>5</sup>	-30°C to 45°C (-22°F to 113°F)
Operating Humidity (RH)	Up to 100%, condensing
Storage Temperature	-30°C to 70°C (-22°F to 158°F)
Maximum Elevation	3000 m (9843 ft)
Environment	Indoor and outdoor rated
Enclosure Rating	Type 3R
Ingress Rating	IP55 (Wiring compartment)
Pollution Rating	PD2 for power electronics and terminal wiring compartment, PD3 for all other components
Operating Noise @ 1 m	< 40 db(A) nominal, < 50 db(A) maximum

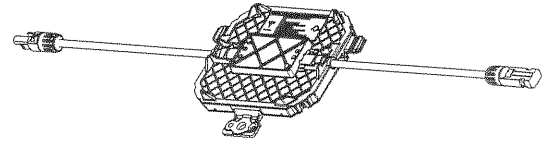
<sup>5</sup> For the 7.6 kW Solar Inverter, performance may be de-rated to 6.2 kW at 240 V or 5.37 kW at 208 V when operating at temperatures greater than 45°C.

## COMPLIANCE INFORMATION

Grid Certifications	UL 1741, UL 1741 SA, IEEE 1547, IEEE 1547.1
Safety Certifications	UL 1699B, UL 1741, UL 1998 (US)
Emissions	EN 61000-6-3 (Residential), FCC 47CFR15.109 (a)

## SOLAR SHUTDOWN DEVICE

The Tesla Solar Shutdown Device is part of the PV system rapid shutdown (RSD) function in accordance with Article 690 of the applicable NEC. When paired with the Tesla Solar Inverter, solar array shutdown is initiated by any loss of AC power.



### ELECTRICAL SPECIFICATIONS

Nominal Input DC Current Rating ( $I_{mp}$ )	12 A
Maximum Input Short Circuit Current ( $I_{sc}$ )	15 A
Maximum System Voltage	600 V DC

### RSD MODULE PERFORMANCE

Maximum Number of Devices per String	5
Control	Power Line Excitation
Passive State	Normally open
Maximum Power Consumption	7 W
Warranty	25 years

### COMPLIANCE INFORMATION

Certifications	UL 1741 PVRSS PVRSA (Photovoltaic Rapid Shutdown Array)
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### PVRSA

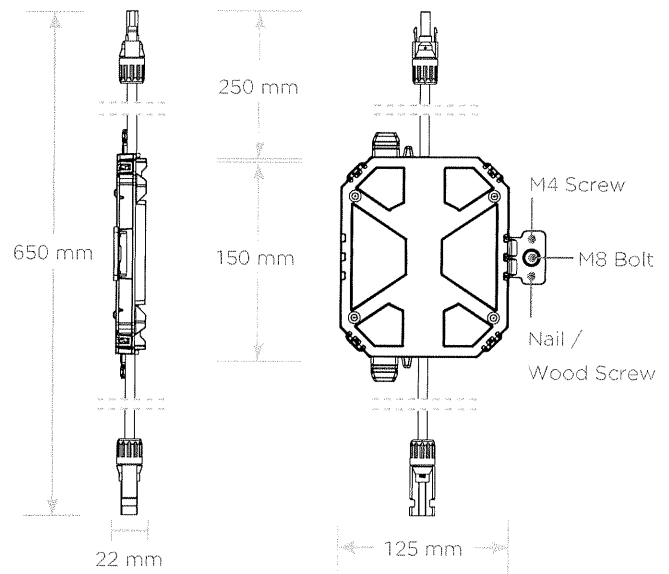
RSD Initiation Method	Loss of AC power
Compatible Equipment	Tesla Solar Inverter

### ENVIRONMENTAL SPECIFICATIONS

Ambient Temperature	-40°C to 50°C (-40°F to 122°F)
Storage Temperature	-30°C to 70°C (-22°F to 158°F)
Enclosure Rating	NEMA 4 / IP65

### MECHANICAL SPECIFICATIONS

Electrical Connections	MC4 Connector
Housing	Plastic
Dimensions	125 mm x 150 mm x 22 mm (5 in x 6 in x 1 in)
Weight	350 g (0.77 lb)
Mounting Options	ZEP Home Run Clip M4 Screw (#10) M8 Bol: (5/16") Nail / Wood screw



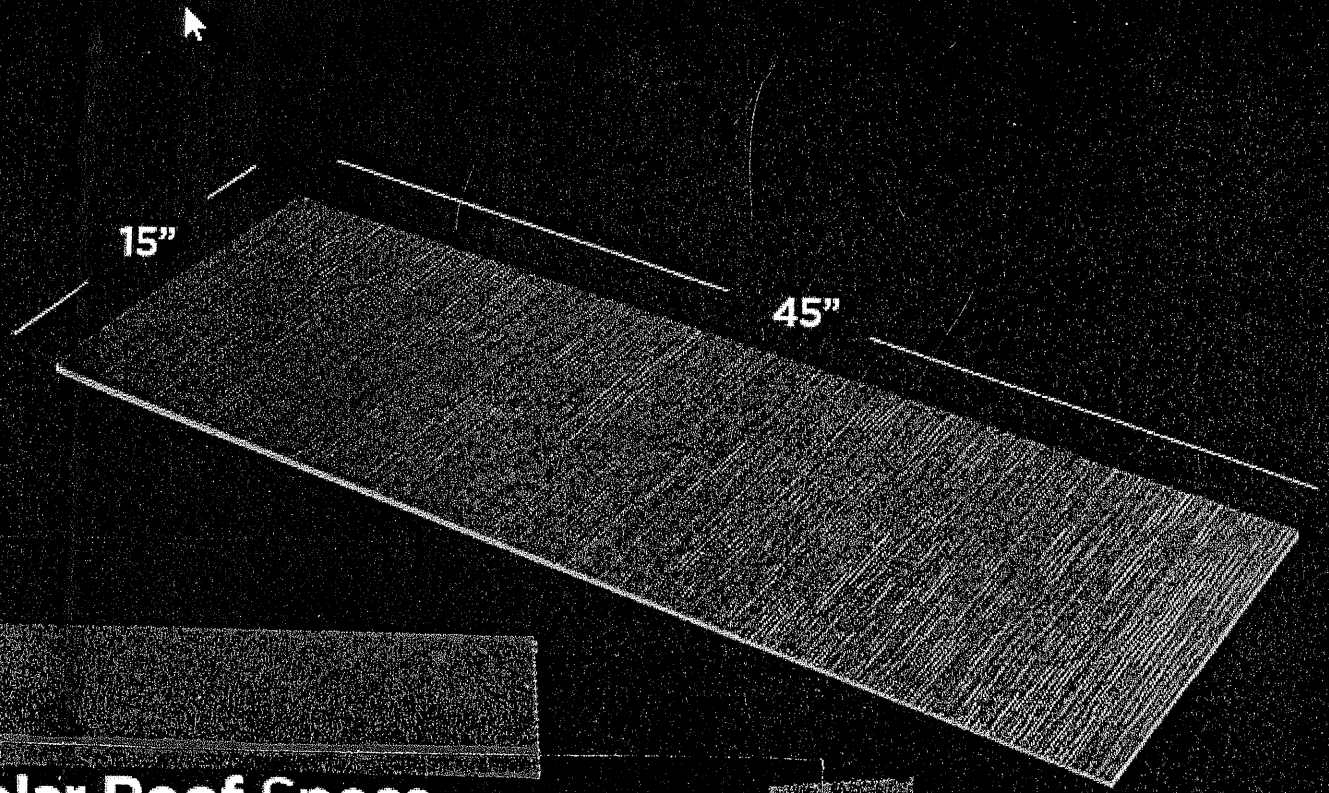
### SOLAR SHUTDOWN DEVICE REQUIREMENTS PER MODULE

The following modules have been certified as part of a PV Rapid Shutdown Array (PVRSA) when installed together with the Tesla Solar Inverter and Tesla Solar Shutdown Devices. See the Tesla Solar Inverter Installation Manual for guidance on installing Tesla Solar Inverter and Solar Shutdown Devices with other modules.

Brand	Model	Required Solar Shutdown Devices
Tesla	Solar Roof V3	1 Solar Shutdown Device per 10 modules
Hanwha	Q.PEAK DUO BLK-G5	1 Solar Shutdown Device per 3 modules
Hanwha	Q.PEAK DUO BLK-G6+	1 Solar Shutdown Device per 3 modules



TESLA



## Solar Roof Specs

### Tile Warranty

25 years

### Power Warranty

25 years

### Weatherization Warranty

25 years

### Wind Rating

Class F ASTM D3161  
(up to 166 mph winds)

### Fire Rating

Class A UL 790  
(best fire rating)

### Hail Rating

Class 3 ANSI FM 4473  
(up to 1.75" diameter hail)

### Roof Pitch

2:12 to 20:12

### Inverter Power

3.8kW / 7.6kW  
97.5% efficiency

### Inverter Dimensions

26" x 16" x 6"

### Inverter Warranty

12.5 years

# Service & Warranty

Tesla service crews are located both nationwide and locally so that any problem you may have can be resolved in a timely manner. Customers with subscription solar enjoy access to solar panels with the ability to cancel anytime. Solar owners enjoy the benefit of Tesla's industry leading warranties.

We want you to have the confidence that you're installing the right solar panel system. Tesla uses high quality equipment, and is your support partner in resolving any issues that may arise with your system.

## Solar Warranty for Purchased Systems

### 25-Year Panel Performance Warranty

Your solar panels are guaranteed by their manufacturer to at least 80% of nameplate power capacity for at least 25 years. At your request, Tesla will process your claim and perform any related labor at our cost.

### 10-Year Comprehensive Warranty

Your entire Tesla solar system is covered by a 10-year comprehensive warranty. For a period of at least 10 years, at your request Tesla, will process your claim and perform any related labor at our cost. This includes the following aspects of your solar system. For details and exclusions, you can check your specific purchase agreement.

- Powerwall
- Solar inverter
- Roof mounting and leaks

## Frequently Asked Questions

### How long do solar panels last?

Your solar panel system is outfitted with durable solar panels and high-quality electrical equipment. Tesla does not make performance guarantees outside of your warranty period, but you can expect your solar panel system to continue to produce clean energy for years.

### How do I get my system fixed?

Tesla has in-house crews in our service areas across the US. Many issues can be resolved remotely by our technical support line. If your system has an issue requiring onsite support, you will be able to schedule a time for a Tesla crew, Tesla-certified technician or subcontractor to come to your home to resolve your issue.

### Do solar panels need maintenance?

Tesla solar systems do not require regular maintenance. You may, however, choose to occasionally clean your solar panels to improve energy generation.

### How do I clean my solar panels?

If you decide to clean your solar system, you can rinse your panels with water from a garden hose or safely use soapy water with a non-abrasive sponge. Doing this once or twice a year can improve solar production by 3% to 5%.

JAN 22 2021

TOWN OF YORKTOWN

## Short Environmental Assessment Form

### Part 1 - Project Information

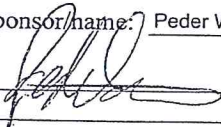
#### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

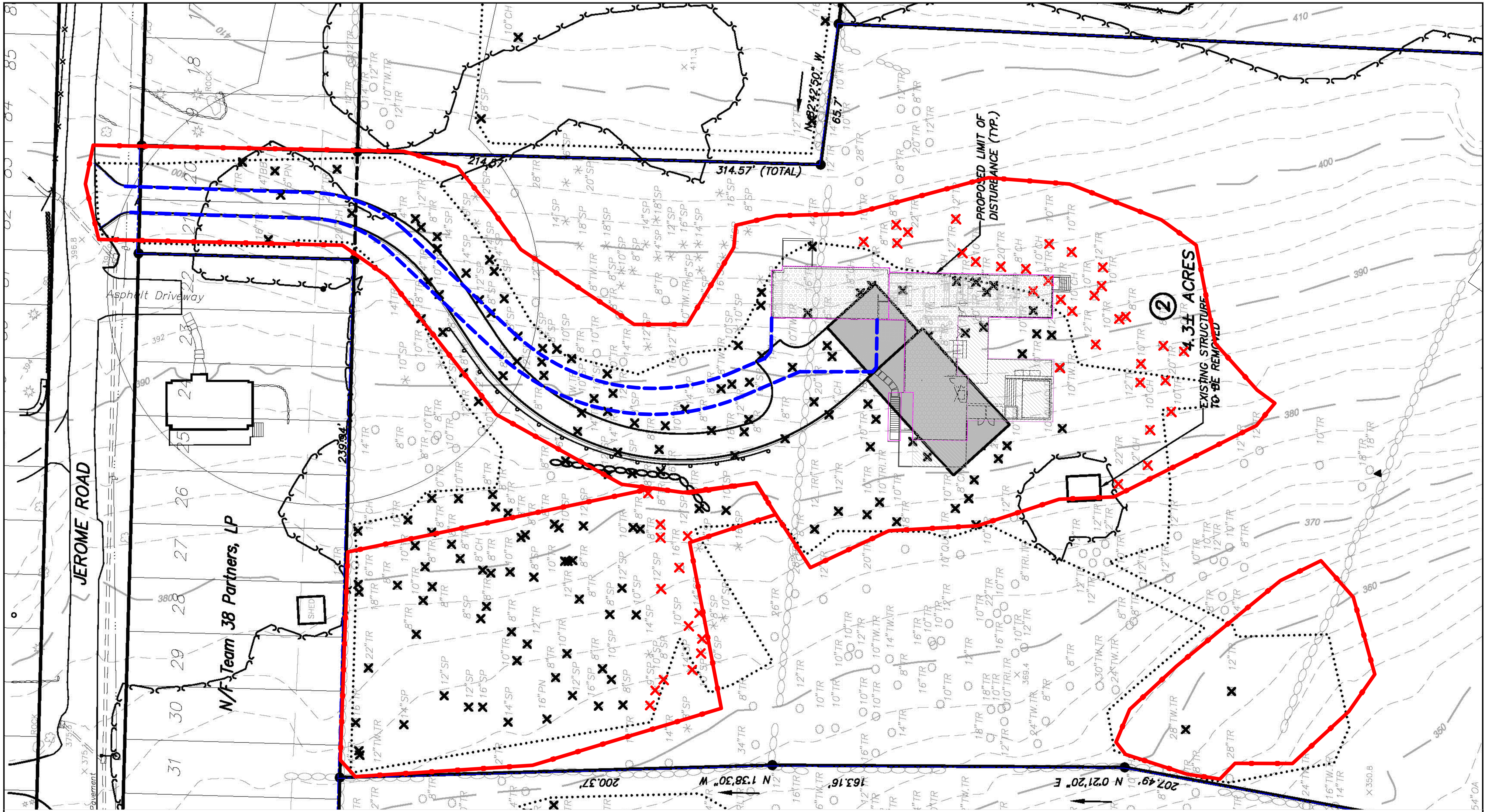
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>				
Name of Action or Project: 535 Jerome Road				
Project Location (describe, and attach a location map): 535 Jerome Road      South side of road, 1/4 from intersection				
Brief Description of Proposed Action: Construction of a single family house with driveway, individual septic and well House footprint: 4,800 SF    (2) Decks: 600SF Pool Area: 1,300 SF				
Name of Applicant or Sponsor: Thomas Miressi		Telephone: 917-532-7238		
Address: 499 West Broadway		E-Mail: Luigie@aol.com		
City/PO: White Plains		State: NY	Zip Code: 10603	
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: WCDOH - Septic/well Permit, NYCDEP- Verification of SWPPP Compliance, Town of Yorktown-Building Department, Driveway permit,			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? b. Total acreage to be physically disturbed? c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			4.3 acres	1.77 acres
4. Check all land uses that occur on, are adjoining or near the proposed action:				
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)				
<input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):				
<input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Individual Well	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Individual OWTS	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?  b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Brown Bats – Summer Hibernation	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: Infiltration Basin: 33' x 85'	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p><b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b></p> <p>Applicant/sponsor name: <u>Peder W. Scott</u> Date: <u>11/16/2020</u></p> <p>Signature:  Title: <u>Professional Engineer</u></p>		

**PRINT FORM**



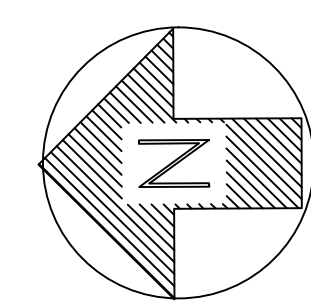
NOTE: DO NOT SCALE DRAWINGS  
DIMENSIONS SUPERCEDE SCALE

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TREE REMOVAL	ORIG APPROVAL	ADDITIONAL	TOTAL
House and Driveway	90	31	121
Septic	52	14	66
Drainage Area	2	0	2
<b>Total</b>	<b>144</b>	<b>45</b>	<b>189</b>

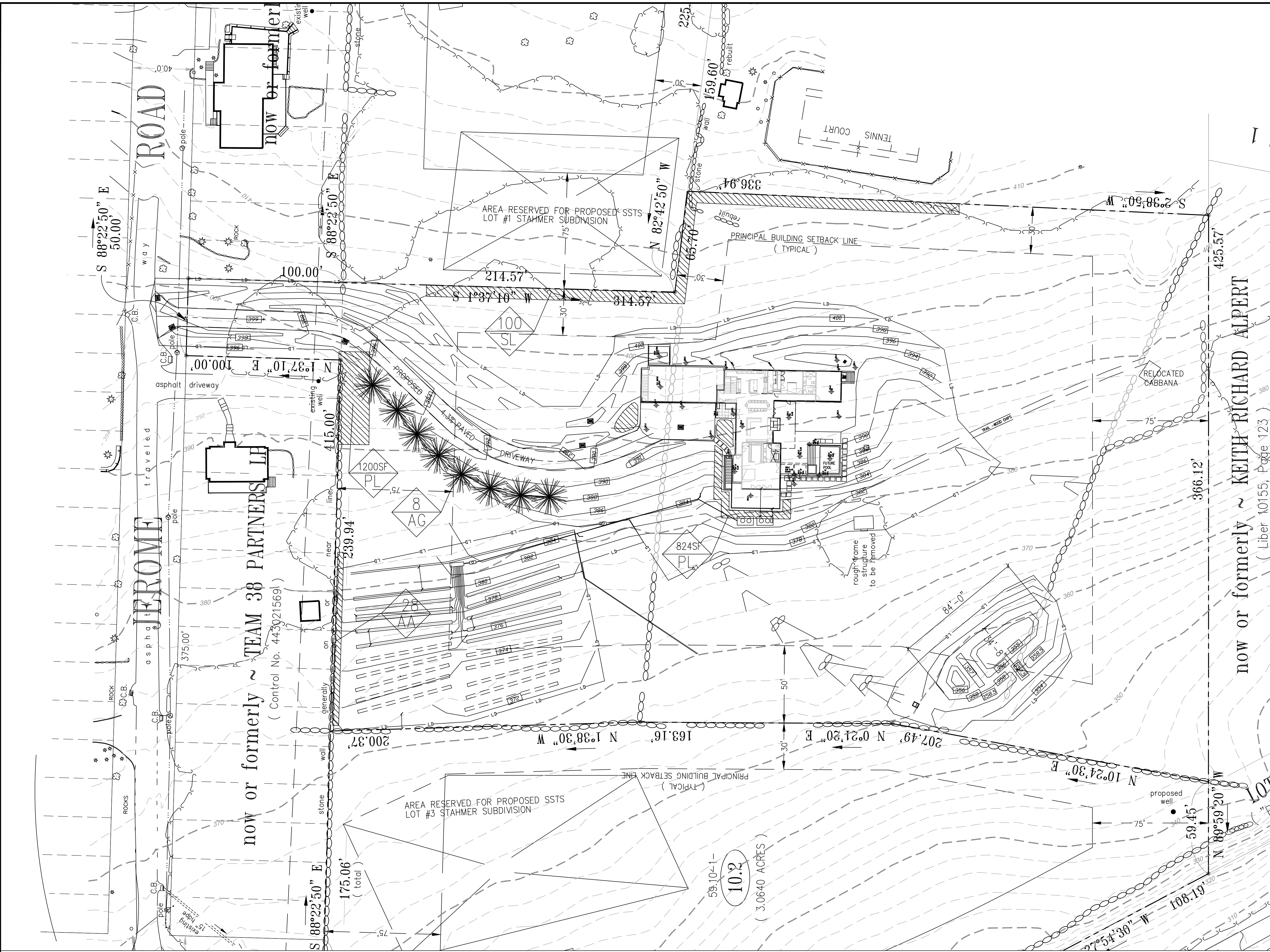
1 TREE CLEARING PLAN  
SCALE: 1" = 20'-0"



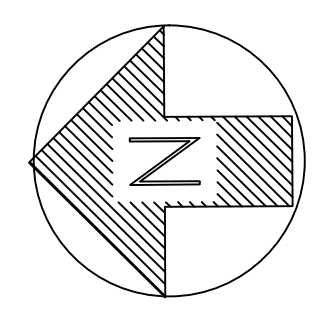
LEGEND  
NOT TO SCALE

- LIMIT OF DISTURBANCE
- TREES TO BE REMOVED- HOUSE EXPANSION

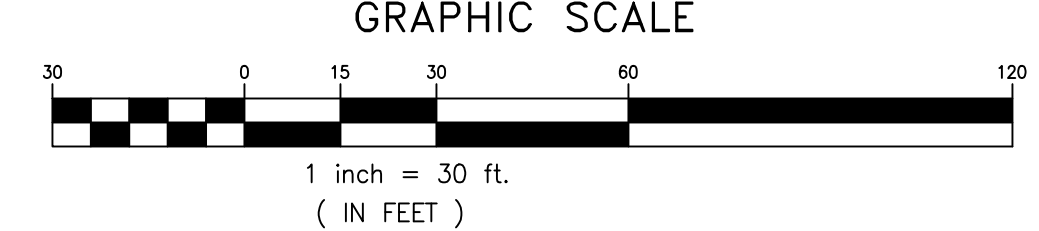
P. W. SCOTT  ENGINEERING & ARCHITECTURE, P.C. 3871 ROUTE 6 BREWSTER, NY 10509 845-278-2110	Revisions		Dwg. Title	TREE_CLEARING_PLAN Project Title 535_JEROME_ROAD,_YORKTOWN_HGHTS Proj. No. 20-116 Date 11/16/20	Seal 	Dwg. No. SY4	
	No.	Date	Description				
							Drawn by MA
							Scale AS_NOTED



now or formerly ~ KEITH RICHARD ALPERT  
 (Liber 10155, Page 123)

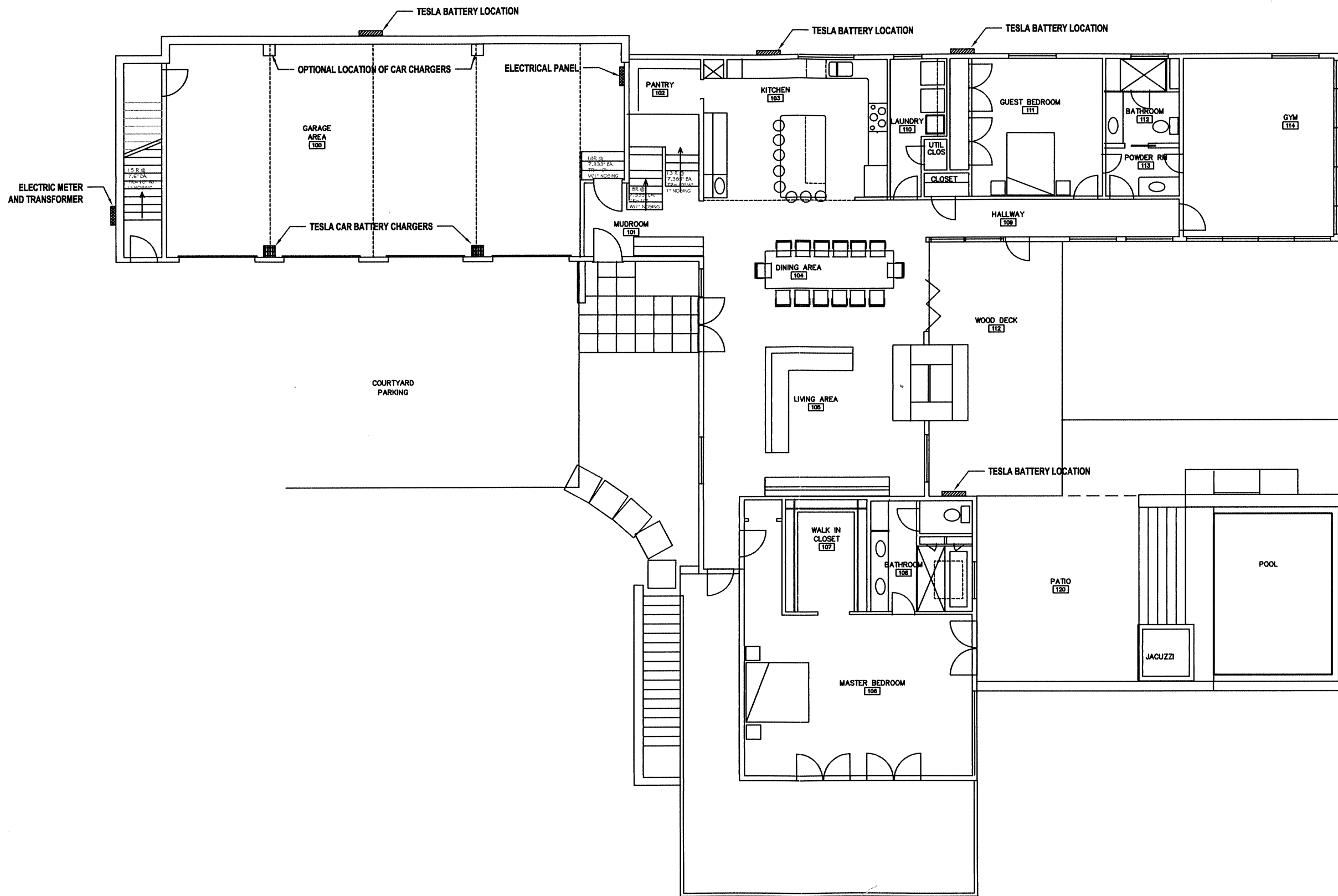


**TREE MITIGATION PLAN**



Species	subspecies	Planting size	height	spread	Number	symbol
Abrivities	Black American	2-4' tall	20-30'	4'-5'	28	AA
Abrivities	green giant	3'-4' tall	50-60'	10'-20'	8	AG
Skip Laurel	prunus laurocorasus	2'-3' tall	10'-18'	7'	100	SL
residence planting bed	tbd: 824sf	varies		5' min	400+	PL

		No.	Date	Description	TREE_MITIGATION_PLAN		Dwg. No.		
ENGINEERING & ARCHITECTURE, P.C. 3871 ROUTE 6 BREWSTER, NY 10509 845-278-2110					Project Title	535_JEROME_ROAD,_YORKTOWN_HEIGHTS	<div style="border: 1px solid black; border-radius: 50%; width: 40px; height: 40px; margin: 0 auto;"></div> SY4A		
					Proj. No.	20-116		Drawn by	PWS
					Date	07/24/20		Scale	AS_NOTED



**1 POWER PANEL LOCATIONS**  
SCALE: NTS

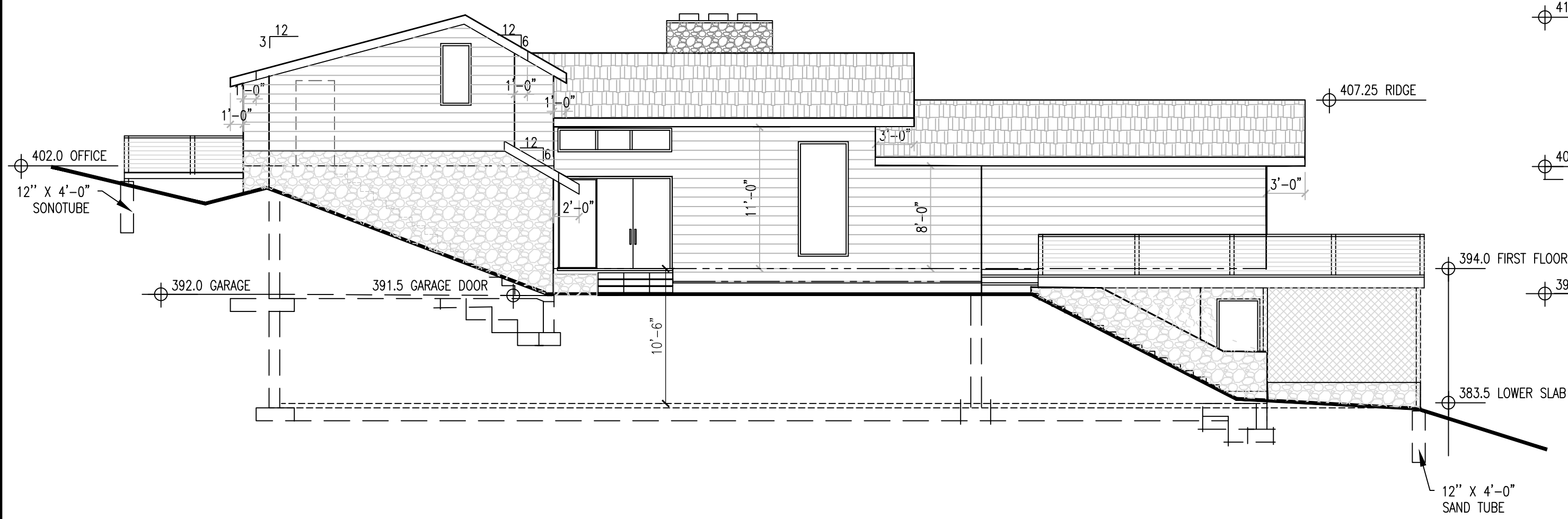
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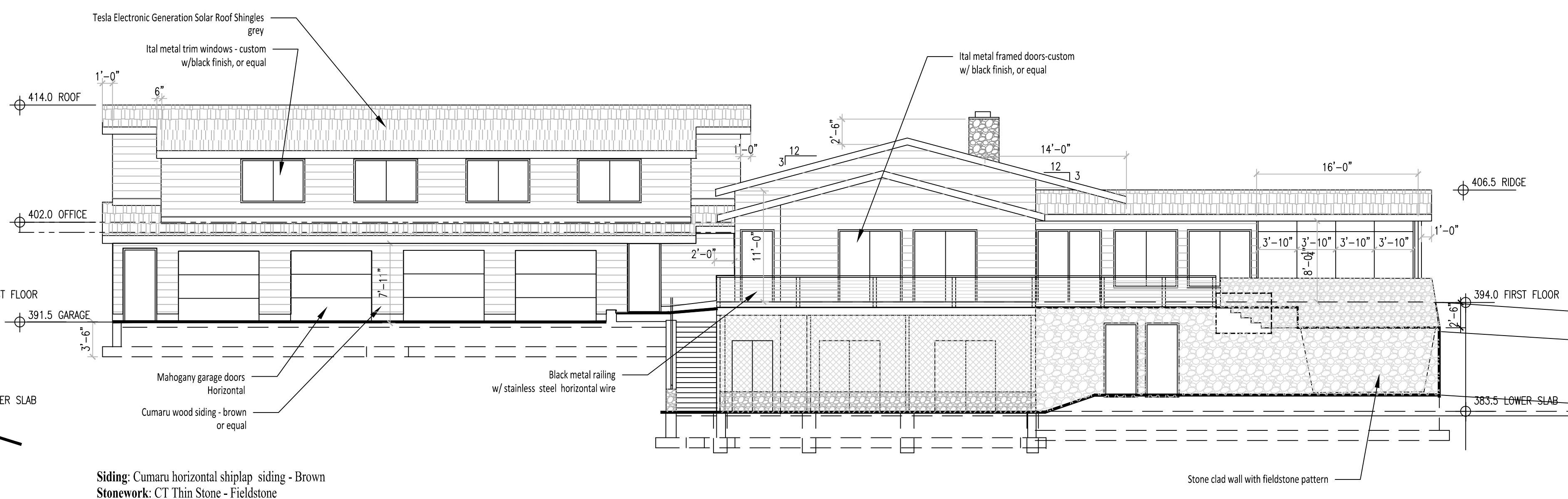
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DIMENSIONS SUPERCEDE SCALE

P. W. SCOTT ENGINEERING & ARCHITECTURE, P.C. 3871 ROUTE 6 BREWSTER, NY 10509 845-278-2110	<b>Revisions</b> No. Date Description		Dwg. Title POWER-LOCATION-PLAN Project Title 535_JEROME_ROAD,_YORKTOWN_HEIGHTS	Sec.	Dwg. No. PL	
			Proj. No. 20-116 Date 1/15/21			Drawn by PWS Scale NTS



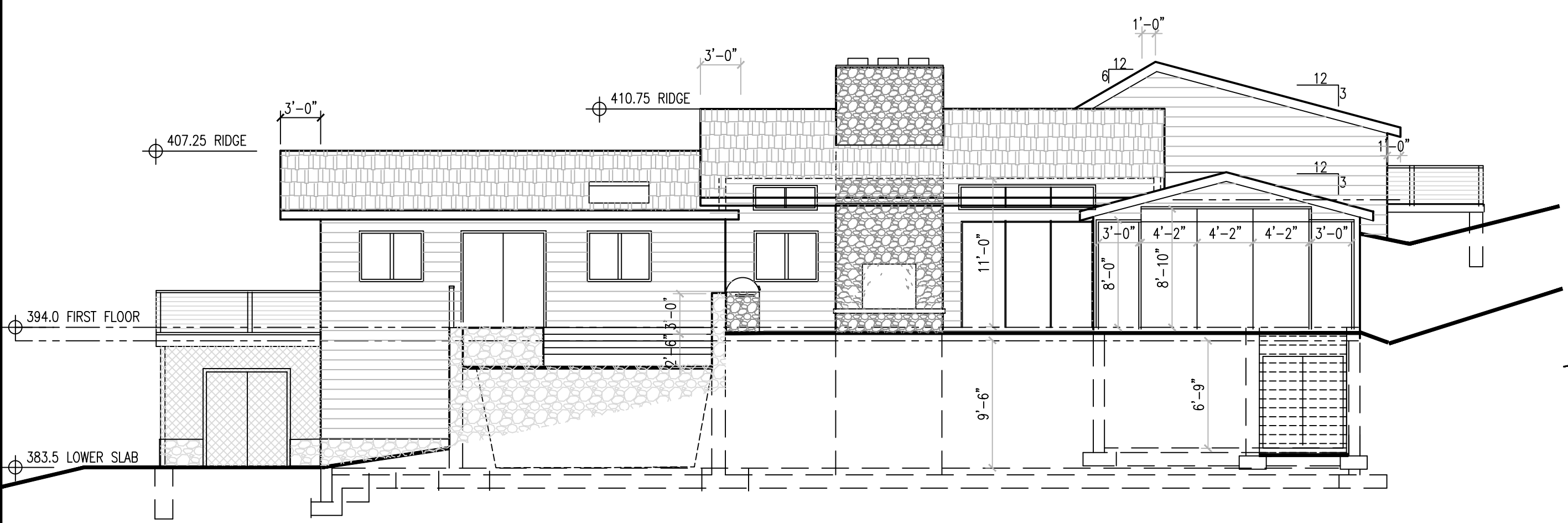


**1 NORTH ELEVATION**  
SCALE: 1/8"=1'-0"

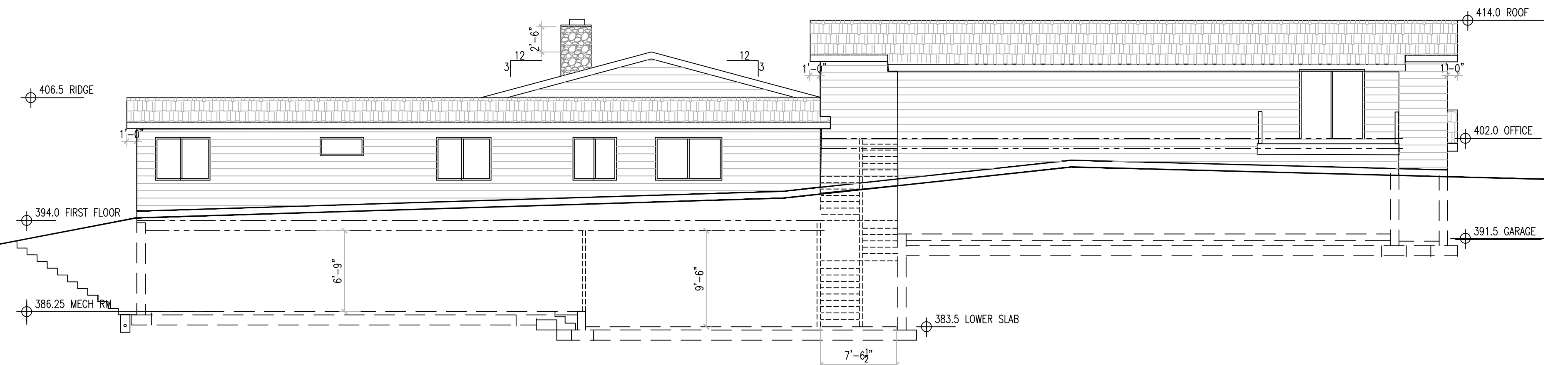


Siding: Cumaru horizontal shiplap siding - Brown  
 Stonework: CT Thin Stone - Fieldstone  
 Trim: Black AZEK or equal, painted  
 Windows: Ital Window- Custom, black metal frame  
 Doors: Ital bi-fold and swing doors -Custom, black metal frame  
 Roof: Tesla Electric Generation Solar Panel Roof  
 Garage: Horizontal Wood (see photo)

**2 WEST ELEVATION**  
SCALE: 1/8"=1'-0"



**3 SOUTH ELEVATION**  
SCALE: 1/8"=1'-0"



**4 EAST ELEVATION**  
SCALE: 1/8"=1'-0"

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P. W. SCOTT ENGINEERING & ARCHITECTURE, P.C. 3871 ROUTE 6 BREWSTER, NY 10509 845-278-2110	Revisions		Dwg. Title ELEVATIONS	Seal	Dwg. No. A3	
	No.	Date				Description
			Project Title 535_JEROME_ROAD,_YORKTOWN_HEIGHTS			
			Proj. No. 20-116	Drawn by PWS		
			Date 11/16/20	Scale AS_NOTED		

## TOWN OF YORKTOWN PLANNING BOARD

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Albert A. Capellini Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565, Fax (914) 962-3986

---

**To:** Zoning Board of Appeals  
**From:** Planning Board  
**Date:** February 25, 2021  
**Subject:** Miressi – ZBA #3/21  
535 Jerome Road  
SBL: 59.10-1-10.1

---

The Planning Board is currently reviewing an amended site plan for this subdivision lot as a result of the applicant proposing a larger home than was previously approved as part of the Stahmer Subdivision in 2019. The current request to the Planning Board includes review of the amended site improvement plan, stormwater permit, and tree permit, as well as a special permit for a large-scale solar power generation system for the Tesla solar roof (with battery storage for the panels to be permitted by the building department). At the same time, the applicant expressed that the professional office use is a critical part of the project, and therefore the Planning Department recommended the applicant apply to the Zoning Board prior to the home being built.

The requested special permit for a professional office use is similar to any other request in that the intensity of the office use raises concerns regarding disturbance to the residential characteristics and nature of the neighborhood in which they are located. The Planning Board has the same concerns regarding this professional office use request, in particular in this neighborhood where the roads are of substandard width and general condition. Town Code Section 300-76(B)(8) does include a limitation of 16 vehicular business trips per day and the applicant indicated to the Planning Board that they estimated the trips generated would be less than this and closer to 10 trips per day. Therefore, the Planning Board recommends the Zoning Board consider limiting the vehicular business trips per day to less than 16 trips. In addition, the applicant is proposing buffer plantings to screen the home and professional office use from the neighboring residential properties and the Planning Board will include this landscape plan in their amended approvals.

Whether a special permit for professional office use in a residence can be granted prior to the construction of the residence should be evaluated by the Town Attorney, however the Planning Board does see the applicant's point of view that they do not intend to construct the home at all without the professional office use being allowed. If allowed, the Planning Board has no objection to this permit being issued with the condition that the office is constructed substantially to the submitted plans.

Respectfully submitted,



Robyn A. Steinberg, AICP, CPESC  
Town Planner

cc: Building Department  
Town Attorney  
Applicant

# **Illington Rd Dam**

**TOWN OF YORKTOWN TOWN BOARD**

Resolved, the Town Clerk is authorized to refer out to appropriate agencies for their review and/or recommendation a Wetlands/Tree Application for dam repair/restoration on property located at 408 Illington Road (S/B/L 69.08-1-11) in the Town of Yorktown.

Further Resolved, the Town Board declares its intent to act as Lead Agency. We are transmitting the following referral for your review and recommendation and ask that you respond back to the Town Clerk by Monday, March 12, 2021.

RECEIVED  
PLANNING DEPARTMENT  
**FEB 26 2021**  
TOWN OF YORKTOWN

TO:

- File
- Town Clerk

- ABACA
- Building Inspector
- Community Housing Board
- Conservation Board

- Fire:
  - Lake Mohegan
  - Yorktown

- Highway Dept.
- Open Space Committee
- Planning Dept. / Board (6)
- Police Dept.
- Public Safety Committee
- Recreation Commission
- School District:
  - Yorktown
  - Lakeland

- Town Attorney
- Town Board
- Town Engineer
- Water Department
- Wetlands Inspector
- Yorktown Land Trust

- Westchester County**
- Planning Department / Board
- Dept. of Public Works
- Dept. of Health
- Parks & Recreation
- Environmental Facilities
- Soil & Water

- New York State**
- DEC Albany
- DEC New Paltz (Region III)
- DOT
- Parks & Recreation

- NYC DEP**
- Army Corp. of Engineers**

- Bordering Municipality**
- Town of Cortlandt
- Town of Ossining
- Town of Somers
- Town of Putnam Valley

- Homeowner Association, Mohegan Lake
- Yorktown Chamber of Commerce
- Other – Zoning Board of Appeals

FROM: DIANA L. QUAST, YORKTOWN TOWN CLERK, CERTIFIED MUNICIPAL CLERK

SUBJECT: **We are transmitting the following: Application for a Wetlands/Tree Application for dam repair/restoration on property located at 408 Illington Road (S/B/L 69.08-1-11) in the Town of Yorktown**

DATE: February 26, 2021

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Application/Petition | <input type="checkbox"/> Report                                 |
| <input checked="" type="checkbox"/> Drawings             | <input checked="" type="checkbox"/> Wetlands Permit Application |
| <input checked="" type="checkbox"/> EAF                  | <input type="checkbox"/> SEQRA Scope                            |
| <input type="checkbox"/> EAF Addendum                    | <input checked="" type="checkbox"/> Other -- Proposed Local Law |

FOR YOUR:  Information       Review       Comment

	P.W. Scott	pwscott@pwscott.com
	Engineering & Architecture, P.C.	www.pwscott.com
	3871 Danbury Rd (Route 6)	(845) 278-2110
	Brewster, NY 10509	

January 22, 2021

Matthew Slater, Supervisor

Re: 408 Illington Road Dam Restoration

Dear Mr. Slater,

On behalf of the owner of the property, Marcia Saunders, I submit to the Town Board this request to waive the Public Hearing before the Town Board for the approval of the dam restoration based upon the following merits.

The History of the project defines the extent of review that has been completed for the project, refer to the Historical Synopsis provided by the owner in the submission package.

1. The project was initiated by the owner over 10 years ago, upon discussions with the town which did not have the funding to restore nor maintain the cemetery, dam and pond. Over the years, the project has appeared in front of many Town Board meetings, work sessions and sub-committees. It has always been understood that the repair of the dam and pond were an essential part of the agreement, as outlined in the land deed between the town and Marcia Saunders.
2. The property appeared before the General Assembly of the State of New York for the transfer of the lands held by the Park System to the owner.
3. The project appeared before the Town of Yorktown Town Board for approval of the Transfer of the lands to the owner.
4. The Supervisor provided a letter confirming the limitations of the project to restoring the dam for the NYSDEC approval.
5. The approval by the NYSDEC included a Public Hearing notice for the general public.
6. The approval by the ACOE included a Public Hearing notice for the general public.
7. The approval by the NYCDEP CDPD included specific site plan review including a site visit by the NYCDEP, NYSDEC and ACOE representatives for project final approval.
8. The project is constrained by a time constraint to facilitate the clearing of the trees from the dam as required by the State regulations prior to the March 31, 2021 NYSDEC Brown Bat tree clearing restrictions.

The Town Board can declare this project a Type II action and waive the Public Hearing. The project is to restore the dam in a straightforward matter in compliance with the NYSDEC Dam Safety regulations as noted by the agencies listed under the jurisdictional approval process. The assistance by the Town Board with this waiver as the final approval step would be greatly appreciated by the owner in this restoration endeavor.

Thank you for your consideration.

*Marcia C Saunders*

Marcia Saunders

*Peder W Scott*

Peder W Scott, P.E., R.A.

ARCHITECTURE \* ENGINEERING \* SITE PLANNING

**TOWN OF YORKTOWN - ENGINEERING DEPARTMENT  
MS4 STORMWATER MANAGEMENT PERMIT APPLICATION  
WETLAND PERMIT APPLICATION and/or TREE PERMIT APPLICATION**

Section 69.08  
Block 1  
Lot # 11

Approval Authority: TE [ ] PB [ ] TB [ ]  
Application #: 004-21  
Date Received: 1/22/21  
Date Issued: \_\_\_\_\_  
Date Expires: \_\_\_\_\_  
Fee Paid: \$ 3,300.00

Job Site Address: 408 Illington Road  
City/State/Zip: Ossining, NY 10562

NOTE: Application, Fee, Short/Long Form EAF, Map/Survey to be submitted to the Engineering

**APPLICANT:**

**OWNER:**

YOUR NAME: Marcia Saunders  
COMPANY: \_\_\_\_\_  
ADDRESS: 410 Illington Road  
Ossining, NY ZIP 10562  
PHONE: (914) 762-1126  
EMAIL: marcia.c.saunders@citi.com

YOUR NAME: Marcia Saunders  
COMPANY: \_\_\_\_\_  
ADDRESS: 410 Illington Road  
Ossining NY ZIP 10562  
PHONE: (914) 762-1126  
EMAIL: marcia.c.saunders@citi.com

**APPROVED PLANS AND PERMIT SHALL BE ON-SITE AT ALL TIMES**

Select One	Type	Approval Authority	Cost
<input checked="" type="checkbox"/>	Wetland/Watercourse/Buffer Area Permit (Administrative)	Town Engineer	\$800.00
<input type="checkbox"/>	Wetland/Watercourse/Buffer Area Permit	Town Board/Planning Board	\$1,800.00
<input type="checkbox"/>	Renewal of Wetlands/Watercourse/Buffer Area Permit (1 Year)	Town Engineer	\$150.00
<input type="checkbox"/>	MS4 Stormwater Management Permit (Administrative)	Town Engineer	\$300.00
<input type="checkbox"/>	MS4 Stormwater Management Permit	Town Board/Planning Board	\$1,500.00
<input type="checkbox"/>	Renewal of a MS4 Stormwater Management Permit (1 Year)	Town Engineer	\$150.00
<input checked="" type="checkbox"/>	Tree Permit	Town Engineer	\$0.00

Application fees are doubled with issuance of a Stop Work Order/Notice of Violation as per Town Code.

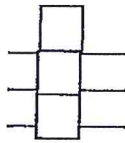
**PROPOSED ACTIVITY - If not located in wetland/wetland buffer (skip to 2b)**

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

a. Lake/pond

b. Stream/River/Brook

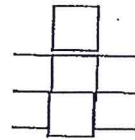
c. Wetlands



Control area of lake/pond

Control area of stream/river/brook

Control area of wetlands



**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.**

Removal of dam remnants

Installation of temporary bi-pass channel/stream crossing

Installation of permanent forebay

Pouring of concrete dam and cofferdam (2 phases)

Installation of stone stream vane

Repair of dam earth berms, Install NYSDEC Buffer Plants

**2b. Stormwater/Excavation - Description of proposed activity:**

Removal of pond sediment: 2930 CY cut / 1440 CY fill /  
1500 CY excess removed off site. Refer to Cut/Fill Plan in  
project outline. Range 2' to 5' deep.

**3. Tree Removal:**

Amount of trees and/or stumps to be removed: 21

Sizes; approximate DBH: 6" to 18" ±

Species of trees to be removed (i.e. Birch, Spruce - if known): Tulip, Maple, Beech

Reason for removal: \_\_\_\_\_

Trees marked in field (trees must be marked prior to inspection): Yes:  No:

Tree removal contractor: TBD

Attach survey/sketch indicating property boundaries, existing structures, driveways, roadways and location of existing trees. Trees must be marked in the field before inspection. Refer to Existing Plan

**4. PROPERTY OWNER CONSENT: If another entity (e.g. contractor, consultant) is applying on the owner's behalf, the PROPERTY OWNER is to complete, sign and date this authorization:**

I, Marcia Saunders hereby authorize PETER Scott to apply for this Stormwater/Wetland Permit/Tree Permit on my behalf.

Signature: Marcia C. Saunders Date: 1/20/21

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

**GENERAL CONDITIONS**

1. 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.
2. 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.
3. The permittee is responsible for keeping the permit active by requesting renewal from the Approval Authority. Any supplemental information that may be required by the Approval Authority, including forms and fees, must be submitted 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.
4. 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.
5. The permittee is responsible for obtaining any other permits, approvals, easements and right-of-way, which may be required.
6. Any modification of this permit granted by the Approval Authority must be in writing and attached hereto.
7. 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.

MARCIA SAUNDERS  
PRINT NAME

Marcia C. Saunders  
SIGNATURE OF APPLICANT

1/20/21  
DATE



Marcia Saunders  
Illington Road  
Ossining, New York  
10562

February 22, 2020

Historical Report for Dam and Pond Repairs  
408 Illington Road

New York has history all around us, some of it grand and some of it local. As a lifetime resident of Yorktown, we grew up with the local cemetery, dam, and pond as part of our lives.

When the Town of Yorktown foreclosed on the 6 acres next door to us, the Town Supervisor - knowing that we were interested in the property - informed us that the land would be available.

In the Supervisor's view, it was in the best interest of the Town to have us own the property, as the Town did not have the resources to restore the cemetery, nor the pond and its dam.

It has taken a significant amount of effort to make transfer of ownership happen, including action by the New York State Assembly and Senate, as well as Governor Cuomo's signature.

Given the property has historical elements - an 18<sup>th</sup>-19<sup>th</sup> century Gerow family cemetery, a pond and a dam, the decedents of the Gerow family had written to the Town of Yorktown, voicing their support of our purchase of their ancestral land.

In the purchase agreement signed between me and the Town, it is recognized that I will continue to restore the revolutionary war era Gerow family cemetery, as well as the dam and the pond.

At your request, we want to provide additional history on the cemetery, dam and pond.

In 1768, as per the attached copy of the land deed, (attachment #3) the Gerow family purchased a large 109 acre parcel of land, including my childhood home and the property with the dam and cemetery next door. Interestingly, the land was sold to the Gerow's by the Schuyler/Cochran family and specifically Dr. John Cochran (George Washington's personal physician) and his wife Gertrude Schuyler Cochran, whose brother Phillip was the first senator from NY. The Gerow family has a long history in New York. Having left La Rochelle, France, they were one of the founding families of New Rochelle, NY.

Along with the dam and cemetery, the property also has old stone walls, and we know from the 1850 census that the Gerow family were farmers and had various livestock, and the pond was likely used for irrigation and livestock, with stonewalls often used to contain or guide animals.

The Gerow family maintained the land for generations, burying family members in the little plot near the pond, which has been an integral part of the cemetery complex.

The oldest tombstones disappeared long ago, and the more recent stones, from burials beginning in 1839, were stolen, leaving behind only 5 tiny, initialed stones from the death of children. Old photos we had of the tombstones, drawings from the Gerow family itself, and tombstone records from the DAR - all provided us with clues to the 7 replicas we have made to date.

Interestingly, we know from the Gerow family themselves that the family was divided over the American revolutionary war. The Library of Congress has the original muster roll with Gerow men signing up for a British regiment and the famous battle of Pines Bridge happening just a few miles away from us.

In 1855, *part* of the property was sold to Hiram Farrington, the local Postmaster.

Farmers owned his part of the property again after him, with the Kuchenmeister family growing cucumbers on the land, which were sold to Delmonico's restaurant, as per a Kuchenmeister descendant who came back to visit us in the 1980's.

The property was taken over by the Town of Yorktown, when it foreclosed on a subsequent owner for back taxes. While the Town owned the property, the dam unfortunately collapsed, and the tombstone theft occurred. With the dam having fallen, it is interesting to see the interior construction of the dam, which is a simple layer of rough stone with earth behind it. The dam has a concrete spillway, which was believed to have been added in the early 1900's, when the dam was improved upon.

Since the pond was part of this historic cemetery, it is the desire of our family and the Town of Yorktown to repair this facility. The dam provides for the scenic qualities noted as well as providing flood control for the streams which converge on the property. As noted in site visits – extensive sediment loading is no longer collected by the pond providing downstream protection of the large linear wetland and streams which continue to the north along Illington Road and the Taconic State Parkway, then Aqueduct Street to the New Croton Reservoir. The new dam shall include a forebay for sediment collection, is deep enough to mitigate thermal impacts with a discharge spillway proposed to the original watercourse.

Lastly, we have agreed to allow the Town of Yorktown to install a dry fire hydrant for community wide fire safety.

Please review this outline of the project history and the benefits to be realized with this proposed project.

Respectfully submitted,



Marcia Saunders

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 – Project and Sponsor Information			
Name of Action or Project: Illington Road Dam Repair			
Project Location (describe, and attach a location map): 408 Illington Rd, Ossining, NY			
Brief Description of Proposed Action: Repair of existing concrete dam & spillway, repair of earth berms, and cleaning of pond of debris.			
Name of Applicant or Sponsor: Marcia Saunders		Telephone: 914-762-1126	
Address: 410 Illington Rd		E-Mail: Marcia.c.saunders@citi.com	
City/PO: Ossining		State: NY	Zip Code: 10562
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Yorktown Town Board, NYSDEC, ACOE			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 5.73 acres			
b. Total acreage to be physically disturbed? _____ 1.89 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 8.73 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

		NO	YES	N/A
5. Is the proposed action,	a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?		NO	YES	
If Yes, identify: _____		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?		NO	YES	
	b. Are public transportation services available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?		NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: Not Applicable		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?		NO	YES	
If No, describe method for providing potable water: Not Applicable		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?		NO	YES	
If No, describe method for providing wastewater treatment: Not Applicable		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?		NO	YES	
See NYSDEC Mapper		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?		NO	YES	
		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____				
Wetlands along the watercourse which extends through collapsed dam site - DEC Stream # 864-446 (Class C)				
Wetland Area disturbed (Area Stream): 6,519 sf				

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: Pond discharges to existing NYSDEC Stream.		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: Repair of existing dam and pond site (336-328 = 8.0' tall; 217,000 gal to spillway crest)	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe:	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor/name: <u>  Marcia Saunders  </u> Date: <u>  12/4/19  </u> Signature: _____ Title: <u>  Owner  </u>		

**PRINT FORM**

Illington Dam  
408 Illington Rd, Ossining, NY

## DRAINAGE REPORT

Prepared By:

Peder W. Scott, P.E., R.A.  
P. W. Scott Engineering & Architecture, P.C.  
3871 Danbury Rd.  
Brewster, NY 10509

January 27, 2020

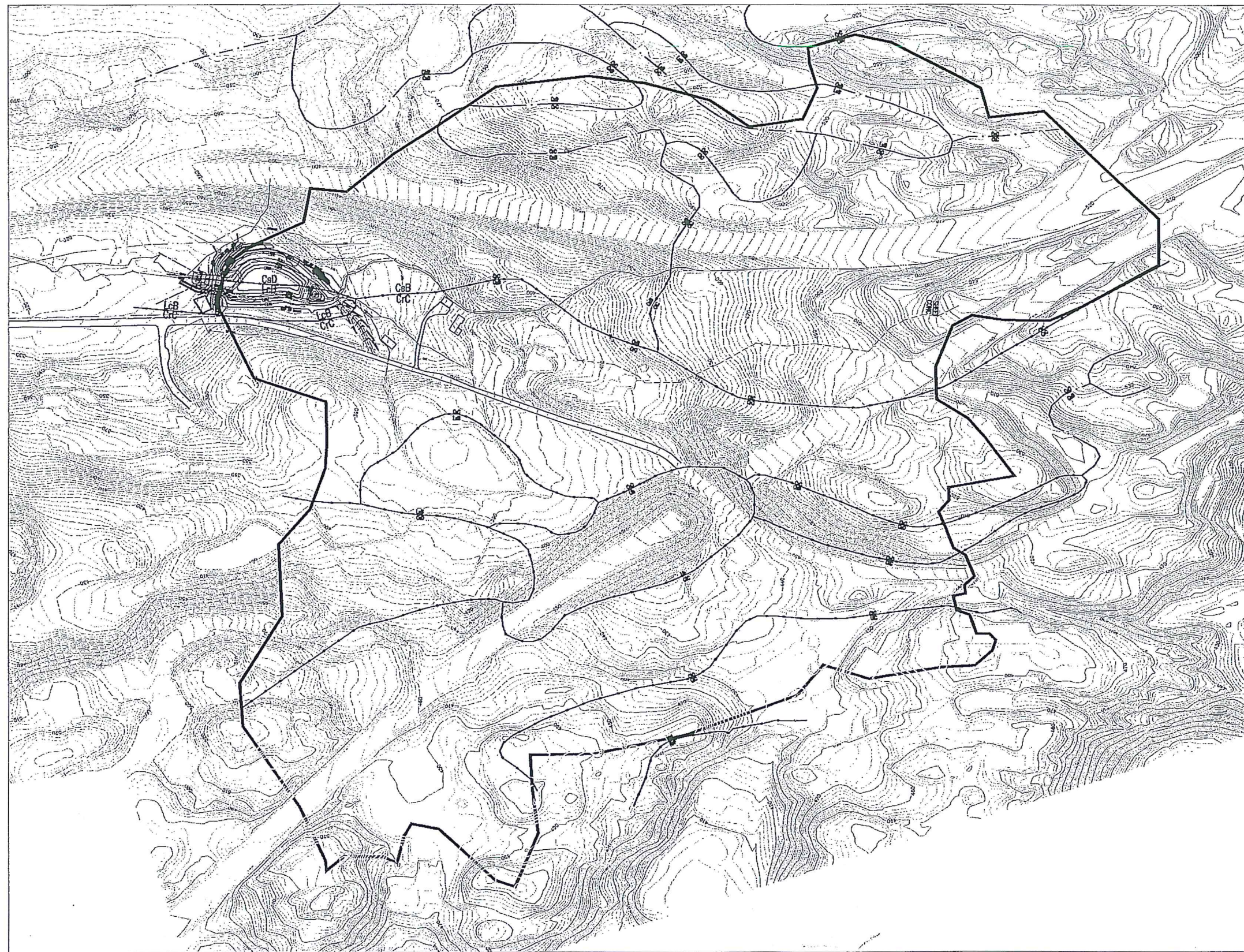
ILLINGTON RD DAM  
408 Illington Rd  
Ossining, NY  
(T) Yorktown

**STORMWATER  
POLLUTION PREVENTION  
PLAN**

**Prepared By:**

Peder W. Scott, P.E., R.A.  
P. W. Scott Engineering & Architecture, P.C.  
3871 Route 6  
Brewster, NY 10509

October 15, 2019  
Revised: March 20, 2020



Soil Legend

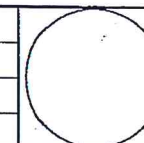
Symbol	Name	Hydrologic Group
ChB	Charlton Loam	B
CRC	Charlton Chatfield Complex	B
CsD	Chatfield Charlton Complex	B
CtC	Charlton Hollis Rock	B
CuD	Chatfield Hollis Rock Outcrop	B
LeB	Leicester Loam	C
WdB	Woodbridge Loam	C
Ub	Udorthents	B

LEGEND  
NOT TO SCALE

- PROPERTY LINE
- ZONING SETBACK LINE
- NYS DEC WETLAND
- NYS DEC WETLAND SETBACK
- WESTCHESTER GIS 2' CONTOUR
- ==== STREAM COURSE
- ..... TOWN OF YORKTOWN WETLAND SOILS
- GS--- SCS SOIL LINE

REVISION	DATE	NATURE OF REVISION
A	3/25/20	AMENDED PER NYCDEP
C	6/29/20	REVISIONS PER NYCDEP
D	8/24/20	AGENCY REFERENCE SET

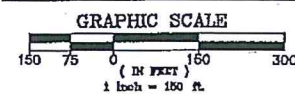
P.W. SCOTT  
ENGINEERING & ARCHITECTURE, P.C.  
3871 DANBURY ROAD  
BREWSTER, NY 10509 845-278-2110



Dwg. Title	DRAINAGE OVERLAY		Dwg. No.	
Project Title	408 ILLINGTON ROAD (T) OSSING, NY		D1	
Proj. No.	19-145	Drawn by		MA / PWS
Date	11/8/19	Scale		AS NOTED



DRAINAGE OVERLAY



THESE DRAWINGS ARE THE SOLE PROPERTY OF P.W. SCOTT ENGINEERING AND ARCHITECTS, P.C. AND WILL NOT BE REPRODUCED BY ANY MEANS AND BE GIVEN TO ANY OTHER TRADES/PERSONS WITHOUT THE

NOTE: DO NOT SCALE DRAWINGS DIMENSIONS SUPERCEDE SCALE





November 20, 2020

Mr. Peder W. Scott, P.E., R.A.  
P.W. Scott Engineering & Architectures, P.C.  
3871 Route 6  
Brewster, New York 10509

Incent Sapienza, P.E.  
Acting Commissioner

Via email: [pwscott@pwscott.com](mailto:pwscott@pwscott.com)

Azul V. Rush, P.E.  
Deputy Commissioner  
Bureau of Water Supply  
[rush@dep.nyc.gov](mailto:rush@dep.nyc.gov)

Re: Illington Dam Repair - CPDP  
408 Illington Road, (T) Yorktown  
Tax Map # 69.08-1-11  
DEP Log # 2020-CNC-0081-CPD.1  
New Croton Reservoir Drainage Basin

P.O. Box 358  
Crahmerville, NY 12740  
:(845) 340-7800  
:(845) 334-7175

Dear Mr. Scott:

This letter is to inform you that your application to engage in the above referenced regulated activities pursuant to the "Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources" (Regulations) was *approved* on November 20, 2020.

The New York City Department of Environmental Protection (DEP) reserves the right to modify, suspend, or revoke this approval based on the grounds set forth in Section 18-26 of the Regulations. The activity proposed in your applications applies only to the terms of this approval and is subject to the regulations cited above. Failure to comply with the conditions of the approval may be the cause for suspension of this approval and initiation of an enforcement action. Should modification, suspension or revocation of an approval be necessary, DEP will notify the regulated party, via certified mail or personal service, prior to modifying, suspending or revoking the approval. The notice will state the alleged facts or conduct which appear to warrant the intended action and explain the procedures to be followed.

The Regulations provide that an applicant may appeal the imposition of a substantial condition in an approval by filing a petition, in writing, with DEP and the New York City Office of Administrative Trials and Hearings ("OATH") within thirty days of the date this determination was mailed.

NYCDEP may inspect and monitor the erosion control practices at the project site during construction. Therefore, a pre-construction meeting must be held at least two days prior to the start of any work. The owner, design professional Contractor and NYCDEP personnel must attend.

Please contact Mariyam Zachariah at (914) 749-5357 or [mzachariah@dep.nyc.gov](mailto:mzachariah@dep.nyc.gov) to schedule this pre-construction meeting.

Sincerely,

A handwritten signature in cursive script that reads "Jason Coppola".

Jason Coppola, P.E.  
Supervisor  
EOH Project Review Group  
Regulatory & Engineering Programs

Attachment: CPDP plans and report

C: Town of Yorktown Planning Board; [planning@yorktownny.org](mailto:planning@yorktownny.org) (w/enclosures)  
Michael Quinn, P.E., [mquinn@yorktownny.org](mailto:mquinn@yorktownny.org)  
Marcia Saunders, [marciacsaunder@gmail.com](mailto:marciacsaunder@gmail.com)



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**  
MARCIA SAUNDERS  
410 ILLINGTON RD  
OSSINING, NY 10562  
(914) 762-1126

**Facility:**  
ILLINGTON DAM  
408 ILLINGTON RD  
OSSINING, NY 10562

**Facility Location:** in YORKTOWN in WESTCHESTER COUNTY

**Facility Principal Reference Point:** NYTM-E: 599.828    NYTM-N: 4564.352  
Latitude: 41°13'27.8" Longitude: 73°48'32.3"

**Authorized Activity:** This permit authorizes 587 linear feet (total from both sides of the bank) of disturbance to the bed and banks of a tributary to New Croton Reservoir [Water Index No. H-31-P 44-50, Class B] for the purpose of rebuilding an existing dam with concrete spillway, and excavation to re-establish an instream pond.

All work must be conducted in strict accordance with the plans referenced in Natural Resource Condition No. 1 and as conditioned by this permit.

**Permit Authorizations**

**Water Quality Certification - Under Section 401 - Clean Water Act**

Permit ID 3-5554-00340/00001

New Permit

Effective Date: 9/28/2020

Expiration Date: 12/31/2021

**Stream Disturbance - Under Article 15, Title 5**

Permit ID 3-5554-00340/00002

New Permit

Effective Date: 9/28/2020

Expiration Date: 12/31/2021

**NYSDEC Approval**

**By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.**

Permit Administrator: TRACEY L O'MALLEY, Deputy Regional Permit Administrator

Address: NYSDEC Region 3 Headquarters  
21 S Putt Corners Rd  
New Paltz, NY 12561

Authorized Signature: Tracey L. M.  
O'Malley

Digitally signed by Tracey L. M.  
O'Malley  
Date: 2020.09.28 12:11:53 -04'00'

Date 9 / 28 / 2020



**Distribution List**

Supervisor, Town of Yorktown  
A. Ryan, US ACoE  
M. Tupper-Goebel, NYC DEP  
P. W. Scott  
J. Fisher, R3 Ecosystem Health

**Permit Components**

NATURAL RESOURCE PERMIT CONDITIONS

WATER QUALITY CERTIFICATION SPECIFIC CONDITION

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**Permit Attachments**

Permit Sign

**NATURAL RESOURCE PERMIT CONDITIONS - Apply to the Following Permits: WATER QUALITY CERTIFICATION; STREAM DISTURBANCE**

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such approved plans were prepared by the P. W. Scott and are listed in Natural Resource Condition No 2.



**2. Approved Plan List** The approved plans were prepared by P. W. Scott and consist of the following:

<u>Sheet Title (Number)</u>	<u>Dated</u>	<u>Last Revised</u>
Dam & Pond Site Plan (SY1)	11/8/2019	8/24/2020
Cut & Fill Plan (SY1A)	11/8/2019	3/25/2020
Erosion Control Plan (SY2)	11/8/2019	8/24/2020
Pond Details (SY2A)	6/23/1990	8/24/2020
Erosion Control Details (SY3)	11/8/2019	6/29/2020
Erosion Control Notes (SY3A)	11/8/2019	8/24/2020
Long Term Maintenance Plan (SY3B)	11/8/2019	8/24/2020
Pond Planting Plan (SY4)	11/8/2019	8/24/2020
Pond Details (SY6A)	11/8/2019	8/24/2020
Drainage Overlay (D1)	11/8/2019	
Dam Construction Details (SY6B)	3/25/2020	8/24/2020
Existing Site Plan (EX)	3/25/2020	8/24/2020
Appendix H Pond Maintenance Plan	4/13/2020	
Appendix H Pond Maintenance Plan Revision Page submitted in Response to DEC NOIA	June 2020	

**3. No Work Other Than Authorized Herein** No other modifications to the bed or banks of the stream are authorized by this permit.

**4. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.

**5. Notice of Intent to Commence Work** The permittee or a representative must contact Josh Fisher, Bureau of Ecosystem Health, via email at [joshua.fisher@dec.ny.gov](mailto:joshua.fisher@dec.ny.gov), at least 48 hours prior to the commencement of the project authorized herein.

**6. Install Erosion Controls Prior to Work** No site preparation work shall be undertaken until all required erosion control measures have been installed.

**7. Maintain Sufficient Flow** During periods of work activity, sufficient flow of water shall be maintained at all times to sustain aquatic life downstream.

**8. Precautions Against Contamination of Waters** All necessary precautions shall be taken to preclude contamination of any wetland or waterway by suspended solids, sediments, fuels, solvents, lubricants, epoxy coatings, paints, concrete, leachate or any other environmentally deleterious materials associated with the project.



- 9. No Turbidity from Dewatering** No turbid water resulting from dewatering operations shall be discharged directly to or allowed to enter the tributaries of New Croton Reservoir. Such water shall be pumped to settling basins or to an upland vegetated area prior to any discharge to the tributaries of New Croton Reservoir. All other necessary measures shall be implemented to prevent any visible increase in turbidity or sedimentation downstream of the work site.
- 10. Concrete Leachate** During construction, no wet or fresh concrete or leachate shall be allowed to escape into any wetlands or waters of New York State, nor shall washings from ready-mixed concrete trucks, mixers, or other devices be allowed to enter any wetland or waters. Only watertight or waterproof forms shall be used. Wet concrete shall not be poured to displace water within the forms.
- 11. Dredgings Disposed at Upland Site** All dredged and excavated material shall be disposed of on an upland site and be suitably stabilized so that it cannot reasonably re-enter any water body or wetland area.
- 12. Dredge Spoils Disposal** All dredge spoils shall be disposed of in a manner consistent with all local, state, and federal laws.
- 13. Clean Fill Only** All fill material utilized for this project shall consist of uncontaminated earthen materials only. Acceptable fill materials include gravel, rock, overburden, topsoil and similar natural mineral resources.
- 14. No Construction Debris in Wetland or Adjacent Area** Any debris or excess materials from construction of this project (including earth, construction materials, trees and stumps) shall be immediately and completely removed from the wetland and adjacent area to an appropriate upland area for disposal.
- 15. Seed, Mulch Disturbed Soils** All areas of soil disturbance resulting from this project (above the mean high water line) shall be seeded with the appropriate plants specified in planting plan SY4 for a given location, or perennial grass seed if unspecified. Area shall be mulched with hay or straw within one week of final grading. Mulch shall be maintained until a suitable vegetative cover is established.
- 16. Re-filling the Impoundment** Re-filling of the impoundment following construction shall be done gradually and in a manner which provides sufficient flow of water downstream at all times to sustain fish and other aquatic life.
- 17. State Not Liable for Damage** The State of New York shall in no case be liable for any damage or injury to the structure or work herein authorized which may be caused by or result from future operations undertaken by the State for the conservation or improvement of navigation, or for other purposes, and no claim or right to compensation shall accrue from any such damage.
- 18. State May Require Site Restoration** If upon the expiration or revocation of this permit, the project hereby authorized has not been completed, the applicant shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may lawfully require, remove all or any portion of the uncompleted structure or fill and restore the site to its former condition. No claim shall be made against the State of New York on account of any such removal or alteration.



**19. State May Order Removal or Alteration of Work** If future operations by the State of New York require an alteration in the position of the structure or work herein authorized, or if, in the opinion of the Department of Environmental Conservation it shall cause unreasonable obstruction to the free navigation of said waters or flood flows or endanger the health, safety or welfare of the people of the State, or cause loss or destruction of the natural resources of the State, the owner may be ordered by the Department to remove or alter the structural work, obstructions, or hazards caused thereby without expense to the State, and if, upon the expiration or revocation of this permit, the structure, fill, excavation, or other modification of the watercourse hereby authorized shall not be completed, the owners, shall, without expense to the State, and to such extent and in such time and manner as the Department of Environmental Conservation may require, remove all or any portion of the uncompleted structure or fill and restore to its former condition the navigable and flood capacity of the watercourse. No claim shall be made against the State of New York on account of any such removal or alteration.

### WATER QUALITY CERTIFICATION SPECIFIC CONDITIONS

**1. Water Quality Certification** The authorized project, as conditioned pursuant to the Certificate, complies with Section 301, 302, 303, 306, and 307 of the Federal Water Pollution Control Act, as amended and as implemented by the limitations, standards, and criteria of state statutory and regulatory requirements set forth in 6 NYCRR Section 608.9(a). The authorized project, as conditioned, will also comply with applicable New York State water quality standards, including but not limited to effluent limitations, best usages and thermal discharge criteria, as applicable, as set forth in 6 NYCRR Parts 701, 702, 703, and 704.

### GENERAL CONDITIONS - Apply to ALL Authorized Permits:

**1. Facility Inspection by The Department** The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**2. Relationship of this Permit to Other Department Orders and Determinations** Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.



**3. Applications For Permit Renewals, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC Region 3 Headquarters  
21 S Putt Corners Rd  
New Paltz, NY12561

**4. Submission of Renewal Application** The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Stream Disturbance, Water Quality Certification.

**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

**6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.





**NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS**

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

**Item B: Permittee's Contractors to Comply with Permit**

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

**Item C: Permittee Responsible for Obtaining Other Required Permits**

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

**Item D: No Right to Trespass or Interfere with Riparian Rights**

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

**Item E: SEQR Type II Action** Under the State Environmental Quality Review Act (SEQR), this project has been determined to be a Type II Action and therefore is not subject to further procedures under this law.



New York City  
**Department of  
Environmental Protection**

**DETERMINATION**

***CROSSING, PIPING OR DIVERSION PERMIT***

Pursuant to the authority granted under:

Article 11 of the New York State Public Health Law;  
Rules and Regulations For The Protection From Contamination, Degradation and  
Pollution Of The New York City Water Supply and Its Sources, 15 RCNY Chapter 18,  
10 NYCRR Part 128.

New York City Department of Environmental Protection (DEP) makes the following  
determination with respect to the Crossing Piping or Diversion Permit described below:

**Name of Project:** Illington Dam Repair Crossing Piping or Diversion Permit (CPDP)

**Location:** 408 Illington Road  
(T) Yorktown, Westchester County, New York  
Tax Map # 69.08-1-11

**Owner/Applicant:** Marcia Saunders

**Address:** 410 Illington Rd  
Ossining, Yorktown, NY

**Drainage Basin:** New Croton Reservoir Basin

**General Description:**

The project scope involves the replacement of a Class A Dam failing due to the collapse of the center section. The proposal is to rebuild the dam while diverting the existing stream and to integrate the new concrete dam with the earthen dam portions presently in place at the site. The project will result in an addition in impervious area of 1533 square feet for the dam, spillway surfaces and drain down pipe to convey discharge. Discharge from the dam is considered a watercourse.

**CROSSING, PIPING OR DIVERSION PERMIT**

*Illington Dam Repair CPDP  
408 Illington Rd, Ossining, NY*

*November 20, 2020  
Page 2 of 5*

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The Crossing Piping or Diversion (CPDP) shall be implemented in accordance with the Plans and Engineer's Report for Illington Dam Repair CPDP, 408 Illington Road, Town of Yorktown, Westchester County, New York, Tax Map # 69.08-1-11, prepared by P. W. Scott Engineering & Architecture, P. C. dated July 1, 2020 (see Appendix A).

**Date(s) of site inspection:** June 30, 2020

(XX) Approved ( ) Denied

**Conditions of Approval:**

This approval is granted with the following conditions:

- The regulated activity must be conducted in compliance with the plans as approved, listed in Appendix A, all applicable accepted standards, and all applicable laws, rules and regulations.
- Any alteration or modification of the CPDP must be approved by DEP prior to implementation; DEP may opt to issue an amended CPDP Determination.
- The applicant must schedule a pre-construction conference prior to the start of construction. Present at the meeting should be the applicant, the design engineer, the general contractor, and DEP staff.
- The applicant must notify DEP at least forty-eight (48) hours prior to the commencement of construction activity so that compliance inspections may be scheduled by DEP.
- All erosion and sediment controls must be properly installed and maintained until the site has been stabilized and the risk of erosion eliminated. Final stabilization is defined in the General Permit as all soil disturbing activities at the site have been completed, and that a uniform perennial vegetative cover with a density of 80% cover for the area has been established or equivalent stabilization measures (such as the use of mulches or geotextiles) have been employed.
- At the completion of the project, the applicant is required to submit as-built drawings for all stormwater management, runoff reduction and water quality facilities.
- The stormwater management and water quality facilities must be maintained in accordance with the maintenance schedule included in the CPDP as approved by DEP.

**CROSSING, PIPING OR DIVERSION PERMIT**

Illington Dam Repair CPDP  
408 Illington Rd, Ossining, NY

November 20, 2020  
Page 3 of 5

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- This approval shall expire and thereafter be null and void unless construction is completed within Five (5) years of the date of issuance or within any extended period of time approved by DEP upon good cause shown.
  - In the event that the material submitted is inaccurate or misleading, this approval is not valid and construction of this project is in violation of DEP Regulations
  - Failure to comply with any of the conditions of this approval is a violation of this approval and the *Rules and Regulations for The Protection from Contamination, Degradation and Pollution of the New York City Water Supply and Its Sources*.
  - A copy of the approved plans and determination should be maintained for record, and a copy must be available for inspection at the construction site.
  - DEP shall be provided access to the project site during the construction phase for monitoring and inspection purposes.
  - This approval and all conditions of the approval are binding on the owner of the property where the facility is to be located. Any references to the "applicant" in this approval or in any conditions of this approval shall be deemed to refer to the owner of such property.
  - If the applicant sells or otherwise transfers title of **Illington Dam Repair CPDP** before all construction planned for the property is completed and the site is stabilized, the applicant shall require the new owner ("Buyer") to comply with the CPDP approved by the New York City Department of Environmental Protection on *November 20, 2020* including, but not limited to, all provisions relating to erosion and sediment control during construction and to all maintenance of the stormwater management facilities once construction is complete. In particular, the applicant shall provide the Buyer with a copy of the CPDP and shall cause the following real covenants and restrictions to be recorded with the deed for **Illington Dam Repair CPDP** with the following provisions:
    - (1) Buyer hereby acknowledges, covenants, warrants, and represents that he/she shall install and maintain any and all erosion controls and stormwater management facilities on the premises in accordance with the CPDP, such CPDP being attached hereto as Exhibit .
    - (2) Buyer's installation and maintenance of the erosion control and stormwater management facilities shall be for the benefit of the consumers of the New York City drinking water supply system as well as for the owners of **Illington Dam Repair CPDP**.

**CROSSING, PIPING OR DIVERSION PERMIT**

Illington Dam Repair CPDP  
408 Illington Rd, Ossining, NY

November 20, 2020  
Page 4 of 5

- (3) Buyer's obligation to install and maintain any and all erosion controls and stormwater management facilities on the premises in accordance with the attached CPDP shall be perpetual, shall run with the land, and shall be binding on Buyer's heirs, successors, and assigns.
- (4) Buyer hereby covenants, warrants and represents that any lease, mortgage, subdivision, or other transfer of **Illington Dam Repair CPDP**, or any interest therein, shall be subject to the restrictive covenants contained herein pertaining to the installation and maintenance of erosion control and stormwater management facilities, and any deed, mortgage, or other instrument of conveyance shall specifically refer to the attached CPDP and shall specifically state that the interest thereby conveyed is subject to covenants and restrictions contained herein.
- Prior to conveying title to **Illington Dam Repair CPDP**, the applicant shall submit to the New York City Department of Environmental Protection a proposed deed containing the aforementioned real covenants and restrictions.

**Date:** November 20, 2020

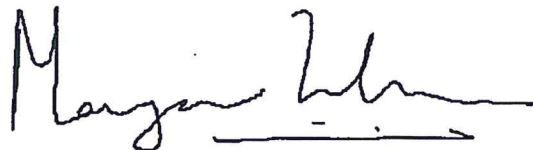
Illington Dam Repair  
408 Illington Road, (T) Yorktown Tax  
Map # 69.08-1-11  
DEP Log # 2020-CNC-0081-CPD. 1  
New Croton Reservoir Drainage Basin

Determination made by:



Jason Coppola, P.E,  
Supervisor  
Regulatory & Engineering Programs EOH

Recommended for approval by:



Mariyam Zachariah  
Associate Project Manager  
Regulatory & Engineering Programs EOH

**CROSSING, PIPING OR DIVERSION PERMIT**

*Illington Dam Repair CPDP  
408 Illington Rd, Ossining, NY*

*November 20, 2020  
Page 5 of 5*

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**APPENDIX A**

The following documents, prepared by P. W. Scott Engineering & Architecture, P. C. for **Illington Dam Repair CPDP**:

- 1) Engineer's Report for Crossing, Piping, or Diversion Permit, dated July 1, 2020.
- 2) Drawing No. SY1, Dam & Pond Site Plan, dated November 8, 2019, last revised on September 28, 2020.
- 3) Drawing No. SY2, Erosion Control Plan, dated November 8, 2019, last revised on September 28, 2020.
- 4) Drawing No. SY2A, Pond Details dated June 23, 2020, last revised on September 28, 2020.
- 5) Drawing No. SY3, Erosion Control Details, dated November 8, 2019, last revised on September 28, 2020.
- 6) Drawing No.: SY3A, Erosion Control Notes, dated November 8, 2019, last revised on November 2, 2020.
- 7) Drawing No.: SY3B, Long Term Maintenance Plan, dated November 8, 2019, last revised on September 28, 2020.
- 8) Drawing No.: SY4, Pond Planting Plan, dated November 8, 2019, last revised on November 8, 2020.
- 9) Drawing No.: SY6A, Pond Details, dated November 8, 2019, last revised on November 2, 2020.
- 10) Drawing No.: SY6B, Dam Construction Details, dated March 25, 2020, last revised on September 28, 2020.
- 11) Drawing No.: EX, Existing Site Plan, dated March 25, 2020, last revised on August 24, 2020.
- 12) Drawing No.: D1, Drainage Overlay, dated March 25, 2020, last revised on August 24, 2020.

# DEPARTMENT OF THE ARMY PERMIT

**Permittee:** Marcia Saunders  
410 Illington Road  
Ossining, NY 10562

**Permit Number:** NAN-2019-01516-WRY

**Date Issued:** \_\_\_\_\_

**Issuing Office:** U.S. Army Corps of Engineers, New York District

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

## **Project Description:**

The following activities are authorized by this permit for the rehabilitation of a dam and sediment basin:

**Dam Work:** Remove existing concrete and stone debris from the existing dam and discharge 375 cubic yards (CY) of concrete to facilitate the construction of a new eight-foot tall, 76-foot long and 13-foot wide dam with a 33-foot long by 10-foot wide spillway. Discharge approximately 112 CY of riprap for the spillway apron and boulder vane. Install 50-foot long, 12-inch diameter PVC drain down pipe and valve.

**Pond/Impoundment:** Excavate four-feet below existing debris to re-create a 246-foot long by 148-foot wide impoundment, covering 0.91 acres. Excavate approximately 2,930 CY soil from the former impoundment area for reuse on-site and upland disposal.

**Stabilization and Additional Features:** Place 1,487 CY of the excavated material around the pond to facilitate construction of an earthen berm. Stabilize western pond bank with 138 CY of riprap along 75 linear feet. Construct a 61-foot long by 76-foot wide by five-foot deep sediment forebay with a 14-foot wide riprap weir (382 CY) between the forebay and pond. The pond perimeter will be planted with native species as depicted on Sheet SY4, titled "Pond Planting Plan" prepared by P.W. Scott Engineering & Architecture, P.C., dated 08 November 2019 and last revised 24 August 2020.

**Temporary Construction Features:** Discharge 98 CY riprap over 105-feet of stream for a temporary bypass channel used to divert flows past the dam and spillway construction area. Discharge 30 CY riprap within stream for temporary driveway access to the southern project area.

**PERMITTEE: Marcia Saunders**  
**PERMIT NO.: NAN-2019-01516-WRY**

**All work shall be performed in accordance with the attached drawings and special conditions (A) through (J) and the New York State Department of Environmental Conservation Section 401 Water Quality Certification (Permit ID 3-5554-00340/00001 WQ), dated September 28, 2020, which are hereby made a part of this permit.**

**Project Location: IN: Unnamed Tributary to New Croton Reservoir**

**AT: Town of Yorktown, Westchester County, New York**

**Permit Conditions:**

**General Conditions:**

1. The time limit for completing the work authorized ends on \_\_\_\_\_. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.



PERMITTEE: Marcia Saunders  
PERMIT NO.: NAN-2019-01516-WRY

**Special Conditions**

- (A) The permittee and their designated contractors shall be responsible for, and shall comply with, all of the conditions and stipulations contained within the attached New York State Department of Environmental Conservation Section 401 Water Quality Certification (Permit ID 3-5554-00340/00001 WQ), dated September 28, 2020, and all amendments thereto.
- (B) The permittee and their designated contractors shall be responsible for, and shall comply with, all of the conditions and stipulations contained within the attached New York City Department of Environmental Protection Crossing, Piping or Diversion Permit (Illington Dam Repair CPDP), dated November 20, 2020, and all amendments thereto.
- (C) The permittee and their designated contractors shall post a copy of this permit onsite, including all general and special conditions herein, at all times during the authorized activity.
- (D) The permittee and their designated contractors shall avoid tree clearing from April 1 to October 31 of any calendar year.
- (E) The permittee and their designated contractors shall post signage and establish a minimum 10-foot buffer area beyond the cemetery stone wall using construction fencing to protect the cemetery area during construction.
- (F) The permittee shall submit a copy of construction plans noted with the protected area as well as photographs of the erected fencing with signage to John Bonafide, john.bonafide@parks.ny.gov, of the New York State Historic Preservation Office.
- (G) The permittee and their designated contractors shall install siltation prevention measures, such as silt fencing, sediment traps, or settling basins during the course of the work to prevent the movement of silt and turbid waters into any watercourse, stream, waterbody or wetland.
- (H) The permittee and their designated contractors shall ensure sufficient water flows are maintained at all times during construction in order to sustain aquatic life downstream.
- (I) The permittee and their designated contractors shall undertake the authorized filling activities in a manner aimed at reducing impacts upon the general environment. In addition, the permittee shall not stockpile fill or other materials in a manner conducive to erosion, or in areas likely to cause high turbidity runoff during storm events. The permittee shall use all practicable measures during construction (e.g. silt fences, hay bales, erosion control netting, vegetative stabilization) to stabilize all exposed soils immediately upon the completion of each phase of the grading activities in all areas.

**PERMITTEE: Marcia Saunders**  
**PERMIT NO.: NAN-2019-01516-WRY**

**(J) The permittee shall submit a copy of the annual monitoring reports regarding water quality and onsite wetlands to Seika Robinson and Marco Finocchiaro of the United States Environmental Protection Agency Region 2, at Robinson.Seika@epa.gov and Finocchiaro.Marco@epa.gov.**

**Further Information:**

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

( ) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S. Code 403).

(X) Section 404 of the Clean Water Act (33 U.S. Code 1344).

( ) Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization:

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability: In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not

**PERMITTEE: Marcia Saunders**  
**PERMIT NO.: NAN-2019-01516-WRY**

contrary to the public interest was made in reliance on the information you provided.

5. **Reevaluation of Permit Decision:** This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. **Extensions:** General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

**PERMITTEE: Marcia Saunders**  
**PERMIT NO.: NAN-2019-01516-WRY**

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

\_\_\_\_\_  
(PERMITTEE)

\_\_\_\_\_  
(DATE)

**Marcia Saunders**

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

\_\_\_\_\_  
(DISTRICT ENGINEER)

\_\_\_\_\_  
(DATE)

**FOR AND IN BEHALF OF**  
**Matthew W. Luzzatto**  
**Colonel, U.S. Army**  
**District Engineer**

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below. A copy of the permit signed by the transferee should be sent to this office.

\_\_\_\_\_  
(TRANSFEREE)

\_\_\_\_\_  
(DATE)

# Ecological Solutions, LLC

Connecticut  
1248 Southford Road  
Southbury, CT 06488  
Phone (203) 910-4716  
ecolsol@aol.com

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October 17, 2019

Peder W. Scott, PE, RA  
c/o P.W. Scott Engineering & Architecture, PC  
3871 Danbury Road  
Brewster, NY 10509

*Re: Wetland Delineation  
408 Illington Road  
Town of Yorktown, Westchester County, NY*

Dear Peder:

Ecological Solutions, LLC completed a wetland delineation on October 15, 2019 for the proposed pond and dam rehabilitation located at 408 Illington Road in the Town of Yorktown, New York (*Figure 1*). The delineation was completed in accordance with the Army Corps of Engineers (USACE) Wetlands Delineation Manual (January 1987), Routine Determination Method and recent Northcentral/Northeast supplement, New York State Department of Environmental Conservation (NYSDEC) Article 24 wetland regulations, and Town of Yorktown Code Chapter 178 Freshwater Wetlands.

The wetland in the project area at the site is an intermittent watercourse approximately 10 feet wide with a gravelly/stoney bottom that leads to a small wetland dominated by reed grass. This wetland was delineated based upon the identification of the three mandatory criteria for wetland determination as outlined in the 1987 Federal Manual and supplement: dominant hydrophytic vegetation, hydric soils, and evidence of wetland hydrology. Transects consisting of at several sample points were walked. Vegetation around each sample point was identified and its percent cover quantified. The areas were checked in detail for the presence of wetland hydrologic indicators. Soil profiles were then observed and characterized and it was determined that hydric soils also exist.

Based on observed field conditions the wetland/watercourse delineated at the site is Federal and Town wetland. The watercourse is also noted as a class B wetland by the NYSDEC and its bed and banks are regulated under Article 15 protection of waters. The watercourse/wetland has a Town regulated 100 foot buffer but no State or Federal buffer. If you need any additional information, please contact me.

Sincerely,  
ECOLOGICAL SOLUTIONS LLC



Michael Nowicki  
Biologist

Figure 1 Location Map

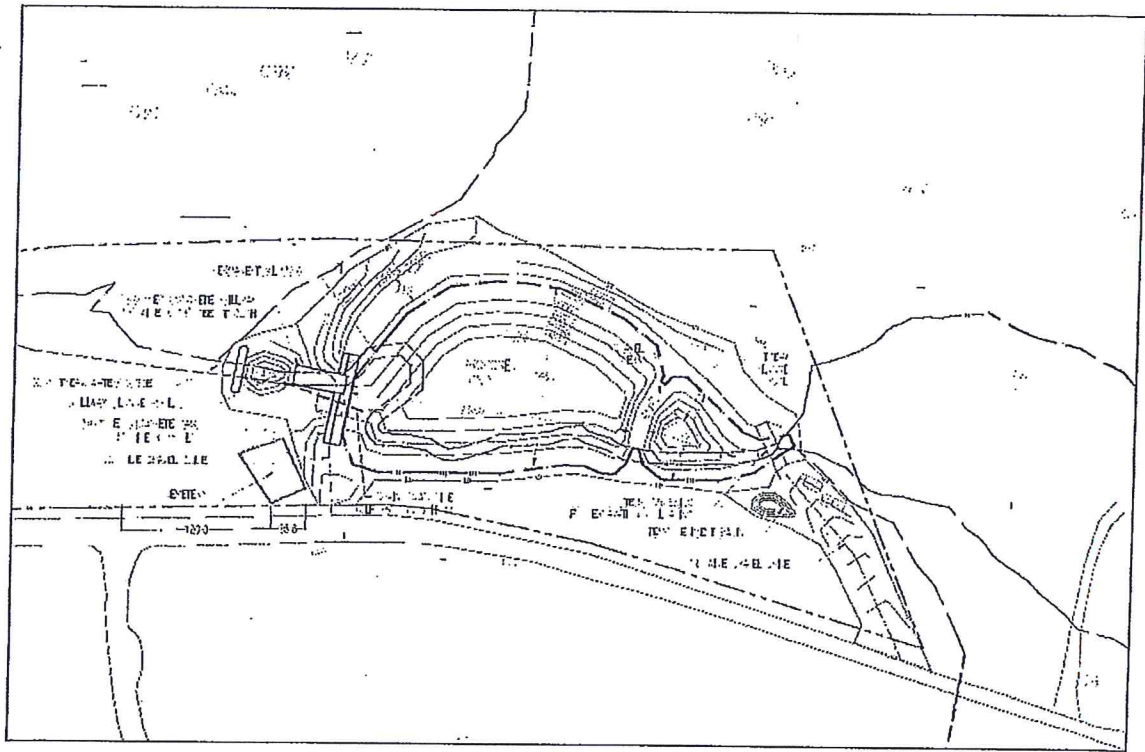


Figure 2 NYSDEC Map

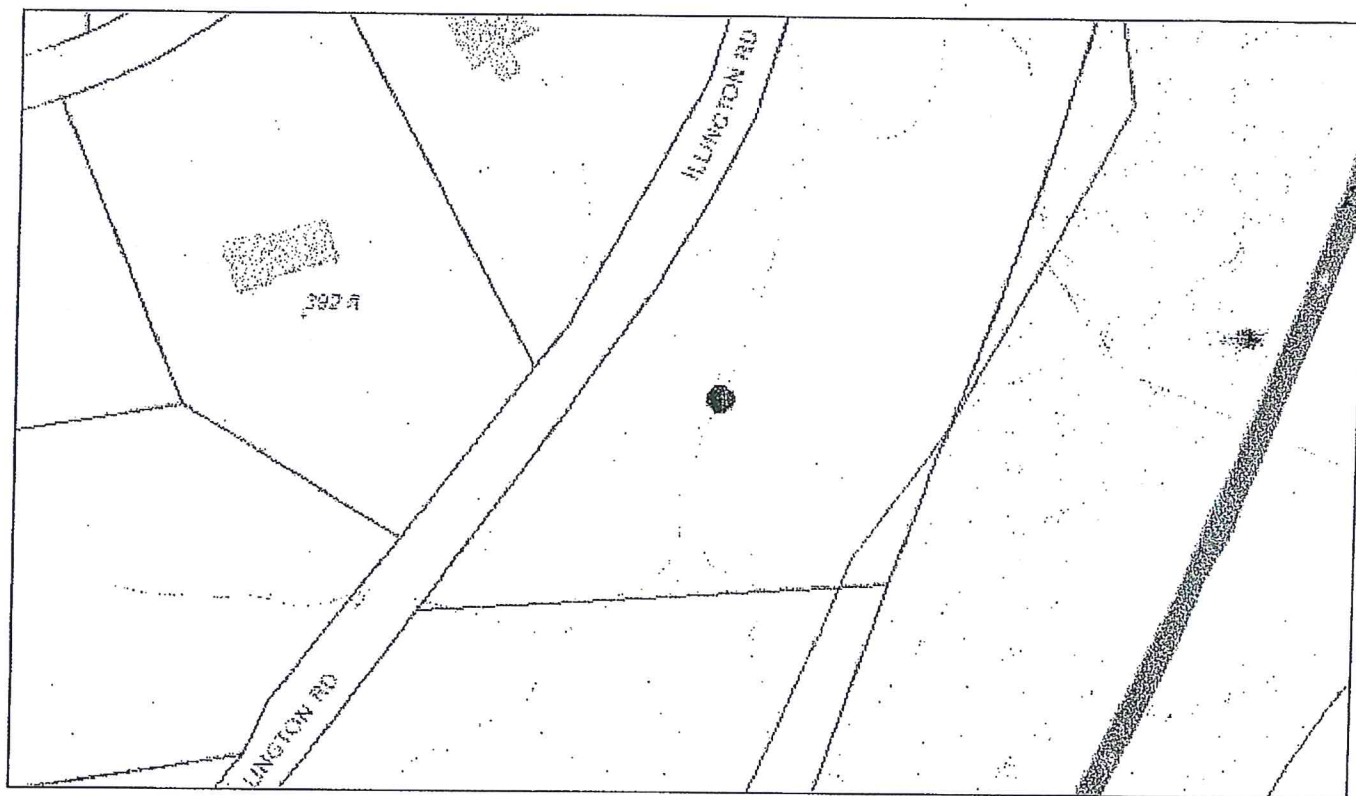


Figure 3 Soil Map



Map Unit Symbol	Map Unit Name
CrC	Charlton-Chatfield complex, 0 to 15 percent slopes, very rocky
CsD	Chatfield-Charlton complex, 15 to 35 percent slopes, very rocky
LeB	Leicester loam, 2 to 8 percent slopes, very stony



SYI

PRELIMINARY SITE PLAN  
488 ELIXION ROAD  
ROSS HARBOR, N.J.  
PROJECT NO. 19-145  
DATE: 05-01-19

P. W. SCOTT  
ENGINEERING & ARCHITECTURE P.C.  
3871 ROUTE 6  
BRIDGEVIEW, N.J. 08003 609-279-2120

SCALE: 1 inch = 200 feet

SKETCH PLAN  
GRAPHIC SCALE  
1 inch = 100 feet  
1 inch = 200 feet

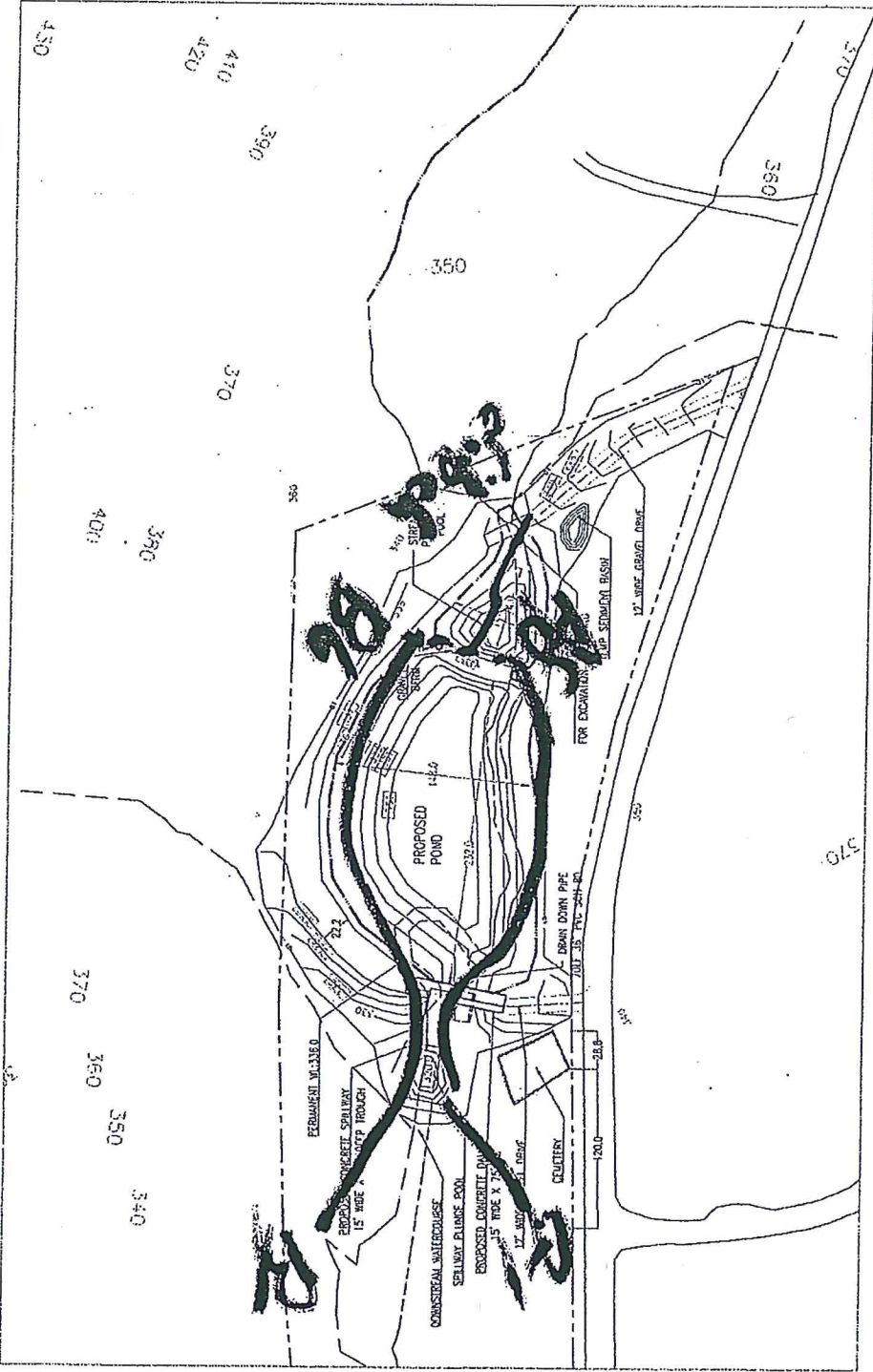
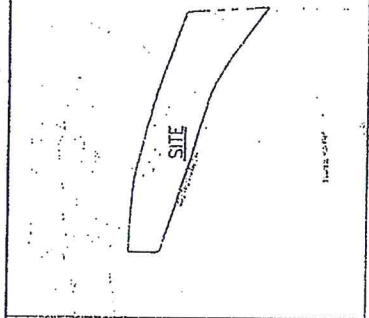
DATE: 05-01-19  
DRAWN BY: F.I.  
CHECKED BY: AS SHOWN

DAM ELEVATION: SCALE: 1"=50.0'

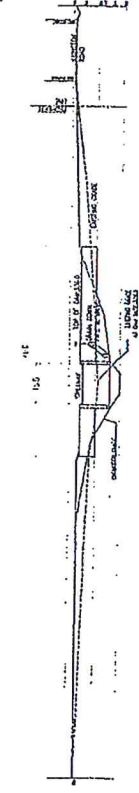
FOR INFORMATION: THIS SITE PLAN IS PRELIMINARY AND NOT TO BE CONSIDERED AS A FINAL DESIGN OR CONSTRUCTION DOCUMENT.

- LEGEND
- PROPERTY LINE
  - ZONING SETBACK LINE
  - 15' DEC METLAND
  - 15' DEC METLAND SETBACK
  - WESTCHESTER ES 2 CORRIDOR
  - STREAM CORSE
  - TOWN OF WESTCHESTER METLAND ZONE
  - ES

VICINITY MAP  
SCALE: 1 inch = 500 feet



SKETCH PLAN  
GRAPHIC SCALE  
1 inch = 100 feet  
1 inch = 200 feet



DATE: 05-01-19  
DRAWN BY: F.I.  
CHECKED BY: AS SHOWN

Illington Dam  
408 Illington Rd, Ossining, NY

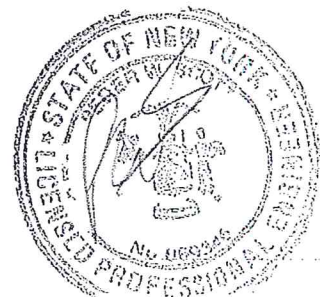
## POND & DAM DESIGN OUTLINE

- Pond & Dam Geometry
- Cut & Fill Site Plan
- Drainage Area Summary
- Earth Dam Soil Analysis
- Pond Volume Calculations  
(Spillway Elevation)

Prepared By:

Peder W. Scott, P.E., R.A.  
P. W. Scott Engineering & Architecture, P.C.  
3871 Danbury Rd.  
Brewster, NY 10509

February 20, 2020



## Pond & Dam Geometry

Existing Dam – Failed: Stone & Mortar  
Top: 334.0  
Bottom: 330.0  
Length: 58.0 feet to berm  
Spillway: 10.0' wide x 22' long

### Proposed Dam

Top of Earth Berm: 339.0 x 12' wide  
Top of Concrete Dam: 339.0 x 5.0' wide at top  
Bottom of Dam: 328.0(pending soil borings)  
Length: 76.0'  
Spillway: 30.0' wide  
Crest: 336.0 to 332.0 x 10' long  
Slope is: parabolic

Pond Size: 246' long x 148.0' wide  
Surface Area: 39,700 sf = 0.91 acres  
Water surface Elev.: 336.0 ft  
Bottom Elev.: 330.0 ft

Pond Size includes plunge pool: 61' x 76' x 5' deep  
Rip-rap Weir: 335.0 x 14.0' wide

Soil Excavated: 2,930 cy  
Soil Compacted into Earth Berm: 1,443 cy  
Net Soil: 1,486 cy (Grid Method)

Note: Pond Crest – toe of dam (336.0-328.0) = 8.0 feet  
with 217,000 gal storage: (crest: 336.0 to bottom: 330.0)

NYSDEC Dam Safety Permit is not required.

Pond includes 15' bench at edge (336 o 335)  
Slope of Pond Interior: 2/10

#### Access to Pond

Existing road defined by topography shall be upgraded to 12' wide with a slope of 10% extending from Illington Rd to elevation of 336.0 ft. proposed water line. Crossing is with temporary pipe or wood structure.

#### Secondary Access to Dam (for concrete pouring)

Adjacent to stone wall lining cemetery. Propose 12' wide driveway to dam top of 336.0' at slope of 8% for concrete trucks.

#### Channel Below Dam:

Slope: 13%

Width: 30 feet

Shape: Trapezoidal

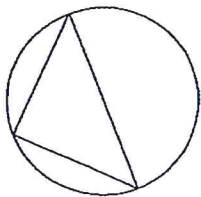
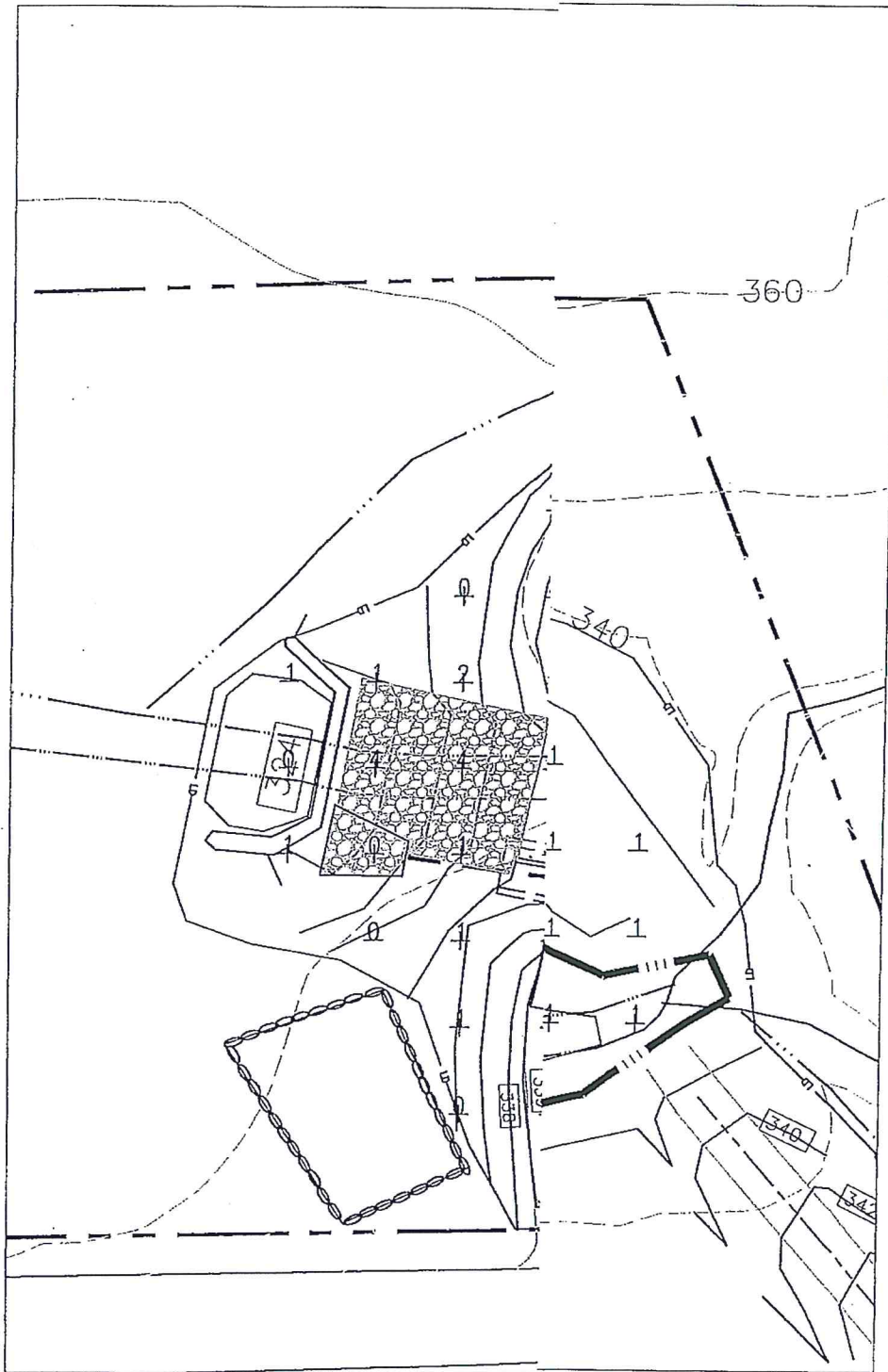
Liner: Rip-rap: D50 = 18"; Thickness = 36"

#### Specific Design Details

Dam stability based upon size of concrete preventing rotation around the heel.

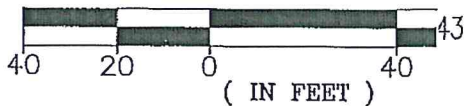
NYSDEC has 4 criteria to be met: Base Flow Loading; 100 year Loading; Winter Base Flow with Ice; and Earthquake Loads each required FS of 2.0. Final design pending.

Drain down pipe required with valve: 36" diameter SCH 80 PVC or Steel pipe bolted to steel knife valve as required by NYSDEC for drain down.



# CUT & FILL

## GRAPHIC SCALE



( IN FEET )  
1 inch = 40 ft.

Net  
CY                      Method

1486 (C)      Grid

Dwg. No.		SY1A																					
Social																							
Dwg. Title		CUT & FILL PLAN																					
Project Title		ILLINGTON DAM																					
Prof. No.		19-145																					
Drawn by		PWS																					
Date		2-20-20																					
Scale		AS NOTED																					
<table border="1"> <thead> <tr> <th>Revisions</th> <th>Description</th> <th>Date</th> <th>No.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>				Revisions	Description	Date	No.																
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<table border="1"> <tr> <td colspan="2">P. W. SCOTT</td> <td colspan="2">ENGINEERING + ARCHITECTURE, P.C.</td> </tr> <tr> <td colspan="2"> </td> <td colspan="2">3871 ROUTE 6</td> </tr> <tr> <td colspan="2"> </td> <td colspan="2">BREWSTER, NY 10509 845-278-2110</td> </tr> </table>				P. W. SCOTT		ENGINEERING + ARCHITECTURE, P.C.				3871 ROUTE 6				BREWSTER, NY 10509 845-278-2110									
P. W. SCOTT		ENGINEERING + ARCHITECTURE, P.C.																					
		3871 ROUTE 6																					
		BREWSTER, NY 10509 845-278-2110																					

## Drainage Area Summary

Watershed – Total: 104.88 acres

### Pre-Development

#### Imp

Illington Rd:	Length (2,440) x 22 ft =	53,680
Eastern Drive:	598 x 30 ft =	17,940
Taconic:	2,468 x 20 ft =	172,760
Taconic West:	3,172 x 70 ft =	222,040
Commercial Bldg:	16,000 sf + 28,000 Parking =	44,000
House:	2,500 ft footprint (avg.) x 6 =	15,000
Driveway:	(355 + 133 + 187 = 181 + 85 + 1.40) x 14' width = 1,081 x 14 =	<u>15,134</u>

Total Imp.: 12.41 acres

#### Brush

Open Area:	356,000 totals: B Soil = 287,000; C Soil = 68,900	
	B Soils – Shoulder of Roads: 5' each side = 8,678 (10) =	86,780
	Total Brush B = 8.6 acres	
	Total Brush C = 1.58 acres	

#### Lawn

Commercial:	62,000
Residential:	32,000 / Residence x 6
Total Lawn =	5.8 acres

Wetlands – LEB Soil: 0.88 acres  
Total Wetland = 0.88 acres

Remainder Forest: 104.88 – 12.41 – 10.2 – 5.8 – .88 = 75.62  
% Forest 75.6 / 10,488 = 72%  
(checks with Stream Stat)  
Total pre-development forest: 75.62 acres

#### Post-Development:

New Pond: 39,615 = 0.9 acres  
(replaces wetland)  
Total Post-Development Forest: 75.62 acres

## Earthen Dam Design Synopsis

Soils defined by NRCS Soil Site as defined on plans. Two soils in vicinity of dam:

CSO – Chatfield -Charlton Complex – Hilly, very rocky

0 to 2” Very dark grayish brown loam

2” to 7” Dark brown loam

7” to 24” Brown flaggy silt loam

Bedrock – 24” Fractured Granit Bedrock

or for Charlton: 24” to 60” Dark grey brown sandy loam

Permeability moderate to rapid (0.6 to 6.0 in./hr.)

LCB – Leichester Loam

Capability subclass IIIW

0” to 8” Dark grey brown loam

8” to 18” Dark brown sandy loam – Mottles

18” to 26” Brown sandy loam – Mottles

26” to 60” Brown sandy loam – Mottles

Very deep water table with 1.5’ of surface

Permeability: Moderate to rapid infiltration with 1.5’ of surface (0.6 to 6.0 in. /hr.)

No soil borings to date at the site.

### Cut Off Trench Requirements

GC Clayey Gravels

SC Clayey Sand & Clay Mixture

CH Inorganic Clays

CL Inorganic Clays

MH Inorganic Silt / Clay

Mixture Atterberg Limit – Below A –  $PI < 4$

Not Permitted

ML Inorganic Silt / Clay

Mixtures – Atterberg Limit

Not Permitted Below A – Line

### Conclusions

No on site material is suitable for core or cut-off trench construction. Material must be processed off site.

A liner is required of either Bentonite mixture or 10 mil pondscape barrier.

Note: The core is still required for the dam.

Type.... Vol: Planimeter  
Name.... PROPOSED POND

Page 1.01

File.... Z:\PROGRAMS\PONDPACK\IILLINGOTN ROAD DAM\DAM DESIGN STARTING AT 335.PPW  
Title... MAIN POND

### POND VOLUME CALCULATIONS

Planimeter scale: 1.00 ft/in

Elevation (ft)	Planimeter (sq.in)	Area (acres)	A1+A2+sqrt(A1*A2) (acres)	Volume (ac-ft)	Volume Sum (ac-ft)
335.00	24728.000	.5677	.0000	.000	<del>.000</del>
336.00	33441.000	.7677	1.9955	.665	.665
337.00	38393.000	.8814	2.4717	.824	1.489
338.00	42000.000	.9642	2.7674	.922	2.412
339.00	43000.000	.9871	2.9269	.976	3.387

216,700 Acres  
SPILLWAY ELEV.

### POND VOLUME EQUATIONS

\* Incremental volume computed by the Conic Method for Reservoir Volumes.

$$\text{Volume} = (1/3) * (\text{EL2} - \text{EL1}) * (\text{Area1} + \text{Area2} + \text{sq.rt.}(\text{Area1} * \text{Area2}))$$

where: EL1, EL2 = Lower and upper elevations of the increment  
Area1, Area2 = Areas computed for EL1, EL2, respectively  
Volume = Incremental volume between EL1 and EL2



MASTER DESIGN STORM SUMMARY

Default Network Design Storm File, ID STORMS.RNQ WESTCH-ILLINGTON

Return Event	Total Depth in	Rainfall Type	RNF File	RNF ID
90%	1.4000	Synthetic Curve	SCSTYPES	TypeIII 24hr
25NR	6.5000	Synthetic Curve	GAUGED	Synth.Tbl 25
100NR	9.3000	Synthetic Curve	GAUGED	Synth.Tbl 100

MASTER NETWORK SUMMARY  
SCS Unit Hydrograph Method

(\*Node=Outfall; +Node=Diversion;)  
(Trun= HYG Truncation: Blank=None; L=Left; R=Rt; LR=Left&Rt)

Storage Node ID	Return Type Event	HYG Vol ac-ft	Trun	Qpeak hrs	Qpeak cfs	Max WSEL ft	Max Pond ac-ft
*POST	JCT base	.512		13.1740	1.22		
*POST	JCT 25NR	26.004		13.0430	121.53		
*POST	JCT 100 NR	45.612		13.0340	243.54		
*PRE	JCT base	.501		12.5550	1.70		
*PRE	JCT 25NR	25.982		13.0170	122.03		
*PRE	JCT 100 NR	45.596		12.9790	244.35		
TOTAL POND	IN POND base	.531		12.5160	1.97		
TOTAL POND	IN POND 25NR	26.247		12.9820	123.26		
TOTAL POND	IN POND 100 NR	45.939		12.9820	246.38		
TOTAL POND	OUT POND base	.512		13.1740	1.22	336.06	.833
TOTAL POND	OUT POND 25NR	26.004		13.0430	121.53	337.49	2.296
TOTAL POND	OUT POND 100 NR	45.612		13.0340	243.54	338.38	3.372
WS POST	AREA base	.531		12.5160	1.97		
WS POST	AREA 25NR	26.248		12.9820	123.26		
WS POST	AREA 100 NR	45.940		12.9820	246.38		
WS PRE	AREA base	.501		12.5550	1.70		
WS PRE	AREA 25NR	25.982		13.0170	122.03		
WS PRE	AREA 100 NR	45.597		12.9790	244.35		

## Pond

Calc volume of forebay storage as sediment basin:

Overall pond watershed 104 acres

The watershed directly to the (2) streams entering the pond total: 18 acres

Use RUSLE Method – Refer to NYSS ESC Manual

$$A = Rk(LS) C$$

$$R = 150$$

Charlton  $k = .48$

Leicester  $k = .24$  (20% area)

Use  $k = .38$  weighted avg.

Percent Slope: 10%  
Slope Lengths: 800 ft avg.  
See Stream Stat Data

$$LS = 7.0$$

$C = \text{Forest Use / Established} - 75\% \text{ Cover Weeds}$

$$C = .011$$

$$A = Rk(LS) C$$
$$= 4.3 \text{ tons /acre (18 acres)} = 79 \text{ tons / year}$$

Conversion  $T = .70$  (tons to cy)

$$A = 79 (.7) = 55 \text{ cy /year} = 1,493 \text{ cf/year}$$

### Volume of Stream Plunge Pool

Base 330 @ 276 sf

332 @ 759 sf

334 @ 1,543 sf

335 @ 2,742 sf (top)

Per Pond Pack – Volume = .123 acre – ft  
= 5,400 cf

1,493 cf capacity @ elevation: 332.5 (clean out elevation)

## Sedimentation Basin Sizing

Refer to manual: New York State Guidelines for Sediment and Erosion Control

The project sedimentation control during construction consists of dividing the lands through implementation of temporary swales and diversion dikes into watershed areas depicted on the Erosion Control Plan. The following is an analysis of the respective watersheds and design of sedimentation basins. The basins have sufficient volume to store sediment load plus runoff from 1.0 inch first flush and to route the 10-year storm through the outlet structure.

Refer to Guidelines for applicable Standards, Section Page 5A.49

### Sedimentation Basin Design Form

- I) Sedimentation Basin: #1  
Location: Southern end of pond  
Class of Basin: 2  
Watershed #: WS#1 accessway and staging area  
Area: .28 acres disturbed  
Design Requirements: Refer to Temporary Sediment Design Data Sheet
- II) Minimum Storage Volume: 134 cy/acre  
Drainage Acreage: .28 acres  
Volume Required: 37.5 cf = 1,013 cf      Provided: 1,294 cf @ 339.5  
Shape: Length/Width: 2/1 : 40' x 20'  
Sediment Top: 340.5  
Sediment Bottom: 336.0
- III) Minimum Surface Area:  
A required = 0.01 QP = 117 sf  
A required = 0.015 D.A. = 190 sf  
Proposed: 800 sf
- IV) Hydraulic Design – Using TR55  
Water Shed area: As = .28 acres  
Class B Soils  
Exposed Earth: CN = 86  
Tc: Sheet Flow Limit = 50 feet  
Concentration Flow: 20 feet  
Swale Flow (N/A)  
Length: 0  
X-Section \_\_\_\_\_  
Slope:  
Surface : Gravel/Stone  
D<sub>50</sub> Req'd \_\_\_\_\_ Fig ( )  
N Value \_\_\_\_\_ Fig ( )  
Velocity \_\_\_\_\_ FPS  
Q<sub>p</sub> 10-year = 0.27 cfs
- V) Spillway Design  
Vertical Pipe or Outlet Box  
Select: vertical pipe – 12" Ø riser – top @ 339.5 for storage volume

Min. Size = .2 cfs/acre, times drainage acreage = .06 cfs  
 Emergency Spillway: 1.0' below top elevation @ 339.5  
 D<sub>50</sub> Stone 6"  
 Width: 4 Feet with V<sub>1</sub> side slopes  
 Flow Capacity 1.0 cfs  
 Refer to Flow Master program attached

VI) Dewatering Basin

Dewatering required over 10-hour period  
 $A_0 = \frac{As \times 2h^{.5}}{12256} = .018 \text{ sf}$  Orifice = 2" dia.

VII) Routing Calculations Using TR55 Modeling

- 1) Basin Design: Routing 10-year storm with outlet riser
  - 2) Model Drain Down Calculation: refer to TR55 calculations -- Under 10 hours
  - 3) Emergency Overflow Weir: Routing 100-year Storm
- Note: 10-year required per NYSDEC

Routing Synopsis

Computer Model: Basin Top = 340.5  
 Basin Bottom = 336.0  
 Assume 50% Fill Sediment (routed from 337.0)

Routing	Routing Elevation	Free Board	Emergency Weir Flow Elevation
1-year	337.98	2.5	N/A
10-year	339.53	1.0	0.0
100-year	339.58	0.92	0.08

Refer to Center Model Synopsis

VII) Anti Seep Collars

Discharge Pipe: 12" Ø  
 Riser @ 339.5  
 Pipe Out @ 336.0  
 Length = 34.0 ft  
 Y = 3.5 LS = 22.2  
 Use 2 Collars - 2.75 x 2.75

IX) Pipe Discharge

100-Year Flow Out: .77 cfs  
 Capacity: 12" Ø pipe @ 1% x 34' long: 3.2 cfs

Table of Contents

\*\*\*\*\* MASTER SUMMARY \*\*\*\*\*

Watershed..... Master Network Summary ..... 1.01

\*\*\*\*\* DESIGN STORMS SUMMARY \*\*\*\*\*

WESTCH-ILLINGTON Design Storms ..... 2.01

\*\*\*\*\* TC CALCULATIONS \*\*\*\*\*

SEDIMENT SIZING Tc Calcs ..... 3.01

\*\*\*\*\* POND VOLUMES \*\*\*\*\*

SEDIMENT..... Vol: Planimeter ..... 4.01

\*\*\*\*\* OUTLET STRUCTURES \*\*\*\*\*

SEDIMENT RISER.. Outlet Input Data ..... 5.01

MASTER DESIGN STORM SUMMARY

Default Network Design Storm File, ID STORMS.RNQ WESTCH-ILLINGTON

Return Event	Total Depth in	Rainfall Type	RNF File	RNF ID
100NR	9.3000	Synthetic Curve	GAUGED	Synth.Tbl 100
1-YR	2.7944	Synthetic Curve	SCSTYPES	TypeIII 24hr
10-YR	4.9094	Synthetic Curve	SCSTYPES	TypeIII 24hr

MASTER NETWORK SUMMARY  
SCS Unit Hydrograph Method

(\*Node=Outfall; +Node=Diversion;)  
(Trun= HYG Truncation: Blank=None; L=Left; R=Rt; LR=Left&Rt)

Storage Node ID	Type	Return Event	HYG Vol ac-ft	Trun	Qpeak hrs	Qpeak cfs	Max WSEL ft	Max Pond ac-ft
*DISCHARGE	JCT	100 NR	.168		12.9380	.77		
*DISCHARGE	JCT	1	.038		12.3540	.14		
*DISCHARGE	JCT	10	.082		12.4310	.30		
MOBILIZ AREA	AREA	100 NR	.165		12.9520	.77		
MOBILIZ AREA	AREA	1	.035		12.1010	.46		
MOBILIZ AREA	AREA	10	.079		12.1030	1.01		
SEDIMENT	IN POND	100 NR	.165		12.9520	.77		
SEDIMENT	IN POND	1	.035		12.1010	.46		
SEDIMENT	IN POND	10	.079		12.1030	1.01		
SEDIMENT	OUT POND	100 NR	.168		12.9380	.77	339.58	.029
SEDIMENT	OUT POND	1	.038		12.3400	.14	337.98	.010
SEDIMENT	OUT POND	10	.082		12.4310	.30	339.52	.027

Type.... Design Storms  
Name.... WESTCH-ILLINGTON

Page 2.01

File.... C:\HAESTAD\PPKW\RAINFALL\STORMS.RNQ  
Title... ROUTING OF STORMS THROUGH BASIN  
100 YR AND 25 YR

#### DESIGN STORMS SUMMARY

Design Storm File, ID = STORMS.RNQ WESTCH-ILLINGTON

Storm Tag Name = 100NR  
Description: 100 YEAR NRCC-C STORM EVENT

-----  
Data Type, File, ID = Synthetic Storm GAUGED.RNF Synth.Tbl 100  
Storm Frequency = 100 NR yr  
Total Rainfall Depth= 9.3000 in  
Duration Multiplier = 1  
Resulting Duration = 24.0000 hrs  
Resulting Start Time= .0000 hrs Step= 1.0000 hrs End= 24.0000 hrs

Storm Tag Name = 1-YR  
Description: 1 YEAR FIRST FLUSH

-----  
Data Type, File, ID = Synthetic Storm SCSTYPES.RNF TypeIII 24hr  
Storm Frequency = 1 yr  
Total Rainfall Depth= 2.7944 in  
Duration Multiplier = 1  
Resulting Duration = 24.0000 hrs  
Resulting Start Time= .0000 hrs Step= .1000 hrs End= 24.0000 hrs

Storm Tag Name = 10-YR  
Description: 10 YEAR

-----  
Data Type, File, ID = Synthetic Storm SCSTYPES.RNF TypeIII 24hr  
Storm Frequency = 10 yr  
Total Rainfall Depth= 4.9094 in  
Duration Multiplier = 1  
Resulting Duration = 24.0000 hrs  
Resulting Start Time= .0000 hrs Step= .1000 hrs End= 24.0000 hrs

Type.... Tc Calcs  
Name.... SEDIMENT SIZING

File.... Z:\PROGRAMS\PONDPACK\IILLINGOTN ROAD DAM\SEDIMENT BASIN.PPW  
Title... SEDIMENT WATERSHED

.....  
TIME OF CONCENTRATION CALCULATOR  
.....

SEDIMENT WATERSHED  
-----

Segment #1: Tc: TR-55 Shallow  
Description: EARTH FLOW

Hydraulic Length     20.00 ft  
Slope                   .080000 ft/ft  
Unpaved

Avg.Velocity           4.56 ft/sec

Segment #1 Time:     .0012 hrs  
-----

Segment #2: Tc: TR-55 Sheet  
Description: SHEET FLOW

Mannings n             .1000  
Hydraulic Length     50.00 ft  
2yr, 24hr P         3.6000 in  
Slope                 .100000 ft/ft

Avg.Velocity           .41 ft/sec

Segment #2 Time:     .0336 hrs  
-----

=====  
Total Tc:             .0348 hrs

Calculated Tc < Min.Tc:  
Use Minimum Tc...  
Use Tc =             .0833 hrs  
=====



Type.... Tc Calcs  
Name.... SEDIMENT SIZING

File.... Z:\PROGRAMS\PONDPACK\IILLINGOTN ROAD DAM\SEDIMENT BASIN.PPW  
Title... SEDIMENT WATERSHED

-----  
Tc Equations used...  
-----

==== SCS TR-55 Sheet Flow =====

$$Tc = (.007 * ((n * Lf)**0.8)) / ((P**.5) * (Sf**.4))$$

Where: Tc = Time of concentration, hrs  
n = Mannings n  
Lf = Flow length, ft  
P = 2yr, 24hr Rain depth, inches  
Sf = Slope, %

==== SCS TR-55 Shallow Concentrated Flow =====

Unpaved surface:  
 $V = 16.1345 * (Sf**.5)$

Paved surface:  
 $V = 20.3282 * (Sf**.5)$

$$Tc = (Lf / V) / (3600sec/hr)$$

Where: V = Velocity, ft/sec  
Sf = Slope, ft/ft  
Tc = Time of concentration, hrs  
Lf = Flow length, ft

Type.... Vol: Planimeter  
Name.... SEDIMENT

File.... Z:\PROGRAMS\PONDPACK\IILLINGOTN ROAD DAM\SEDIMENT BASIN.PPW  
Title... SEDIMENTBASIN

POND VOLUME CALCULATIONS

Planimeter scale: 1.00 ft/in

Elevation (ft)	Planimeter (sq.in)	Area (acres)	A1+A2+sqr(A1*A2) (acres)	Volume (ac-ft)	Volume Sum (ac-ft)
336.00	85.000	.0020	.0000	.000	.000
338.00	371.000	.0085	.0145	.010	.010
340.00	777.000	.0178	.0387	.026	.035

POND VOLUME EQUATIONS

\* Incremental volume computed by the Conic Method for Reservoir Volumes.

$$\text{Volume} = (1/3) * (\text{EL2} - \text{EL1}) * (\text{Area1} + \text{Area2} + \text{sq.rt.}(\text{Area1} * \text{Area2}))$$

where: EL1, EL2 = Lower and upper elevations of the increment  
Area1, Area2 = Areas computed for EL1, EL2, respectively  
Volume = Incremental volume between EL1 and EL2

Type.... Outlet Input Data  
Name.... SEDIMENT RISER

File.... Z:\PROGRAMS\PONDPACK\IILLINGOTN ROAD DAM\SEDIMENT BASIN.PPW

REQUESTED POND WS ELEVATIONS:

Min. Elev.= 336.00 ft  
Increment = .10 ft  
Max. Elev.= 340.00 ft

\*\*\*\*\*  
OUTLET CONNECTIVITY  
\*\*\*\*\*

---> Forward Flow Only (UpStream to DnStream)  
<--- Reverse Flow Only (DnStream to UpStream)  
<---> Forward and Reverse Both Allowed

Structure	No.		Outfall	E1, ft	E2, ft
Stand Pipe	A	--->	TW	339.500	340.000
Orifice-Circular	B	--->	TW	336.000	340.000
Weir-Rectangular	C	--->	TW	339.500	340.000
TW SETUP, DS Channel					

Type.... Outlet Input Data  
Name.... SEDIMENT RISER

File.... Z:\PROGRAMS\PONDPACK\IILLINGOTN ROAD DAM\SEDIMENT BASIN.PPW

OUTLET STRUCTURE INPUT DATA

Structure ID = A  
Structure Type = Stand Pipe  
-----  
# of Openings = 1  
Invert Elev. = 339.50 ft  
Diameter = 1.0000 ft  
Orifice Area = .7854 sq.ft  
Orifice Coeff. = .600  
Weir Length = 3.14 ft  
Weir Coeff. = 3.300  
K, Submerged = .000  
K, Reverse = 1.000  
Kb, Barrel = .000000 (per ft of full flow)  
Barrel Length = .00 ft  
Mannings n = .0000

Structure ID = B  
Structure Type = Orifice-Circular  
-----  
# of Openings = 1  
Invert Elev. = 336.00 ft  
Diameter = .1667 ft  
Orifice Coeff. = .600

Structure ID = C  
Structure Type = Weir-Rectangular  
-----  
# of Openings = 1  
Crest Elev. = 339.50 ft  
Weir Length = 4.00 ft  
Weir Coeff. = 2.800000

Weir TW effects (Use adjustment equation)

Type.... Outlet Input Data  
Name.... SEDIMENT RISER

Page 5.03

File.... Z:\PROGRAMS\PONDPACK\IILLINGOTN ROAD DAM\SEDIMENT BASIN.PPW

OUTLET STRUCTURE INPUT DATA

Structure ID = TW  
Structure Type = TW SETUP, DS Channel

-----  
FREE OUTFALL CONDITIONS SPECIFIED

CONVERGENCE TOLERANCES...

Maximum Iterations= 30  
Min. TW tolerance = .01 ft  
Max. TW tolerance = .01 ft  
Min. HW tolerance = .01 ft  
Max. HW tolerance = .01 ft  
Min. Q tolerance = .10 cfs  
Max. Q tolerance = .10 cfs

Index of Starting Page Numbers for ID Names

----- S -----

SEDIMENT... 4.01  
SEDIMENT RISER... 5.01  
SEDIMENT SIZING... 3.01

----- W -----

Watershed... 1.01  
WESTCH-ILLINGTON... 2.01

sediment emergency weir  
Worksheet for Trapezoidal Channel

---

Project Description	
Project File	untitled.fm2
Worksheet	sediment basin overflow
Flow Element	Trapezoidal Channel
Method	Manning's Formula
Solve For	Channel Depth

---

---

Input Data	
Mannings Coefficient	0.040
Channel Slope	0.020000 ft/ft
Left Side Slope	1.000000 H : V
Right Side Slope	1.000000 H : V
Bottom Width	4.00 ft
Discharge	1.00 cfs

---

---

Results	
Depth	0.16 ft
Flow Area	0.67 ft <sup>2</sup>
Wetted Perimeter	4.46 ft
Top Width	4.32 ft
Critical Depth	0.12 ft
Critical Slope	0.048808 ft/ft
Velocity	1.49 ft/s
Velocity Head	0.03 ft
Specific Energy	0.20 ft
Froude Number	0.67
Flow is subcritical.	

---

# **Alek-Tris Subdivision**



FEB 9 2021

# TOWN OF YORKTOWN PLANNING BOARD

Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565, Fax (914) 962-3986

## APPLICATION FOR APPROVAL OF A MINOR SUBDIVISION PLAT OR PRELIMINARY APPROVAL OF A MAJOR SUBDIVISION PLAT

Date 2/8/2021

1. Name of Project: Alek- Tris, LLC

2. Tax Map Designation: Section 16.10 Block 3 Lot 26

3. Zone: R-10 Acreage: 1.66

4. Total number of lots proposed: 3

5. Project narrative (brief description of proposed development):

Existing lot has a two family house & a cottage.

Proposed Lot # 1 variances were granted June 25, 1981 to create 2 lots in the rear of the property off Frost Road, i.e. Lot # 2- 14,482 SF & Lot # 3 - 14,043 SF

6. Contact Person - CHOOSE ONLY ONE:  
 Applicant       Owner       Architect       Wetland Scientist  
 Attorney       Engineer       Surveyor       Landscape Architect

7. Applicant

Name Brian Goc  
Firm Alek-Tris, LLC  
Address 3 Old Tomahawk St., Yorktown Heights, NY 10598  
Phone 914-245-0244  
Fax \_\_\_\_\_  
Email Brian@sunrisecarpentry.com

8. Owner of Record

Name Same as applicant  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_

**9. Attorney**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_

**10. Engineer**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_  
Lic. No. \_\_\_\_\_

**11. Surveyor**

Name Stephen Dolson  
Firm Dolson Surveying Services  
Address 30 Tara Terrace, Port Jervis, NY 12771  
Phone 845-355-1355  
Fax \_\_\_\_\_  
Email \_\_\_\_\_  
Lic. No. 096619

**12. Architect**

Name Joel Greenberg  
Firm Architectural Visions, PLLC  
Address 2 Muscoot Road North, Mahopac, NY 10541  
Phone 845-628-6613  
Fax \_\_\_\_\_  
Email joel.greenberg@arch-visions.com  
Lic. No. 11056

**13. Wetland Scientist/Specialist**

Name     N/A      
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_

**14. Landscape Architect**

Name     N/A      
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_  
Lic. No. \_\_\_\_\_

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

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

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

**18. 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

19. Does the entire development plan for this project propose the disturbance of more than 5,000 SF of land? Note: If project is phased, include all phases in determination.  Yes  No

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

- Wetland Permit
- Stormwater Permit
- Tree Permit
- Planning Board special permit: \_\_\_\_\_
- Town Board variance or approval: \_\_\_\_\_
- \_\_\_\_\_ Zoning Board of Appeals variance or special permit: \_\_\_\_\_

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

- Westchester County Board of Health
- NYC DEP
- NYS DEC
- Other: \_\_\_\_\_

22. This parcel is in the following districts:

School District	<u>Lakeland</u>	Water District	<u>Yorktown</u>
Fire District	_____	Sewer District	<u>Yorktown</u>

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

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 date required by Land Development Regulations, including final reports from the Director of Planning and Town Engineer are received by the Board.

**Applicant**

Joel Greenberg

NAME (PLEASE PRINT)

Joel Greenberg

SIGNATURE

2/8/2021

DATE

**Owner of Record**

Brian Goc

NAME (PLEASE PRINT)

Brian G. Goc

SIGNATURE

2/8/2021

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**

\*\*\*\*\*

**AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER**

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

Joel Greenberg, being duly sworn, deposes and says that he is the agent named in the foregoing application for Alek-Tris, LLC 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.

*Joel Greenberg*

Sworn before me this 8th date of February, 2021

*Peter W Langeloh*  
Notary Public

PETER W LANGELOH  
Notary Public, State of New York  
Registration #01LA635474  
Qualified In Westchester County  
Commission Expires Feb. 21, 2021

F:\Office\WordPerfect\APPLICATION FORMS\APPMIN.wpd  
Last updated: December 2011

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.:

Brian Goc, being duly sworn, deposes and says that he resides at 3194 Old Yorktown Rd, Yorktown Heights, NY 10598 in the County of Westchester and State of New York. That he is the President of Alek-Tris LLC the corporation which is owner in fee of the property described in the foregoing application for Subdivision approval and that the statements contained therein are true to the best of his knowledge and belief.

*Brian Goc*

Sworn before me this 8<sup>th</sup> date of February, 2021

*Peter W Langeloh*  
Notary Public

PETER W LANGELOH  
Notary Public, State of New York  
Registration #01LA635474  
Qualified In Westchester County  
Commission Expires Feb. 21, 2021

**Short Environmental Assessment Form**  
**Part 1 - Project Information**

RECEIVED  
PLANNING DEPARTMENT

FEB 9 2021

TOWN OF YORKTOWN

**Instructions for Completing**

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: <b>Alek- Tris LLC</b>			
Project Location (describe, and attach a location map): <b>1075 East Main St, Shrub Oak, NY 10588</b>			
Brief Description of Proposed Action: <b>3 Lot Subdivision</b>			
Name of Applicant or Sponsor:  <b>Brian Goc</b>		Telephone: <b>914-245-0244</b> E-Mail: <b>Brian@sunrisecarpentry.com</b>	
Address: <b>3 Old Tomahawk Street</b>			
City/PO: <b>Yorktown Heights</b>		State: <b>NY</b>	Zip Code: <b>10598</b>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: <b>WCHD &amp; Yorktown Bldg Dept.</b>			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		<u>1.66</u> acres	
b. Total acreage to be physically disturbed?		<u>0.5</u> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		<u>1.66</u> acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?  b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input type="checkbox"/>	<input type="checkbox"/>	





**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

Map labels include: Yorktown, 16.06-1-17, 16.06-1-18, 16.06-1-19, 16.06-1-20, 16.06-1-21, 16.06-1-22, 16.06-1-31, 16.06-1-34, 16.06-1-33, 16.10-2-26, 16.10-2-27, 16.10-2-82, 16.10-2-25, 16.10-2-32, 16.10-2-24, 16.10-2-23, 16.10-3-48, 16.10-3-26, 16.10-3-25, 16.10-3-22, 16.10-3-21, 16.10-3-20, 16.10-3-49, 16.10-3-50, 16.10-3-51, 16.10-3-47, 16.10-4-34, 16.10-4-33, 16.10-4-32, 16.10-4-35, 16.10-4-27, 16.10-4-36, 16.10-4-28, 16.10-4-37, 16.10-4-47, 16.10-4-38, 16.10-4-29.

Map attribution: © 2021 Esri, DeLorme, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

DECISION OF THE YORKTOWN ZONING BOARD OF APPEALS

June 25, 1981

MACMASTER, WILLIAM  
#32/81

Application for variance to allow subdivision of property creating two new building lots with an area of 16,000 square ft where 20,000 square ft is required. Premises located on east side of Frost Road, aka/Section 4.6, Parcel 7, Lot 24 on the Tax Map of the Town of Yorktown.

Upon reading and filing the Certificate of Notice, the reports of the Building Inspector dated June 25, 1981, Conservation Board dated June 2, 1981, Tax Assessor dated June 25, 1981 and upon the report of the site committee and upon the testimony offered and received at the public hearing of this application, it is found and determined as follows:

The requested relief, although resulting in a 25% reduction in the area requirements is nevertheless in harmony with the surrounding area and exceeds the size of surrounding lots.

Applicant agreed to stipulate that lot 24 (the front lot) could not be further subdivided.

In order to preserve the open shed and eliminate the dog leg of the lot lines, Board and applicant agreed to rearrange same. Such rearrangement results in lot 24.1 being 14,043 square ft and lot 24.2 being 14,482 square ft.

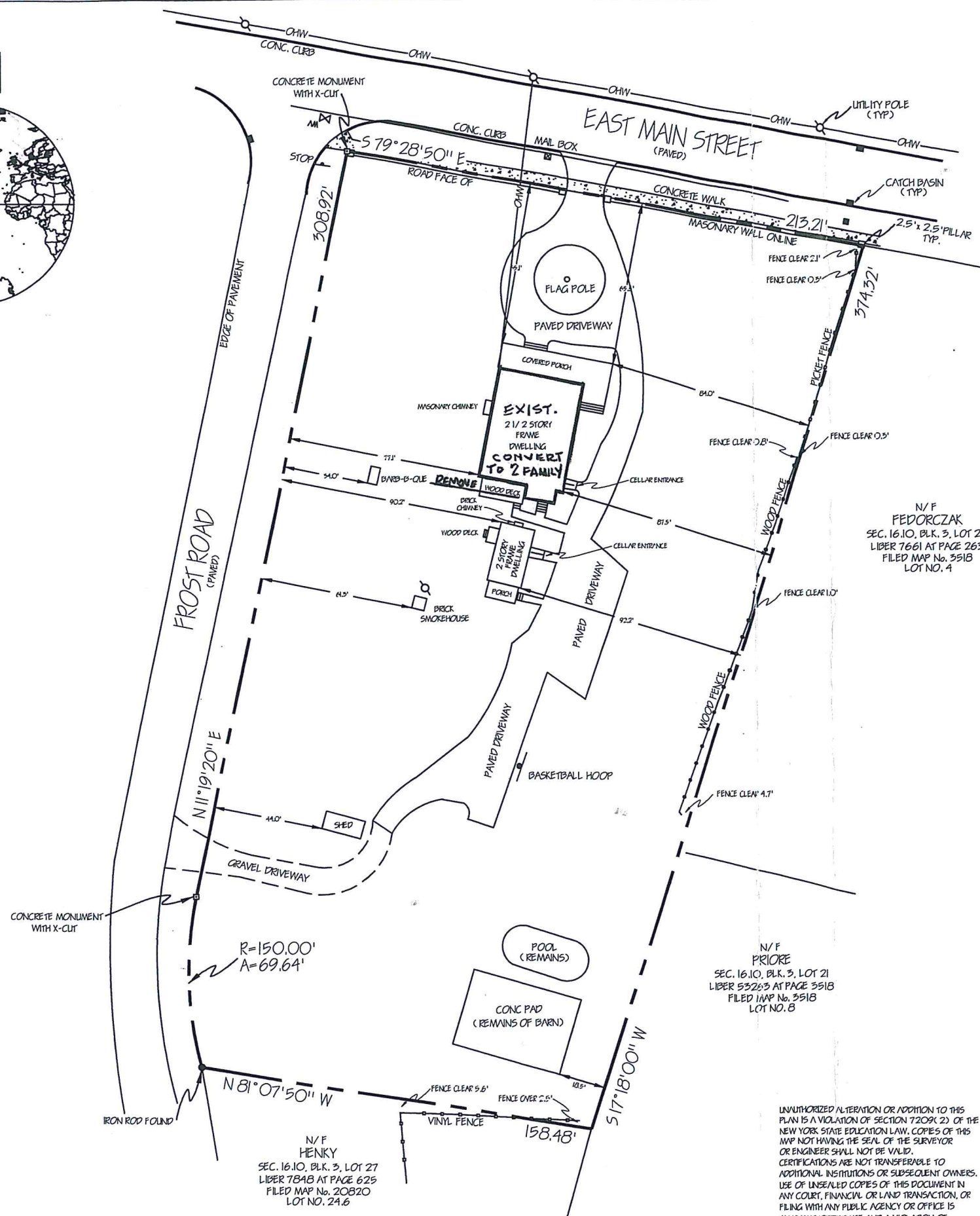
Applicant presented proof of practical difficulty.

Based upon the above, the Board, after due consideration does grant the variance requested. Said variance is made expressly subject to the following conditions:

1. No further subdivisions on the lot facing East Main Street (24) shall be permitted.
2. Shed shall be restored by July 1, 1982.
3. Application is amended to rearrange the lot lines leaving one lot of 14,043 square ft (24.1) and one of 14,482 square ft (24.2).

Filed on the 30<sup>th</sup> day  
of July, 1981.

GERALDINE SCHWALB, Town Clerk



**NOTES:**

1. ONLY COPIES FROM THE ORIGINAL OF THIS SURVEY MARKED WITH AN ORIGINAL OF THE LAND SURVEYOR'S INKED SEAL OR HIS/HER EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES.
2. CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYORS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THE SURVEY IS PREPARED, AND ON HIS/HER BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND LENDING INSTITUTION LISTED HEREON. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.
3. UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS, IF ANY, ARE NOT SHOWN HEREON.
4. REFERENCE: A MAP ENTITLED, "MINOR SUBDIVISION MAP - WILLIAM F. MACMASTER", AS FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON DECEMBER 29, 1981, AS MAP No. 20820. REFERENCE: A MAP ENTITLED, "MAP OF SUBDIVISION BELONGING TO EMILY K. MILLER", AS FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON OCTOBER 25, 1929, AS MAP No. 3518. REFERENCE: DEED LIBER 55287 AT PAGE 3655, ADJOINERS AS NOTED.
5. SUBJECT TO AN ACCURATE AND UP TO DATE TITLE REPORT.
6. SUBJECT TO ANY EASEMENTS OR AGREEMENTS OF RECORD, IF ANY.

**AREA = 1.66 ± ACRES**

TAX MAP SECTION 16.10, BLOCK 3, LOT 26  
FILED MAP No. 20820, LOT No. 24

DATE	REVISIONS	APPROVED
11/11/15	ORIGINAL PREPARATION	SPD
TITLE: SURVEY MAP OF LANDS OF: <b>BRIAN GOC</b> TOWN OF YORKTOWN WESTCHESTER COUNTY, NEW YORK <b>DOLSON SURVEYING SERVICES</b> 30 TARA TERRACE PORT JERVIS, NEW YORK 12771 PHONE: (845) 355-1355 MOBILE: (845) 551-8786		
JOB NO.	DWG. NO.	REV.
15-016	15-016 SUR	1
SCALE	E-MAIL	SHEET
1" = 50'	DSSDOLSON@LIVE.COM	1 OF 1

N/F PRIORE  
SEC. 16.10, BLK. 3, LOT 21  
LIBER 53263 AT PAGE 3518  
FILED MAP No. 3518  
LOT NO. 8

UNAUTHORIZED ALTERATION OR ADDITION TO THIS PLAN IS A VIOLATION OF SECTION 7209(2) OF THE NEW YORK STATE EDUCATION LAW. COPIES OF THIS MAP NOT HAVING THE SEAL OF THE SURVEYOR OR ENGINEER SHALL NOT BE VALID. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS. USE OF UNSEALED COPIES OF THIS DOCUMENT IN ANY COURT, FINANCIAL OR LAND TRANSACTION, OR FILING WITH ANY PUBLIC AGENCY OR OFFICE IS AN UNAUTHORIZED USE AND A VIOLATION OF FEDERAL COPYRIGHT LAWS.

**STEPHEN P. DOLSON, P.L.S.**  
LICENSE NO. 050554 ©

**CERTIFIED:**  
- AARON WISOTSKY

N/F HENRY  
SEC. 16.10, BLK. 3, LOT 27  
LIBER 7848 AT PAGE 625  
FILED MAP No. 20820  
LOT NO. 24.6

# **Yorktown Energy Storage**



Town of Yorktown  
 363 Underhill Avenue  
 Yorktown Heights, NY 10598

**RE: Utility Maintenance Agreement**

**Yorktown Energy Storage 1, LLC**

Yorktown Energy Storage 1, LLC and its successors and assigns, hereby agree to perform the following maintenance tasks based upon the below schedule.

This list is non-exhaustive and is subject to change based on the energy storage vendor’s requirements.

<b>Task</b>	<b>Task Description</b>	<b>Component</b>	<b>Frequency</b>
<b>1</b>	Meter Calibration	Power & Revenue Meters	<b>Every 3 yrs.</b>
<b>2</b>	Transformer testing: (DGA, IR, Doble, Megger)	Isolation & Auxiliary transformers	<b>Complete Every 3 yrs. IR/Oil – 1/Yr.</b>
<b>3</b>	Annual Performance Test	Array	<b>1/Yr.</b>
<b>4</b>	Cooling System Maintenance.	HVAC/Chillers	<b>Complete 1/yr. Filter 1/mo. (varies by vendor)</b>
<b>5</b>	Switchboard UPS Battery Maintenance	125 v DC	<b>1/Yr.</b>
<b>6</b>	Fire Protection System Maintenance	Fire Protection System	<b>1/Yr. Building 2/Yr. Container</b>
<b>7</b>	Building/Container Housekeeping	Building/Container. Network / Telco Racks	<b>2/Yr.</b>
<b>8</b>	Node IR - DC/AC Connections	DC Connectors	<b>1/Yr.</b>
<b>9</b>	Ambient condition check	PCS	<b>4/Yr.</b>
<b>10</b>	Power measurements	PCS	<b>4/Yr.</b>
<b>11</b>	Power/control connection inspection	PCS	<b>2/Yr. 1/Yr. to fasten connections</b>
<b>12</b>	Cabinet door seals	PCS	<b>4/Yr.</b>
<b>13</b>	Visual damage to doors, gratings, cabinet	PCS	<b>4/Yr.</b>
<b>14</b>	Cable input sealing	PCS	<b>4/Yr.</b>

30 Century Hill Drive, Suite 301  
 Latham, NY 12110  
 www.borregosolar.com



15	Check cabinet paint for damage or corrosion	PCS	4/Yr.
16	Safety notices and stickers on and in the switch cabinet	PCS	4/Yr.
17	Check nameplate	PCS	4/Yr.
18	Check bottom	PCS	4/Yr.
19	IGBT's module	PCS	1/Yr.
20	Correct capacitor	PCS	1/Yr.
21	Inductances	PCS	2/Yr. for evidence of overheating 1/Yr. for connections and temperatures
22	Auxiliary Transformers	PCS	2/Yr. for visual damage and overheating 1/Yr. to verify connections
23	AC Contactor/circuit breakers	PCS	2/Yr.
24	UPS (if included)	PCS	2/Yr.
25	Cooling fans	PCS	2/Yr.
26	Gratings	PCS	2/Yr.
27	Dust Filters	PCS	2/Yr. inspection 1/Yr. cleaning
28	Historical data and errors	PCS	1/Yr.
29	Protections	PCS	1/Yr.
30	Fence Maintenance	Chain link fence	1/Yr. for visual damage
31	Landscaping Maintenance	Trees and shrubs	1/Yr. for trimming/pruning

Agreement accepted by:

X

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Yorktown Energy Storage 1, LLC  
Authorized Representative

30 Century Hill Drive, Suite 301  
Latham, NY 12110  
www.borregosolar.com



September 18, 2020

Planning Board  
**Town of Yorktown**  
363 Underhill Avenue  
Yorktown Heights, NY 10598

**RE: Special Use Permit Application  
Decommissioning Narrative  
Tier 2 Battery Storage System  
3901 Gomer Court  
Yorktown, NY**

Dear Members of the Planning Board:

As required in Section 7.H.1 Decommissioning of the requirements for Tier 2 Battery Storage Systems, enclosed is our narrative description of the activities required to decommission a battery storage system.

Decommissioning will occur at the end of our lease with the landowner, which is typically after 20 years and will be completed through a third-party vendor to ensure proper recycling of batteries. Our vendors' typical scope includes a pre-decommissioning inspection at the job site prior to decommissioning, decommissioning checklist & supervision, labor to remove battery racks and placement of packaged battery assemblies onto a cargo shipping container (using DOT-approved battery packaging).

The third-party vendor will ensure that local, state and federal waste-handling requirements are met. Additionally, they will determine if the batteries can be reused or recycled, reduce the charges in the batteries, disconnect the system, and make decisions on how to remove, transport and package the batteries and remove and transport the containers that house them. The third-party vendor will also determine how else to reuse the other equipment on-site, such as the power conversion system and other scrap metal. One such vendor that Borrego has identified which provides all of the services listed above is [Renewance](#), a battery stewardship company that offers turnkey solutions to end-of-life management for battery storage systems.

Other activities associated with removing a battery storage system from service include removal of all other electrical equipment such as transformers, breaking up concrete pads and footings, removing electrical wiring, fencing and power poles. The site will be re-graded to existing conditions. Specific to the Gomer Court site, much of the existing area where the battery storage system is proposed is gravel, so we will work with the landowner to replace the gravel or seed the disturbed areas.

Should the energy storage system, or any component of it, need to be removed from service due to a fire or other event, please follow the manufacturer's guidance, included below.



If a battery module is determined to be at end of life or damaged the severity must be quantified and their condition must be evaluated prior to disposing battery modules. This can be done by checking their Open Circuit Voltage (OCV), measured between the module terminals.

LL: OCV when State of Charge of the module is 0% based on spec sheet (Lower Limit)

UL: OCV when State of charge of the module is 100% based on spec sheet (Upper Limit)

### **Category 1: $LL \leq OCV \leq UL$**

These modules do not pose an immediate risk and may be left temporarily racked within the battery storage container or placed in the storage container prior to shipment. Following removal from the rack within the battery storage container Category 1 modules must be returned to the battery supplier or handled by the provider, in accordance with local battery recycling regulations.

*Note: If smoke and abnormal heat generation occur during discharge, stop working immediately. Evacuate the area and call the battery provider and emergency response personnel immediately.*

### **Category 2: $0V < OCV < LL$**

Call the battery provider immediately. An investigation will be performed along with a dynamic risk assessment, and the disposal will be organized through the battery supplier or handled by the battery provider, either in accordance with local battery recycling regulations.

*Note: If smoke and abnormal heat generation occur during discharge, stop working immediately. Evacuate the area and call the battery provider and emergency response personnel immediately.*

### **Category 3: $OCV = 0V$**

Call the battery provider immediately. An investigation will be performed along with a dynamic risk assessment and the disposal will be organized through the battery supplier or handled by the battery provider, either in accordance with local battery recycling regulations.

*Note: If smoke and abnormal heat generation occur during discharge, stop working immediately. Evacuate the area and call the battery provider and emergency response personnel immediately.*

### **Identifying Electrolyte Leakage**

Electrolyte leakage is not foreseen due to the construction of the battery cells and modules and is associated with a module that has undergone significant damage. If you smell a pungent, slightly sweet smell similar to the smell of acetone (nail polish remover) or isopropyl alcohol (rubbing alcohol), but with some sweetness to the smell, this may be an indicator of an electrolyte leak. It is a distinctive smell



that is not present during typical operation of the energy storage facilities. If this is detected, remove yourself from the area and contact your service technician.

*Note: Call provider immediately. An investigation will be performed along with a dynamic risk assessment which will include a spill control procedure if deemed prudent. The disposal will be organized through the battery supplier either in accordance with local battery recycling regulations.*

Our decommissioning estimate assumes the following:

1. Vendors who are contracted to remove the batteries, containers, transformers and other electrical equipment will provide trucking services and will reclaim valuable material themselves, thus no salvage value is included.
2. Batteries will incur a fee per unit at future recycling facilities.
  - a. Note: this cost should be assumed by the vendors as outlined in our first assumption, however, we are including this in an effort to keep our estimate as conservative as possible.

We propose that a decommissioning bond is put in place between Yorktown Energy Storage 1, LLC and the Town of Yorktown, pursuant to section pursuant to section 7.H.2 of the law. As is typical with solar, we would propose that the decommissioning bond be reviewed after every 5-years to remain current with labor rates and technological updates for battery recycling.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Samaroo', written in a cursive style.

Melissa Samaroo  
Project Engineer



# Decommissioning Estimate

3901 Gomer Court  
Yorktown, NY

Date: 09/18/2020

This Decommissioning Estimate has been prepared by Borrego Solar in an attempt to predict the cost associated with the removal of the proposed battery energy storage facility. The primary cost of decommissioning is the labor to dismantle and load equipment, as well as the cost of trucking materials off-site. All material will be removed from the site, including the concrete equipment pads and strip footings, which will be broken up at the site and hauled to the nearest transfer station. All solid and hazardous waste will be disposed of in accordance with local, state and federal regulations.

No salvage values have been assumed in this calculation.

The following values were used in this Decommissioning Estimate:

<b>System Specifications</b>		<b>Equipment &amp; Material Removal Rates</b>	
Total Batteries	901	Large Equipment Removal Rate (hr/unit)	0.5
Total Battery Weight (lbs)	258,587	Electric Wiring Removal Rate (min/LF)	3
Number of Containers	5	Fence Removal Rate (min/LF)	0.5
Number of Transformers	3	Days req. to break up concrete pads	3
Number of Power Conversion Systems	2	Days req. with Rough Grader	1
Number of Neutral Grounding Reactors	1	Days req. with Fine Grader	1
Number of Meters	1	Total Truckloads to CCDD	66
Electrical Wiring Length (ft)	135	Round-Trip Dist. to CCDD (miles)	30
Length of Perimeter Fence (ft)	582	Round-Trip Time to CCDD (hr)	1
Number of Power Poles	1	Total Truckloads to Battery Recycling	10
Total Disturbed Area (SF)	15,755	Round-Trip Dist. to CCDD (miles)	120
Total Fence Weight (lbs)	658	Round-Trip Time to CCDD (hr)	2
<b>Labor and Equipment Costs</b>			
Labor Rate (\$/hr)	\$ 67.50		
Operator Rate (\$/hr)	\$ 85.45		
Bobcat Cost (\$/hr)	\$ 125.00		
Front End Loader Cost (\$/Day)	\$ 1,000.00		
Excavator Cost (\$/Day)	\$ 1,000.00		
Trucking Cost (\$/hr)	\$ 130.00		
Backhoe Cost (\$/hr)	\$ 245.00		
Power Pole Removal Cost (\$/pole)	\$ 1,500.00		
Grader Cost (\$/day)	\$ 1,800.00		
Seeding Cost (\$/SF)	\$ 0.10		
Fuel Cost (\$/mile)	\$ 0.50		
Battery Disposal Fee (\$/battery)	\$ 0.50		



# Decommissioning Estimate

Date: 09/18/2020

3901 Gomer Court  
Yorktown, NY

## Labor, Material, and Equipment Costs

### 1. Load Electrical Equipment

Electrical equipment includes transformers and inverters. We assume that companies removing electrical equipment will provide trucking services and will reclaim valuable materials  
 $(\text{Number of Inverters} \cdot \text{Inverter Removal Rate} + \text{Number of Transformers} \cdot \text{Transformer Removal Rate}) \cdot (\text{Labor Rate} + \text{Bobcat Cost}) =$   
*Electrical Equipment Removal Cost*

**Total = \$ 1,262.70**

### 2. Break Up Concrete Pads

Concrete pads are broken up using an excavator and jackhammer.

$\text{Number of Demolition Days} \cdot (\text{Excavator Cost} + \text{Labor Cost}) =$   
*Total Concrete Pad Removal*

**Total = \$ 5,050.80**

### 3. Remove Electrical Wiring

Electrical wiring will be removed from all underground conduits.

$\text{Cable Length} \cdot \text{Cable Removal Rate} \cdot (\text{Labor Cost} + \text{Backhoe Cost}) =$   
*Total Cable Removal Cost*

**Total = \$ 2,230.54**

### 4. Remove Fencing

Fencing posts, boards, and foundations will be loaded onto a truck and removed from site. Trucking costs included in this line item are for the removal process. Trucking to a recycling facility are included in item #8.

$(\text{Total Length of Fence} \cdot \text{Fence Removal Rate}) \cdot (\text{Labor Rate} + \text{Bobcat Cost} + \text{Trucking Cost}) =$   
*Total Screw Removal Cost*

**Total = \$ 1,651.18**

### 5. Remove Power Poles

Power poles will be removed and shipped off site.

$\text{Number of Power Poles} \cdot \text{Pole Removal cost} =$   
*Total Power Pole Removal Cost*

**Total = \$ 1,500.00**



### 6. Seed Disturbed Areas

Seeding cost includes labor and materials for reseeding all disturbed areas including the reclaimed gravel road area, former electrical areas, and areas disturbed by racking foundation

$$\frac{\text{Seeding Cost} \cdot \text{Disturbed Area}}{\text{Total Seeding Cost}} =$$

**Total = \$ 1,575.50**

### 7. Truck to CCDD

All material will be trucked to the nearest CCDD station that accepts construction material (i.e. fence, concrete pads and gravel).

The nearest transfer station is Dakota Supply Corp.

$$\frac{(\text{Total Trucks to CCDD} \cdot \text{Roundtrip Time} \cdot \text{Trucking Cost})}{\text{Total Trucking Cost to CCDD}} =$$

**Total = \$ 8,580.00**

### 8. Truck to Recycling Facility Plus Disposal Fee

All batteries will be transported to the nearest recycling facility. We anticipate that there will be a facility within 60 miles of this system at the time of decommissioning.

$$\frac{(\text{Total Trucks to Recycling Facility} \cdot \text{Roundtrip Distance} \cdot \text{Trucking Cost}) + (\text{Number Batteries} \cdot \text{Battery Disposal Fee})}{\text{Total Battery Trucking and Battery Disposal Fee}} =$$

**Total = \$ 3,050.50**

### Salvage Values

Salvage Value Not Included



**Summary of Decommissioning Costs**

Line Item	Task	Cost
1	Electrical Equipment Loading and Removal	\$ 1,262.70
2	Break Up Concrete Pads	\$ 5,050.80
3	Electrical Wiring Removal	\$ 2,230.54
4	Fence Removal	\$ 1,651.18
5	Power Pole Removal	\$ 1,500.00
6	Seed Disturbed Areas	\$ 1,575.50
7	Trucking to CCDD	\$ 8,580.00
8	Trucking to Recycling Facility Plus Disposal Fee	\$ 3,050.50
		Subtotal = \$ 24,901.22



**Present Value Total = \$ 24,901.22**

Total after 20 years @ 2.5% Inflation

*Present Value • (1+ Inflation Rate)<sup>Number of Years</sup> =*

**Grand Total = \$40,803.55**

# SITE USE PLANS

## 3901 GOMER COURT, YORKTOWN, NY 10598

### 5000 KW RATED / 15000 KWH USABLE ENERGY STORAGE SYSTEM

#### GENERAL NOTES

- AS CONTAINED HEREIN, "CONTRACTOR" IS ASSUMED TO BE BORREGO SOLAR SYSTEMS, INC AND "SUBCONTRACTOR" IS BORREGO'S INSTALLATION SUBCONTRACTOR.
- THESE NOTES SET MINIMUM STANDARDS FOR CONSTRUCTION. THE DRAWINGS GOVERN OVER THESE NOTES TO THE EXTENT SHOWN.
- ALL WORK SHALL CONFORM TO THE MINIMUM STANDARDS OF THE FOLLOWING: LOCAL BUILDING CODE, LOCAL ELECTRICAL CODE, ANY OTHER REGULATING AGENCIES WHICH HAVE AUTHORITY OVER ANY PORTION OF THE WORK AND THOSE CODES AND STANDARDS LISTED IN THESE DRAWINGS AND IN THE SUBCONTRACTOR AGREEMENT.
- EXCEPTIONS TO THE CONTRACT DOCUMENTS ARE PERMITTED ONLY WITH THE APPROVAL OF BORREGO.
- COORDINATE THESE DRAWINGS WITH SPECIFICATIONS AND MANUFACTURER INSTALLATION AND OPERATION MANUALS AND NOTIFY BORREGO OF ANY DISCREPANCIES PRIOR TO BEGINNING WORK.
- DRAWINGS HAVE BEEN DETAILED IN COMPLIANCE WITH U.L. LISTING REQUIREMENTS AND THE BUILDING CODE FOR THE MATERIALS SPECIFIED. IF AN ALTERNATE OR SUBSTITUTED MATERIAL IS ACCEPTED AS AN EQUAL BY BORREGO, THE SUBCONTRACTOR WILL ASSUME THE RESPONSIBILITY FOR WHATEVER CONSTRUCTION MODIFICATION AND/OR ADDITIONAL COST THAT IS REQUIRED BY REASON OF THIS ACCEPTANCE.
- PRIOR TO THE COMMENCEMENT OF ANY WORK, EACH TRADE SHALL VERIFY EXISTING CONDITIONS AND NOTIFY BORREGO OF ANY DISCREPANCIES TO THAT WHICH IS SHOWN IN THESE DRAWINGS, INCLUDING BUT NOT LIMITED TO DIMENSIONS OF THE WORK AREA, STRUCTURE, EXISTING ELECTRICAL SERVICE, CONDUIT PATHS, OBSTRUCTIONS, ACCESSIBILITY ISSUES, AND WORKING CLEARANCES. ANY WORK PERFORMED IN CONFLICT WITH THE CONTRACT DOCUMENTS OR ANY CODE REQUIREMENTS SHALL BE CORRECTED BY THE SUBCONTRACTOR AT HIS OWN EXPENSE.
- SUBCONTRACTOR INITIATED CHANGES SHALL BE SUBMITTED IN WRITING TO BORREGO FOR APPROVAL PRIOR TO MAKING ANY CHANGES. APPROVED CHANGES REQUIRE A DRAWING REVISION TO MAINTAIN CONTROL OVER THE APPROVED DESIGN. DEVIATION FROM THESE PLANS PRIOR TO BORREGO APPROVAL PLACES ALL LIABILITY ON THE SUBCONTRACTOR.
- UNLESS INDICATED AS EXISTING (E), ALL PROPOSED MATERIALS AND EQUIPMENT ARE NEW.
- ALL ITEMS TO BE REMOVED AND RELOCATED OR REPLACED SHALL BE HANDLED WITH PROPER CARE AND STORED IN A SAFE PLACE TO PREVENT DAMAGE; OR BE REPLACED AT THE SUBCONTRACTOR'S EXPENSE.
- ALL EQUIPMENT SHALL BE MOUNTED AS SHOWN. WHERE DETAILS ARE NOT PROVIDED, THE SUBCONTRACTOR SHALL USE DILIGENT EFFORTS TO MOUNT EQUIPMENT SUCH THAT IT WILL BE CLEAN, LEVEL AND SOLID.
- ALL SURFACES SHALL BE PATCHED AND PAINTED AROUND NEW DEVICES AND EQUIPMENT TO MATCH EXISTING FINISHES.
- ANY METAL SHAVINGS RESULTING FROM SITE WORK SHALL BE CLEANED FROM ROOF SURFACES, ENCLOSURES AND ANY ADDITIONAL AREAS WHERE OXIDIZED OR CONDUCTIVE METAL SHAVINGS MAY CAUSE RUST, ELECTRICAL SHORT CIRCUITS OR OTHER DAMAGE.
- NO STRUCTURAL MEMBER SHALL BE DRILLED UNLESS SPECIFICALLY AUTHORIZED BY BORREGO.
- SUBCONTRACTOR ACKNOWLEDGES THAT THE SYSTEM AS INDICATED ON THE PLANS REQUIRES ALL COMPONENTS TO BE INSTALLED TO PROPERLY RESIST WIND LOADS, SUCH AS BALLAST, WIND DEFLECTORS, ETC. IT IS THE RESPONSIBILITY OF THE SUBCONTRACTOR TO PROVIDE TEMPORARY MEANS TO RESIST WIND LOADS FOR ALL COMPONENTS NOT YET INSTALLED DURING AND AFTER REGULAR WORKING HOURS. THIS MAY INCLUDE TEMPORARY TIE DOWNS, COVERING, BALLAST OR ANY OTHER MEANS. DAMAGE TO ANY INSTALLED SYSTEM COMPONENT OR THE EXISTING FACILITY AS A RESULT OF THE UNFINISHED CONDITION NOT ADEQUATELY RESISTING WIND SHALL BE THE RESPONSIBILITY OF THE SUBCONTRACTOR TO REPAIR OR REPLACE AT THE SUBCONTRACTOR'S COST.
- TREES MAY GROW DURING THE LIFE OF THE SYSTEM AND IMPACT THE PRODUCTION.

#### PROJECT SCOPE

THIS PROJECT CONSISTS OF THE INSTALLATION OF ENERGY STORAGE EQUIPMENT, PER THE SYSTEM DESCRIPTION, BELOW. THE LITHIUM ION ENERGY STORAGE MODULES WILL BE INSTALLED IN A PURPOSE BUILT CONTAINER WITH INTEGRATED BATTERY MANAGEMENT SYSTEM, HEATING, VENTILATION, AIR CONDITIONING UNIT(S), AND FIRE SUPPRESSION SYSTEMS. THE ENERGY STORAGE MODULES WILL BE WIRED IN SERIES STRINGS AND CONNECTED TO THE POWER CONVERSION SYSTEM, WHICH WILL CONVERT DC TO AC WHILE THE BATTERIES ARE DISCHARGING.

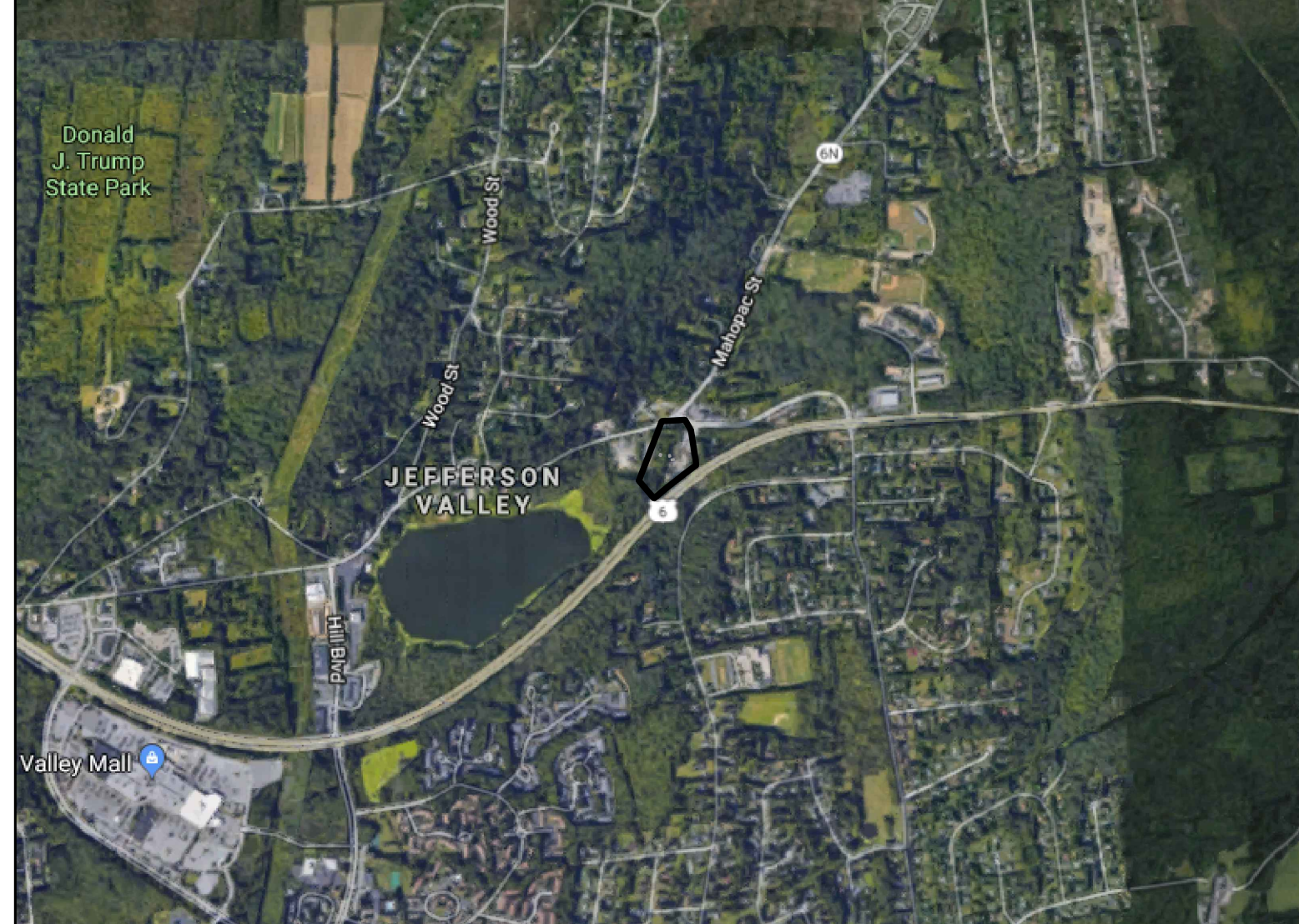
#### ENERGY STORAGE SYSTEM DESCRIPTION

SYSTEM POWER CAPACITY (AC)	5000 KW
USABLE AC (DISCHARGE) ENERGY CAPACITY	15000 KWH
POWER CONVERSION SYSTEM INFORMATION	(2) POWER ELECTRONICS FREEMAQ PCSK FP3350K LIMITED TO 2500KW
TRANSFORMER CAPACITY	(2) 2500 KVA
AGGREGATE NAMEPLATE CAPACITY	5000 KW
MAXIMUM EXPORT TO UTILITY	5000 KW

#### LOCATION MAP



#### AERIAL VIEW



#### DRAWING LIST

Sheet Number	Sheet Title
T-1	TITLE PAGE
<b>CIVIL</b>	
C-1.0	EXISTING CONDITIONS PLAN
C-2.0	LAYOUT AND MATERIALS PLAN
C-2.1	VISUAL ANALYSIS SITE PROFILE
C-2.2	VISUAL ANALYSIS SITE PHOTOS
C-2.3	FEMA FLOODZONE COMPARISON
C-2.4	CONSERVATION EASEMENT
C-3.0	GRADING AND EROSION CONTROL PLAN
C-4.0	CIVIL DETAILS
C-5.0	DECOMMISSIONING PLAN
C-6.0	LANDSCAPE PLAN
C-7.0	PHOTOMETRIC PLAN
<b>ELECTRICAL</b>	
E-3.3	AC THREE LINE DIAGRAM
E-6.0	PLACARDS
E-7.0	DATA SHEETS

#### APPLICABLE CODES AND STANDARDS

2017 NATIONAL ELECTRICAL CODE  
 2020 BUILDING CODE OF NEW YORK STATE  
 NFPA 855 – STANDARD FOR THE INSTALLATION OF STATIONARY ENERGY STORAGE SYSTEMS  
 UL-1741 – INVERTERS, COMBINER BOXES  
 UL-1642 – STANDARD FOR LITHIUM BATTERIES  
 UL-1973 – STANDARD FOR BATTERIES FOR USE IN LIGHT ELECTRIC RAIL (LER) APPLICATIONS AND STATIONARY APPLICATIONS  
 UL-9540 – STANDARD FOR ENERGY STORAGE SYSTEM AND EQUIPMENT

#### PROJECT DIRECTORY

<b>LAND OWNER / HOST</b> GOMER PROPERTIES ASSOCIATES LTD. ANN MARIE DRING 3901 GOMER COURT YORKTOWN, NY 10598	<b>CIVIL ENGINEER</b> FIRM: GREENBERGFARROW CONTACT: KERI WILLIAMS PHONE: (781)-929-1651
<b>AUTHORITY HAVING JURISDICTION</b> TOWN OF YORKTOWN 363 UNDERHILL AVENUE YORKTOWN HEIGHTS, NY 10598	<b>STRUCTURAL ENGINEER</b> FIRM: PV ENGINEERS, P.C. CONTACT: DAVID DUTIL, P.E. PHONE: (978)-513-2623
<b>UTILITY</b> CON EDISON	<b>ELECTRICAL ENGINEER</b> FIRM: BORREGO SOLAR SYSTEMS, INC. CONTACT: MICHAEL CONWAY, P.E. PHONE: (978)-610-2860
	<b>DESIGN ENGINEER</b> FIRM: BORREGO SOLAR SYSTEMS, INC. CONTACT: CALEB LETOURNEAU PHONE: (978)-735-1606

#### GENERAL ABBREVIATIONS

(E)	EXISTING	NS	NORTH-SOUTH
AHJ	AUTHORITY HAVING JURISDICTION	NTS	NOT TO SCALE
AL	ALUMINUM	OAE	OR APPROVED EQUAL
APPROX	APPROXIMATE	OC	ON CENTER
ARY	ARRAY	OD	OUTSIDE DIAMETER
BLDG	BUILDING	OF/CI	OWNER FURNISHED CONTRACTOR INSTALLED
BSS	BORREGO SOLAR SYSTEM	PV	PHOTOVOLTAIC
CL	CENTERLINE	PVC	POLY VINYL CHLORIDE
DAS	DATA ACQUISITION SYSTEM	SCH	SCHEDULE
DIA	DIAMETER	SS	STAINLESS STEEL
DO	DITTO	SSS	SOLAR SUPPORT STRUCTURE
EW	EAST-WEST	STC	STANDARD TEST CONDITIONS
FBO	FURNISHED BY OTHERS	TBD	TO BE DETERMINED
FF	FORWARD FACING	TP	TAMPER PROOF
GALV	GALVANIZED	TYP	TYPICAL
HDG	HOT DIP GALVANIZED	UON	UNLESS OTHERWISE NOTED
HVAC	HEATING VENTILATION AND AIR CONDITIONING	VIF	VERIFY IN FIELD
ID	INSIDE DIAMETER	WP	WEATHER PROOF
MFR	MANUFACTURER		
MOD	SOLAR MODULE		

REV 1.0

NOT FOR CONSTRUCTION

SITE USE PLANS  
 3901 GOMER COURT, YORKTOWN, NY 10598

PROJECT NUMBER:  
 908-1385

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL
06/16/20	TB	MS	MS	SUP SUBMISSION
09/18/20	TB	MS	MS	SUP SUBMISSION
10/13/20	TB	MS	MS	SUP SUBMISSION
11/12/20	TB	MS	MS	SUP SUBMISSION
12/07/20	TB	MS	MS	SUP SUBMISSION
01/21/21	TB	MS	MS	SUP SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

T-1  
 TITLE PAGE

THIS DOCUMENT IS PROVIDED BY PV ENGINEERS, P.C. TO FACILITATE THE SALE AND INSTALLATION OF A SOLAR POWER SYSTEM FROM BORRERO SOLAR SYSTEMS, INC. REPRODUCTION, RELEASE OR UTILIZATION FOR ANY OTHER PURPOSE, WITHOUT PRIOR WRITTEN CONSENT IS STRICTLY PROHIBITED.



55 TECHNOLOGY DRIVE, SUITE 102  
 LONDONDERRY, NH 03051  
 PHONE: (888) 898-6273  
 FAX: (888) 843-6778



21 SOUTH EVERGREEN AVENUE  
 SUITE 200  
 ARLINGTON HEIGHTS, IL 60005  
 TEL: 847.798.8200 • FAX: 847.798.9537

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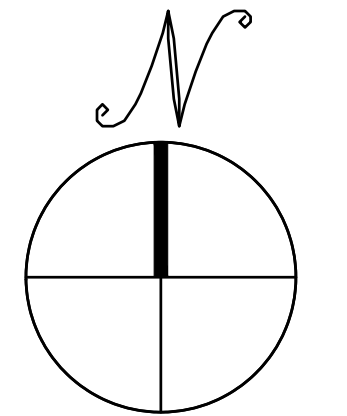
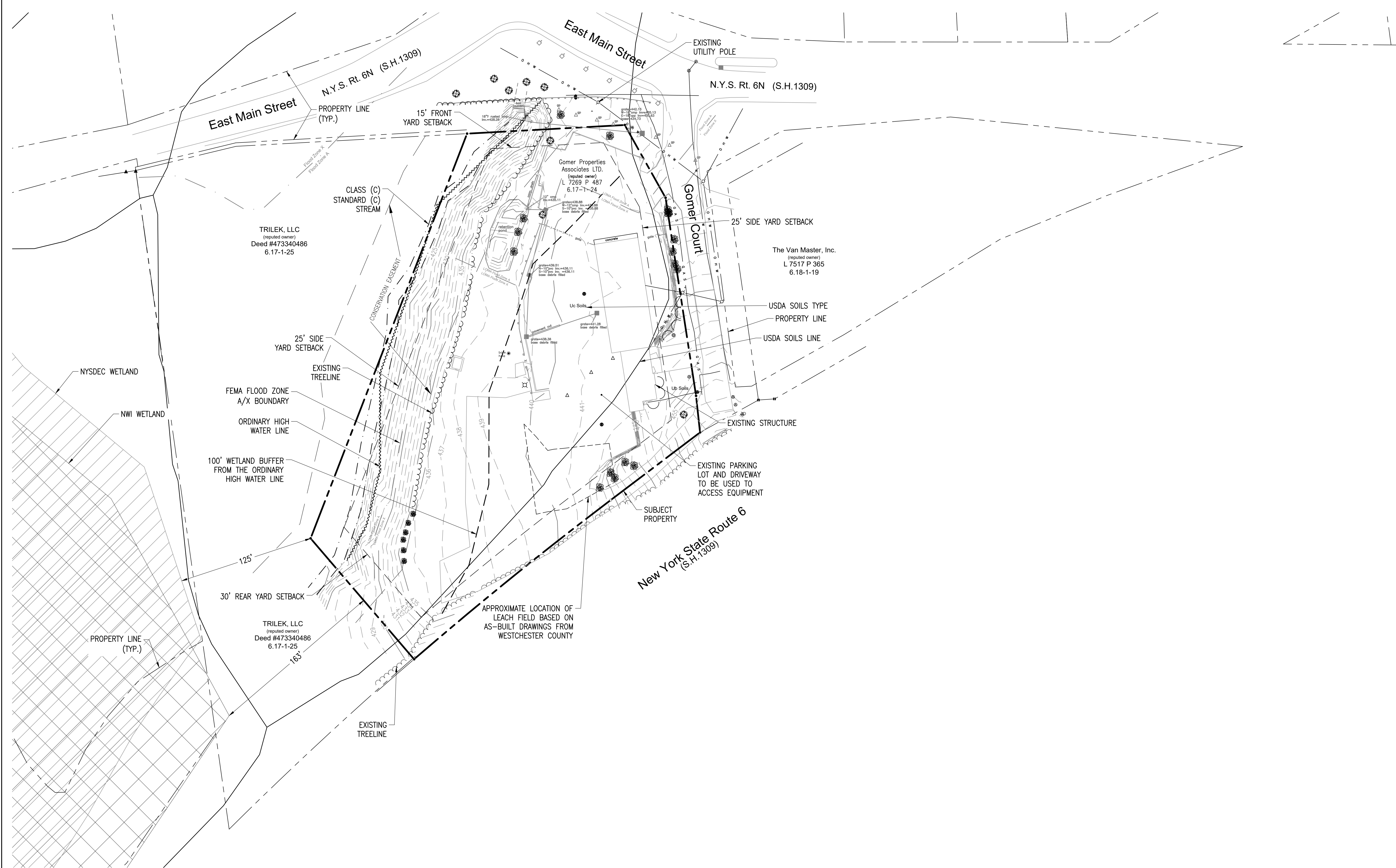
SITE USE PLANS  
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	11/12/20	TB	MS	SUP SUBMISSION
	12/07/20	TB	MS	SUP SUBMISSION
	01/21/21	TB	MS	SUP SUBMISSION

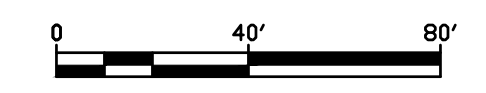
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C-1.0  
 EXISTING CONDITIONS PLAN



# EXISTING CONDITIONS PLAN

SCALE: 1" = 40'





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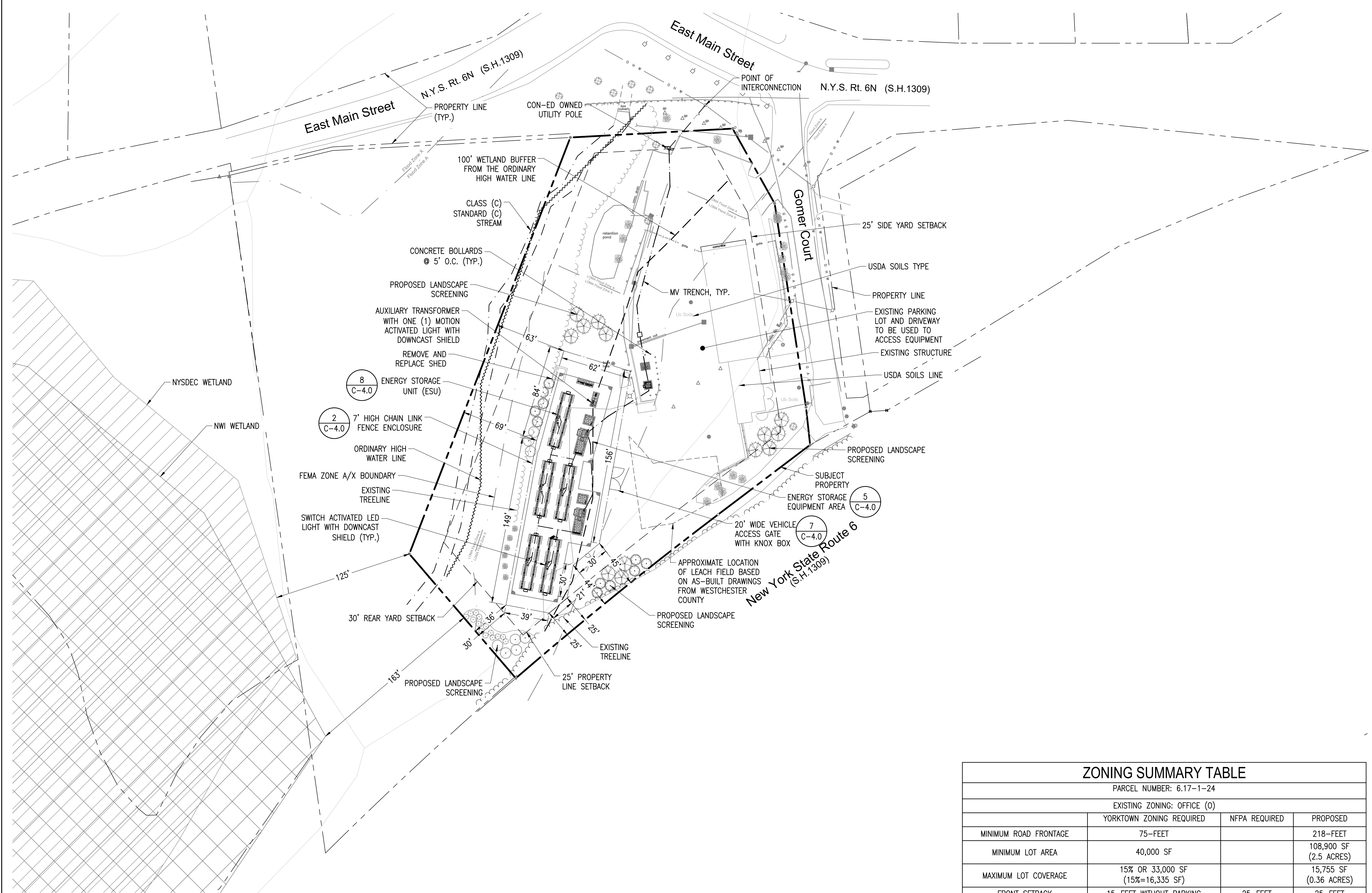
SITE USE PLANS  
3901 GOMER COURT, YORKTOWN, NY 10598

PROJECT NUMBER:  
908-1385

REV	DATE	BY	CHECKED	RELEASE LEVEL
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	09/18/20	TB	MS	SUP SUBMISSION
	10/13/20	TB	MS	SUP SUBMISSION
	11/12/20	TB	MS	SUP SUBMISSION
	12/07/20	TB	MS	SUP SUBMISSION
	01/21/21	TB	MS	SUP SUBMISSION

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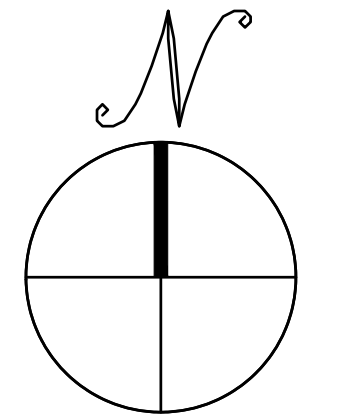
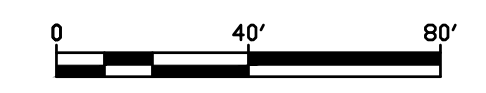
**C-2.0**  
LAYOUT AND MATERIALS PLAN



ZONING SUMMARY TABLE			
PARCEL NUMBER: 6.17-1-24			
EXISTING ZONING: OFFICE (O)			
	YORKTOWN ZONING REQUIRED	NFPA REQUIRED	PROPOSED
MINIMUM ROAD FRONTAGE	75- FEET		218- FEET
MINIMUM LOT AREA	40,000 SF		108,900 SF (2.5 ACRES)
MAXIMUM LOT COVERAGE	15% OR 33,000 SF (15%=16,335 SF)		15,755 SF (0.36 ACRES)
FRONT SETBACK	15- FEET WITHOUT PARKING	25- FEET	25- FEET
SIDE SETBACK	NONE UNLESS USED AS ONE- WAY VEHICULAR ACCESS IT SHALL BE 17'	25- FEET	25- FEET
REAR SETBACK	30- FEET	25- FEET	30- FEET
SETBACK TO PERIMETER FENCING	NONE		26- FEET
MAXIMUM BUILDING HEIGHT	15- FEET		13- FEET
FENCE HEIGHT	7- FEET		7- FEET

**LAYOUT AND MATERIALS PLAN**

SCALE: 1" = 40'



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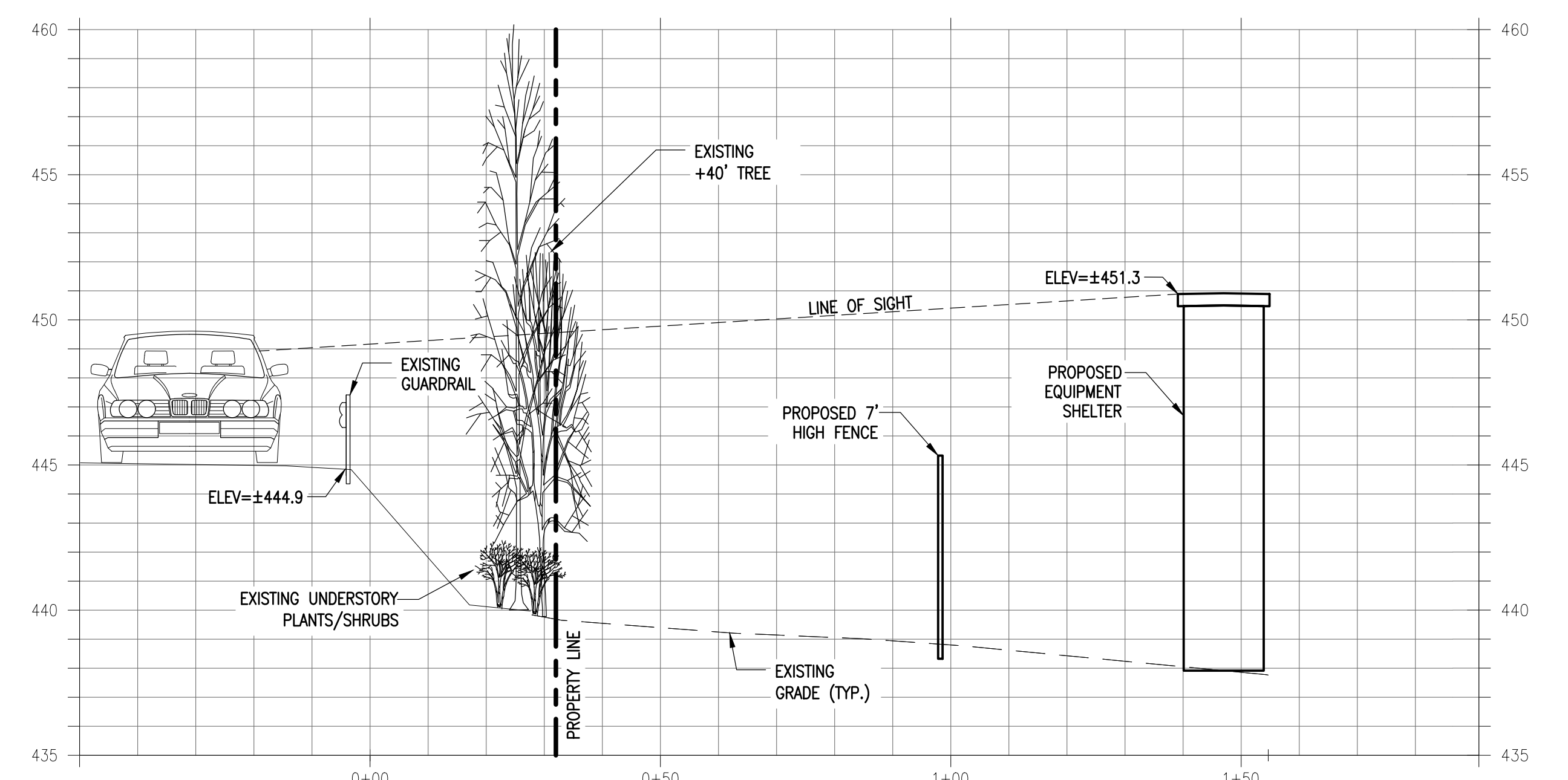
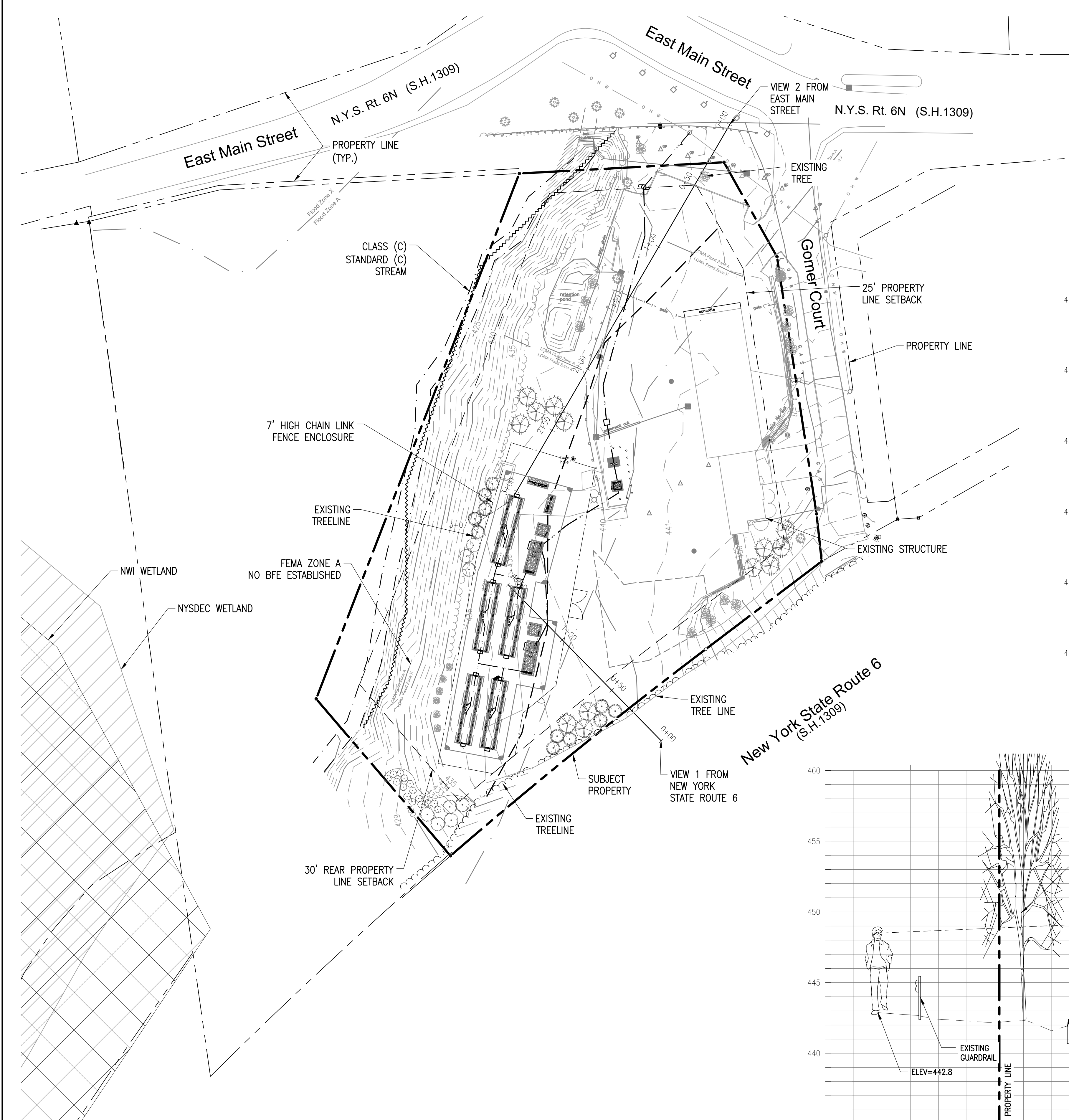
SITE USE PLANS  
 3901 GOMER COURT, YORKTOWN, NY 10598

PROJECT NUMBER:  
 908-1385

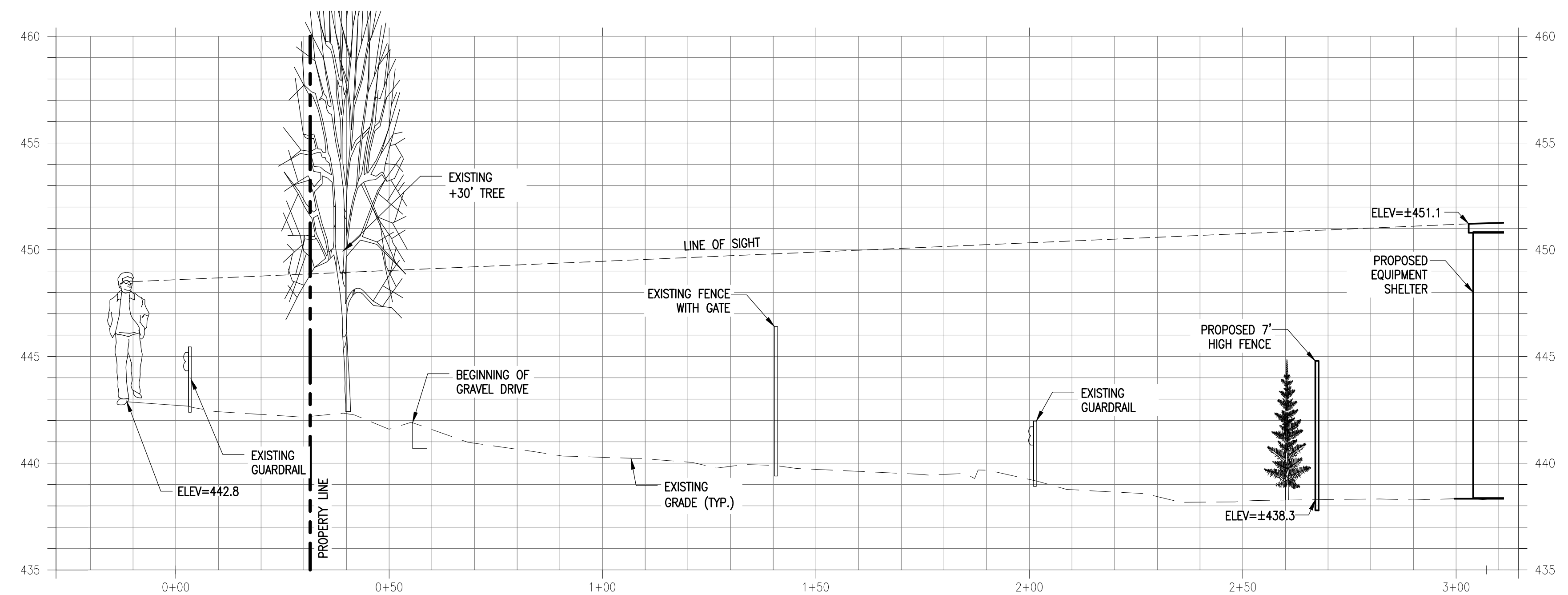
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	11/12/20	TB	MS	SUP SUBMISSION
	12/07/20	TB	MS	SUP SUBMISSION
	01/21/21	TB	MS	SUP SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

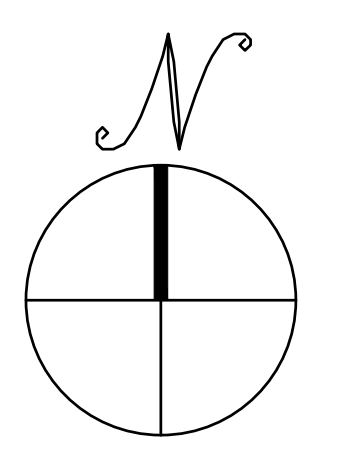
**C-2.1**  
 VISUAL ANALYSIS SITE PROFILE



**VIEW PROFILE 1**  
 HORIZONTAL SCALE: 1"=20'  
 VERTICAL SCALE: 1"=5'



**VIEW PROFILE 2**  
 HORIZONTAL SCALE: 1"=20'  
 VERTICAL SCALE: 1"=5'

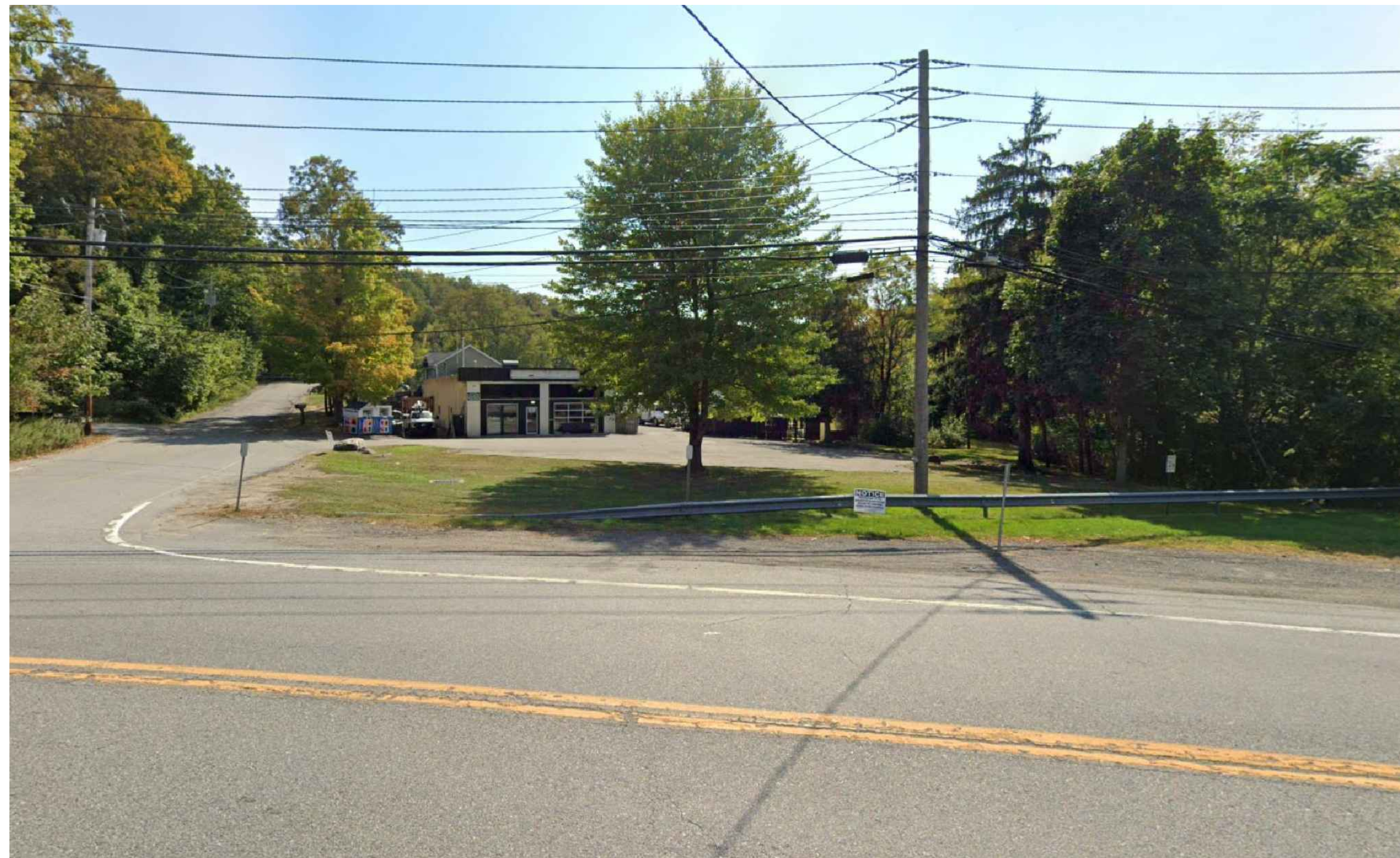


**VISUAL ANALYSIS SITE PROFILE**

SCALE: 1" = 40'



VIEW 1 PHOTO



VIEW 2 PHOTO

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LOWELL, MA 01851  
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FAX: (888) 843-6776



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SUITE 200  
ARLINGTON HEIGHTS, IL 60005  
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3901 GOMER COURT, YORKTOWN, NY 10588

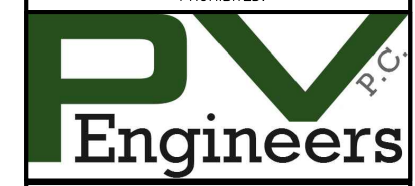
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	01/21/21	TB	MS	SUP SUBMISSION

SCALES STATED ON DRAWINGS  
ARE VALID ONLY WHEN PLOTTED  
ARCH D 24" X 36"

**C-2.2**  
VISUAL ANALYSIS SITE  
PHOTOS

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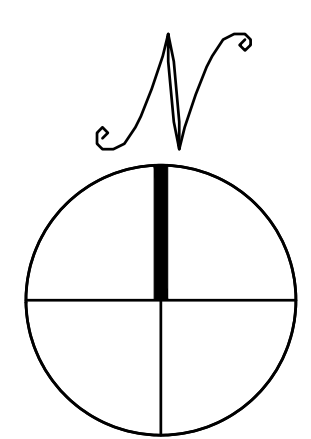
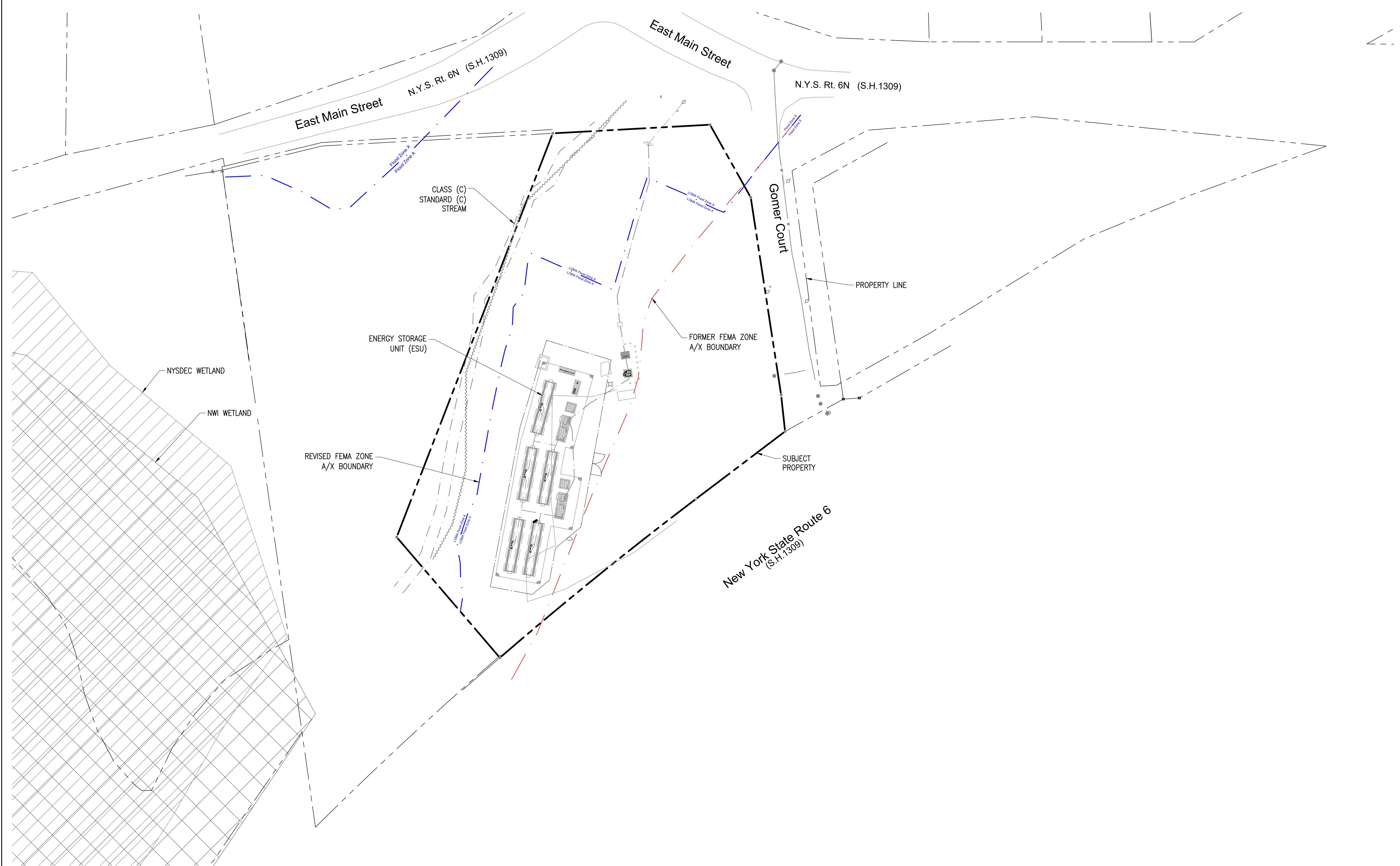
SITE USE PLANS  
 3901 GOMER COURT, YORKTOWN, NY 10598

PROJECT NUMBER:  
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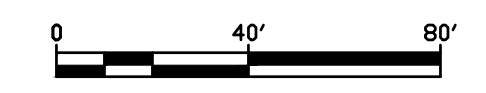
SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

**C-23**  
 FEMA FLOODZONE COMPARISON

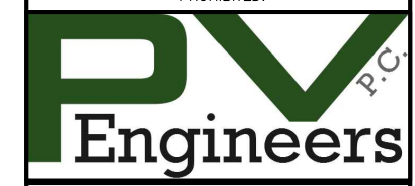


### FEMA FLOODZONE COMPARISON

SCALE: 1" = 40'



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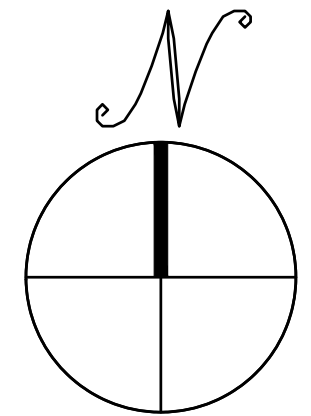
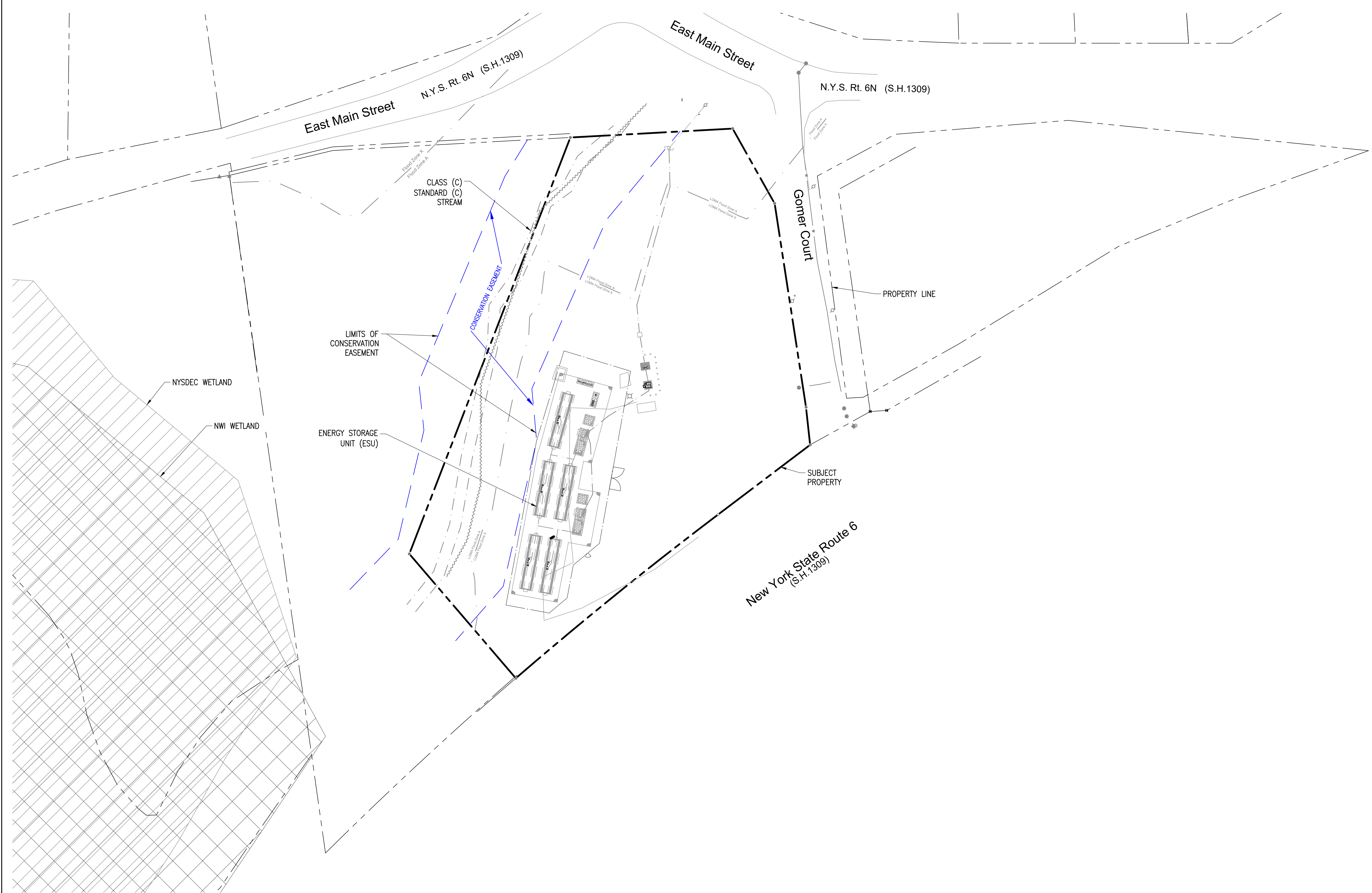
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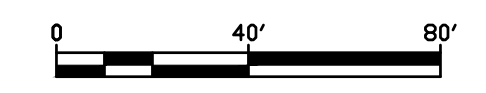
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C-2.4  
 CONSERVATION EASEMENT

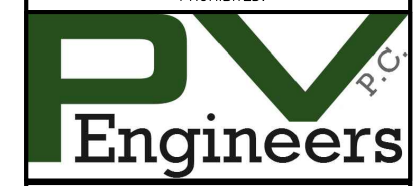


# CONSERVATION EASEMENT

SCALE: 1" = 40'



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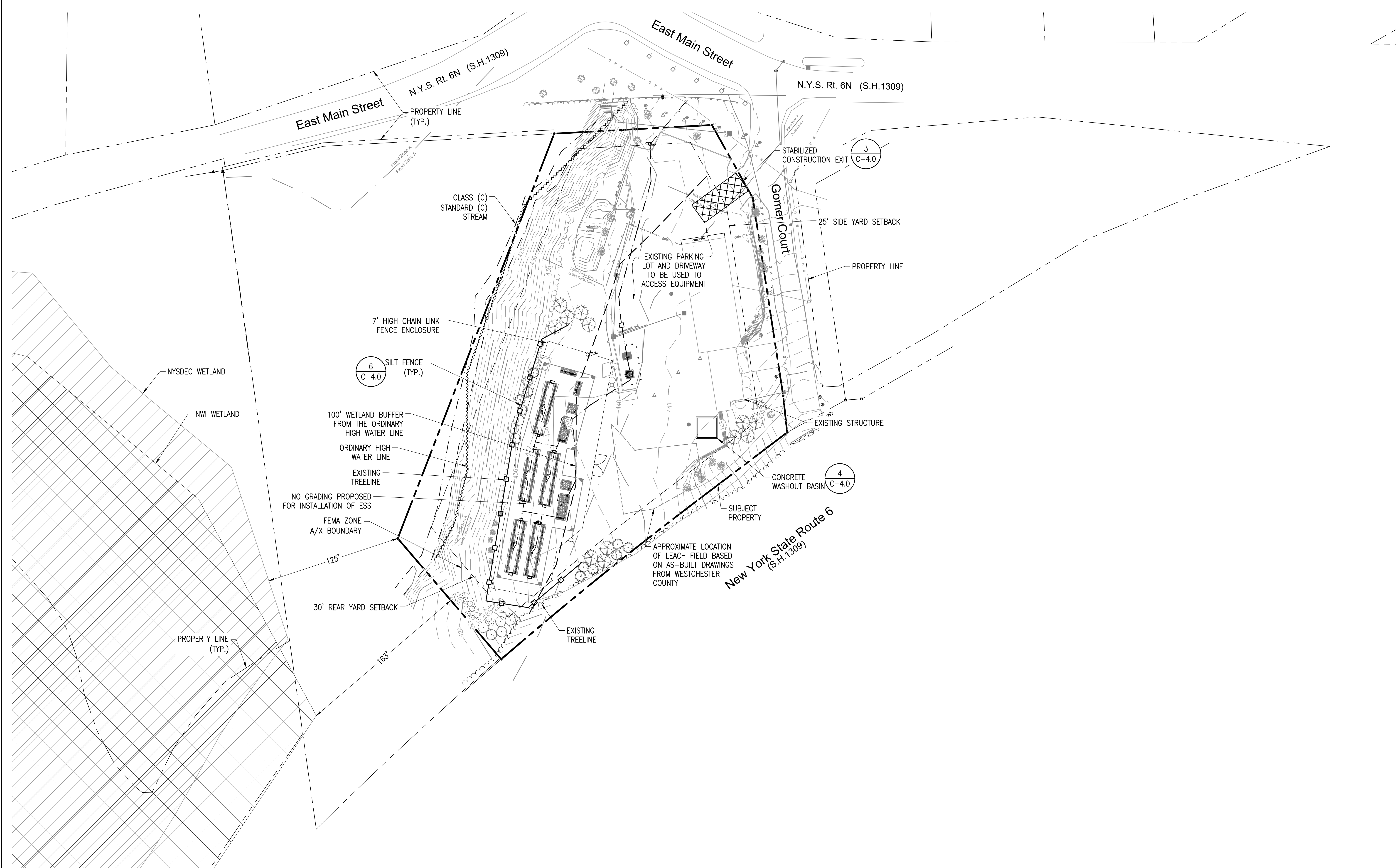
SITE USE PLANS  
3901 GOMER COURT, YORKTOWN, NY 10598

PROJECT NUMBER:  
908-1385

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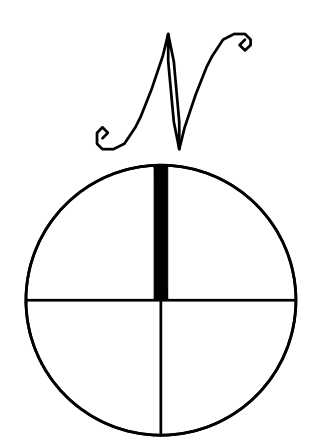
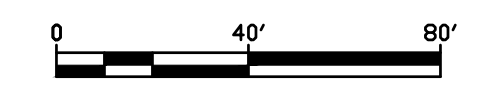
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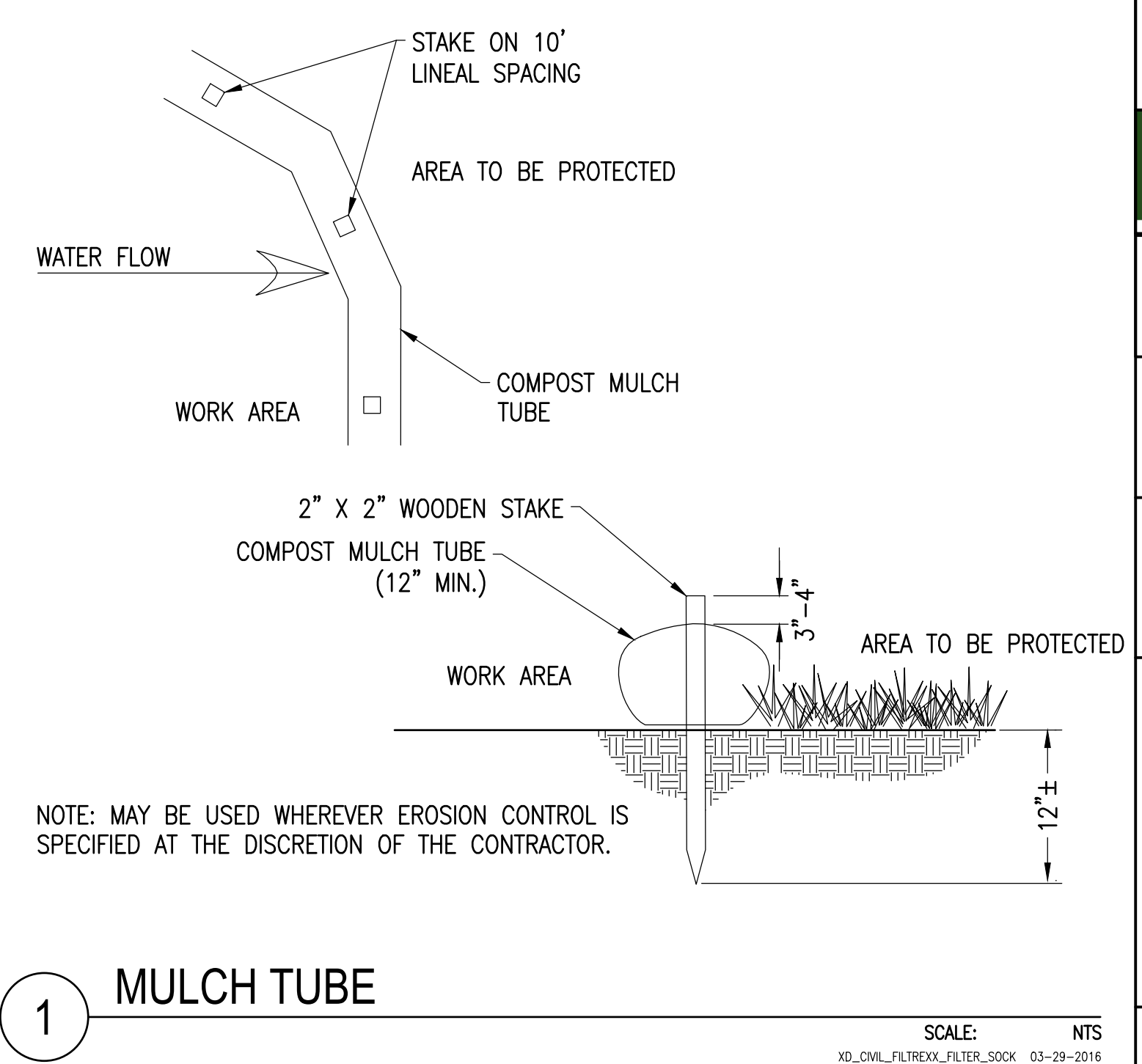
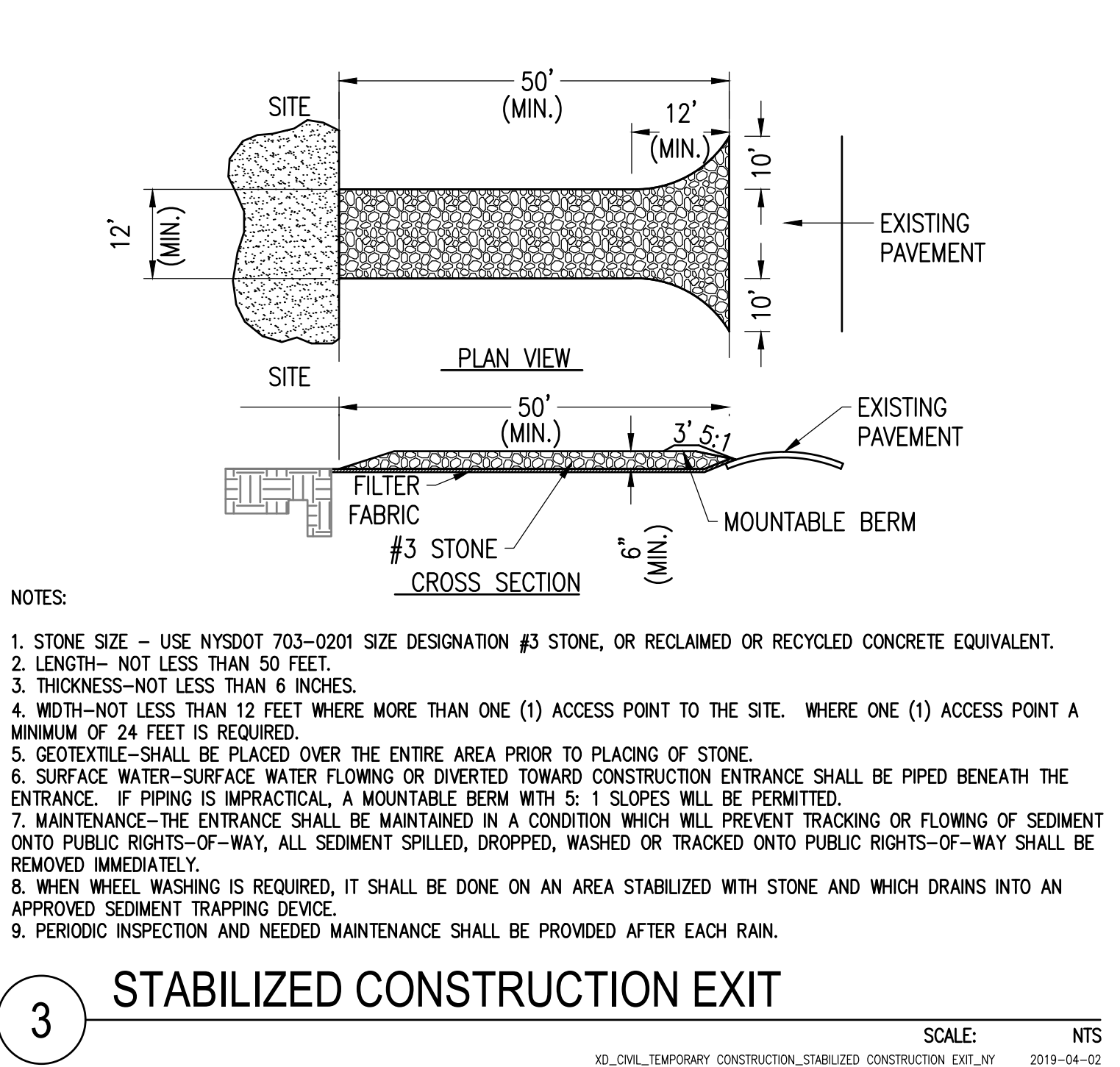
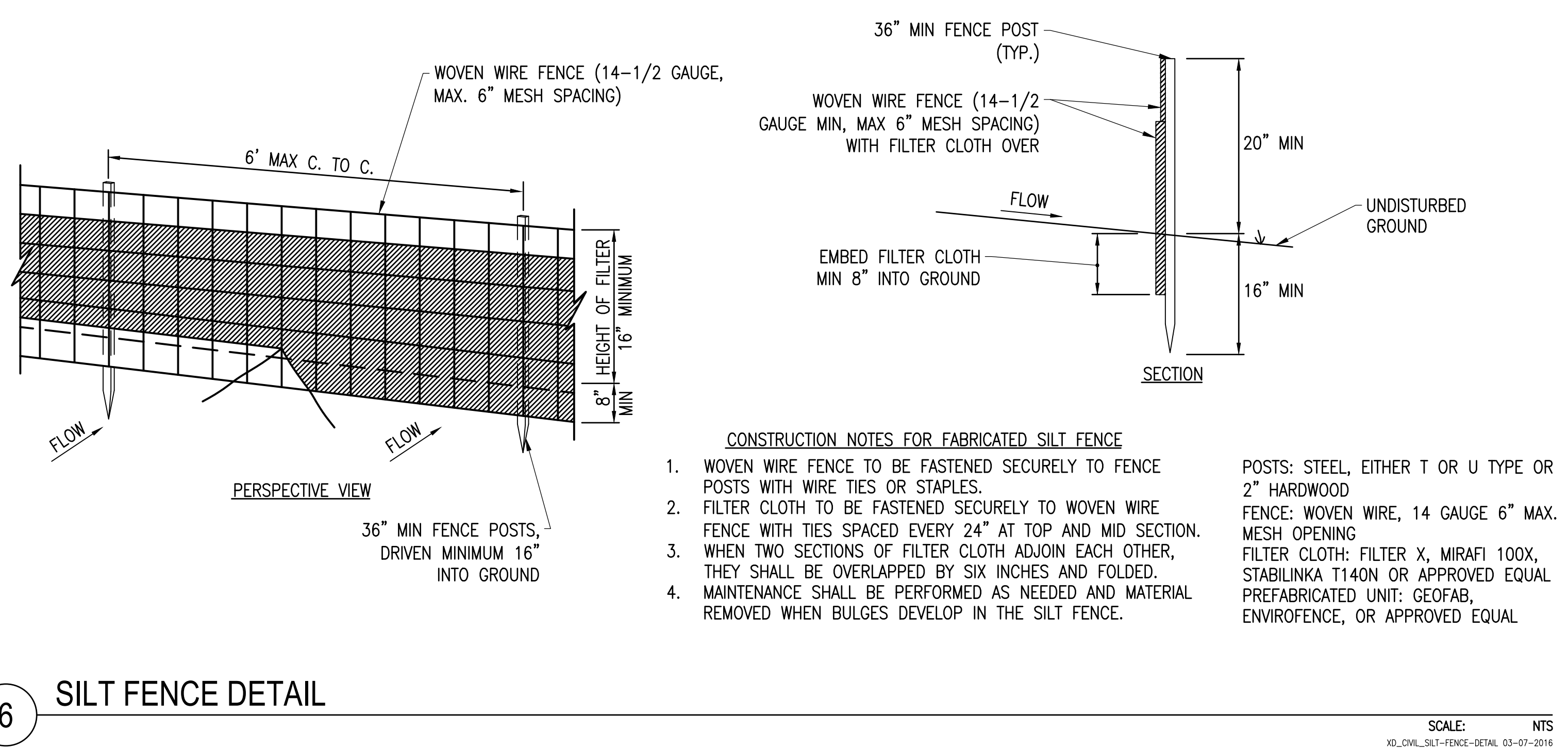
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GRADING AND EROSION CONTROL PLAN



# GRADING AND EROSION CONTROL PLAN

SCALE: 1" = 40'

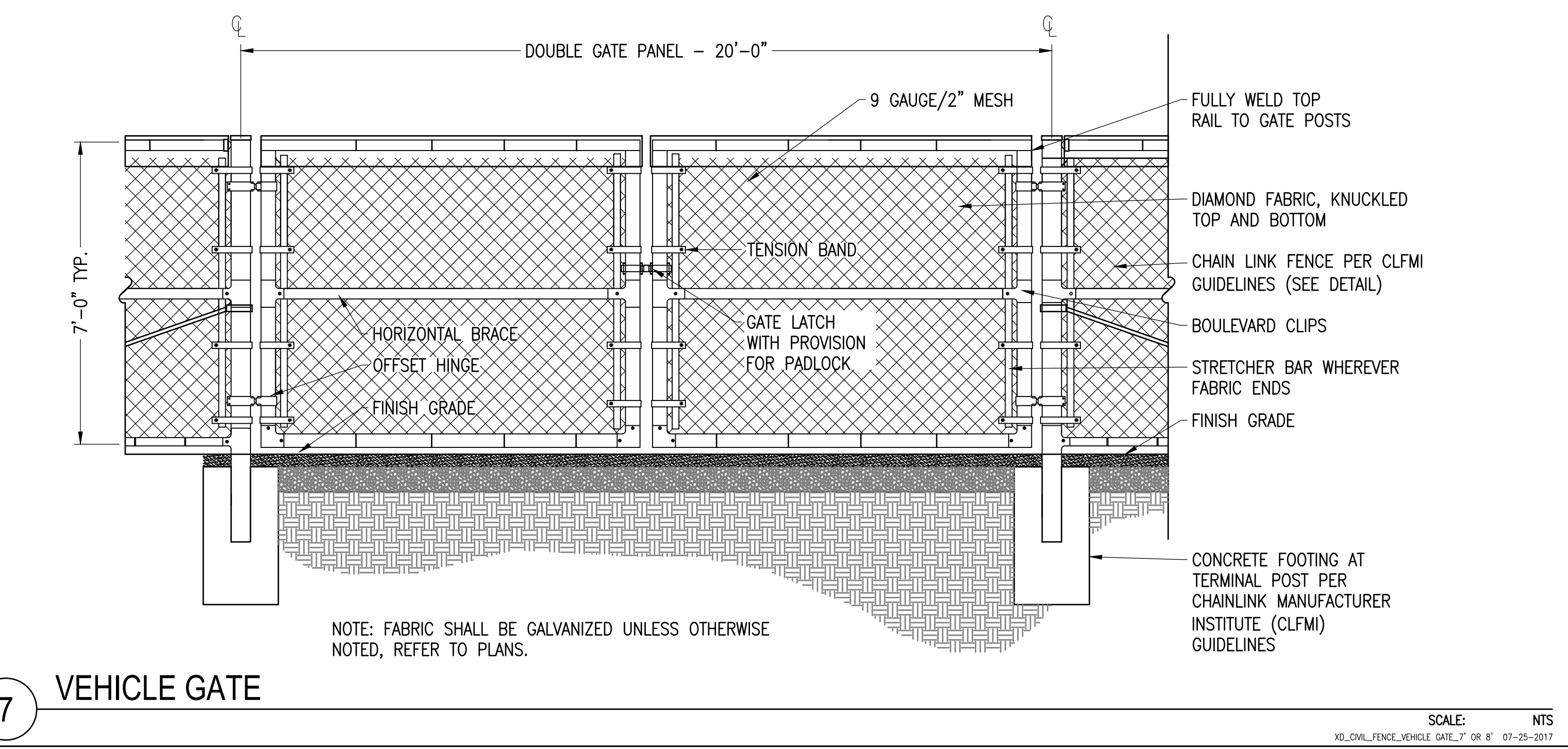




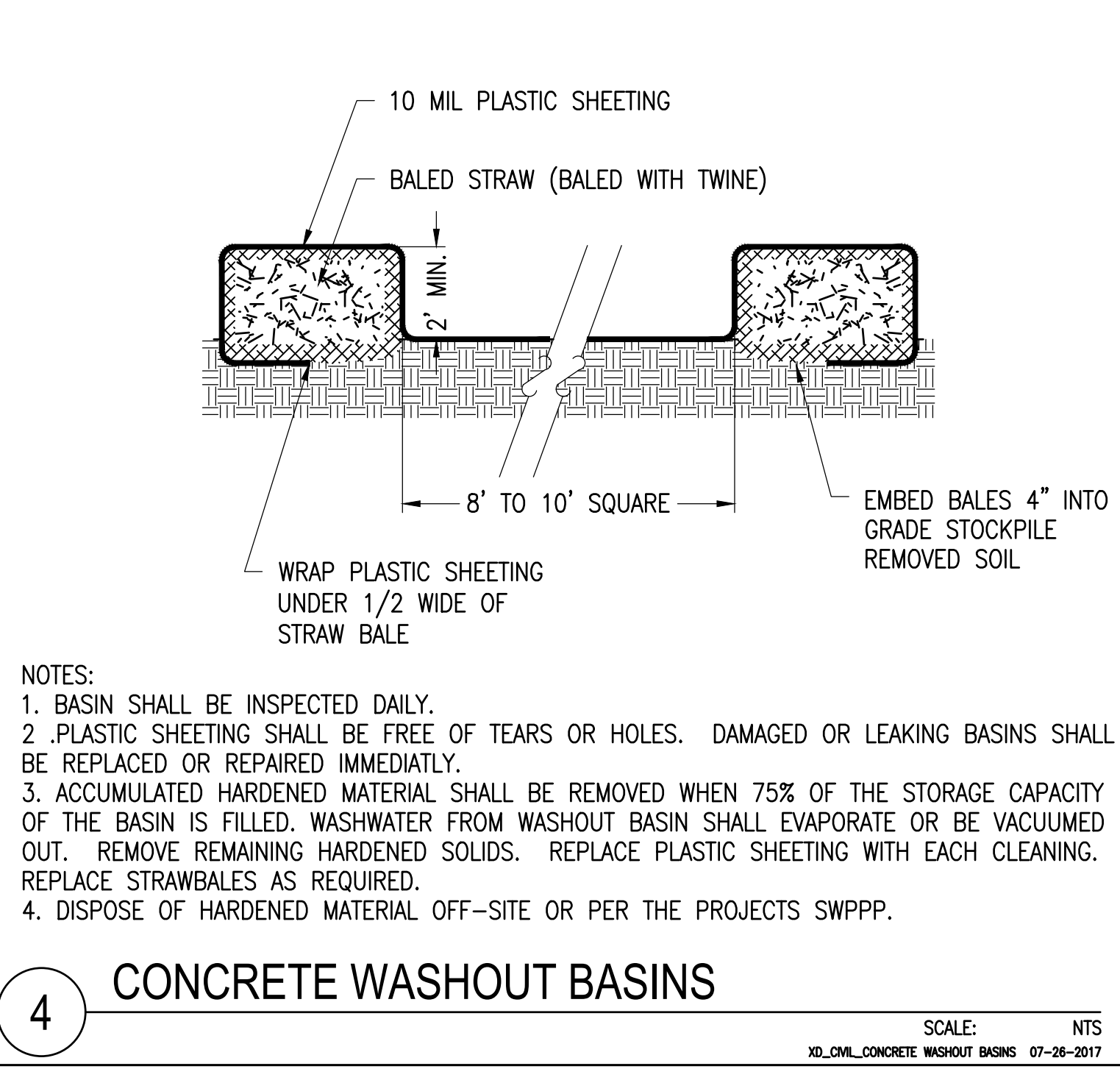
6 SILT FENCE DETAIL

3 STABILIZED CONSTRUCTION EXIT

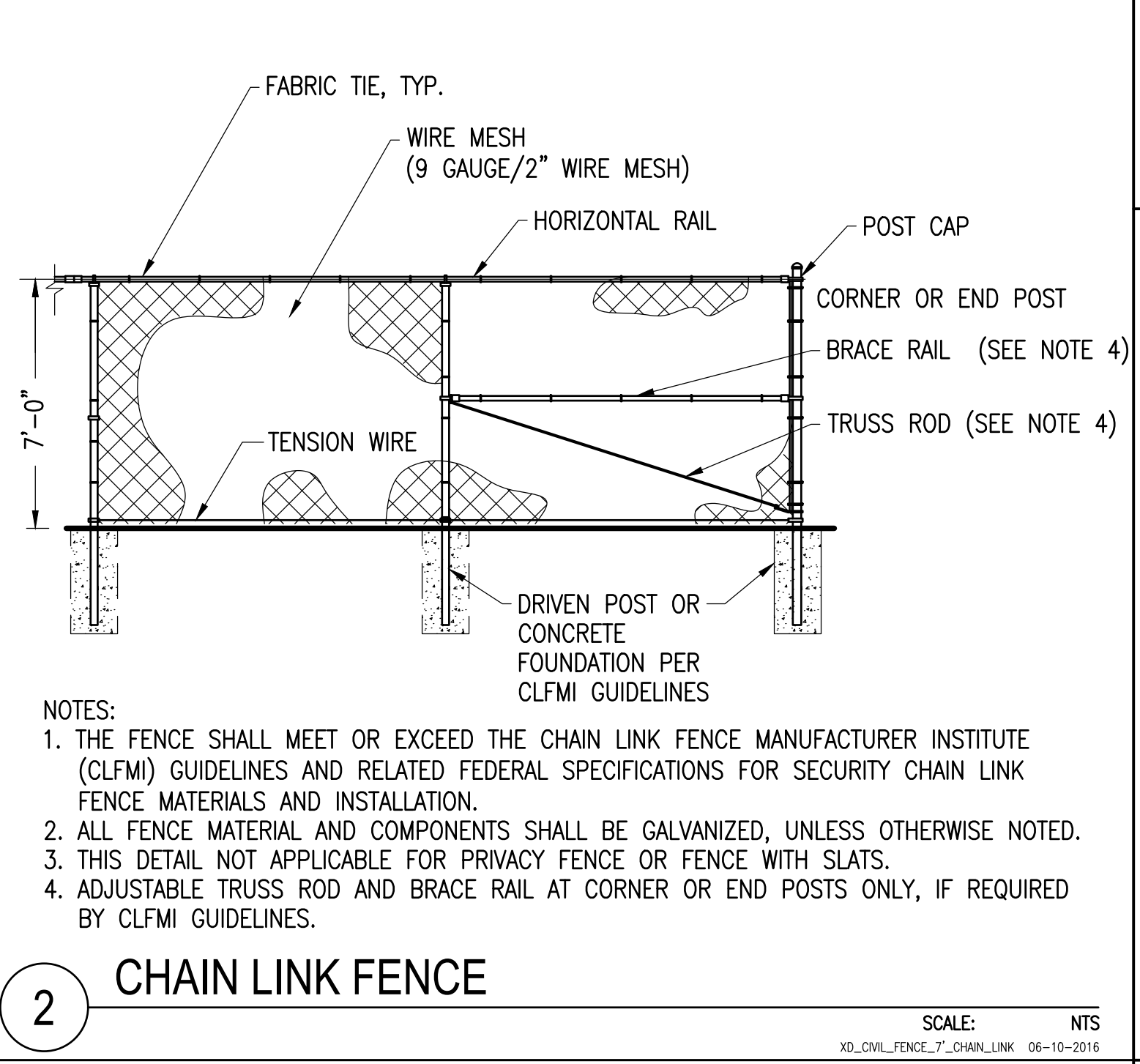
1 MULCH TUBE



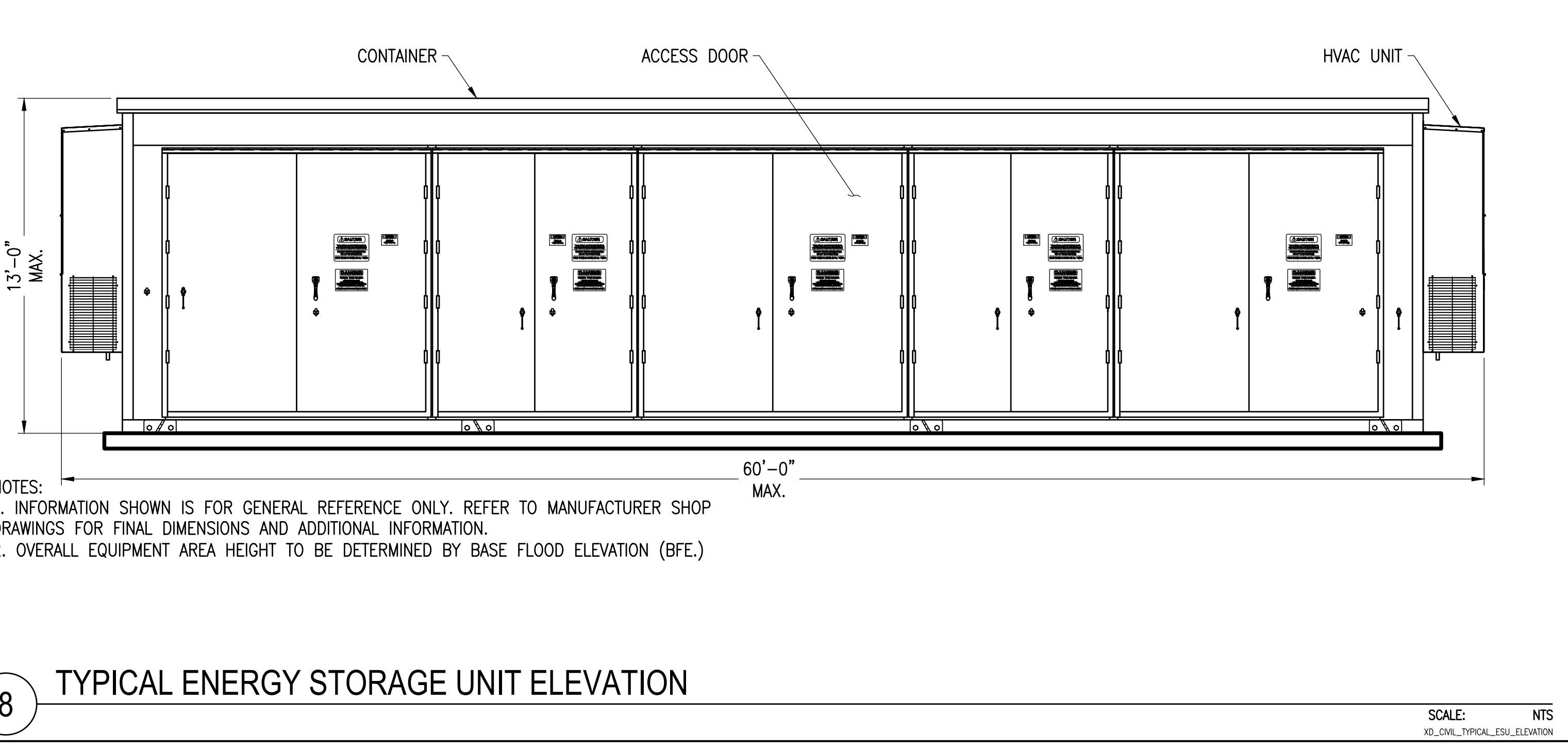
7 VEHICLE GATE



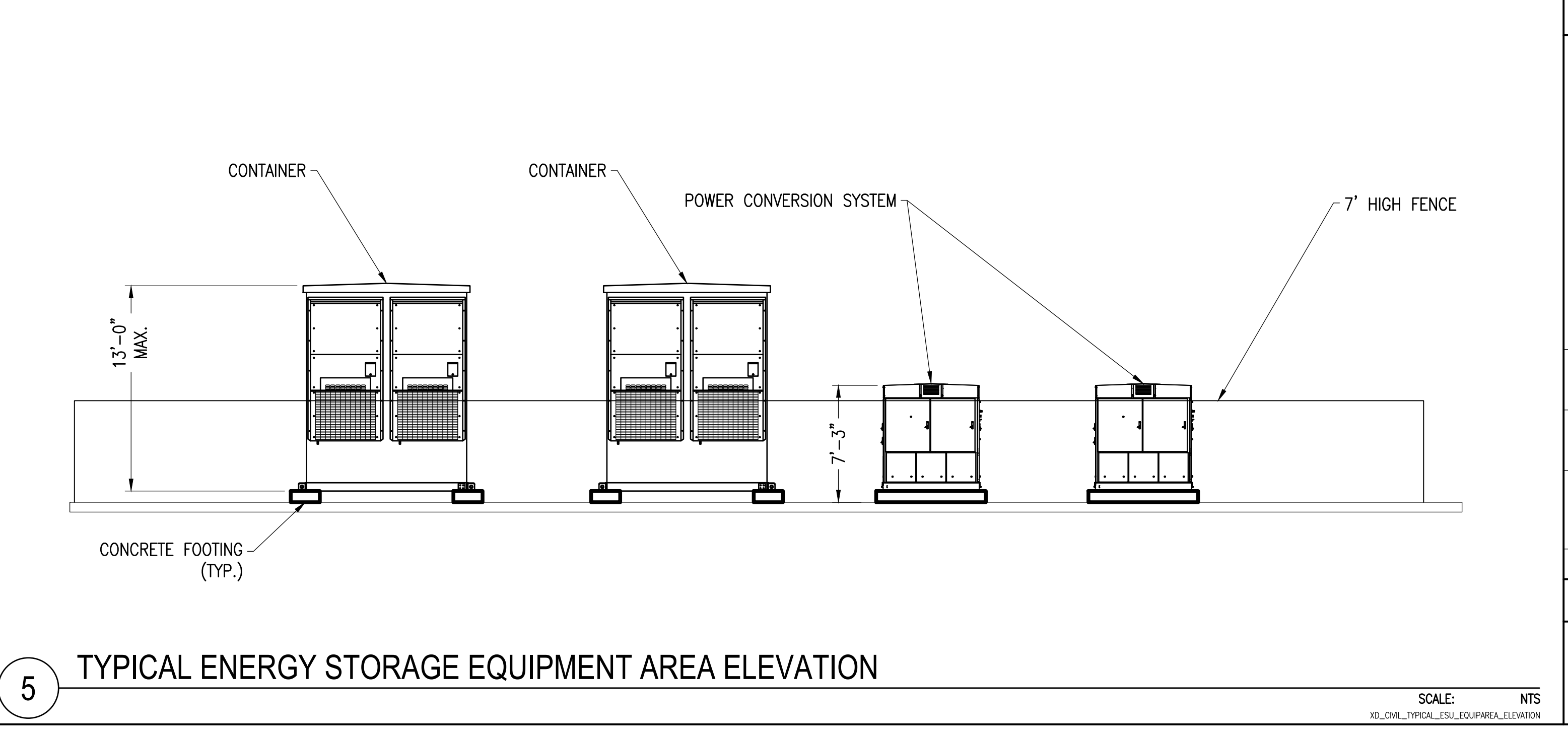
4 CONCRETE WASHOUT BASINS



2 CHAIN LINK FENCE



8 TYPICAL ENERGY STORAGE UNIT ELEVATION



5 TYPICAL ENERGY STORAGE EQUIPMENT AREA ELEVATION

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SITE USE PLANS  
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PROJECT NUMBER:  
908-1385

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL
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09/18/20	MS	TB	MS	SUP SUBMISSION
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11/12/20	MS	TB	MS	SUP SUBMISSION
12/07/20	MS	TB	MS	SUP SUBMISSION
01/21/21	MS	TB	MS	SUP SUBMISSION

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**C-4.0**  
CIVIL DETAILS

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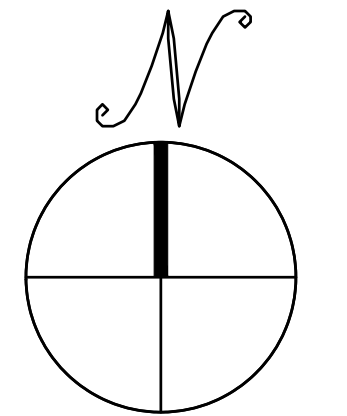
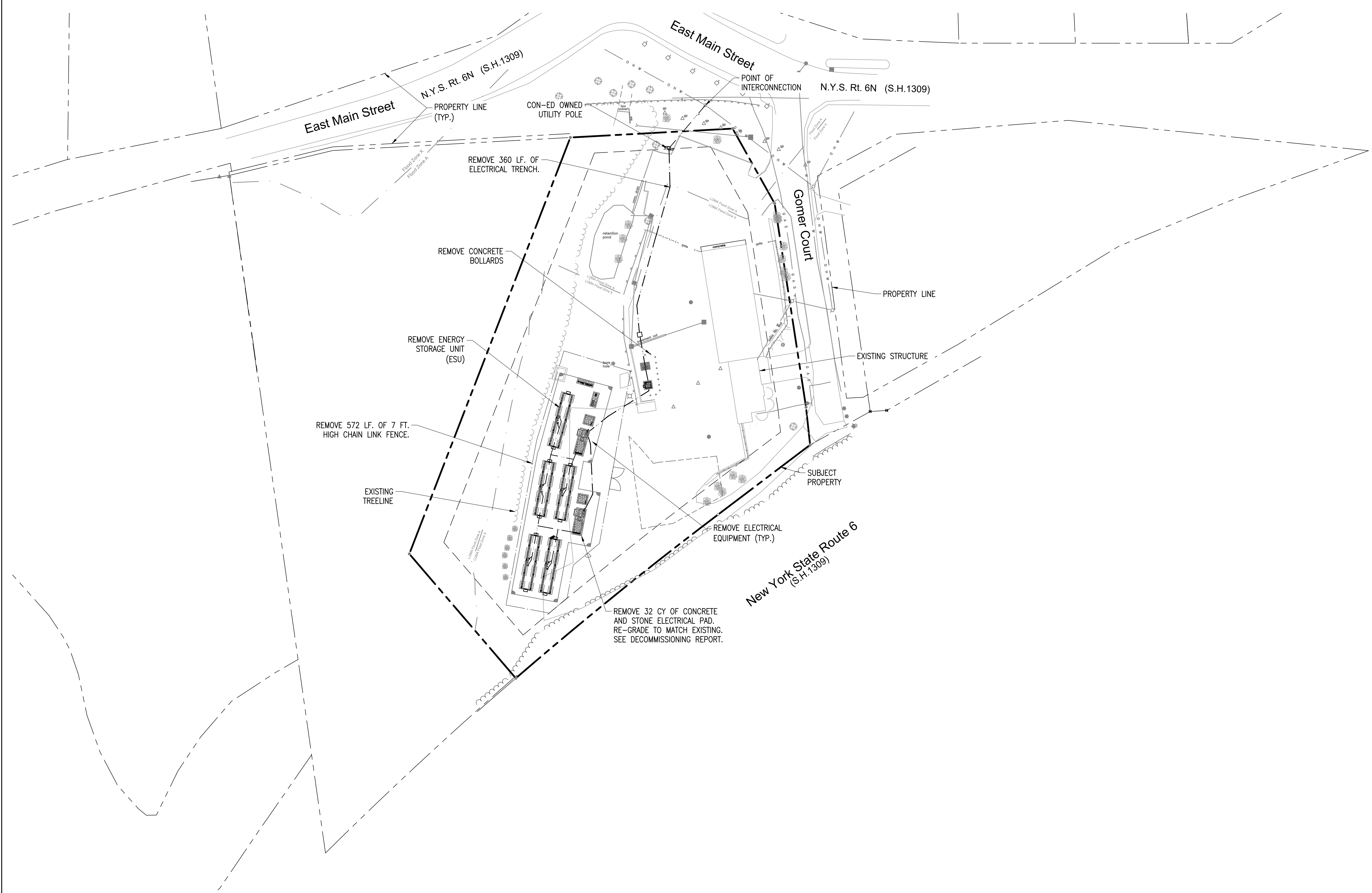
SITE USE PLANS  
 3901 GOMER COURT, YORKTOWN, NY 10598

PROJECT NUMBER:  
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	01/21/21	TB	MS	SUP SUBMISSION

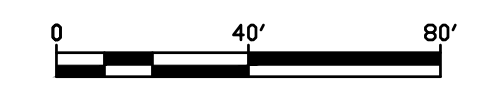
SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

C-5.0  
 DECOMMISSIONING PLAN



# DECOMMISSIONING PLAN

SCALE: 1" = 40'





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REV	DATE	DRAWN	CHECKED	RELEASE LEVEL
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12/07/20	TB	MS	MS	SUP SUBMISSION
01/21/21	TB	MS	MS	SUP SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" X 36"

**C-6.0**  
 LANDSCAPE PLAN

**PLANT SCHEDULE**

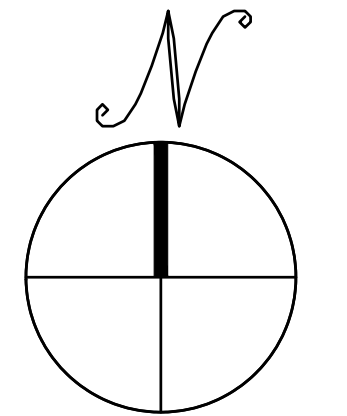
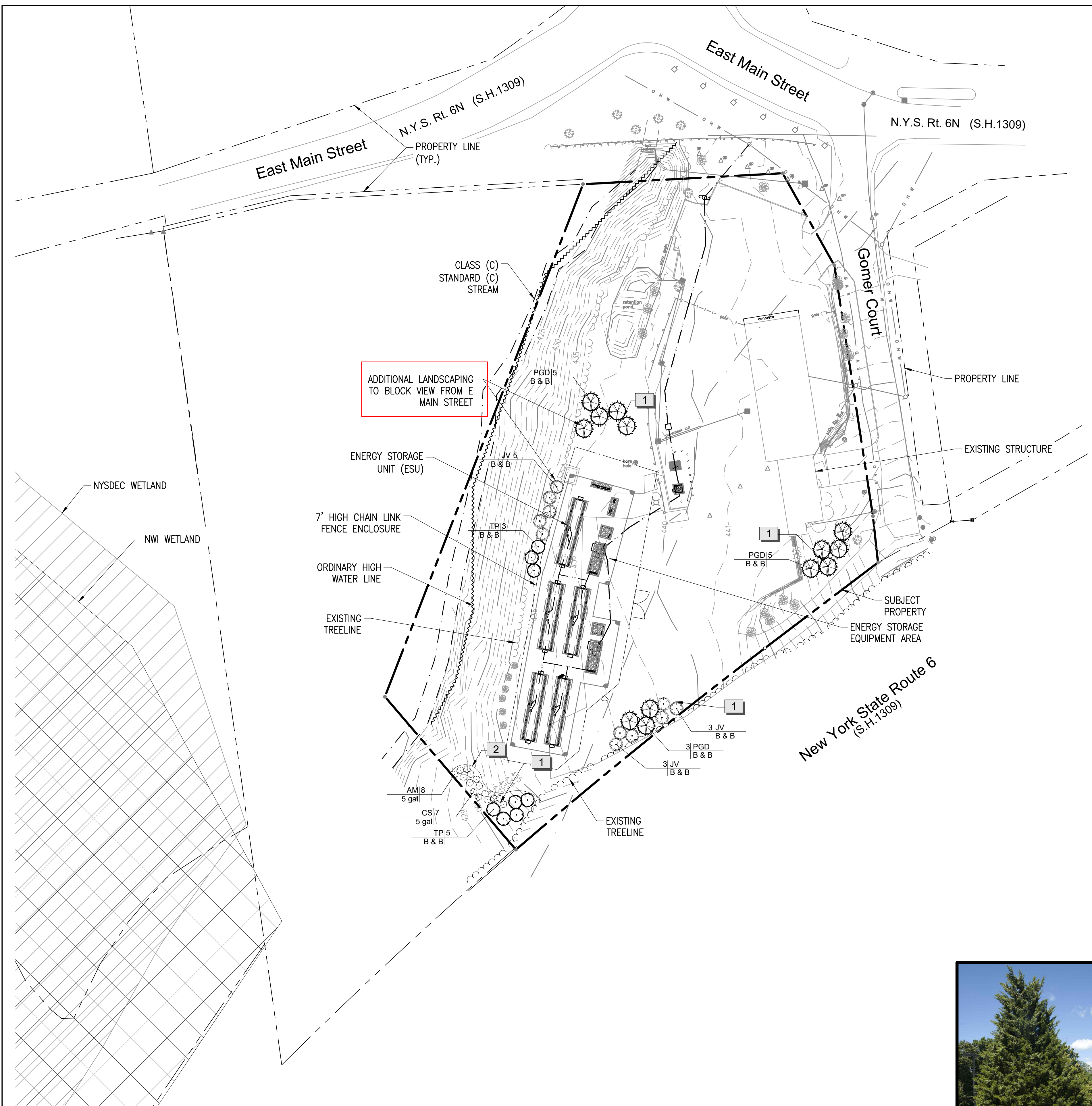
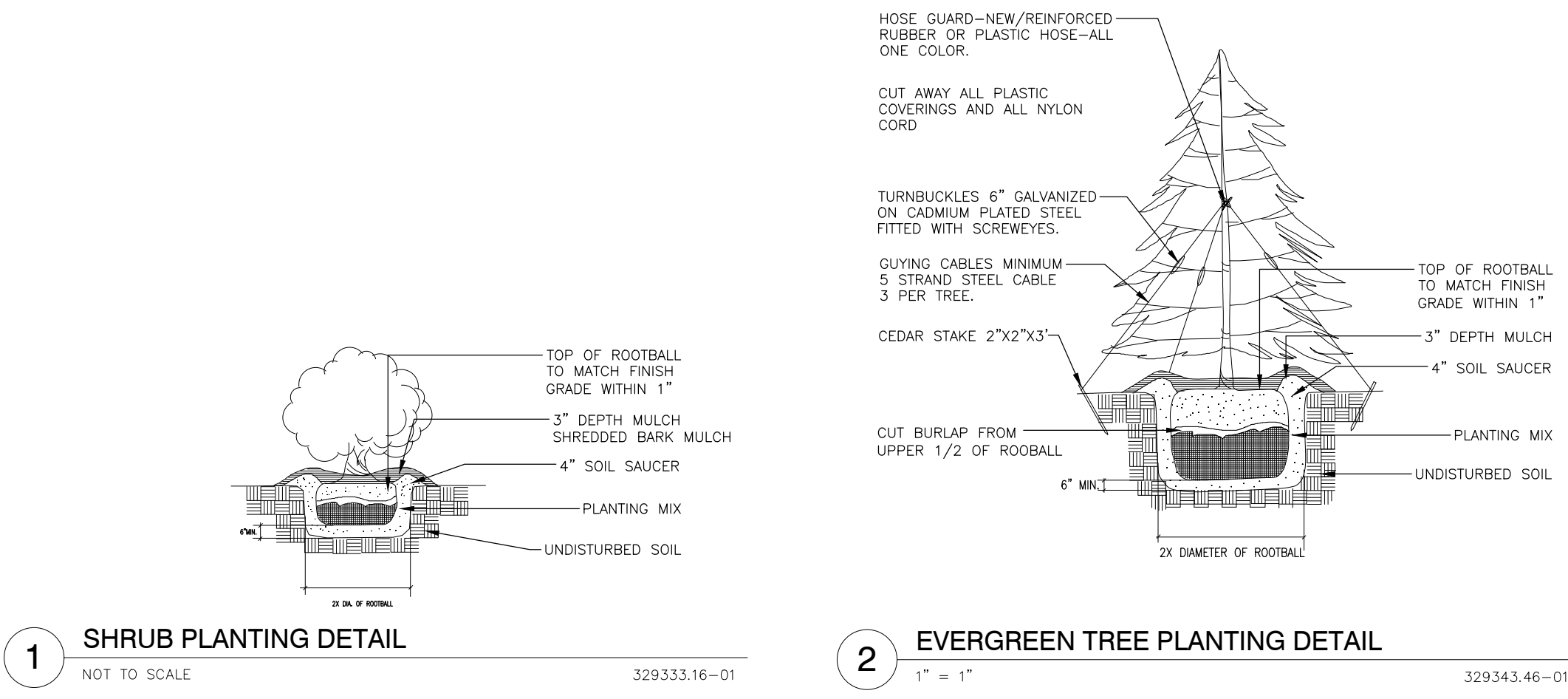
TREES	CODE	QTY	BOTANICAL NAME	COMMON NAME	ROOT	SIZE
	JV	11	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	B & B	8' HT. MIN.
	PGD	13	PICEA GLAUCA 'DENSATA'	BLACK HILLS SPRUCE	B & B	8' HT. MIN.
	TP	8	THUJA PLICATA	WESTERN RED CEDAR	B & B	8' HT. MIN.

SHRUBS	CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	HEIGHT	SPACING
	AM	8	ARONIA MELANOCARPA ELATA	GLOSSY BLACK CHOKEBERRY	5 GAL		60" o.c.
	CS	7	CORNUS SERICEA	RED TWIG DOGWOOD	5 GAL		60" o.c.

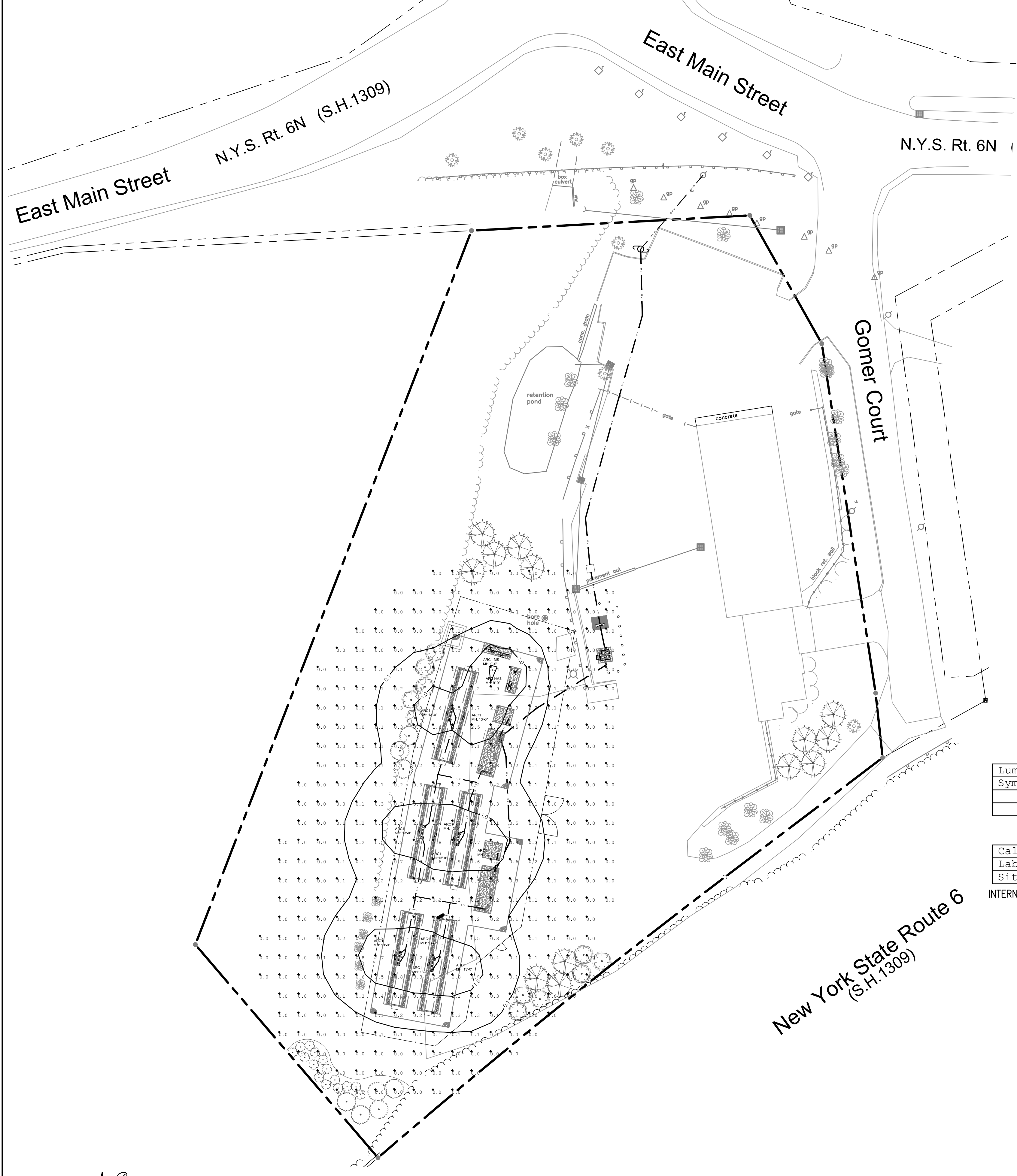
**REFERENCE NOTES SCHEDULE**

SYMBOL	DESCRIPTION	QTY	DETAIL
1	CONTRACTOR TO INSTALL SHREDDED BARK MULCH BENEATH PLANTINGS TO A DEPTH OF 3"		
2	4" DEPTH SPADE CUT BEDLINE		



**LANDSCAPE PLAN**

SCALE: 1" = 40'  
 0 40' 80'

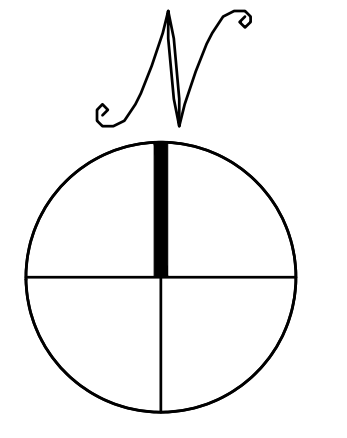


LEGEND:  
 0.3 FOOT-CANDLE MEASUREMENT  
 0.1 ISOLINE (IN FOOT-CANDLES)

Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
[Symbol]	10	ARC1	SINGLE	N.A.	1.000	ARC1 LED P1 30K
[Symbol]	2	ARC1-MS	SINGLE	N.A.	1.000	ARC1 LED P1 30K W/ MOTION SENSOR

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Site	Illuminance	Fc	0.72	5.4	0.1	7.20	54.00

INTERNATIONAL DARKSKY ASSOCIATION (IDA) APPROVED FIXTURE



PHOTOMETRIC PLAN

SCALE: 1" = 30'  
 0 30' 60'

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**GreenbergFarrow**  
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10/13/20	TB	MS	MS	SUP SUBMISSION
11/12/20	TB	MS	MS	SUP SUBMISSION
12/07/20	TB	MS	MS	SUP SUBMISSION
01/21/21	TB	MS	MS	SUP SUBMISSION

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C-7.0  
 PHOTOMETRIC PLAN

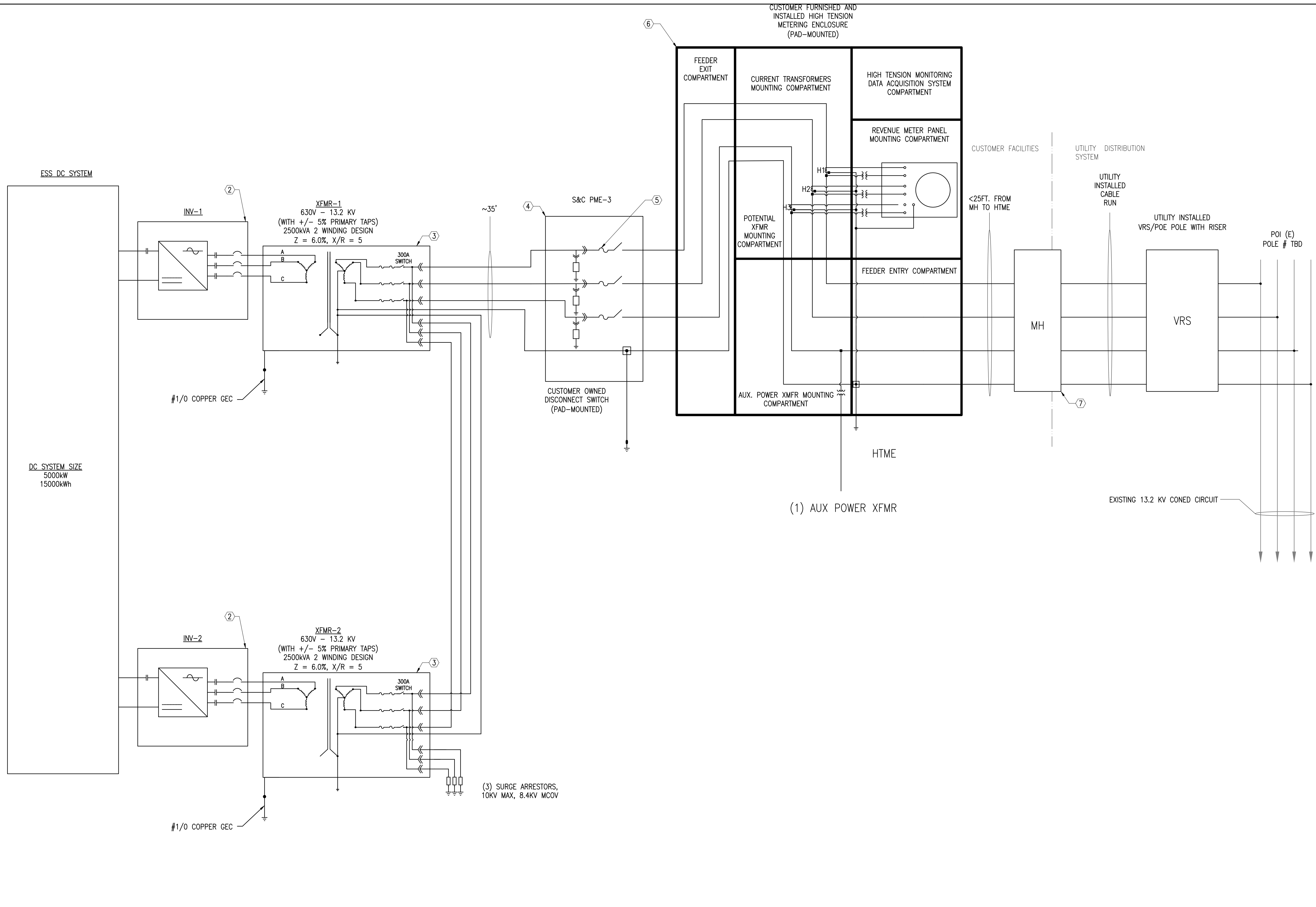
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	11/12/20	TB	MS	SUP SUBMISSION
	12/07/20	TB	MS	SUP SUBMISSION
	01/21/21	TB	MS	SUP SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D. 24" x 36"



**AC THREE LINE DIAGRAM**

SCALE: NTS

SHEET NOTES

GENERAL PLACARD NOTES:

1. NOT ALL PLACARDS DESCRIBED IN THESE NOTES MAY APPLY TO THIS PROJECT.
2. ELECTRICAL SUBCONTRACTOR SHALL PROVIDE ALL PLACARDS AS REQUIRED BY THE NEC, LOCAL FIRE DEPARTMENT, THE AUTHORITY HAVING JURISDICTION, AND LOCAL UTILITY REQUIREMENTS. PLACARDS IN ADDITION TO THOSE SHOWN HERE MAY BE REQUIRED BY THE NEC AND ARE THE RESPONSIBILITY OF THE ELECTRICAL SUBCONTRACTOR.
3. PLACARDS SHALL USE ARIAL OR SIMILAR FONT, NON-BOLD.
4. FONT SIZES SHALL BE THE MINIMUM SHOWN IN THESE DRAWINGS.
5. PLACARDS SHALL HAVE LETTERING IN CAPITAL LETTERS.
6. PLACARDS SHALL BE WEATHER RESISTANT AND SUITABLE FOR THE ENVIRONMENT AND COMPLY WITH ANSI Z535.4-2011.
7. PLACARDS SHALL BE ADHERED WHEN POSSIBLE AND MEET WITH UL969 STANDARDS. IF MECHANICALLY AFFIXED TO EQUIPMENT, USE RIVETS OR SCREWS. SEALANTS AND GASKETED HARDWARE SHALL BE USED TO MAINTAIN EQUIPMENT LISTINGS WHERE REQUIRED. NEMA 4R EQUIPMENT SHALL NOT BE DRILLED.
8. SUBMITTALS REQUIRED FOR PLACARDS AND FOR ADHESIVES USED TO SECURE PLACARDS TO EQUIPMENT.
9. PLACARDS WITH MOUNTING HOLES SHOULD BE 1/8" THICKNESS AND HOLES SHOULD BE 1/2" INSIDE FROM THE EDGE.

EQUIPMENT ID PLACARDS:

1. SUBCONTRACTOR SHALL LABEL ALL ARRAYS, PULL BOXES, JUNCTION BOXES, COMBINER BOXES, DC SAFETY SWITCHES, CIRCUIT BREAKER SAFETY SWITCHES, MULTIPLE DISCONNECT SAFETY SWITCHES, DC CONTACTOR DISCONNECTS, REMOTE PV TIES, BI-POLAR ARRAY COMBINERS, INVERTERS, AC SAFETY SWITCHES, TRANSFORMERS, PANELBOARDS, CIRCUIT BREAKERS, SWITCHGEAR, RECTIFIERS, DATA MONITORING ENCLOSURES, AND METERING CABINETS. A PARTIAL LIST OF PLACARDS IS SHOWN HERE.
2. EQUIPMENT ID PLACARDS – THE FIRST TYPE OF EACH REQUIRED EQUIPMENT ID PLACARD IS SHOWN HERE. ELECTRICAL SUBCONTRACTOR SHALL GENERATE PLACARDS FOR EACH PIECE OF EQUIPMENT AND NUMBER ALL EQUIPMENT PER THE NAMING AND NUMBERING CONVENTION DEFINED IN THESE PLANS.

V17

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SITE USE PLANS  
3901 GOMER COURT, YORKTOWN, NY 10598

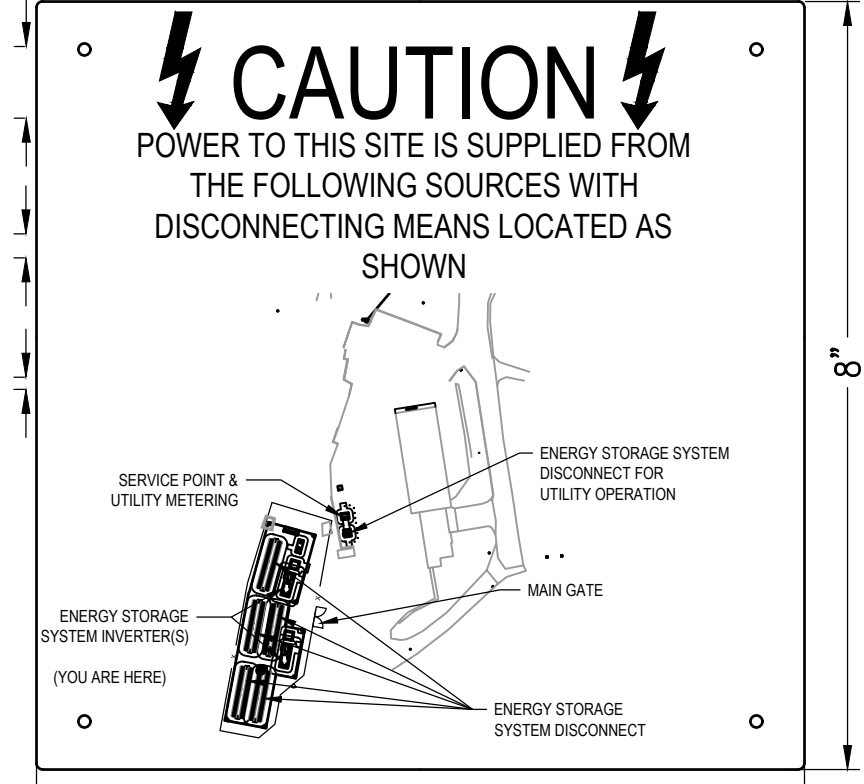
PROJECT NUMBER:  
908-1385

REV	DATE	DRAWN	CHECKED	RELEASE LEVEL
				SUP SUBMISSION
	06/16/20	TB	MS	SUP SUBMISSION
	09/18/20	TB	MS	SUP SUBMISSION
	10/13/20	TB	MS	SUP SUBMISSION
	11/12/20	TB	MS	SUP SUBMISSION
	12/07/20	TB	MS	SUP SUBMISSION
	01/21/21	TB	MS	SUP SUBMISSION

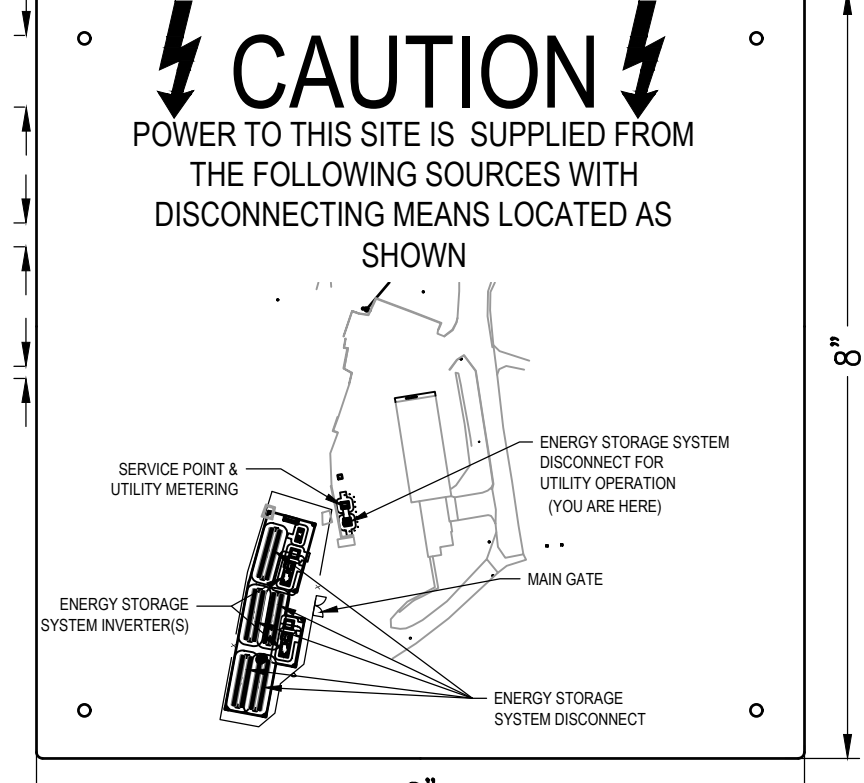
SCALES STATED ON DRAWINGS  
ARE VALID ONLY WHEN PLOTTED  
ARCH D 24" X 36"

E-6.0  
PLACARDS

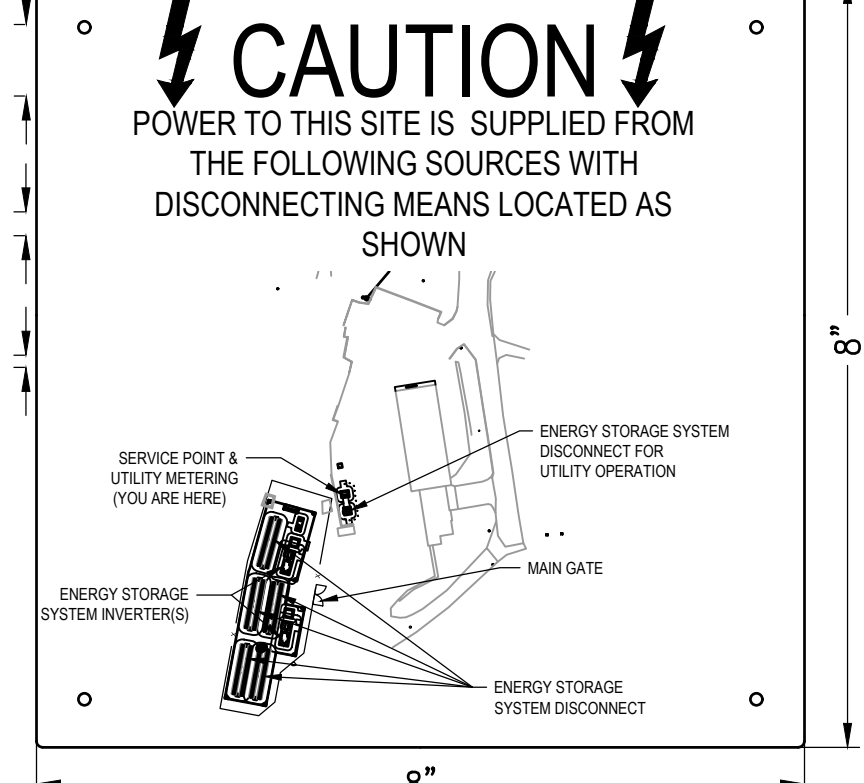
P1: DIRECTORY MAP  
LOCATION: EQUIPMENT PAD  
BACKGROUND COLOR: RED; TEXT COLOR: WHITE



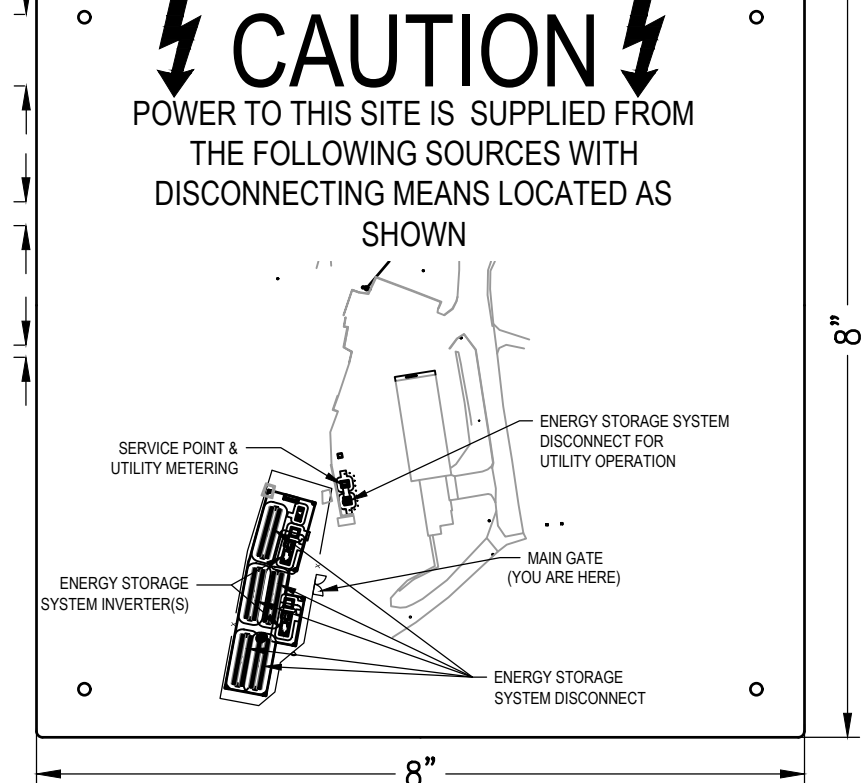
P1: DIRECTORY MAP  
LOCATION: AC DISCONNECT  
BACKGROUND COLOR: RED; TEXT COLOR: WHITE



P1: DIRECTORY MAP  
LOCATION: UTILITY METER  
BACKGROUND COLOR: RED; TEXT COLOR: WHITE



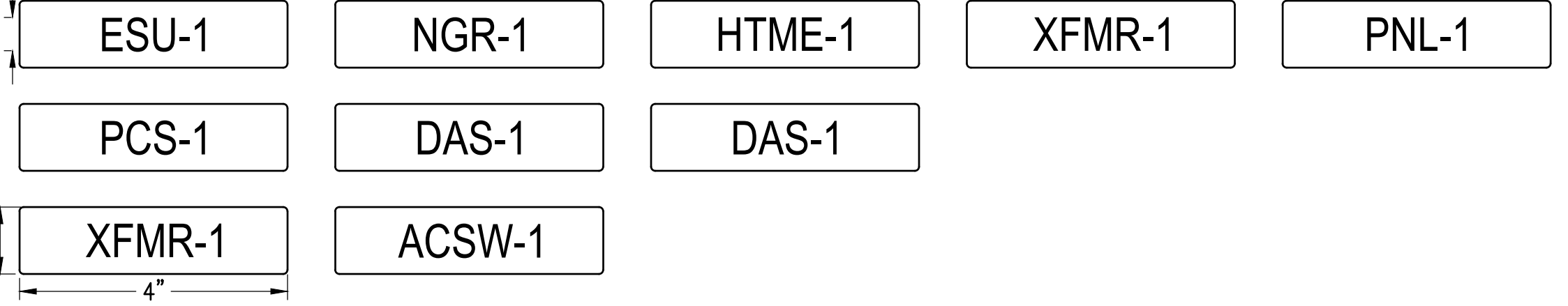
P1: DIRECTORY MAP  
LOCATION: MAIN GATE  
BACKGROUND COLOR: RED; TEXT COLOR: WHITE



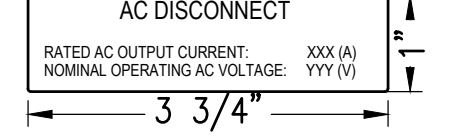
P2: BORRERO O&M CONTACT INFO  
LOCATION: UTILITY ACSW, POI, INV-#, DAS  
BACKGROUND COLOR: RED  
TEXT COLOR: WHITE



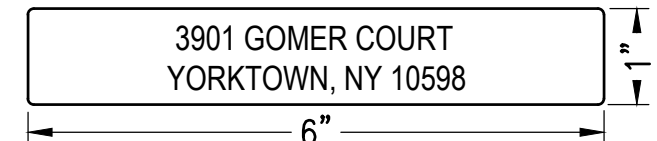
ARRAY AND EQUIPMENT ID  
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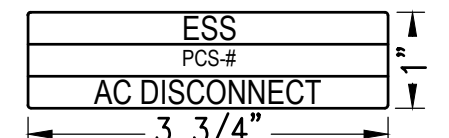
PAC1: UTILITY ESS DISCONNECTING MEANS  
LOCATION: ACSW-X  
NEC: 690.54  
BACKGROUND COLOR: RED; TEXT COLOR: WHITE  
HT P/N: 596-00892



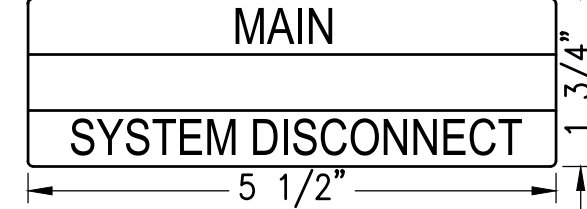
PAC2: SITE ADDRESS  
LOCATION: UTILITY ACSW-X  
BACKGROUND COLOR: RED  
TEXT COLOR: WHITE



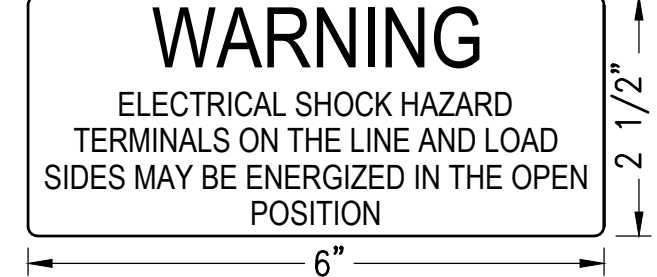
PAC3: AC EQUIPMENT DISCONNECTING MEANS  
LOCATION: ACSW-X OR INV-# (IF INTEGRAL ACSW)  
NEC: 690.13(B)  
BACKGROUND COLOR: RED, WHITE  
TEXT COLOR: WHITE  
HT P/N: 596-00237



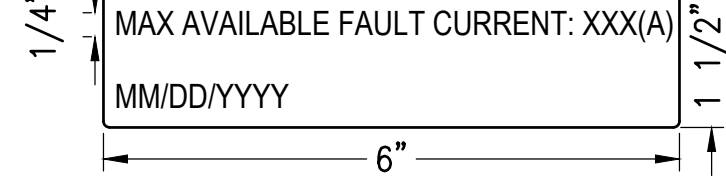
PAC4: PV SYSTEM DISCONNECTING MEANS  
LOCATION: ACSW-X OR INV-# (IF CENTRAL INV.)  
NEC: 690.13(B)  
BACKGROUND COLOR: RED REFLECTIVE, WHITE  
TEXT COLOR: WHITE  
HT P/N: 596-00243



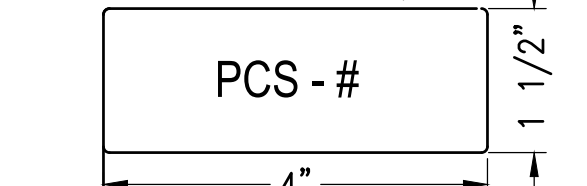
PAC5: AC DISCONNECT MEANS ENERGIZED  
LOCATION: ACSW-X, PNL-X  
NEC: 690.13(B)  
BACKGROUND COLOR: ORANGE AND WHITE  
TEXT COLOR: BLACK  
HT P/N: 596-00878



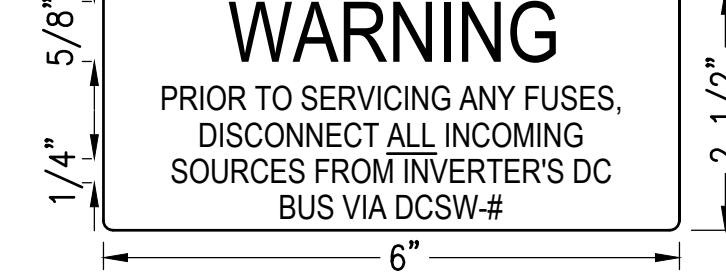
PAC13: FAULT CURRENT  
LOCATION: PNL-X, MAIN SERVICE  
NEC: 110.24(A)  
BACKGROUND COLOR: WHITE  
TEXT COLOR: BLACK, ENGRAVED



PAC14: SOURCE OF SUPPLY  
LOCATION: AT EACH PCS BREAKER OF PNL AND SWBD, MAIN SERVICE  
NEC: 408.4(B)  
BACKGROUND COLOR: WHITE  
TEXT COLOR: BLACK, ENGRAVED



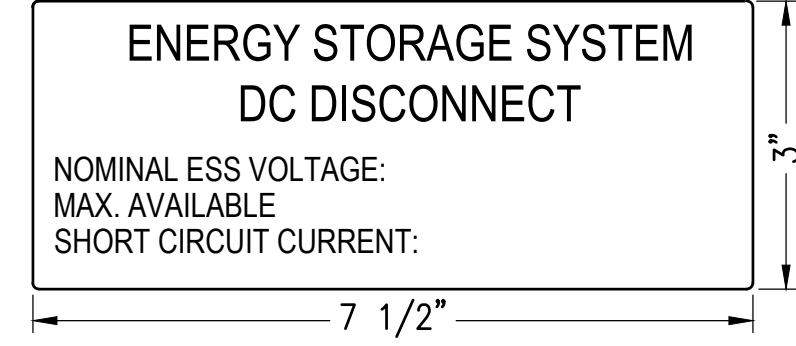
PDC4: FUSE SERVICE WARNING  
LOCATION: INV-X  
BACKGROUND COLOR: ORANGE AND WHITE  
TEXT COLOR: BLACK, ENGRAVED



P4: DANGEROUS VOLTAGE  
LOCATION: ALL ACCESS POINTS TO THE SITE AND EVERY 250' AROUND THE PERIMETER (ON FENCES AS NECESSARY)  
NEC: 110.27(C)  
BACKGROUND COLOR: ORANGE; TEXT COLOR: BLACK



ESS1: ENERGY STORAGE SYSTEM DISCONNECTING MEANS  
LOCATION: ESS SW-X  
NEC: 706.7(D)  
BACKGROUND COLOR: RED; TEXT COLOR: WHITE  
HT P/N: 596-00987



**FREEMAQ PCSK**  
**FREEMAQ MULTI PCSK**  
UTILITY SCALE BATTERY INVERTER

- POWER CONVERSION SYSTEM
- FIELD REPLACEABLE UNITS
- MODULAR DESIGN
- UP TO 3 INDEPENDENT BESS INPUTS
- COOL 3
- 4 QUADRANT
- 3 LEVEL TOPOLOGY
- NEMA 3R / IP55

**PROVEN HARDWARE AND ROBUST OUTDOOR DESIGN FEATURED WITH THE LATEST CONTROL**

The Freemaq PCSK is a modular solution from 1700 kW to 3800 kW with configurable DC and AC voltages making it compatible with all battery technology and manufacturers. Power Electronics is a proven partner in the solar and energy storage market. The PCSK has been designed to be the lowest LCOE solution in the market for storage applications. The Power Electronics Freemaq PCSK offers proven hardware to meet storage and grid support challenges. The energy production industry is embracing renewable energy sources. However, high penetration creates power transmission instability challenges, thus Grid Operators require stringent dynamic and static grid support features for solar inverters and Power Conversion Systems (PCS).

The MULTI PCSK can support two or three independent battery systems and optimize the storage facility. The converters can perform grid support functions such as: Peak Shaving, Ramp Rate Control, Frequency Regulation, Load Leveling and Voltage Regulation, controlled by a Power Plant Controller or SCADA. The converters stations are turn-key solutions ready for connection to the battery container and MV power distribution wiring. Units are designed for concrete pads or piers, open skids or integrated into full container solutions.



**Making a brighter future possible**

As a result of the increasing number of states that are adopting aggressive renewable and alternative energy portfolios, the solar energy market is growing—nearly doubling year over year. Eaton, a key innovator and supplier in this expanding market, is proud to offer Cooper Power™ series Envirotran™ transformers specifically designed for solar photovoltaic medium-voltage applications. Eaton is working with top solar photovoltaic developers, integrators and inverter manufacturers to evolve the industry and change the way we distribute power.

In accordance with this progressive stance, every Cooper Power series Envirotran solar transformer is filled with non-toxic, biodegradable Envirotemp™ FR3™ dielectric fluid made from renewable seed oils. On top of its biodegradability, Envirotemp FR3 fluid substantially extends the life of the transformer insulation, saving valuable resources. What better way to distribute green power than to use a green transformer? In fact, delaying conversion to Envirotran transformers places the burden of today's environmental issues onto tomorrow's generations. Eaton can help you create a customized transformer based on site-specific characteristics including temperature profile, site altitude, solar profile and required system life.

Some of the benefits gained from this custom rating include:

- Reduction in core losses
- Improved payback on investment
- Reduction in footprint
- Improved fire safety
- Reduced environmental impact



Finally, when it comes time for decommissioning of your Envirotran solar transformer, virtually all materials, from the durable core and cabinet steel to the biodegradable Envirotemp FR3 fluid, can be easily and economically recycled or reclaimed.

Envirotran solar transformers, when evaluated on total ownership cost (TOC), can save you money on losses and maintenance. For example, the table below shows the savings you could experience by allowing Eaton to site-optimize the transformer design.

Rating	No load	Load	No load loss	Load loss	Price	Total ownership cost
1000 kVA	1600 W	8280 W	\$15,720	\$3530	\$32,000	\$51,250
Optimized	1280 W	6690 W	\$12,280	\$2070	\$27,000	\$44,350
						<b>14% savings</b>

● Based on 20 years, 5% interest, 8¢/kWh.  
 ● 1% average loading.  
 ● 2% average loading.  
 Note: Values above for illustrative purposes only. Actual values will depend on many factors not discussed here.



**TECHNICAL CHARACTERISTICS**

**FREEMAQ MULTI PCSK 630V**

	FRAME 1	FRAME 2
NUMBER OF MODULES	4	6
REFERENCES	FP2235K2	FP3350K2   FP3350K3
AC		
AC Output Power (VA/AV) @50°C <sup>[1]</sup>	2235	3350
AC Output Power (VA/AV) @40°C <sup>[1]</sup>	2310	3465
Max. AC Output Current (A) @50°C	2047	3070
Max. AC Output Current (A) @40°C	2117	3173
Operating Grid Voltage (VAC)		630V ±1.5%
Operating Grid Frequency (Hz)		50/60 Hz
Current Harmonic Distortion (THD)		< 3% per IEEE519
Power Factor (cosφ) <sup>[2]</sup>		0.9 leading, 0.9 lagging
Reactive power compensation		Four quadrant operation
DC		
DC Voltage Range (full power)		891V-1310V
Maximum DC voltage		1500V
DC Voltage Ripple		< 3%
Max. DC continuous current (A)	2646	3969
Max. DC short-circuit current (A)		180kA / 5ms
Battery Technology		All type of batteries (BMS required)
Number of separate DC inputs	2	2   3
Efficiency (Max)(%)	98.79%	98.85%
Euroeta (%)	98.42%	98.59%
Max. Power Consumption (kVA)	8	10
CABINET		
Dimensions (WxDxH) (in)		12 x 7 x 7
Dimensions (WxDxH) (mm)		317 x 228 x 228
Weight (lbs)	12125	12677
Weight (kg)	5500	5750
ENVIRONMENT		
Type of ventilation		Forced air cooling
Degree of protection		NEMA 3R / IP55
Permissible Ambient Temperature		-35°C to +60°C / +50°C / Active Power derating (-50°C)
Relative Humidity		4% to 100% non-condensing
Max. Altitude (above sea level)		2000m / >2000m power derating (Max. 4000m)
Noise level <sup>[3]</sup>		< 79 dBA
CONTROL INTERFACE		
Communication protocol		Modbus TCP
Power Plant Controller		Optional. Third party SCADA systems supported
Keyed ON/OFF switch		Standard
Ground Fault Protection		Insulation monitoring device
Humidity control		Active Heating
General AC Protection & Disconn.		Circuit Breaker
General DC Protection & Disconn.		DC switch <sup>[4]</sup>
CERTIFICATIONS		
Overvoltage Protection		AC and DC protection (type 2)
Safety		UL1741, CSA 22.2 No.107-1-16, IEC62109-1, IEC62109-2, UL 1741 SA - Feb. 2018, IEEE 1547-1-2005
Utility interconnect <sup>[5]</sup>		

[1] Values at 1.00Vdc/nom and cosφ = 1. Consult Power Electronics for derating curves.  
 [2] Consult PFC charts available: 00VAHV-000009-000009.  
 [3] Readings taken 1 meter from the back of the unit.  
 [4] Battery short circuit disconnection has to be done on the battery side.  
 [5] Consult Power Electronics for other applicable standards / grid codes.

**Why Envirotran solar transformer?**

**Environmentally desirable**

Envirotran solar transformers are friendlier to the environment. While traditional liquid-filled transformers use mineral oil or synthetic oils, Envirotran transformers use the revolutionary, vegetable oil-based, dielectric coolant—Envirotemp FR3 fluid. Envirotemp FR3 fluid is made from soybeans, making it both non-toxic and non-hazardous. Moreover, because Envirotemp FR3 dielectric fluid is petroleum independent, it doubles as a valuable renewable resource with a carbon-neutral footprint.

**Quality matters**

Choosing Eaton's Cooper Power series reliable and durable Envirotran solar transformer allows you substantial cost savings, delayed capital expenditures and maximized power handling performance. It all starts with the superior performance of Envirotemp FR3 fluid, preserving and protecting the paper insulation found in each coil. This extended insulation life coupled with the non-hazardous properties of Envirotemp FR3 fluid makes the Envirotran solar transformer design an industry leader in quality and reliability.

**High fire point**

Envirotemp FR3 fluid, which has a fire point above 300 °C, highly reduces the likelihood of a fire within the transformer. In more than 30 years of field experience, no Cooper Power series less-flammable fluid-filled transformer has resulted in a pool fire. Mineral oil, while exhibiting reliable dielectric properties, typically does not provide an adequate margin of fire safety during transformer failure. With a fire point at nearly double (300 °C compared to 155 °C) of mineral oil, switching to Eaton's Cooper Power series Envirotran solar transformer filled with Envirotemp FR3 fluid will greatly minimize the long-term risk associated with catastrophic transformer failures.



Description	Specification
Type	Three-phase, 50 or 60 Hz, 85 °C rise (85 °C, 95 °C/85 °C, 75 °C, 65/75 °C)
Fluid type	Envirotemp FR3 fluid
Size	45–12,000 kVA
Primary voltage	2400–46,000 V
Secondary voltage	208V/120 V to 14,400 V
Coil configuration	2-winding or 4-winding or 3-winding (low-high-low), 3-winding (low-low-high)
Specialty designs	Inverter/rectifier bridge K-Factor (up to K-19) Vacuum fault interrupter (VFI) UL listed, labeled and classified Factory mutual (FM) approved Solar/wind designs Differential protection Seismic applications (including OSHPD)



Eaton  
 1000 Eaton Boulevard  
 Cleveland, OH 44122  
 United States  
 Eaton.com

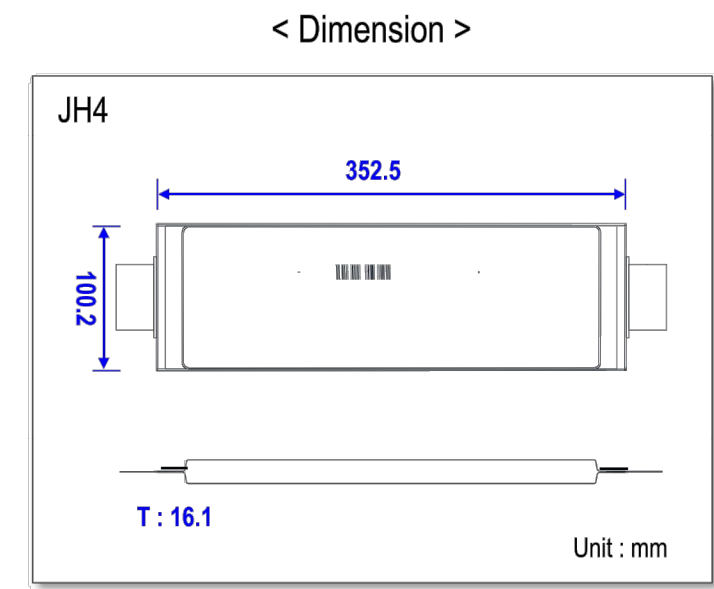
Eaton's Power Systems Division  
 2300 Backlog Drive  
 Waukegan, WI 53188  
 United States  
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 Supersedes 8210-10040  
 September 2017

Eaton is a registered trademark.  
 All other trademarks are property of their respective owners.

**JH4 Cell Information**

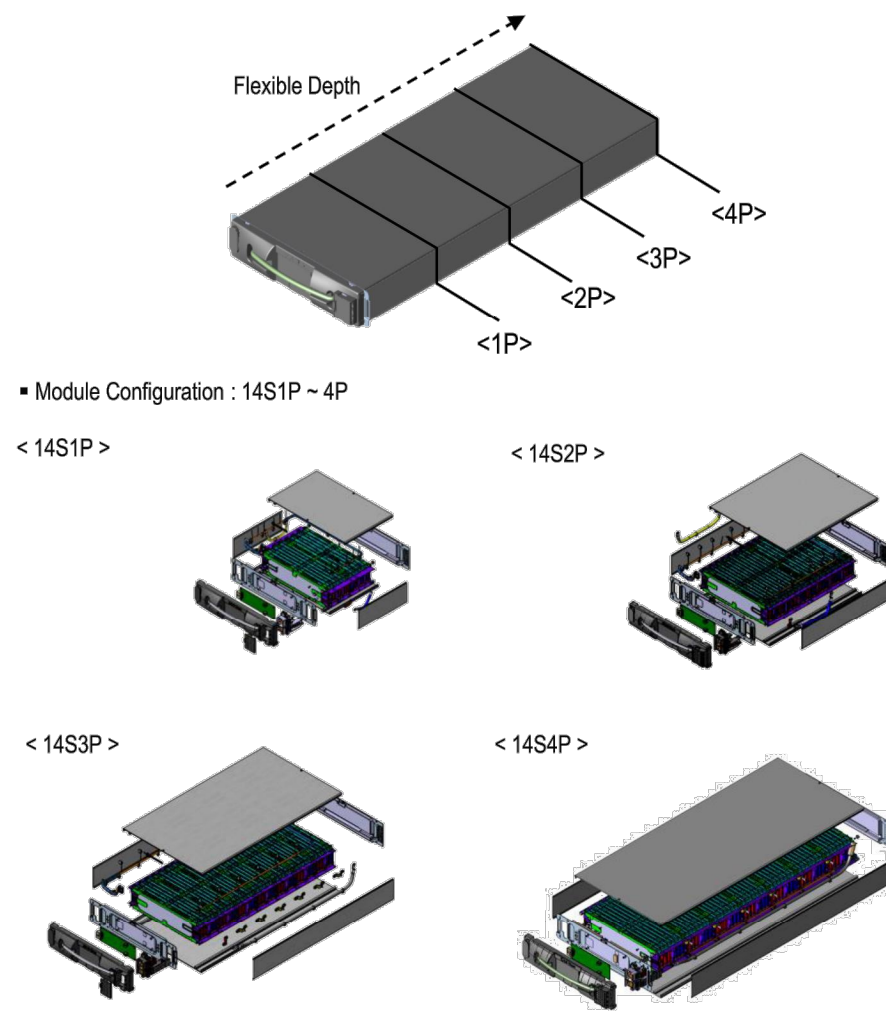
Item	Unit	JH4
Nominal Capacity	Ah	72.5
Nominal Energy	Wh	266
Nominal Voltage	V	3.67
Energy Density	Wh/L	468
Specific Energy	Wh/kg	226
Voltage Range	V	3.0 ~ 4.2
Storage Temperature (for shipping state)	°C	-30 ~ 60
Weight	g	1,175
Volume	mL	569
Dimension (W/L/T)	mm	100.2 / 352.5 / 16.1
Chemistry	(+)	NMC
	(-)	Graphite



**JH4 – Module Specification**

TBD

**Module Structure**



**Module Configuration**

Cell type	JH4			
	14S1P	14S2P	14S3P	14S4P
Configuration				
Voltage Range (V)	42 ~ 58.8 (nominal : 51.8)			
Capacity (Ah)	72.5	145	217.5	290
Energy (kWh)	3.7	7.4	11.1	14.8
Max Constant Power	Cell : Max 0.5CP Module : TBD			
Dimension (mm, W x H x D)	445 110 x 338.8	445 x 110 x 586.6	445 x 110 x 846.4	445 x 110 x 1100
Weight (kg)	25	43.5	68	85

※ All product specifications are tentative and subject to change



THIS DOCUMENT IS PROVIDED BY PV ENGINEERS, P.C. TO FACILITATE THE SALE AND INSTALLATION OF A SOLAR POWER SYSTEM FROM BORRERO SOLAR SYSTEMS, INC. REPRODUCTION, RELEASE OR UTILIZATION FOR ANY OTHER PURPOSE, WITHOUT WRITTEN CONSENT IS STRICTLY PROHIBITED.



55 TECHNOLOGY DRIVE, SUITE 102  
 CORWALL, NH 0381  
 PHONE: (888) 898-6273  
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21 SOUTH EVERGREEN AVENUE  
 SUITE 200  
 ARLINGTON HEIGHTS, IL 60005  
 TEL: 847-798-8200 • FAX: 847-798-9537

NOT FOR CONSTRUCTION

SITE USE PLANS  
 3901 GOMER COURT, YORKTOWN, NY 10588

PROJECT NUMBER:  
 908-1385

REV	DATE	DRAWN	CHECKED	RELEASE	LEVEL
	06/16/20	TB	MS	SUP	SUBMISSION
	09/18/20	TB	MS	SUP	SUBMISSION
	10/13/20	TB	MS	SUP	SUBMISSION
	11/12/20	TB	MS	SUP	SUBMISSION
	12/07/20	TB	MS	SUP	SUBMISSION
	01/21/21	TB	MS	SUP	SUBMISSION

SCALES STATED ON DRAWINGS ARE VALID ONLY WHEN PLOTTED ARCH D 24" x 36"

E-7.0  
 DATA SHEETS

THIS IS TO CERTIFY that the attached copy is a true and correct copy of the Town of Yorktown Planning Board Resolution:

**PLANNING BOARD  
TOWN OF YORKTOWN**

**RESOLUTION APPROVING  
SITE PLAN, SPECIAL USE PERMIT, AND WETLAND PERMIT FOR  
YORKTOWN ENERGY STORAGE 1, LLC  
C/O BORREGO SOLAR SYSTEMS, INC**

**DATE OF RESOLUTION: DECEMBER 21, 2020**

HEREBY signed by the secretary of the Planning Board:



---

William LaScala, Acting Secretary

December 31, 2020

Date

**PLANNING BOARD  
TOWN OF YORKTOWN**

**RESOLUTION APPROVING  
SITE PLAN, SPECIAL USE PERMIT, AND WETLAND PERMIT FOR  
YORKTOWN ENERGY STORAGE 1, LLC  
C/O BORREGO SOLAR SYSTEMS, INC**

**RESOLUTION NUMBER: #20-27**

**DATE: DECEMBER 21, 2020**

On motion of Robert Garrigan, seconded by William LaScala, and unanimously voted in favor by 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 titled "Site Use Plans 3901 Gomer Court," prepared by PV Engineers, P.C. and Greenberg Farrow, dated June 16, 2020, and last revised December 7, 2020, was submitted to the Planning Board on behalf of Yorktown Energy Storage 1, LLC (hereinafter referred to as "the Applicant"); and

WHEREAS the property owner, Ann Marie Dring representing Gomer Properties Associates, LTD, submitted authorization for this application by Borrego Solar Systems, Inc., operating as Yorktown Energy Storage 1, LLC for this property, and the property is located at 3901 Gomer Court, Yorktown Heights, also known as Section 6.17, Block 1, Lot 24 on the Town of Yorktown Tax Map (hereinafter referred to as "the Property"), and the applicant has represented to this board that they are the lawful owners of the land within said site plan; and

WHEREAS an application fee of \$4,904.00 covering 2.46 acres has been received by this Board; and

WHEREAS a special use permit application and fee of \$625 to allow a Tier 2 Battery Energy Storage facility pursuant to Town Code Section 300-81.5 entitled "Battery energy storage systems," 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 December 21, 2020.
3. A negative declaration has been adopted on December 21, 2020 on the basis of a Short EAF dated September 18, 2020.

WHEREAS the applicant has submitted as part of his application the following maps and documents for Site Use Plans 3901 Gomer Court:

**Survey**

1. A survey, sheet 1 of 1, titled "Gomer Properties Associates LTD., prepared by Lawson Surveying & Mapping, and dated July 10, 2019, and last revised June 1, 2020; and

**Site Plans**

2. A drawing, Sheet T-1, titled "Title Page," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
3. A drawing, Sheet C-1.0, titled "Existing Conditions Plan," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
4. A drawing, Sheet C-2.0, titled "Layout and Materials Plan," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
5. A drawing, Sheet C-2.1, titled "Visual Analysis Site Profile," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
6. A drawing, Sheet C-2.2, titled "Visual Analysis Site Photos," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
7. A drawing, Sheet C-2.3, titled "FEMA Floodzone Comparison," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
8. A drawing, Sheet C-2.4, titled "Conservation Easement," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
9. A drawing, Sheet C-3.0, titled "Grading and Erosion Control Plan," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
10. A drawing, Sheet C-4.0, titled "Civil Details," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
11. A drawing, Sheet C-5.0, titled "Decommissioning Plan," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
12. A drawing, Sheet C-6.0, titled "Landcape Plan," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
13. A drawing, Sheet E-2.3, titled "AC Three Line Diagram," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
14. A drawing, Sheet C-6.0, titled "Placards," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
15. A drawing, Sheet C-7.0, titled "Data Sheets," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020; and
16. A drawing, Sheet Fig. 1, titled "Wetland Mitigation Plan," prepared by PV Engineers, P.C. and GreenbergFarrow, and last revised October 13, 2020; and
17. A drawing, Sheet Fig. 2, titled "Emergency Access Plan," prepared by PV Engineers, P.C. and GreenbergFarrow, and last revised November 12, 2020; and
18. A drawing, Sheet EX-1, titled Noise Level Exhibit," prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020, and last revised September 18, 2020; and



**Additional Documents & Reports**

19. A Wetland Investigation, prepared by Shumaker Consulting Engineering and Land Surveying, D.P.C., and dated March 29, 2019; and
20. A Wetland Jurisdictional Assessment, prepared by Shumaker Consulting Engineering and Land Surveying, D.P.C., and dated September 13, 2019; and
21. A safety memo to the Zoning Board of Appeals, prepared by Borrego Solar Systems, Inc., and dated September 17, 2019; and
22. A Fire Safety Compliance Plan narrative, prepared by PV Engineers, P.C. and dated September 18, 2020; and
23. A Decommissioning Plan Narrative and Estimate, prepared by PV Engineers, P.C., dated September 18, 2020; and
24. A Commissioning Manual, Revision 4, last modified October 18, 2018 for Advancion Energy Storage; and
25. A Permit Jurisdiction Screening letter from the NYS DEC dated October 24, 2019; and
26. A memo regarding the Statement of Work and Wetland Mitigation, prepared by PV Engineers, P.C., and dated November 12, 2020; and
27. Novex-1230 Fire Protection Fluid Memo, prepared by Borrego Solar Systems, Inc., and received on November 13, 2020; and
28. A memo regarding Secondary Containment, prepared by Borrego Solar Systems, Inc., and dated December 18, 2020; and

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

<b>Boards &amp; Agencies</b>	<b>Report Date</b>
ABACA	10/22/20, 12/02/20
Conservation Board	10/22/20, 11/19/20
Fire Inspector	11/19/20
Town Engineer	11/04/20
Westchester County Planning Board	10/19/20

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

WHEREAS the Board has reviewed this application pursuant to Section 300-81.5 of the Town Code, and more specifically Subsection G which lists the requirements for Tier 2 battery energy storage systems;

WHEREAS a Public Informational Hearing was held in accordance with §195-39(B)(1) of the Yorktown Town Code on the said site plan application by Zoom video conference on October 26, 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 and closing on December 21, 2020 by Zoom video conference;

RESOLVED the Board has reviewed this application pursuant to Section 300-81.5 of the Town Code, and more specifically Subsection G which requires the following for Tier 2 battery energy storage systems:

- (1) A complete application was submitted to this Board, a public hearing was held on December 21, 2020 as stated herein above, and a referral to the County Planning Department was sent and a response received dated October 19, 2020;
- (2) Certification that the project is not located within a floodplain as shown on the submitted FEMA Letter of Map Amendment dated May 4, 2020 and on Sheet C-2.3 listed herein;
- (3) All utility lines are proposed to be placed underground;
- (4) The Applicant has provided signage in compliance with ANSI Z535 and has included the type of technology associated with the battery energy storage systems, any special hazards associated, the type of suppression system installed in the area of battery energy storage systems, and twenty-four-hour emergency contact information, including reach-back phone number. And as required by the NEC, disconnect and other emergency shutoff information shall be clearly displayed on a light-reflective surface. A clearly visible warning sign concerning voltage shall be placed at the base of all pad-mounted transformers and substations;
- (5) Lighting is provided for the equipment area;
- (6) As shown on sheet C-6.0 listed herein, areas within 20 feet on each side of Tier 2 battery energy storage systems shall be cleared of combustible vegetation and other combustible growth;
- (7) The one-hour average noise generated from the battery energy storage systems, components, and associated ancillary equipment shall not exceed a noise level of 60 dBA as measured at the outside wall of any nonparticipating residence and occupied community building. The applicant has submitted that the decibel reading at 1 meter (approximately 3 feet) from the facility is 85 dba, however the nearest non-participating residence and/or occupied community building is 385-feet from the facility;
- (8) The applicant has submitted a Decommissioning Plan, as shown on Sheet C-5.0 listed herein, that complies with the Uniform Code and a Decommissioning Fund shall be established;
- (9) The applicant has submitted all required documents for site plan approval by this Board;
- (10) Special use permit standards:
  - (a) The Property is 2.46 acres (107,157.6 square feet) where a minimum of 40,000

square feet is required;

- (b) The proposed system has a lot coverage of 15,755 square feet, or 14.5%, where a maximum of 15% is allowed;
- (c) As shown on sheet C-2.0 listed herein, the proposed system complies with the setbacks of the underlying zone, which is the Office zone;
- (d) As shown on sheet C-4.0 listed herein, the proposed system enclosure is 13 feet in height, where a maximum of 15 feet is allowed;
- (e) Fencing has been provided around the facility as that complies with the Fire Prevention Bureau's request to have specific clear views into the facility;
- (f) Sufficient landscape screening has been provided as reviewed by the Planning Board, ABACA, and the Conservation Board; and

RESOLVED as mitigation for impacts to the wetland buffer, the Applicant will remove debris and invasive vines in the buffer corridor, outlined in red on Sheet Fig. 1 Wetland Mitigation Plan listed herein, and along the bottom of the embankment next to Route 6 and utility trucks stored in this area will be removed; and

BE IT NOW RESOLVED that the application of Yorktown Energy Storage 1, LLC for the approval of a site plan titled "Site Use Plans 3901 Gomer Court" as prepared by PV Engineers, P.C. and GreenbergFarrow, dated June 16, 2020 and last revised December 7, 2020, 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:

**Additional requirements prior to signature by the Planning Board Chairman:**

- 1. Submit a Lighting Plan and details.
- 2. Submit a final Landscape Plan to the satisfaction of the Planning Board.
- 3. Submission of inspection fees and/or 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. All non-permitted uses on the site shall cease and be removed from the site or permitted to legalize same.
- 5. A Decommissioning Fund - The Applicant must shall continuously maintain a fund or bond payable to the Town, in a form approved by the Town, for the removal of the

battery energy storage system, in an amount to be determined by the Town, for the period of the life of the facility. This fund may consist of a letter of credit from a State of New York licensed financial institution. All costs of the financial security shall be borne by the applicant.

6. The Applicant shall enter into a Utility Maintenance Agreement with the Town whereby the Applicant shall submit yearly reports to the Town confirming the battery storage facility has been inspected and certified safe, that all preventative maintenance has been completed, and that no unused equipment is being stored on site.
7. Proposed plan must comply with all current applicable ADA standards.
8. Prior to the issuance of a building permit, submission of all legal documents to effectuate the offers of cession, road dedications, easement, and other agreements set forth on the map or its notes, in form satisfactory to the Town Attorney.
9. Applicant must obtain all necessary permits from outside agencies.
10. Upon completion of the project, the Applicant must submit an as-built survey.

BE IT FURTHER RESOLVED, that in accordance with Chapter 178, the application of Yorktown Energy Storage 1, LLC for the approval of a Wetland Permit **#WP-056-19** is approved subject to the conditions listed therein; and

RESOLVED, Permit **#WP-056-19** shall not be valid until it has been signed by the Chairman of this Board;

BE IT FURTHER RESOLVED the special use permit and site plan approval shall be valid for a period of 24 months, provided that a building permit is issued for construction and construction is commenced. In the event construction is not completed in accordance with the final site plan, as may have been amended and approved, as required by the Planning Board, within 24 months after approval, the applicant or the Town may extend the time to complete construction for 180 days. If the owner and/or operator fails to perform substantial construction after 36 months, the approvals shall expire.


**PLANNING BOARD  
TOWN OF YORKTOWN**

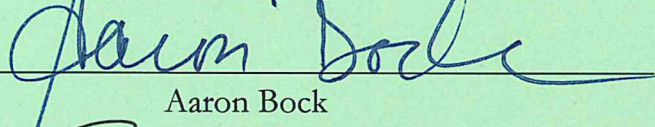
**RESOLUTION APPROVING  
SITE PLAN, SPECIAL USE PERMIT, AND WETLAND PERMIT FOR  
YORKTOWN ENERGY STORAGE 1, LLC  
C/O BORREGO SOLAR SYSTEMS, INC**


**DATE: DECEMBER 21, 2020**

SIGNED BY: \_\_\_\_\_  
  
John Kincart, Acting Chairman

ROLL CALL:  
AYES: \_\_\_\_\_  
  
John Kincart, Acting Chairman

\_\_\_\_\_  
  
William LaScala

\_\_\_\_\_  
  
Aaron Bock

\_\_\_\_\_  
  
Robert Garrigan

NAYES: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# **Little Red School House Daycare**

MAR 1 2021

TOWN OF YORKTOWN

# Interoffice MEMORANDUM

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TO: Planning

FROM: Kyra Brunner, on behalf of the Zoning Board of Appeals

DATE: March 1, 2021

RE: Zoning Board of Appeals Referrals

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The Zoning Board of Appeals has requested a report from you with respect to the attached applications:

- Sindaco #6/21

I have attached any plans and/or pertinent materials that were submitted with the applications to assist in your review.

Please submit all reports with the original.

These files are presently in the Town Attorney's office. If any further information is needed, please do not hesitate to call.

The Zoning Board of Appeals will be taking these matters up at the March 25, 2021 meeting.

Thank you for your cooperation.

KB  
Attachments



MAR 1 2021

TOWN OF YORKTOWN

Town of Yorktown [www.yorktownny.org](http://www.yorktownny.org)

FEB 17 2021

TOWN OF YORKTOWN, NY 2021

**Building Department**

Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598  
Tel. (914) 962-5722 ext.233 | Fax (914) 962-1731 | Email: [building@yorktownny.org](mailto:building@yorktownny.org)

**Application for a Special Use Permit**

(Please legibly complete all lines on the application)

Office use only			
Application #:	<u>6/21</u>	Fee Paid:	<u>Y-\$312.00</u>
		Date:	<u>2/17/21</u>
		Received by:	<u>KB</u>

A total of **6 copies** of the following are to be submitted to the Building Department:

- Application Form
- A site plan of the premises, including existing and proposed structures for which relief is requested, location of watercourses and other topographical features if applicable
- Elevation drawings of all buildings and structures involved in the application
- A survey map of premises, prepared by a Licensed Land Surveyor
- Any supporting documents as required by the specific application (Please see Chapter 300, "Zoning", of the Code of the Town of Yorktown for documentation by specific use)
- \*Please check with the Building Department to determine if you need to fill out an Environmental Assessment Form

Fee of \$625.00 New, \$312.00 Renewal

Date: 2/16/21

All items (1-8) must be completed

1.  New Application or  Renewal (check one)

2. Premises located on the North side of Crompond Rd.  
(North, South, East, West) (Street, Road, Drive)

near Yorktown Police Station

3. Section 37.09 Block 1 Lot 59

4. The Special Use Requested is as follows: Child Day Care Center  
For 3 classrooms with 16 children each and  
one classroom with 16 children for a total of  
58 children



5. Telephone Number (Home) 914-245-3150 (Work) 845-893-6448 <sup>Cell</sup>
6. Email MelanieSindaco11<sup>2</sup>@gmail.com
7. Address of Subject Property: 2300 Crompond Rd  
Yorktown Heights NY 10598
8. Address of Applicant/Owner: 2754 Old Yorktown Rd  
Yorktown Heights, NY 10598

In the event the permit is issued, the undersigned applicant will comply with all provisions of the Code of the Town of Yorktown and all other applicable laws, codes, rules and regulations of any Federal, State, or County Government, bureau or department thereof, having jurisdiction over said premises and the use to be conducted thereat.

Melanie Sindaco  
Little Red House of  
Westchester, LLC  
Name of Applicant (please print)

  
Signature of Applicant

2/16/21  
Date

\_\_\_\_\_  
Name of Owner (If not applicant)

\_\_\_\_\_  
Signature of Owner

\_\_\_\_\_  
Date

617.20  
Appendix B  
Short Environmental Assessment Form

RECEIVED  
PLANNING DEPARTMENT

MAR 1 2021

TOWN OF YORKTOWN

**Instructions for Completing**

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Our Montessori School - <u>Now Little Red House of Westchester, LLC</u>			
Name of Action or Project:			
Our Montessori School - <u>Little Red House of Westchester, LLC</u>			
Project Location (describe, and attach a location map):			
2300 Crompond Road, Yorktown, NY 10598 SBL 37.09-1-59			
Brief Description of Proposed Action:			
<p>The United Methodist Church currently hosts the Our Montessori School program which consists of approximately 30 students from ages 4 to 12. When started, this program was a Permitted Use in the residential zoning standards of the Town of Yorktown. A separate Special Use Permit may be required for the proposed use. It is proposed to move their day care program which is hosted at another location to this facility. Approximate number of students to be brought on-site is ten at ages 2 to 3. These students will occupy one classroom. The program is fully licensed by the State of New York to operate at this facility. The additional traffic due to the added children will be 5-6 cars during the pickup and dropoff times which are between 8:45 and 9:15. In some cases, students that are siblings will come in one car.</p> <p><u>Little Red House of Westchester, LLC is seeking a Special Use Permit or transference of already issued permit for a child care center. Total number of students to be 58 children ages 18 months - 10 yrs old. Our students will occupy four classrooms</u></p>			
Name of Applicant or Sponsor:		Telephone: 914-962-4488	
Joseph C. Riina, P.E., Site Design Consultants		E-Mail: jriina@sitedesignconsultants.com	
Address:			
251-F Underhill Avenue			
City/PO:		State:	Zip Code:
Yorktown Heights		NY	10598
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?			NO    YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?			NO    YES
If Yes, list agency(s) name and permit or approval: Modification to the Town of Yorktown Planning Board Special Use Permit			<input type="checkbox"/> <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		4.86 acres	
b. Total acreage to be physically disturbed?		0 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		4.86 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

This does not apply



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
_____	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>Joseph C. Riina</u>	Date: <u>4-10-18</u>	
Signature: _____	_____	

**Part 2 - Impact Assessment.** The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing: a. public / private water supplies? b. public / private wastewater treatment utilities?	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input type="checkbox"/>	<input type="checkbox"/>

## TOWN OF YORKTOWN PLANNING BOARD

Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565, Fax (914) 962-5986

### MEMORANDUM

**To:** Zoning Board of Appeals  
**From:** Planning Board  
**Date:** May 24, 2018  
**Subject:** Montessori School  
2300 Crompond Road  
Section 37.09 Block 1 Lot 59  
R1-20 Zone

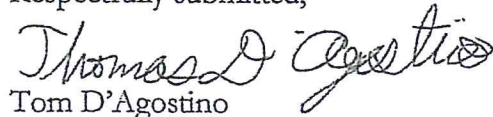
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The Planning Board, at its meeting on April 23, 2018, discussed the subject application and the request for a Special Use Permit for a day-care facility. The usage of a school and daycare has been in operation at the site since the building was built. The Applicant requests the Special Use Permit to allow additional students to the school.

The Planning Board has no planning objections in granting of the Special Use Permit being requested.

Should you have any questions, please do not hesitate to call this office.

Respectfully submitted,

  
Tom D'Agostino  
Assistant Planner

CC: Site Design Consultants

DECISION OF THE ZONING BOARD OF APPEALS OF THE TOWN OF YORKTOWN

July 10, 2018

**Our Montessori School  
2300 Crompond Rd.  
Section 37.09, Block 1, Lot 59**

**#23/18**

This is an application for a special use permit to operate a day care facility. This property is located in a R1-20 zone.

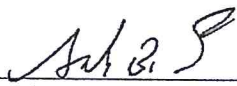
Mailings and sign certification in order. Memo from the Assistant Building Inspector dated, May 23, 2018 cited no objections.

Memo from the Planning Board dated, May 24, 2018 states: The Planning Board, at its meeting on April 23, 2018 discussed the subject application and the request for a Special Use Permit for a day-care facility. The usage of a school and daycare has been in operation at the site since the building was built. The Applicant requests the Special Use Permit to allow additional students to the school. The Planning Board has no planning objections in granting of the Special Use Permit being requested.


Memo from the Fire Inspector dated May 21, 2018 states: On Monday May 7, 2018 the Bureau of Fire Prevention met to discuss the proposed relocation of the Our Montessori School to 2300 Crompond Rd., Yorktown Heights. The Bureau has no objections to the plan and supports the Applicant's proposal.

The Board grants the application for a special use permit for a period of three (3) years, with the stipulation that this is for up to 18 students in the daycare facility and contingent upon the submission of all the required approvals and it's per the plans submitted by the Applicant.

**It is hereby determined that the above action is a SEQRA Type II Action, which action requires no further review.**

  
\_\_\_\_\_  
Gordon B. Fine, Chairman  
Zoning Board of Appeals

Filed on the 13 day of  
July, 2018.

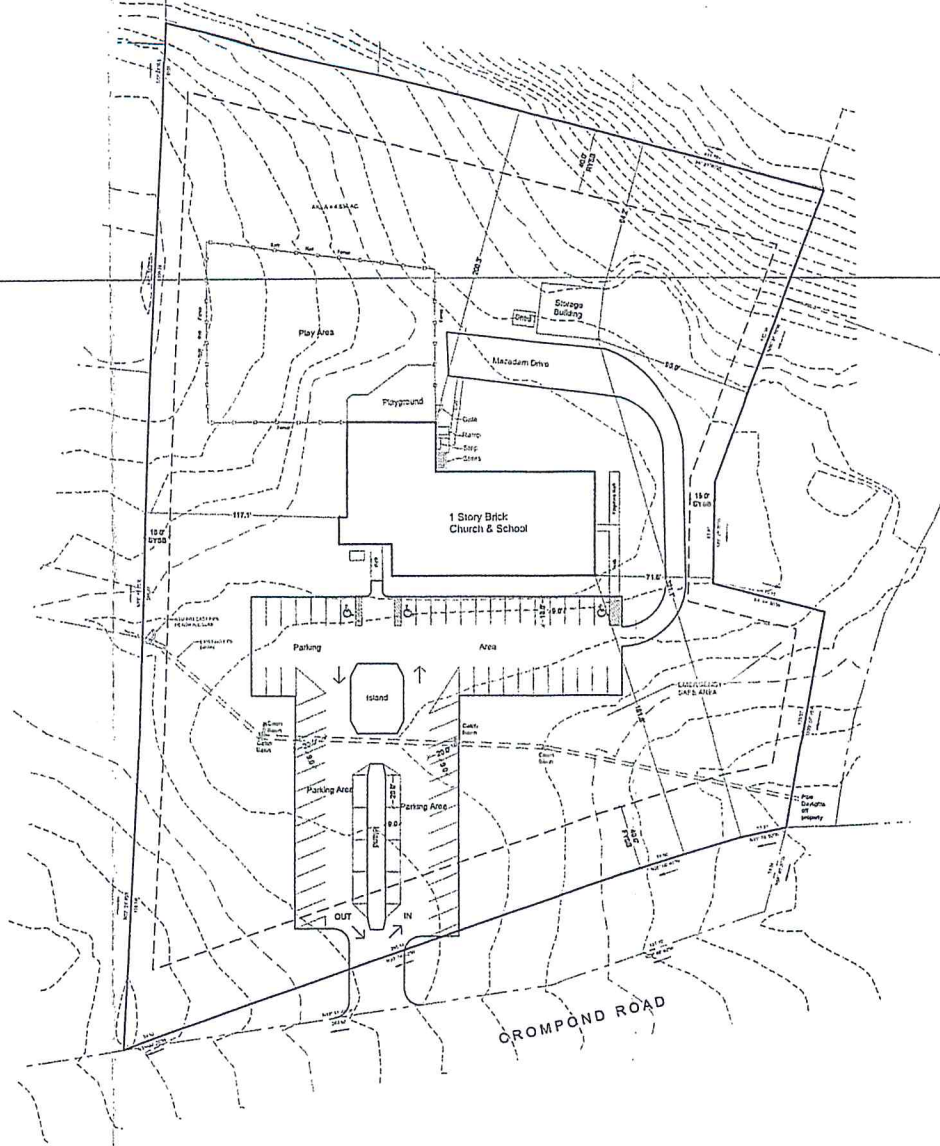
  
\_\_\_\_\_  
Diana L. Quast  
Town Clerk

LOCATION MAP  
NOT TO SCALE

RECEIVED  
Zoning Board of Appeals Office

FEB 17 2021

TOWN OF YORKTOWN, NY



**SITE DATA:**

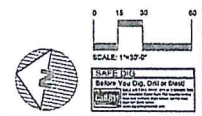
OWNER / DEVELOPER: OUR MONTESSORI SCHOOL  
 CA UNITED METHODIST CHURCH  
 250 CHANGELING RD.  
 YORKTOWN HEIGHTS, NY, 10588  
 PROJECT LOCATION:  
 EXISTING TOWN ZONING: R1-20  
 PROPOSED USE: R1-20  
 TOWN TAX MAP DATA: C221 (04) 07 01, BLOCK 1, LOT 09  
 SITE AREA: 4.334 ACRES (187,330 SF)  
 SERVICE FACILITIES: PUBLIC SERVICES  
 WATER FACILITIES: PUBLIC WATER FACILITIES

**ZONING SCHEDULE:**

ZONING DISTRICT:	R1-20, SINGLE FAMILY RESIDENTIAL		
ADDITIONAL REGULATIONS:	REQUIRED	PROPOSED	VARIANCE REQUIRED
MINIMUM SIZE OF LOT:			
MINIMUM LOT AREA:	20,000 SF	187,330 SF	NONE
MINIMUM LOT WIDTH:	100 FT.	349 FT.	NONE
MINIMUM LOT DEPTH:	100 FT.	819 FT.	NONE
MINIMUM ROAD FRONTAGE:	100 FT.	425 FT.	NONE
MINIMUM YARD DIMENSIONS:			
PRINCIPAL BUILDING:			
FRONT YARD SETBACK:	40 FT.	182 FT.	NONE
REAR YARD SETBACK:	40 FT.	200 FT.	NONE
ONE SIDE YARD SETBACK:	10 FT.	72 FT.	NONE
COMBINED SIDE YARD SETBACK:	40 FT.	180 FT.	NONE
ACCESSORY BUILDING:			
FRONT YARD SETBACK:	40 FT.	321 FT.	NONE
REAR YARD SETBACK:	20 FT.	84 FT.	NONE
ONE SIDE YARD SETBACK:	20 FT.	84 FT.	NONE
COMBINED SIDE YARD SETBACK:	40 FT.	340 FT.	NONE
MAXIMUM % OF LOT TO BE OCCUPIED:			
TOTAL BUILDING COVERAGE:	20% OF LOT AREA	8.8 % OF LOT AREA	NONE
MINIMUM USABLE FLOOR AREA OF DU:	600 SF	-	NONE
MAXIMUM HEIGHT:			
PRINCIPAL BUILDING - FEET:	35	33 FT MAX	NONE
ACCESSORY BUILDING - FEET:	15	19 FT MAX	NONE
ACCESSORY BUILDING - STORES:	-	-	NONE

**ZONING REGULATORY NOTES:**  
 1. The required rear and side yard setbacks for an accessory building in an R1-40, R1-20, R1-10 or R1-2 zone shall be no less than 20 feet unless the accessory building is (a) located wholly or partly in a rear yard and (b) has a footprint 50% or greater than that of the main building.

NOTE:  
 THESE ARE NOT A SURVEY. ALL SURVEY INFORMATION SHOWN ON THIS PLAN HAS BEEN  
 OBTAINED FROM PUBLIC RECORDS AND REPRESENTS THE BEST AVAILABLE INFORMATION.  
 THE ENGINEER HAS NO RESPONSIBILITY FOR THE ACCURACY OF THIS INFORMATION.



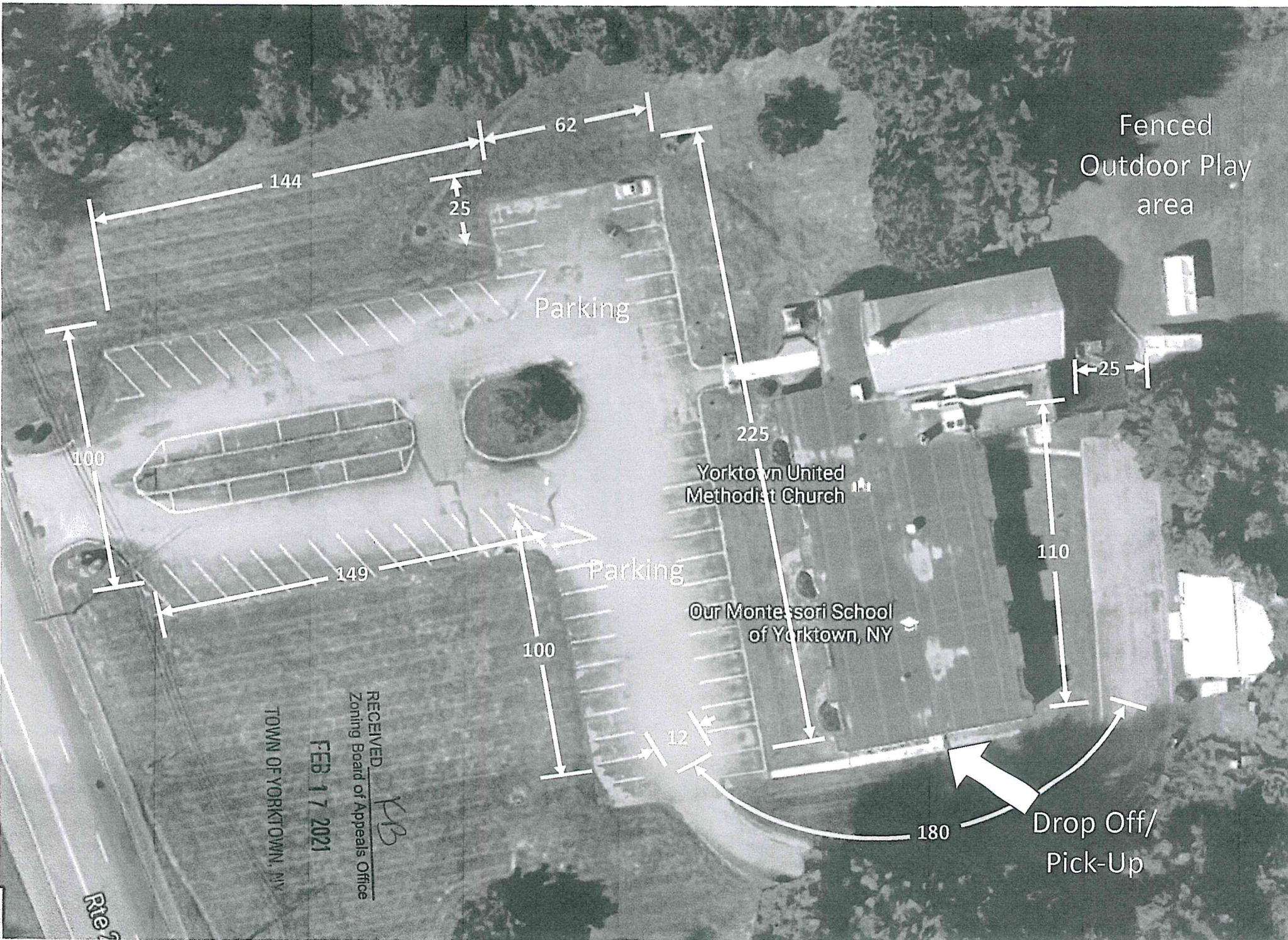
PROJECT # 18-07

**Site Design Consultants**  
 Civil Engineers & Land Planners  
 201 E. Underhill Avenue, Yorktown Heights, NY 10588  
 (914) 962-4488 - Fax: (914) 962-7336  
 www.siteplan.com

**SITE PLAN**

**OUR MONTESSORI SCHOOL**  
 2100 CROMPOND ROAD  
 Town of Yorktown  
 Westchester County, NY

Sheet \_\_\_\_\_ of \_\_\_\_\_



Fenced  
Outdoor Play  
area

Parking

225  
Yorktown United  
Methodist Church

Parking

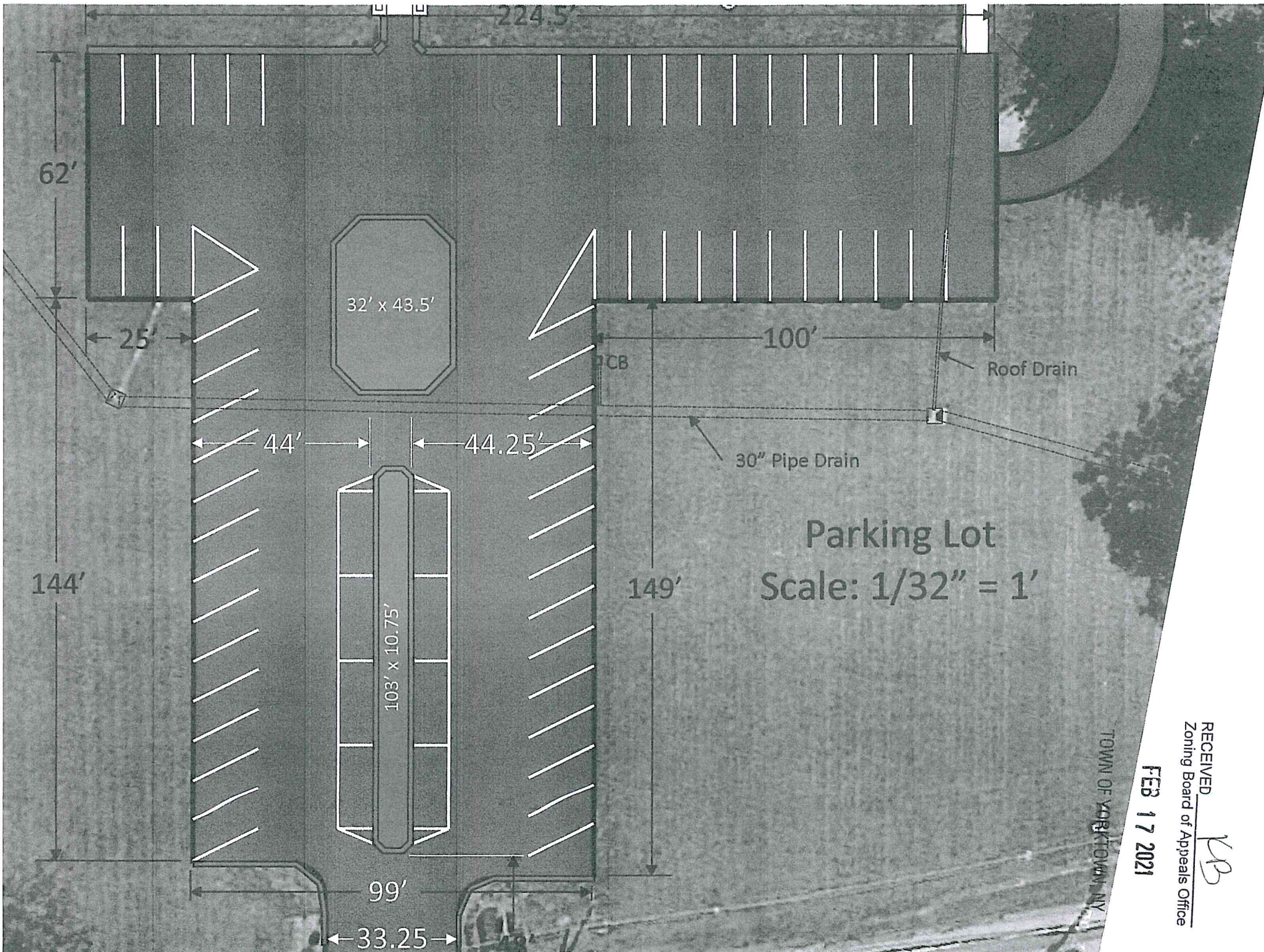
Our Montessori School  
of Yorktown, NY

180  
Drop Off/  
Pick-Up

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Zoning Board of Appeals Office  
FEB 17 2021  
TOWN OF YORKTOWN, NY

Rte 2





TOWN OF YORKTOWN, NY

RECEIVED *KB*  
 Zoning Board of Appeals Office  
 FEB 17 2021

# Little Red House of Westchester @ YUMC

## Dimensions

Scale: 1/16" = 1'

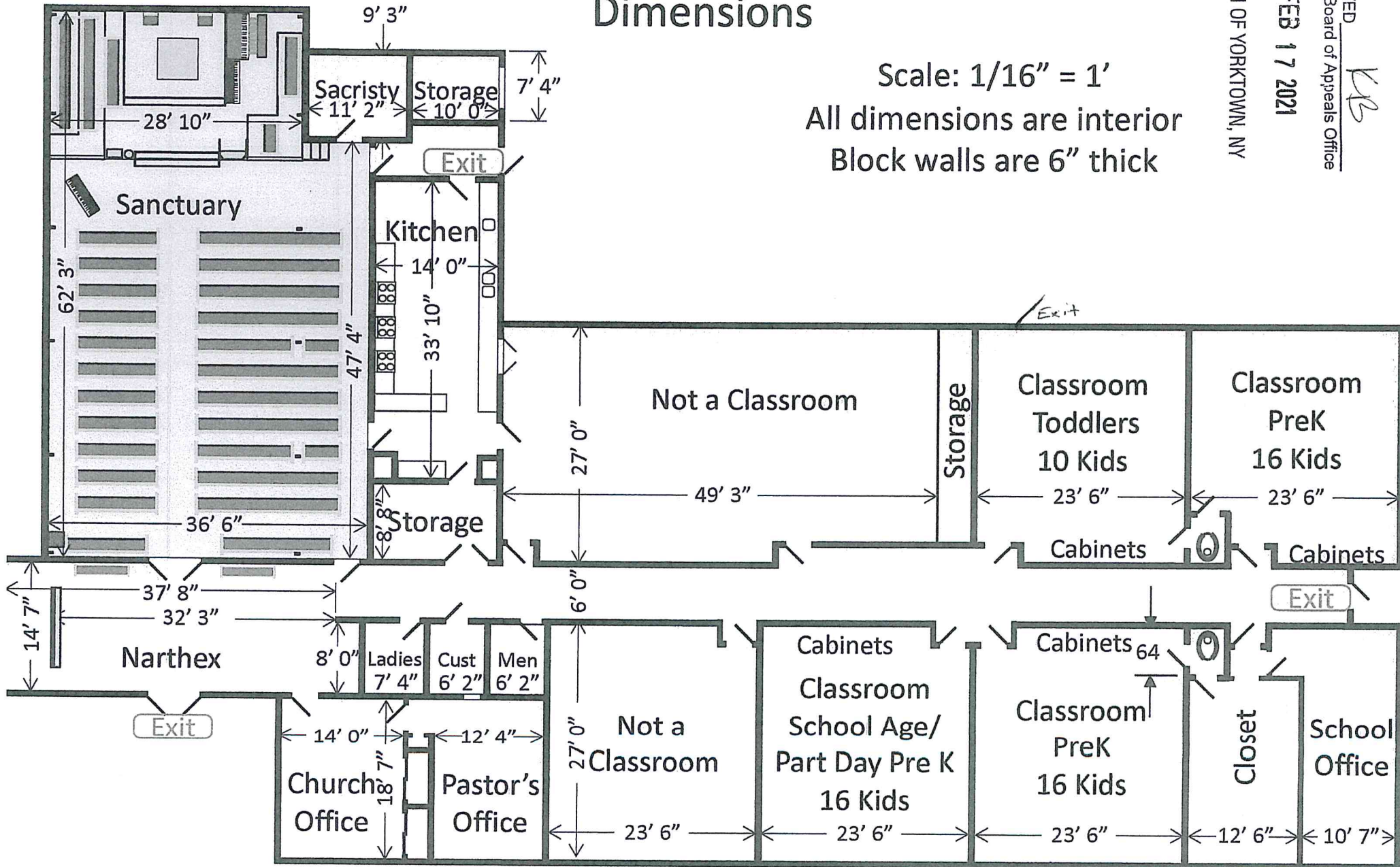
All dimensions are interior  
Block walls are 6" thick

TOWN OF YORKTOWN, NY

FEB 17 2021

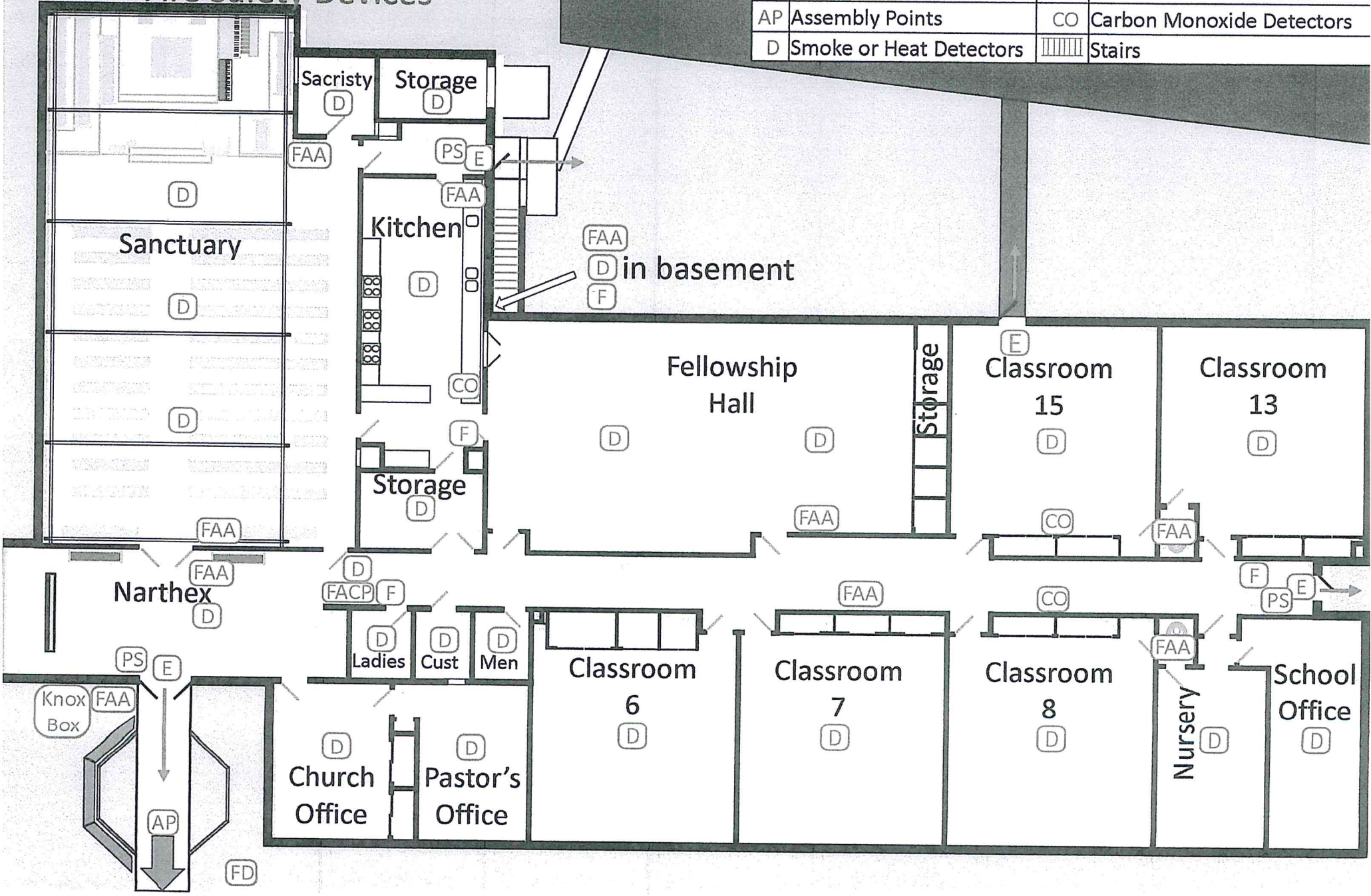
RECEIVED  
Zoning Board of Appeals Office

*KG*



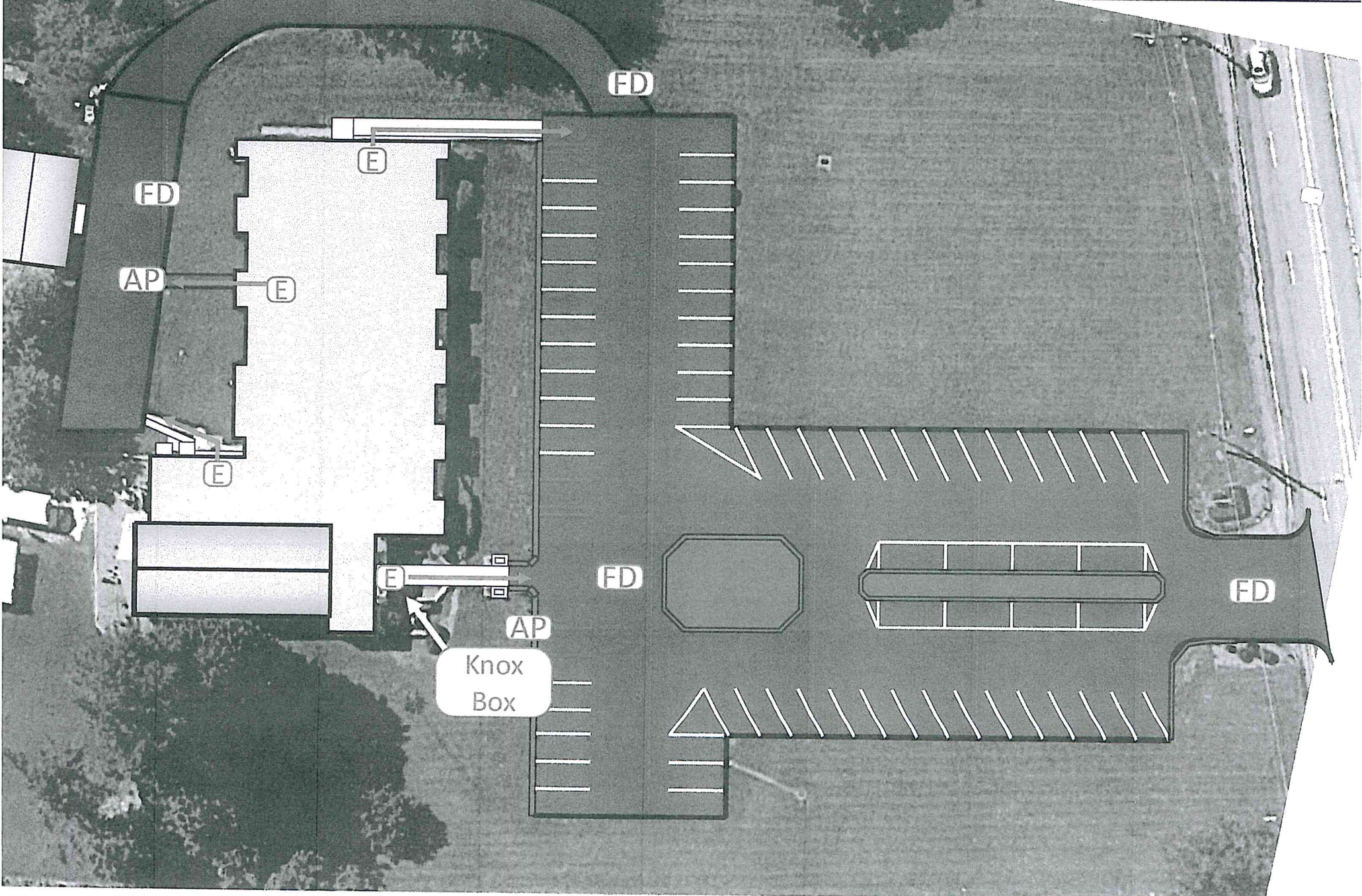
# Yorktown U M Church Little Red House of Westchester Fire Safety Devices

AP		Symbols	
E	Exit	FAA	Fire Alarm Annunciator
F	Fire Extinguishers	FD	Fire Dept. Vehicle Access
PS	Pull Stations	FACP	Fire Alarm Control Panel
AP	Assembly Points	CO	Carbon Monoxide Detectors
D	Smoke or Heat Detectors		Stairs



Yorktown U M Church  
Little Red House of Westchester  
Fire Safety Devices

Symbols	
E	Exit
AP	Assembly Points
FD	Fire Dept. Vehicle Access



Yorktown Planning Board Review Meeting

Little Red House of Westchester, LLC

Presentation for Property Located at 2300 Crompond Rd– Yorktown Heights



## Key Points

- Business Hours 7:00am – 6:00pm
- Monday – Friday
- Closed on Major Holidays
- Seeking 4 Classrooms
- Total Number of Children 58
- 8 staff members on site plus one office member
- Children Ages 18 months through 9 years old
- Local Business, 100% Woman owned by Yorktown Resident
- With Many Local Child Cares Closed – Need is Very Present for Summer/Fall 2021

### Emergency Evacuation Routes

Egress routes can be referenced for each classroom by reviewing the emergency evacuation diagrams.

### Evacuation Procedure – Fire Drills/ Actual Emergency

Children will be alerted of the emergency verbally and be lined up by teacher 1 who will also take a headcount. Teacher 2 will grab our emergency bag, attendance and blue emergency contact cards. Once all children are accounted for, we will head out either our primary egress (side door) or our secondary egress (front door).

Fire drills/ actual emergency out of the primary egress will consist of the children walking out of the side door to the rear playground area. Once there, we will take a headcount to verify we have everyone. If the rear playground is not

out of harm's way, we will use the front of the building to relocate until it is safe to return. If return is not imminent, we will begin calling parents and relocating to one of our two alternate shelter locations.

Fire drills/ actual emergency out of the secondary egress will consist of the children walking out of the front door to the front of the church. Once there, we will take a headcount to verify we have everyone. If return is not imminent, we will begin calling parents and relocating to one of our two alternate shelter locations.

### **Relocation Sites**

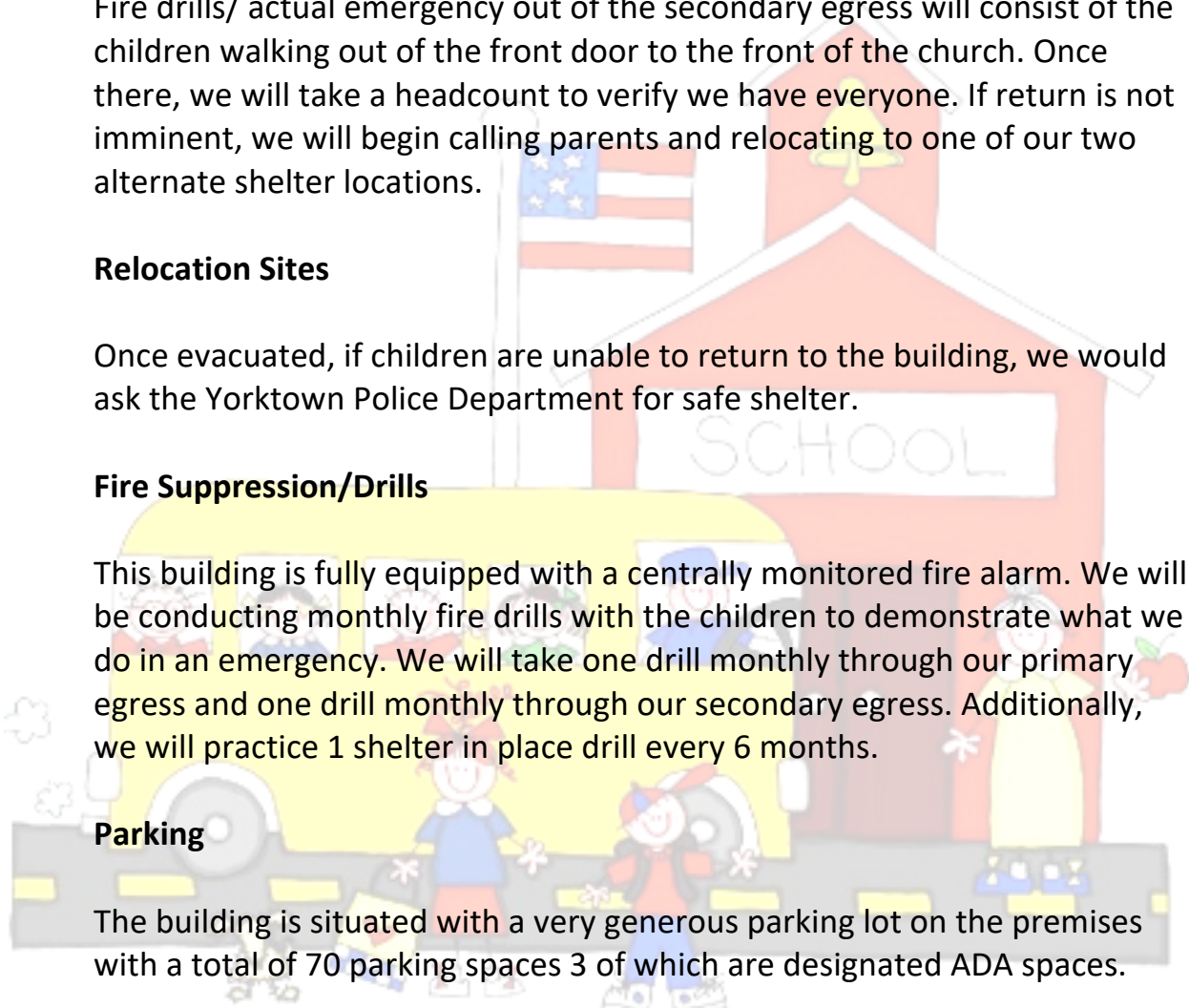
Once evacuated, if children are unable to return to the building, we would ask the Yorktown Police Department for safe shelter.

### **Fire Suppression/Drills**

This building is fully equipped with a centrally monitored fire alarm. We will be conducting monthly fire drills with the children to demonstrate what we do in an emergency. We will take one drill monthly through our primary egress and one drill monthly through our secondary egress. Additionally, we will practice 1 shelter in place drill every 6 months.

### **Parking**

The building is situated with a very generous parking lot on the premises with a total of 70 parking spaces 3 of which are designated ADA spaces.



## **Drop off**

Once Parked, Parents will drop off by entering through the side door of the building, leading directly into our space. Door will be locked at all times and parents will be provided a code. We estimate about 15 cars between 7am-8am, 13 cars between 8am-9am and 12 cars between 9am-10am.

## **Pick up**

Parents can park in parking spots in front of the church. Once parked, parents will pick-up by entering through the side door of the church and exit through the same doors back to their cars. We estimate 10 cars between 3pm-4pm, 15 cars between 4pm-5pm and 15 cars between 5pm-6pm.

## **Facilities**

There are 7 toilets and sinks available for the children's use during the day. There are 2 ADA compliant bathrooms available.

## **Classroom Makeup**

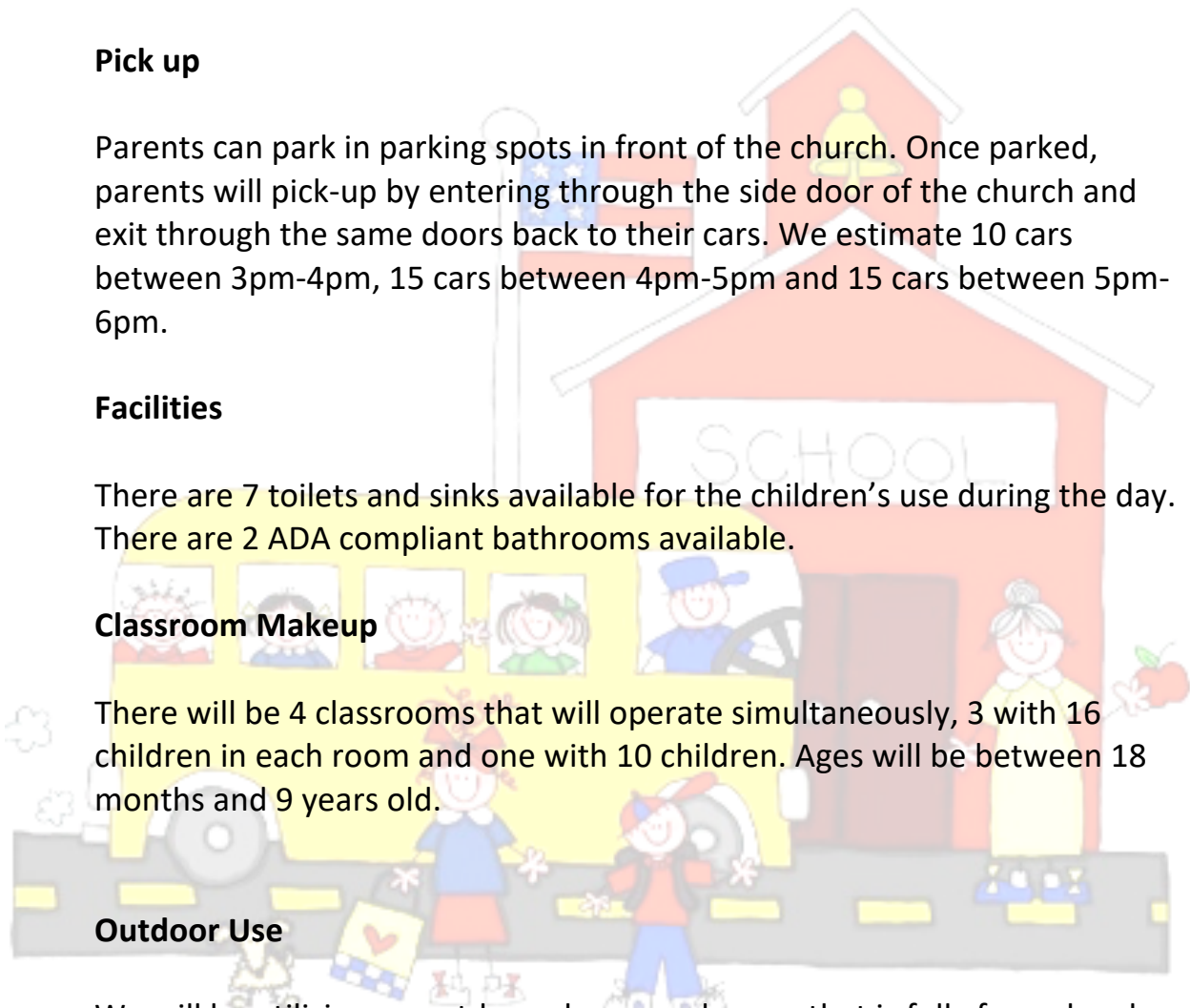
There will be 4 classrooms that will operate simultaneously, 3 with 16 children in each room and one with 10 children. Ages will be between 18 months and 9 years old.

## **Outdoor Use**

We will be utilizing an outdoor playground space that is fully fenced and behind the back of the church.

## **Staff**

Staff will be following the requirements set forth by the office of children and family services which will require a director/head teacher and a





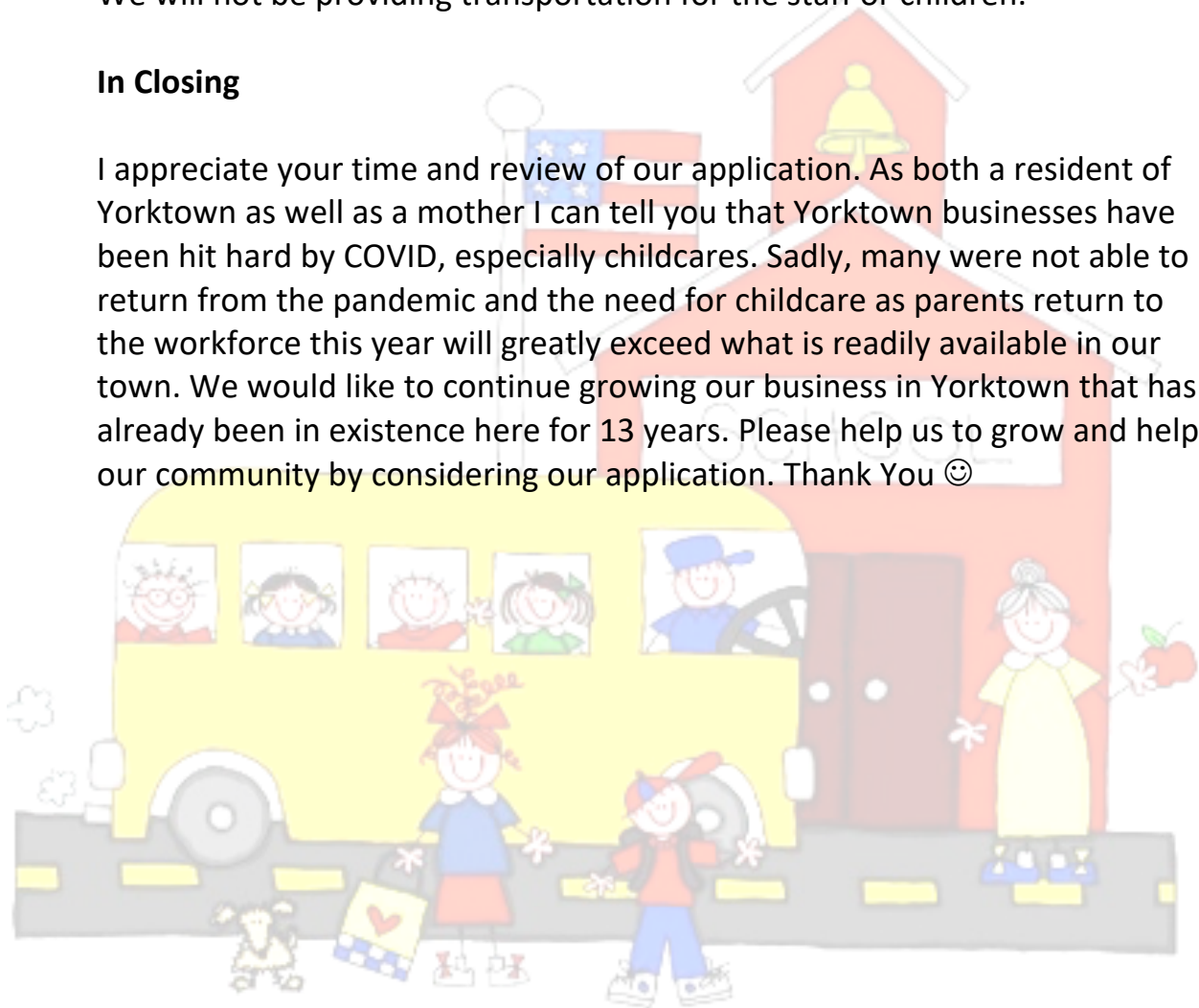
teaching assistant. Staff educational requirements for these positions will also be set forth and followed by office of children and family services. Continued education for staff training will also be required at 30 hours every two years at minimum.

### **Transportation**

We will not be providing transportation for the staff or children.

### **In Closing**

I appreciate your time and review of our application. As both a resident of Yorktown as well as a mother I can tell you that Yorktown businesses have been hit hard by COVID, especially childcares. Sadly, many were not able to return from the pandemic and the need for childcare as parents return to the workforce this year will greatly exceed what is readily available in our town. We would like to continue growing our business in Yorktown that has already been in existence here for 13 years. Please help us to grow and help our community by considering our application. Thank You 😊



**Taco Bell**  
**Mohegan Lake**



Site Planning	Environmental Studies
Civil Engineering	Entitlements
Landscape Architecture	Construction Services
Land Surveying	3D Visualization
Transportation Engineering	Laser Scanning

February 22, 2021

Chairman Richard Fon  
 & Members of the Planning Board  
 Town of Yorktown Planning Board  
 1974 Commerce Street, Room 222  
 Yorktown, NY 10598

RECEIVED  
 PLANNING DEPARTMENT  
 FEB 22 2021  
 TOWN OF YORKTOWN

RE: JMC Project 20045  
 Proposed Taco Bell Restaurant  
 3571 Mohegan Avenue  
 Town of Yorktown, NY

Dear Chairman Fon and Members of the Board:

On behalf of Keystone Mohegan Lake LLC, we are pleased to provide the following materials for your review and consideration. Enclosed please find a copy of the below listed materials for your review:

I. JMC Drawings:

<u>Dwg. No.</u>	<u>Title</u>	<u>Rev. #/Date</u>
L-100	"Landscaping Plan"	3 02/19/2021
L-110	"Site Sections"	02/19/2021

Since the last Planning Board meeting, we have worked with the applicant to develop a comprehensive landscaping and hardscape plan for the East Main Street and Mohegan Avenue frontages of the property. As discussed with the Board, the intent was to develop a landscaping design that would help to establish a prominent corner at the roadway intersection in addition to providing connectivity to the existing sidewalk network. The proposed landscaping compliments and maintains views of the proposed building while providing screening for the proposed drive-thru lane. As shown on JMC Drawing L-100, "Landscaping Plan", extensive areas of landscaping have been added between the property line and the drive-thru lane. The proposed plantings within these areas consist of low growing grasses and shrubs, with select species chosen for their hardiness and appearance. In addition, the applicant proposes a 3' high white picket fence along portions of the drive-thru lane which will layer with the proposed plantings to mitigate the view of the drive-thru lane. As previously discussed with the Board, the proposed layout plan also provides a sidewalk connection to the sidewalk along Mohegan Avenue that was installed in 2009.

JMC Drawing L-110, "Site Sections", has been prepared to detail the various sight lines and help the Board visualize how this landscaping will function on the site. We have prepared sections that analyze the viewsheds from various points on Route 6 and Mohegan Avenue. As shown, the

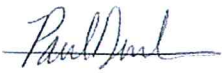
JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC | JMC Site Development Consultants, LLC

proposed landscaping and fencing will effectively soften the views of vehicles in the drive-thru lane from the sight lines analyzed.

We trust that this information is sufficient for you to continue your review of this Application and look forward to discussing this matter with you further. If you have any questions or require additional information with regard to the information provided above, please do not hesitate to contact our office at 914-273-5225. Thank you for your consideration.

Sincerely,

**JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC**



Paul J. Dumont, PE  
Senior Designer II



Diego Villareale, PE  
Associate Principal

Christopher Taormina, RA  
Chairman

# TOWN OF YORKTOWN

## ADVISORY BOARD ON ARCHITECTURE & COMMUNITY APPEARANCE (*ABACA*)

Albert A. Capellini Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565

**To:** Planning Department  
**From:** ABACA  
**Date:** March 3, 2021  
**Subject:** Taco Bell, Mohegan Lake – Revised Landscape Plan  
SBL: 15.16-1-21 / 3571 Mohegan Avenue

RECEIVED  
PLANNING DEPARTMENT

MAR 4 2021

TOWN OF YORKTOWN

*Materials Reviewed:*

Title:	Date:	Produced By:
Letter dated 2-22-2021	02-22-2021	JMC Site Development Consultant
Landscape Plan	02-19-2021	JMC Site Development Consultant
Site Sections	02-19-2021	JMC Site Development Consultant

The Advisory Board on Architecture and Community Appearance reviewed the above referenced subject via video conference at the Board meeting held on Tuesday, March 2, 2021. Paul Dumont of JMC Site Development Consultants was present.

The ABACA has the following comments with respect to the revised landscape plan:

- Remove Coral Bells Heuchera along the Route 6 frontage and replace with more Little Lime Hydrangeas. Plant in a staggered arrangement as shown on the plans.

*Christopher Taormina*

Christopher Taormina, RA  
Chairman

/nc

cc: Applicant

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:

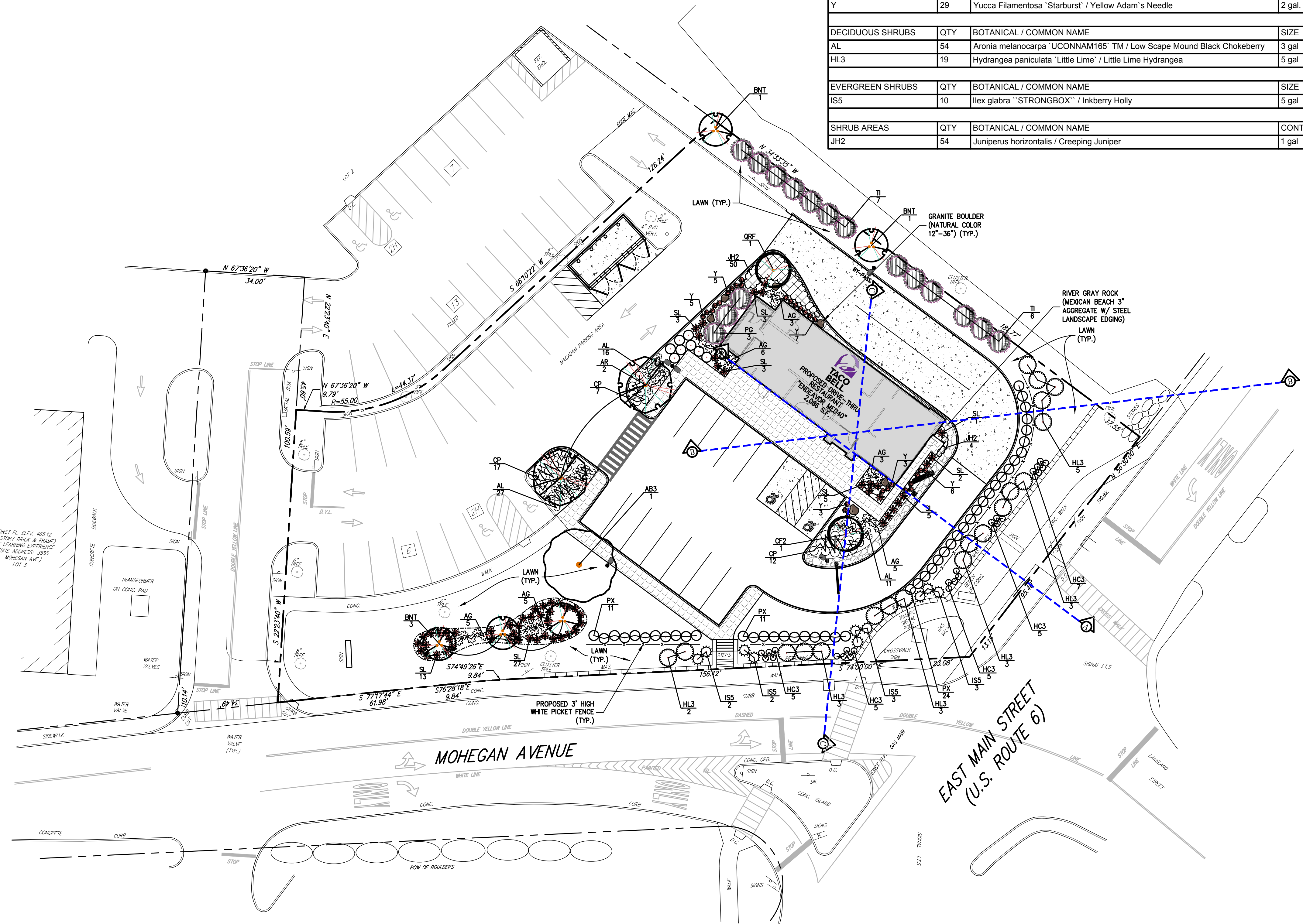
- Landscaping Plan prepared by JMC Engineering, revised 02/19/21, 1 sheet.
- Site Sections prepared by JMC Engineering, dated 02/19/21, 1 sheet.

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.

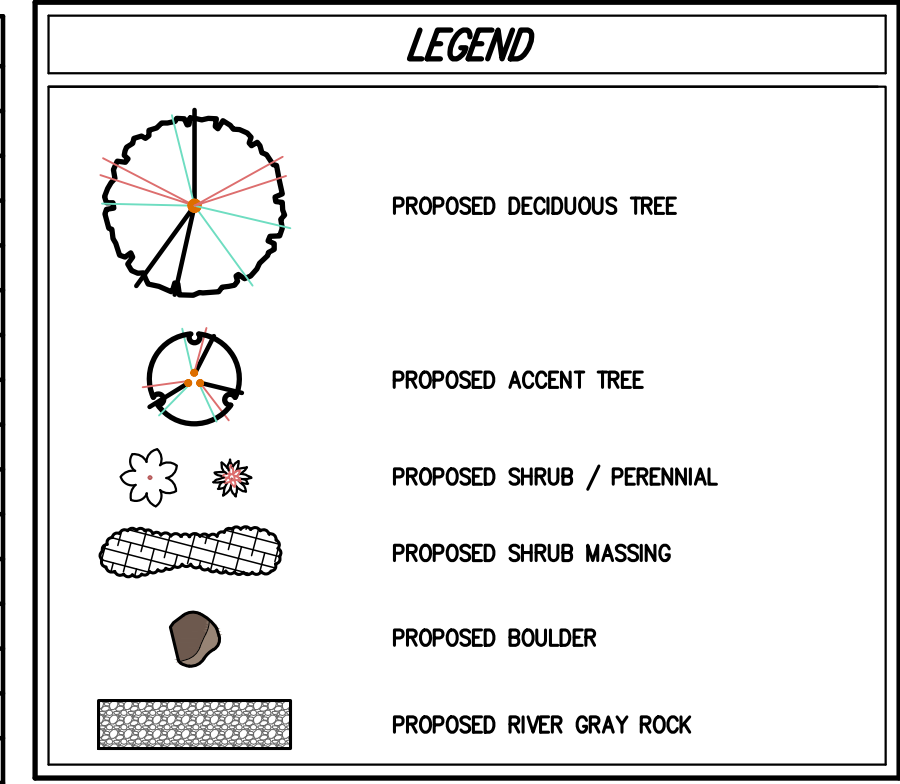
DAC:lmk:F:\Permits\Engineering Permits 2020\045-20-FSWPPP-Patel\_Celestial Rt. 6 \_ Taco Bell Rt. 6\Memo -Taco Bell\_03-05-21.docx

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

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PLANT SCHEDULE					
TREES	QTY	BOTANICAL / COMMON NAME	SIZE	ROOT COND.	REMARKS
AB3	1	Acer rubrum 'Brandywine' / Brandywine Red Maple	15 gal		
EVERGREEN TREES	QTY	BOTANICAL / COMMON NAME	SIZE	ROOT COND.	REMARKS
PG	3	Picea glauca / White Spruce	8' - 10' HT.	B & B	
TI	13	Thuja x 'Green Giant' / Green Giant Arborvitae	8' - 10' HT.	B & B	
DECIDUOUS TREES	QTY	BOTANICAL / COMMON NAME	SIZE	ROOT COND.	REMARKS
AR	2	Acer Rubrum 'Red Sunset' / Red Maple	3' - 3 1/2" Cal.	B & B	
BNT	5	Betula Nigra 'Heritage' / Heritage River Birch	7'-8' HT.	B & B	
CF2	1	Cornus florida / Eastern Dogwood	8'-10' HT	B & B	
QRF	1	Quercus Robur 'Fastigiata' / Pyramidal English Oak	3' - 3 1/2" Cal.	B & B	
PERENNIALS/GRASSES	QTY	BOTANICAL / COMMON NAME	SIZE	ROOT COND.	REMARKS
AG	27	Andropogon gerardii / Big Bluestem	2 gal.	Cont.	
CP	36	Carex pensylvanica / Pennsylvania Sedge	2 gal.		
HC3	27	Heuchera x 'Caramel' / Caramel Coral Bells	2 gal.		
PX	54	Penisetum x 'Hamel'	2 gal.		
SL	62	Schizachyrium scoparium / Little Bluestem Grass	2 gal.	Cont.	
Y	29	Yucca Filamentosa 'Starburst' / Yellow Adam's Needle	2 gal.	Cont.	
DECIDUOUS SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	ROOT COND.	REMARKS
AL	54	Aronia melanocarpa 'UConnAM165' TM / Low Scape Mound Black Chokeberry	3 gal		
HL3	19	Hydrangea paniculata 'Little Lime' / Little Lime Hydrangea	5 gal		
EVERGREEN SHRUBS	QTY	BOTANICAL / COMMON NAME	SIZE	ROOT COND.	REMARKS
IS5	10	Ilex glabra 'STRONGBOX' / Inkberry Holly	5 gal		
SHRUB AREAS	QTY	BOTANICAL / COMMON NAME	CONT	ROOT COND.	REMARKS
JH2	54	Juniperus horizontalis / Creeping Juniper	1 gal	Cont.	



- NOTES:**
- ALL PLANT MATERIAL SHALL BE FIRST QUALITY STOCK. PLANTED MATERIAL AND METHODS OF INSTALLATION SHALL CONFORM TO THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION, AMERICAN STANDARD FOR NURSERY STOCK, LATEST EDITION.
  - ALL AREAS OF THE SITE NOT OCCUPIED BY BUILDING OR PAVEMENT AND NOT SPECIFIED AS BEING PLANTED WITH TREES, SHRUBS OR GROUND COVER SHALL BE LAWN.
  - ALL PLANTING BEDS SHALL BE MULCHED WITH 3" OF BROWN MULCH. MULCH SHALL BE CLEAN, NON-DYED, TOXIC FREE, SHREDDED HARDWOOD.
  - PLANT MATERIALS AS SPECIFIED ON THE DRAWINGS AND DELIVERED TO THE SITE SHALL BE NURSERY GROWN AND CERTIFIED TRUE TO THEIR GENUS, SPECIES AND VARIETY. SUBSTITUTIONS ARE NOT PERMITTED WITHOUT THE PROJECT LANDSCAPE ARCHITECT'S WRITTEN APPROVAL.
  - ALL LANDSCAPING SHALL CONTINUE TO BE MAINTAINED IN A HEALTHY GROWING CONDITION THROUGHOUT THE DURATION OF THE PROJECT. ANY PLANTING NOT SO MAINTAINED SHALL BE REPLACED WITH NEW PLANTS AT THE BEGINNING OF THE NEXT, IMMEDIATELY FOLLOWING, GROWING SEASON.
  - ALL TREES AND SHRUBS SHALL BE PRUNED AND SHAPED AND BE SUBJECT TO THE APPROVAL OF THE PROJECT LANDSCAPE ARCHITECT AND GOVERNMENTAL AUTHORITIES HAVING JURISDICTION.
  - PLANTING STOCK SHALL BE WELL-BRANCHED AND WELL-FORMED, SOUND, VIGOROUS, HEALTHY, FREE FROM DISEASE, SUN-SCALE, WINDBURN, ABRASION, AND HARMFUL INSECTS OR INSECT EGGS, AND SHALL HAVE HEALTHY, NORMAL UNBROKEN ROOT SYSTEMS. DECIDUOUS TREES AND SHRUBS SHALL BE SYMMETRICALLY DEVELOPED, OF UNIFORM HABIT OF GROWTH, WITH STRAIGHT TRUNKS OR STEMS, AND FREE FROM OBJECTIONABLE DISFIGUREMENTS. EVERGREEN TREES AND SHRUBS SHALL HAVE WELL-DEVELOPED SYMMETRICAL TOPS WITH TYPICAL SPREAD OF BRANCHES FOR EACH PARTICULAR SPECIES OR VARIETY. ONLY VINES AND GROUND COVER PLANTS WELL ESTABLISHED IN REMOVAL CONTAINERS, INTEGRAL CONTAINERS, OR FORMED HOMOGENEOUS SOIL SECTIONS SHALL BE USED. PLANTS SHALL BE GROWN UNDER CLIMATIC CONDITIONS SIMILAR TO THOSE IN THE LOCALITY OF THE PROJECT.
  - ALL STOCK SHALL BE BALLED AND BURLAPPED OR CONTAINER GROWN STOCK, UNLESS OTHERWISE SPECIFIED. BAREROOT STOCK OF ANY KIND IS UNACCEPTABLE UNLESS SPECIFIED.
  - ALL PLANTING BEDS, LAWNS AND LANDSCAPED AREAS SHALL RECEIVE A MINIMUM 4" THICK LAYER OF TOPSOIL, UNLESS OTHERWISE SPECIFIED.

- FOUR SEASON LANDSCAPING MAINTENANCE SCHEDULE:**
- SPRING:** GENERAL CLEANUP AND MAINTENANCE TO BE PERFORMED AROUND THE ENTIRE PROPERTY. PRUNE AND MAINTAIN TREES AND SHRUBS AS REQUIRED TO MAINTAIN THE NATURAL PLANT APPEARANCE. ALL FALLEN AND DEAD BRANCHES ARE TO BE REMOVED. ANY DEAD PLANTS ARE TO BE REPLACED. FERTILIZER IS TO BE USED ON THE TREES (ERICACEOUS FERTILIZER ON ALL AZALEAS). SHRUB FERTILIZATION SHALL BE PERFORMED USING SLOW RELEASE, COMPLETE ORGANIC BASED PRODUCTS. WEED KILLER TO BE USED ON LAWN AS A PRE-EMPTIVE EFFORT TO PREVENT GROWTH.
- SUMMER:** LAWN IS TO BE MOWED AS REQUIRED TO MAINTAIN A GRASS HEIGHT OF 3 INCHES. ALL FALLEN OR DEAD BRANCHED TO BE REMOVED AS REQUIRED. ANY DEAD PLANTS ARE TO BE REPLACED. ALL OPEN LAWN AREAS ARE TO BE WATERED AS CONDITIONS DICTATE THROUGHOUT THE SEASON.
- FALL:** GENERAL CLEANUP AROUND PROPERTY TO BE CONDUCTED AS REQUIRED. LEAVES AND BRANCHES ARE TO BE CLEARED FROM ALL OPEN LAWN AREAS. ALL BARE SPOTS ON THE LAWN ARE TO BE FERTILIZED AND RESEED AS NECESSARY. SHRUB FERTILIZATION SHALL BE PERFORMED USING SLOW RELEASE, COMPLETE ORGANIC BASED PRODUCTS.
- WINTER:** GENERAL CLEANUP AND MAINTENANCE AROUND PROPERTY TO BE PERFORMED AS NECESSARY. ANY AND ALL DEAD OR FALLEN BRANCHES TO BE REMOVED FROM LAWN.

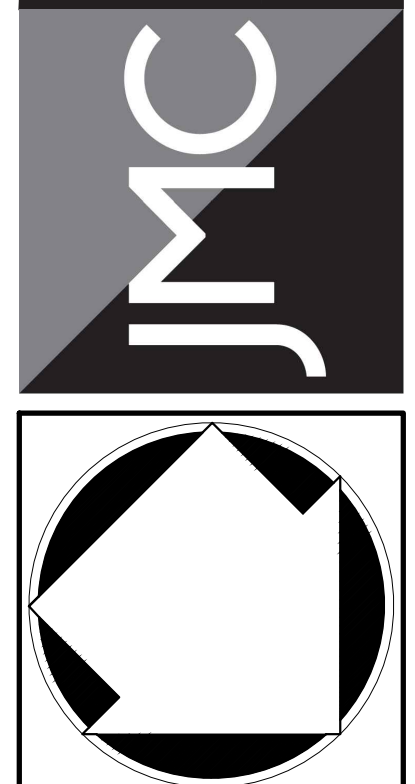
ANY ALTERATION OF PLANS, SPECIFICATIONS, PLATS AND REPORTS BEARING THE SEAL OF A LICENSED PROFESSIONAL ENGINEER OR LICENSED LAND SURVEYOR IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW, EXCEPT AS PROVIDED FOR BY SECTION 7209, SUBSECTION 2.

No.	Revision	Date	By
1.	REVISED PER TOWN COMMENTS	09/30/2020	PD
2.	ISSUED FOR PUBLIC NOTICING	10/06/2020	PD
3.	REVISED PER TOWN COMMENTS	02/19/2021	PD

APPLICANT: **KEYSTONE MOHEGAN LAKE LLC**  
25 ROUTE 59  
NYACK, NY 10960

ARCHITECT: **WIENER ARCHITECTURE GROUP, LLC**  
191 CENTRAL AVENUE, SUITE 228  
NEWARK, NEW JERSEY 07103

JMC Planning, Engineering, Landscape Architecture & Land Surveying, PLLC  
JMC Site Development Consultants, LLC  
John Meyer Consulting, Inc.  
120 BEDFORD ROAD - ARMONK, NY 10504  
voice 914.273.5225 - fax 914.273.2102  
www.jmcplic.com



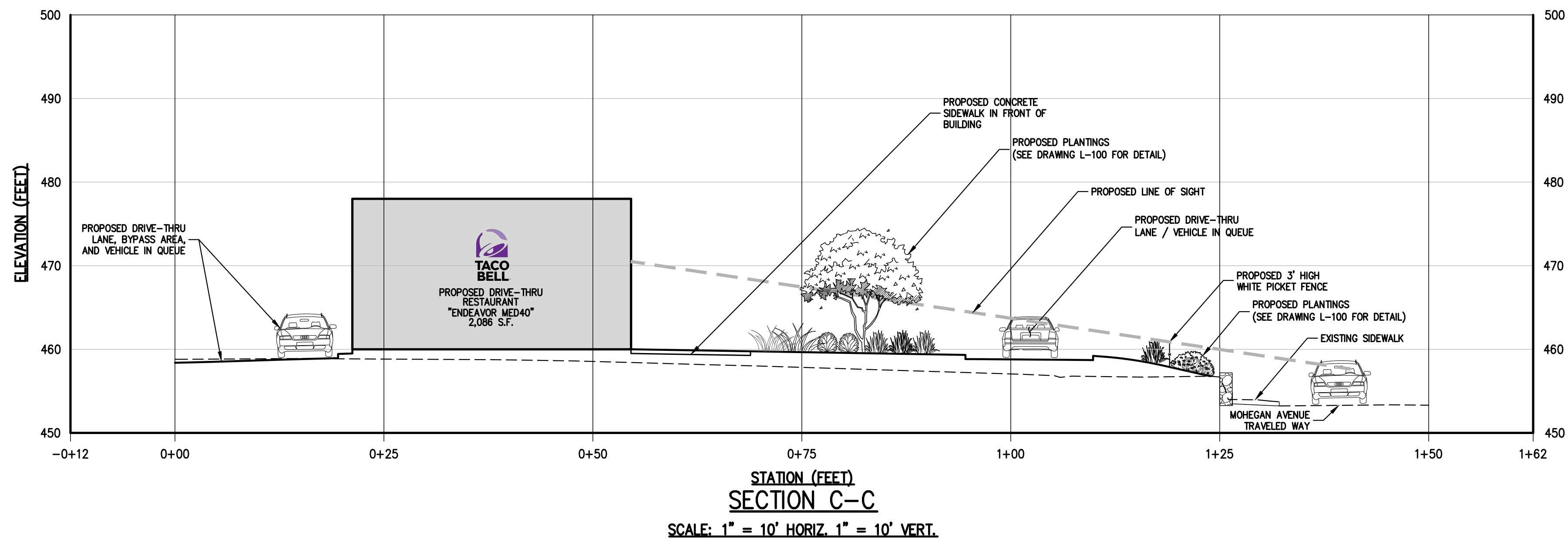
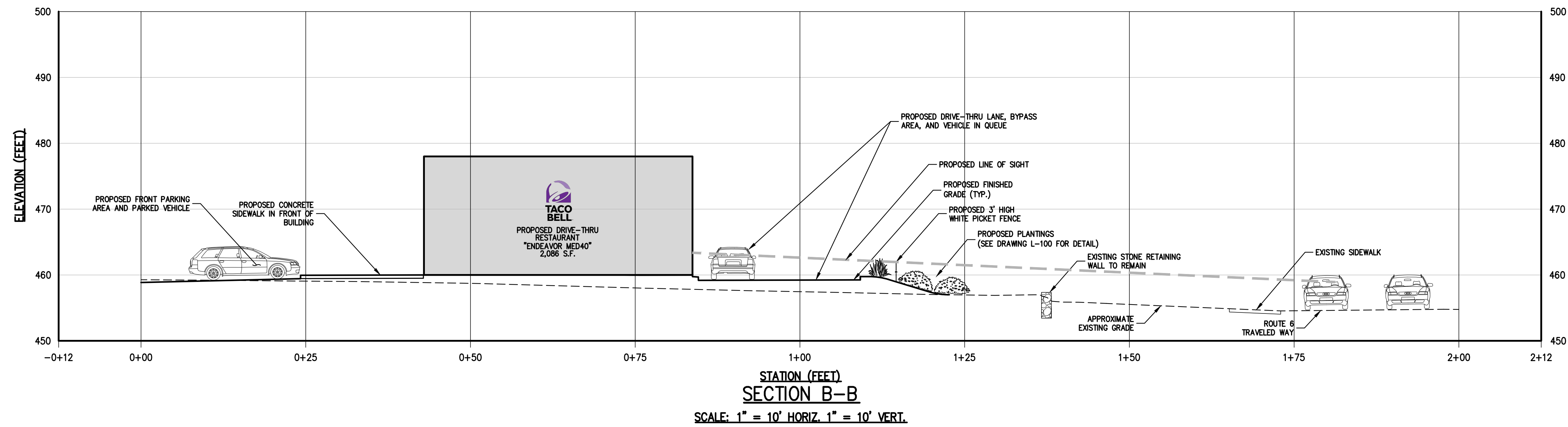
**LANDSCAPING PLAN**

**PROPOSED TACO BELL RESTAURANT**  
3571 MOHEGAN AVENUE  
TOWN OF YORKTOWN, NY

Drawn: PD Approved: JAR  
Scale: 1" = 20'  
Date: 08/21/2020  
Project No: 20045  
2005-LND LND LND.scr  
Drawing No: **L-100**  
Previous Editions Obsolete

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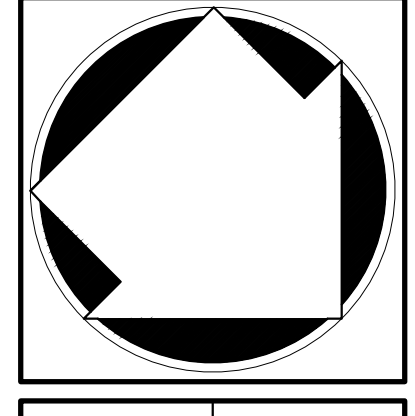
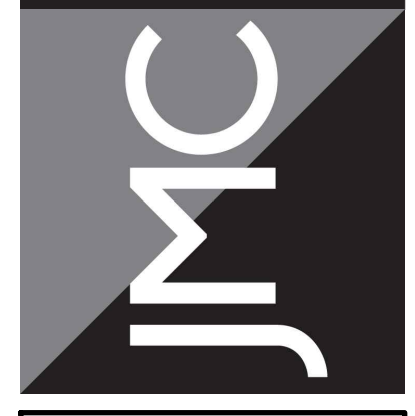
No.	Revision	Date	By

Drawn: PD	Approved: JAR
Scale: 1" = 10'	
Date: 02/19/2021	
Project No: 20045	
2046-01E	SECTIONS SECTION user
Drawing No:	
<b>L-110</b>	

*Previous Editions Obsolete*

APPLICANT: **KEYSTONE MOHEGAN LAKE LLC**  
 25 ROUTE 59  
 NYACK, NY 10960  
 ARCHITECT: **WIENER ARCHITECTURE GROUP, LLC**  
 191 CENTRAL AVENUE, SUITE 228  
 NEWARK, NEW JERSEY 07103

JMC Planning, Engineering, Landscape  
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**SITE SECTIONS**  
**PROPOSED TACO BELL RESTAURANT**  
 3571 MOHEGAN AVENUE  
 TOWN OF YORKTOWN, NY



# **Solar at 1426 East Main Street**

**Nancy Calicchia**

---

**From:** Brittany Friese <brittany@ecogyenergy.com>  
**Sent:** Wednesday, February 24, 2021 3:13 PM  
**To:** Planning Department  
**Cc:** Robyn Steinberg; John Tegeder  
**Subject:** Re: 1426 E Main St - Planning Board Submission  
**Attachments:** Shrub Oak.jpg; Shrub Oak 2.jpg

RECEIVED  
PLANNING DEPARTMENT  
FEB 26 2021  
TOWN OF YORKTOWN

**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.

---

Good Afternoon All,

I have attached the requested renderings of our proposed canopy solar project at 1426 E Main Street. We will have additional renderings to present at the March 8th meeting. Ecogy hopes that this addresses any questions or concerns the Board may have about the projects' visual impacts.

Please let me know if there is anything else I can provide.

Thank you,  
**Brittany Friese**  
Junior Project Manager  
Ecogy Energy  
[www.ecogyenergy.com](http://www.ecogyenergy.com)  
Brooklyn, NY  
Mobile: 845-541-1226

**1426 E. Main Street – Proposed Solar Canopies and Solar Roof**







**Current Street View**



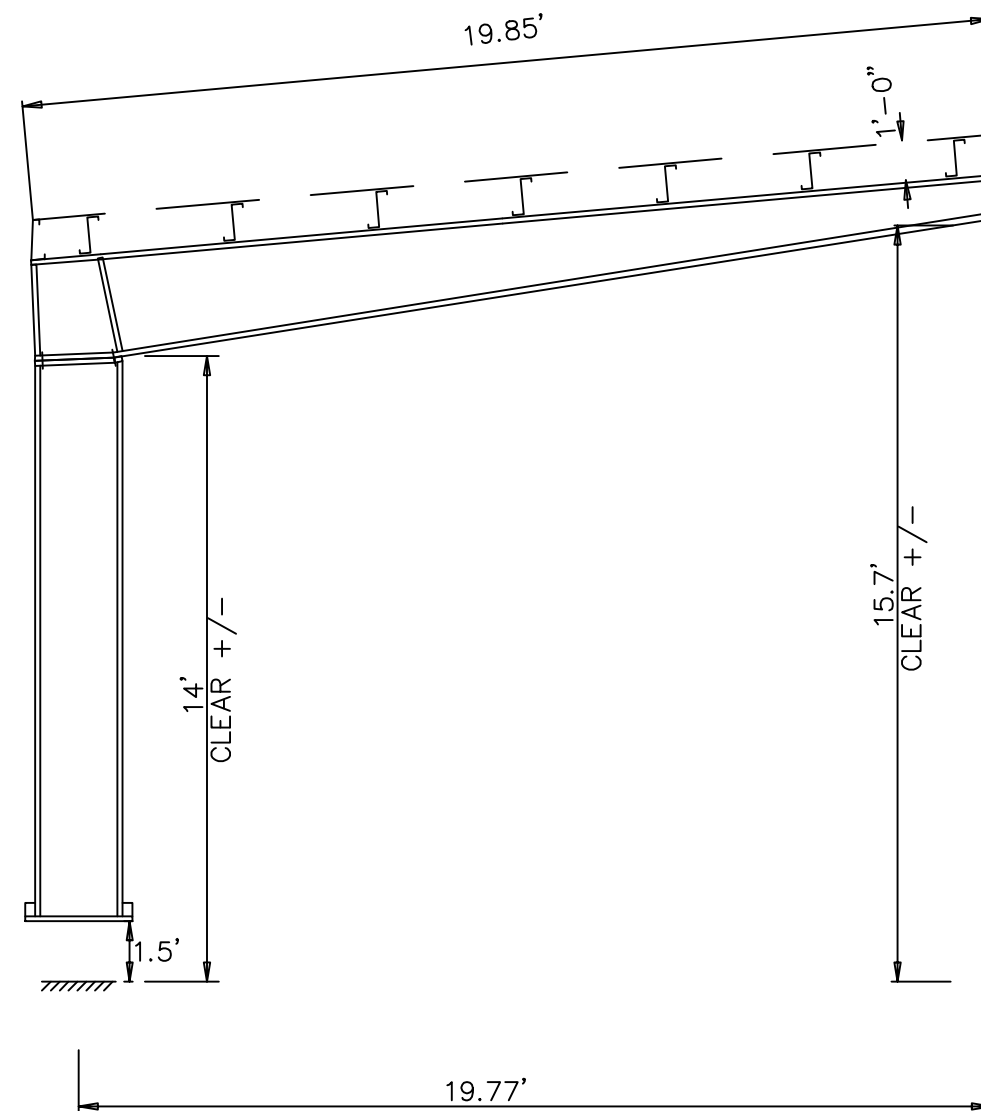
6880 Rexwood Road, Unit 5, Mississauga, ON L4V 1R2  
 TEL: 416-860-6722 FAX: 416-860-6719  
 www.polarracking.com



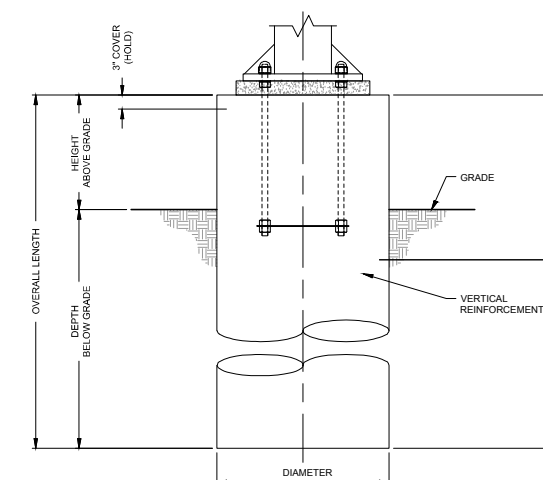
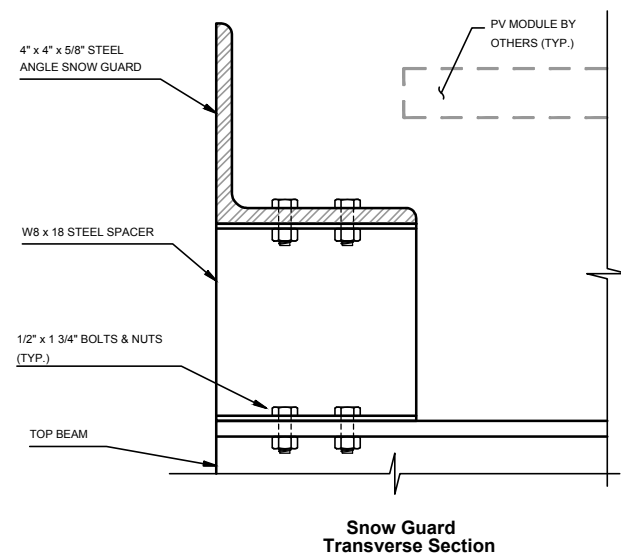
67 West St Brooklyn,  
 NY 11222  
 www.ecogyenergy.com

ARRAY INFORMATION

ARRAY SIZE	136.8 kW DC
MODULE TYPE	TALESUN BISTAR 400W
MODULE DIMS.	2008 X 1002 X 35 mm
MODULE QTY.	342



RIGID FRAME ELEVATION.



TYPICAL FOUNDATION VIEW

1	ISSUED FOR REVIEW	21DEC20
0	ISSUED FOR REVIEW	10DEC20
REV NO.	ISSUANCE	DATE

PROJECT NAME:  
 Ecogy Energy Shrub Oak NY  
 1426 E Main St. Shrub Oak  
 NY 10588

DRAWING NAME:  
 RIGID FRAME ELEVATION

PROJ. NO.: 004564 | DWG. BY: VT | CHKD. BY: MN | SCALE: AS SHOWN

DRAWING NUMBER:  
**S-201**

**Permitting Application by Ecogy New York VI LLC for Construction of a Roof Mounted and  
Canopy Solar Energy System at 1426 E. Main Street**

**Solar Energy System Details**

Location: 1390-1426 E. Main Street, Shrub Oak, NY 10588 (C-1 Zone)

Type of System: Roof-Mounted mounted on existing building and Canopy System installed over existing, paved parking lot

Size: 260 kW DC / 233.2 kW AC

The proposed solar system is a Community Solar Project interconnected with Con Edison's distribution grid.

**Contact Information**

System Owner and Applicant:

Ecogy New York VI LLC

c/o Ecogy Energy

Attn: John Bertuzzi and Julia Magliozzo

315 Flatbush Ave #393, Brooklyn, NY 11217

Email: [projectmanagement@ecogysolar.com](mailto:projectmanagement@ecogysolar.com)

Phone: (718) 304-0945

Property Owner:

Oak Shopping LLC

C/O Dominion Management Company

Attn: James K. Rinzler

200 Madison Ave, 24th Floor

New York, NY 10016

**Permitting Application by Ecogy New York VI LLC for Construction of a Roof Mounted and  
Canopy Solar Energy System at 1426 E. Main Street**

**Executive Summary and Contents**

Ecogy respectfully submits this permitting application to the Yorktown Planning Board for review of the proposed rooftop and canopy solar projects at 1426 E. Main Street for issuance of a special use permit by the Planning Board. This application contains:

- (1) Project Narrative
- (2) Legal consent among all parties
- (3) A Site Plan showing the proposed location of the solar canopies and associated equipment as required for interconnection with Con Edison.
- (4) A Survey and other documentation required by the Planning Board showing the layout of the solar energy system signed by a professional engineer
- (5) Equipment specification sheets
- (6) A statement detailing the loss of trees and other vegetation to be removed and the quantity of carbon sequestered by said trees and vegetation
- (7) A completed Short Environmental Assessment Form
- (8) O&M Plan
- (9) Decommissioning Plan
- (10) An application fee of \$625.00



## **Ecogy Energy Shrub Oak Solar Project Narrative**

The proposed Ecogy Energy Shrub Oak Solar Project is a 233.2 kW AC solar rooftop and canopy system. The roof mounted system will be installed on the roof of the existing building, whereas the canopy structure will be installed over the existing parking lot at 1426 E. Main Street, Shrub Oak. The project will be developed by Ecogy Energy for Oak Shopping LLC as a community solar project, which will allow businesses and residents of Yorktown to subscribe to the solar generation and receive discounted solar electricity credits on their Con Edison utility bills.

In addition to the monetary benefits brought by the solar project, Ecogy believes the proposed two-part solar system is an excellent example of favorable land use for solar development. Installing panels on the rooftop utilizes roof space that would otherwise remain untouched. Installing canopies over existing parking lots avoids the use of green land that could serve other purposes, such as agriculture or public parks. Further, the installation of the solar canopies does not alter the use of the existing parking lots and they provide the added amenity of covered parking.

Of course, the benefits of this solar project also extend to the environment and in meeting New York's Reforming the Energy Vision 2030 Renewable Energy Goals. The proposed system will generate approximately 298.5 MWh of clean, renewable energy every year, which represents significant environmental benefits.

We have identified approximately 10 trees to be removed all with diameters of less than 12", however, given the winter weather and lack of tree leaves, we were unable to identify the tree species. Identifying the tree species will ultimately allow Ecogy to determine the amount of sequestered carbon by such trees. Ecogy is able to gather this information by hiring an arborist if the Planning Board feels it important to make their decision.

Ecogy has also performed a geotech analysis of the subsurface conditions to ensure proper engineering of the canopy foundations. We have completed a property survey to ensure compliance with lot size and setback requirements. While our system may exceed the height and setbacks limitations dictated by the code, we plan to submit for such variances with the Yorktown Zoning Board. Ecogy will comply with all other requirements as outlined in the Yorktown Solar Code as shown on the site plan, equipment specification sheets, operation and maintenance plan, and decommissioning plan provided with this application.

Ecogy thanks you for your consideration of the proposed Shrub Oak Solar Project and hopes to receive all Town approvals as required by the Yorktown Solar Code to be permitted to construct the rooftop and canopy solar energy projects at 1426 E. Main Street.

## **Ecogy Shrub Oak Solar Project Operation and Maintenance Plan**

Ecogy Energy will partner with a dedicated Operations and Maintenance provider (“Contractor”) for the below services throughout the life of the solar canopies and the roof mounted solar system. Ecogy can submit information about the Operations and Maintenance Contractor to the Town for the record once a contract has been signed with a provider.

### Description of System Services that Contractor will provide on a MONTHLY basis:

- I. Performance Monitoring:
  - A. Contractor shall monitor System production beginning on Commencement Date continuously throughout the Term and shall provide a System performance report on a monthly basis, detailing the following:
    1. Actual vs. expected performance of the System for the prior period expressed in kWh
    2. Any shortfall in System production resulting in less than 85% of expected performance

### Description of System Services that Contractor will provide on a SEMI-ANNUAL basis:

- I. Site and System Inspection:
  - A. Contractor shall perform Site and System inspection on or around a mutually agreed upon date no later than six months after Commencement Date and then on a semi-annual basis thereafter. Results of inspection will be provided to Customer within five business days of inspection and shall include:
    1. Array Inspection
      - a) Inspect PV modules for damage, discoloration or delamination
      - b) Inspect mounting system for damage or corrosion
    2. Site Conditions
      - a) Inspect drainage conditions
      - b) Inspect system site for array shading which may diminish efficiency of the System (i.e. vegetation, construction, etc.)
      - c) Inspect System for fire hazards
      - d) Inspect safety conditions and proper signage
    3. Maintenance Reporting
      - a) Record results of all inspections
      - b) Take photographs of any damage or defects identified
      - c) Inform Customer and warranty providers of all deficiencies identified
      - d) Provide Customer with recommendations for corrective actions
      - e) Take photographs of the System and Site, dated within 30 days of end of semi-annual period

### Description of System Services that Contractor will provide on an ANNUAL basis:

- I. Performance Monitoring:
  - A. Contractor will provide, on or around the first anniversary of the Contract and annually thereafter, an annual operations and maintenance report, such report to include:

1. Actual vs. expected production of solar energy by System for the previous year and on a cumulative basis to date, expressed in kWh
  2. System Availability percentage
  3. Performance Index Measure
  4. Operation and Maintenance Records
  5. Safety, Accidents and Environmental Reporting
  6. Proposal of Recommended Actions
  7. Photographs of the System and Premises, dated within 30 days of anniversary period.
- B. Preventative Maintenance, Inspections & Testing:
1. Array
    - a) Inspect PV modules for damage, discoloration or delamination
    - b) Inspect mounting system for damage or corrosion
  2. Inverter
    - a) Torque checks on critical electrical terminations
    - b) Clean all filters and fans
    - c) Inspect inverter pad and container
  3. Electrical Balance of System (BOS)
    - a) Inspect ground braids, electrodes and conductors for damage
    - b) Perform thermo-graphic analysis of combiner boxes, inverters, transformers, and conductor connections to buses, breakers or disconnects
  4. Premises Conditions
    - a) Inspect drainage conditions
    - b) Inspect site for array shading which may diminish efficiency of the System (i.e. vegetation, construction, etc.)
    - c) Inspect System for fire hazards
    - d) Inspect safety conditions and proper signage
  5. Maintenance Reporting
    - a) Record results of all inspections
    - b) Take photographs of any damage or defects identified
    - c) Inform Customer and warranty providers of all deficiencies identified
    - d) Provide Customer with recommendations for corrective actions

Description of System Services that Contractor will provide on an AS-NEEDED basis at an additional cost:

- I. Corrective Maintenance, including:
  - A. Module cleaning, to include surface washing of all modules with pressure washing settings not to exceed 1,500 PSI. Contractor will provide before and after photographs of System.
  - B. On-site troubleshooting & diagnostics of all system components (service included at no additional cost for systems under Contractor Warranty)
  - C. Inverter and Data Acquisition System resets: (service included at no additional cost for systems under Contractor Warranty):
    1. Remote resets (if capability enabled and connection available)

## 2. On-site resets

- D. Processing of warranty claims on behalf of Customer and verification of replaced equipment (service included at no additional cost for systems under Contractor Warranty)
- E. Management of repair and replacement for equipment out of warranty (service included at no additional cost for systems under Contractor Warranty).
- F. Ongoing warranty support and representation of Customer's interest with System equipment manufacturers (service included at no additional cost for systems under Contractor Warranty).
- G. All repair and replacement services beyond the installation and workmanship warranty as outlined in Section 3.1.
- H. Repair and replacement of equipment covered by the Manufacturer's warranties as listed in Attachment D.

If the system is performing at or above 100% of the expected system production for the prior six month period, Contractor may elect to forgo the scheduled semi-annual site inspection, maintenance and testing.

## Ecogy Shrub Oak Solar Project Decommissioning Plan

### 1. Executive Summary:

As stated in the Yorktown Solar Code, a decommissioning plan for the solar energy system shall be submitted by the applicant. Below is a full report of Ecogy’s decommissioning plan for the Shrub Oak Solar Project, including costs and timeline.

This report includes an analysis of the estimated decommissioning costs broken down by system components, as well as a description of the associated time required to perform the decommissioning tasks. In addition, we describe each component’s salvage value, the time required to decommission and remove the solar energy system and any ancillary structures, and the time required to repair any damage caused to the property on which the solar energy system is located by the removal of the system. Future costs projected in the model escalate 2% annually due to estimated inflation over the next 25 years.

### 2. Methodology

Throughout this report, assumptions are based on current market values, assessments of labor costs, and our professional development experience. Table 1 below shows the proposed canopy solar system’s technical specifications as submitted with this application.

#### 2.1 Proposed PV System Details

*Table 1. Shrub Oak Solar Project Technical Details*

Proposed Solar System Technical Details	
AC System Size	233.2 kW AC
Racking Type	Roof and Canopy Mounted

Component	Type	Quantity
PV Module	TBD	
Inverter	SolarEdge 100K-US SolarEdge 66.6K-US SolarEdge P860 Optimizer	1 2 627

Racking System	TBD	-
----------------	-----	---

## 2.2 Solar PV Decommissioning Tasks and Costs

Through Ecogy’s 10 years of experience and additional research, we have created a list of solar system equipment and its associated decommissioning tasks and timelines. This list forms the basis of Ecogy’s decommissioning plan and outlines the steps Ecogy would take to remove the solar canopies from the property. The equipment and steps are as follows:

1. Modules: The modules’ frame and surface would be mechanically separated. The glass and aluminum frames would be sold as recycled material.
2. Inverters: Inverters would be properly disposed of at an electronic waste facility.
3. Racking: Racking would be consolidated and sold as recycled scrap steel.
4. Wiring: All wiring would be disconnected and sold as recycled insulated cable.
5. Foundations: Foundations would be broken up on site and either removed or recycled as ABC material. Remediation on site would be limited to re-paving portions of the parking lot disrupted by the foundations since no vegetation currently exists on those portions of the lot.
6. Power Poles: Grid connection wiring and utility owned transformer would be removed or kept depending on preference of the landowner.

To estimate the associated costs for major tasks needed to decommission a PV system, Ecogy used the NYSERDA “*Decommissioning Solar Panel Systems; Information for local governments and landowners on the decommissioning of large-scale solar panel systems - 2016*”, which provides estimates of potential decommissioning costs for a ground-mounted 2,000 kW solar panel system. The costs were scaled to reflect the smaller size of our proposed 233.2 kW AC system. It is estimated that many components could be salvaged to offset the labor cost.

Ecogy analyzed the decommissioning costs and salvage values with a 2% escalator over the lifetime of the solar system of 25 years. Ecogy has determined decommissioning costs to be approximately **\$13,153.66** but a **\$8,613.18** salvage value would offset this cost. Lastly, decommissioning would take approximately **10 weeks**. It is worth noting that the canopy structures are galvanized steel and have a lifetime of 50 years.

# TOWN OF YORKTOWN PLANNING BOARD

Yorktown Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565, Fax (914) 962-3986

## SPECIAL USE PERMIT APPLICATION

If this application is not being made in conjunction with a request for site plan approval from the Planning Board, a site plan/plot plan and Short EAF must also be submitted with this application. The required fee is \$625.00 for new applications and \$312.00 for requests to renew an existing permit.

Date 01/04/21

1. Tax Map Designation (Section, Block, Lot) Section 16.9, Block 2, Lot 13

2. Property Address 1426 E. Main Street, Shrub Oak, NY 10588

3. Zone: C-1 Total Acreage: 3.4

### 4. Indicate requested special use permit:

- §300-21(8)(a)[1] Outdoor service in commercial districts.
- §300-40 Bus passenger shelters.
- §300-54 Religious institutions, social, cultural, charitable and recreational nonprofit uses.
- §300-55 Parochial, private elementary and high schools, colleges and seminaries.
- §300-69 Valet parking at banquet halls.
- §300-71 New and/or used car automobile sales.
- §300-73.1(A)(2) Permanent seasonal outdoor sales in commercial districts.
- §300-75 Warehouse or storage in retail shopping centers.
- §300-78 Cemeteries.
- §300-79 Self-storage centers.
- §300-80 Sidewalk cafes. (outdoor dining for more than 12 seats)
- §300-81.1 Helistops.
- §300-81.2 Accessory recycling facilities.
- §300-81.4 Large-Scale Solar Power Generation Systems and Facilities
- §300-81.5 Tier 2 Battery Energy Storage Systems
- §300-238.1 Multifamily dwelling units in the Country Commercial Zone.

### 5. Description of proposed use (if applying for outdoor dining, indicate proposed dining area square footage and number of seats):

Installation of a 260kW DC/233.3 kW AC Large-Scale Roof-mounted and Ground-mounted solar energy system within the same parcel. The proposed Roof-mounted structure will be installed on the roof space of the existing shopping complex and will not be visible from the street. The proposed Ground-mounted solar energy system will be three (3) separate accessory canopy structures in the parking lot that will allow for shaded parking and emergency vehicle passage without hindering the existing use of the lot.

**6. Applicant**

Name John A. Bertuzzi

Firm Ecogy New York VI LLC

Address 315 Flatbush Ave. #393, Brooklyn, NY 11217

Phone (718) 304-0945

Email projectmanagement@ecogysolar.com

**7. Owner of Record**

Name James K. Rinzler

Firm Oak Shopping LLC C/O Dominion Management Company


Address 200 Madison Ave, 24th Floor, New York, NY 10016

Phone (212) 685-6500

Email jkr@dommgt.com

In the event the permit is issued, the undersigned applicant will comply with all provisions of the Code of the Town of Yorktown and all other applicable laws, codes, rules and regulations of any Federal, State or County Government, bureau or department thereof, having jurisdiction over said premises and the use to be conducted thereat.

DocuSigned by: **Applicant**



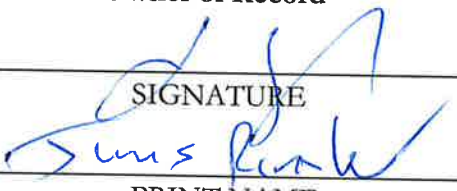
59B6A7A3E78D427

\_\_\_\_\_  
SIGNATURE

John A Bertuzzi  
\_\_\_\_\_  
PRINT NAME

1/5/2021  
\_\_\_\_\_  
DATE

**Owner of Record**



\_\_\_\_\_  
SIGNATURE

James Rinzler  
\_\_\_\_\_  
PRINT NAME

\_\_\_\_\_  
DATE

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.

F:\Office\WordPerfect\Application Forms\APP-SpecialPermit.wpd  
This form last updated: September 2020



### TOWN OF YORKTOWN PLANNING BOARD

# Large Scale Solar Power Generation Systems & Facilities Special Permit Application Addendum

## GENERAL PROJECT INFORMATION

Project Name: Shrub Oak Rooftop and Canopy Solar Energy System

Section, Block, Lot: Section 16.9, Block 2, Lot 13

Existing Site Use:  Residential  Commercial Zone: C-1

Is Applicant?  Property Owner  Lessee

Proposed Lot Coverage: 7,800 SF \*existing

## PROVIDE THE TOTAL SYSTEM CAPACITY RATING

A Large Scale Solar Energy system is a Solar Energy System that exceeds 20 kW DC as rated by its nameplate capacity. The maximum system capacity and the maximum area of land upon which the system shall be erected are as follows:

(1) Up to one megawatt AC on an area of land no larger than 10 acres, excluding any easement for accessing the parcel; or over 1 but not to exceed 5 Megawatt AC on an area of land no larger than 20 acres, excluding any easement for accessing the parcel.

Total System Capacity Rating: 1,148.3 kWh Power Rating 233.2 kW (Select One)  AC or  DC

## SELECT INSTALLATION TYPE

Ground  Rooftop

## PROPOSED SOLAR ENERGY SYSTEM INSTALLATION INFORMATION

### Sponsor Company

Contact Name Julia Magliozzo

Business Name Ecogy New York VI LLC

Address 315 Flatbush Ave #393, Brooklyn, NY 11217

Phone (718) 304-0945

Email projectmanagement@ecog

Contractor/Installation Company

Contact Name John A. Bertuzzi  
Business Name Ecogy Solar LLC  
Address 315 Flatbush Ave #393, Brooklyn, NY 11217  
Phone (718) 304-0945  
Email projectmanagement@ecogysola.com

**PROPOSED OWNER AND/OR OPERATOR (IF DIFFERENT FROM ABOVE)**

Name John A. Bertuzzi  
Firm Ecogy New York VI LLC  
Address 315 Flatbush Ave. #393, Brooklyn, NY 11217  
Phone (718) 304-0945  
Email assetmanagement@ecogysola.com

**SUBMITTAL REQUIREMENTS**

In order to submit a complete permit application for a new large-scale solar power generation system, the applicant must include:

- a) Completed Planning Board Special Use Permit Application with this Large Scale Solar Power Generation System Addendum.
- b) A special permit application fee of \$625.00 paid by check made payable to the Town of Yorktown.
- c) Required documents as listed in Section 300-84.1(F):
  - Equipment specification sheets shall be submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed.
  - A property Operation and Maintenance Plan shall be submitted.
  - A carbon sequestration for tree loss calculation.
  - Proposed tree loss mitigation, if applicable.
  - A Decommissioning Plan
- d) All site plan application requirements pursuant to Section 300-85/1(I) of the Town of Yorktown Town Code.

TOWN OF YORKTOWN  
TOWN BOARD

Yorktown Town Hall, 363 Underhill Avenue, Yorktown Heights, New York 10598, Phone (914) 962-5722, Fax (914) 962-6591

APPLICATION FOR SITE PLAN APPROVAL  
Pursuant to Town of Yorktown Town Code Chapter 300  
Article VII Permitted Special Uses or Article VIII Special Districts

Date 01/04/21

- 1. Name of Project: Shrub Oak Rooftop and Canopy Solar Energy System
- 2. Location: (Section-Block-Lot) Section 16.9, Block 2, Lot 13  
Street Address or Adjacent Street: 1426 E. Main Street
- 3. Zone: C-1 Total Acreage: 3.4

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

5. Project narrative (brief description of proposed development):

Installation of a 260kW DC/233.3 kW AC Large-Scale Roof-mounted and Ground-mounted solar energy system within the same parcel. The proposed Roof-mounted structure will be installed on the roof space of the existing shopping complex and will not be visible from the street. The proposed Ground-mounted solar energy system will be three (3) separate canopy structures in the parking lot that will allow for shaded parking and emergency vehicle passage without hindering the existing use of the lot.

6. Contact Person - CHOOSE ONLY ONE:

- Applicant
- Attorney
- Owner
- Engineer
- Architect
- Surveyor
- Wetland Scientist
- Landscape Architect

7. Applicant

Name John A. Bertuzzi

Firm Ecogy New York VI LLC

Address 315 Flatbush Ave #393, Brooklyn, NY 11217

Phone (718) 304-0945

Fax \_\_\_\_\_

Email projectmanagement@ecogysolar.com

8. Owner of Record

Name James K. Rinzler

Firm Oak Shopping LLC C/O Dominion Management Company

Address 200 Madison Ave, 24th Floor, New York, NY 10016

Phone (212) 685-6500

Fax \_\_\_\_\_

Email jkr@dommgt.com

**9. Attorney**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_

**10. Engineer**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_  
Lic. No. \_\_\_\_\_

**11. Surveyor**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_  
Lic. No. \_\_\_\_\_

**12. Architect**

Name \_\_\_\_\_  
Firm \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_  
Fax \_\_\_\_\_  
Email \_\_\_\_\_  
Lic. No. \_\_\_\_\_

**13. Wetland Scientist/Specialist**

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

**14. Landscape Architect**

Name \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

Phone \_\_\_\_\_

Fax \_\_\_\_\_

Email \_\_\_\_\_

Lic. No. \_\_\_\_\_

15. Is this project within 500 feet of the Town line?  Yes  No
16. Is this project within 500 feet of the Putnam County line?  Yes  No
17. Is this project within the Sustainable Development Study Area?  Yes  No
18. Is this project within the NYC DEP Watershed?  Yes  No
- If yes, is this project within a Designated Main Street Area?  Yes  No

19. 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

20. Does the entire development plan for this project propose the disturbance of more than 5,000 SF of land? Note: If project is phased, include all phases in determination.  Yes  No

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

- Wetland Permit
- Stormwater Permit
- Tree Permit
- Planning Board Special Permit: Large-Scale Ground-Mounted Solar Energy System
- Town Board Variance or Special Permit: \_\_\_\_\_
- Zoning Board of Appeals Variance or Special Permit: Height Variance

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

- Westchester County Board of Health
- NYC DEP
- NYS DEC
- Other: \_\_\_\_\_

23. This parcel is in the following districts:

School District	<u>Lakeland</u>	Water District	<u>Yorktown Consolidated #1</u>
Fire District	<u>Mohegan</u>	Sewer District	<u>Peekskill</u>

A Short or Full EAF with the original signature of the applicant or project sponsor must be attached to this application when submitted.

The applicant agrees to comply with the requirements of the Road Specifications, the Land Use Regulations, Special Permit Requirements, Zoning Ordinance, Lighting Ordinance, Tree Removal and Stormwater Ordinance, and any additions or amendments thereto.

The applicant agrees to execution and delivery of deeds and required documents for reserved 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.

**Applicant**

John A. Bertuzzi

DocuSign Envelope ID: 59B6A7A9E70D427...

[Signature]  
 NAME (PLEASE PRINT)  
 SIGNATURE

1/5/2021  
DATE

**Owner of Record**

[Signature]  
NAME (PLEASE PRINT)

[Signature]  
SIGNATURE  
1/13/21  
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**

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

\*\*\*\*\*

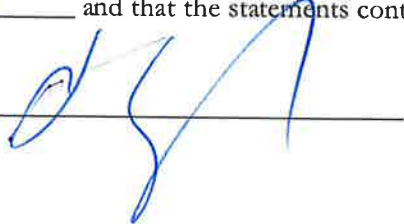
AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

James Rinzler, being duly sworn, deposes and says that he resides at 68 Sleepy Hollow Rd in the County of Westchester and State of NY. That he is the Manager of Oak Shopping LLC 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.

Sworn before me this 13th date of January, 2021

Robin Roberts  
Notary Public



**ROBIN B. ROBERTS**  
Notary Public, State of New York  
No. 02RO6153240  
Qualified in New York County  
Commission Expires October 02, 2022

\*\*\*\*\*

**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

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Last updated: August 2013

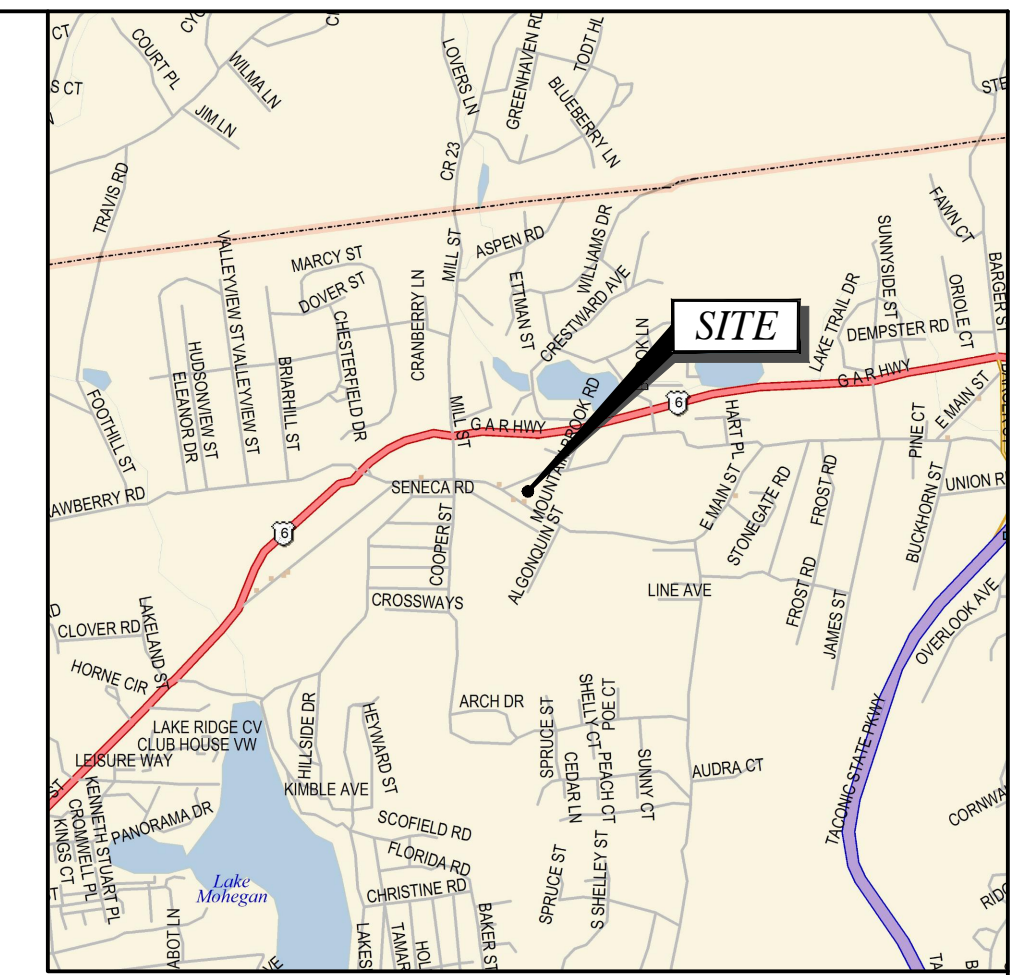






**LEGEND**

	PROPERTY LINE
	ADJOINING PROPERTY LINE
	EASEMENT LINE
	INDEX CONTOUR LINE
	CONTOUR LINE
	CHAIN LINK FENCE
	STOCKADE FENCE
	WROUGHT IRON FENCE
	CURB LINE
	EDGE OF CONCRETE
	EDGE OF PAVEMENT
	EDGE OF WATER/SWALE
	GUIDE RAIL
	PAINTED TRAFFIC LINES
	EDGE OF WETLANDS
	STONE WALL
	OVERHEAD WIRES
	STORM SEWER
	STRUCTURE
	BOLLARD
	UTILITY POLE
	CATCH BASIN
	FIELD INLET (SQUARE)
	MANHOLE (UNKNOWN)
	LIGHT POST
	WETLAND FLAG
	TREE

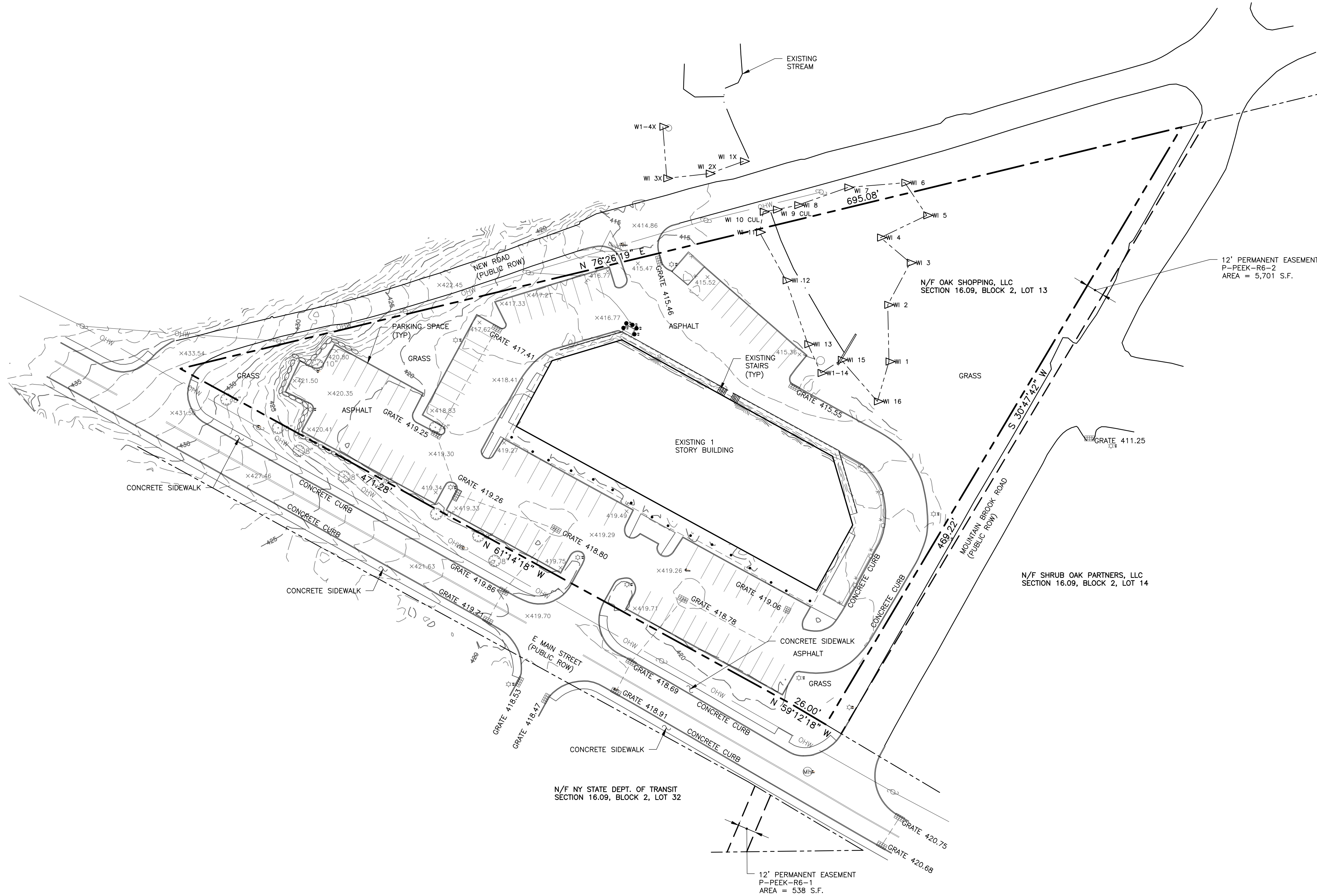


**LOCATION MAP**

SCALE: 1" = 2000'

**GENERAL NOTES**

- PLANIMETRIC AND TOPOGRAPHY FEATURES, SHOWN HEREON, BASED ON AERIAL PHOTOGRAPHY AND DELINEATED USING PHOTOGRAMMETRIC METHODS BY TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. COMPLETED ON 12/11/2020.
- VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM 1988.
- MERIDIAN AND COORDINATES REFER TO NEW YORK STATE PLANE, NAD 83, NEW YORK EAST ZONE AND ARE BASED ON GPS OBSERVATIONS.
- ANGLES OR BEARINGS SHOWN HEREON ARE FORMATTED IN DEGREES, MINUTES, AND SECONDS, DISTANCES OR ELEVATIONS SHOWN HEREON ARE IN U.S. SURVEY FEET, UNLESS NOTED OTHERWISE.
- REFERENCES:
  - DEED: CONTROL# 562253127
  - MAP ENTITLED: "COUNTY OF WESTCHESTER DEPARTMENT OF ENVIRONMENTAL FACILITIES PROPERTY MAP" AS FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON 06/20/77 AS MAP #19159.
- AREA OF SUBJECT PARCEL: 2.672+ ACRES OR 116,379 SQUARE FEET.
- THIS SURVEY IS SUBJECT TO A COMPLETE AND UP TO DATE ABSTRACT OF TITLE, COVENANTS, EASEMENTS, GRANTS AND RIGHTS-OF-WAY NOT VISIBLE AND NOT REFERENCED ARE NOT SHOWN. TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. SHALL NOT BE LIABLE FOR THE DISTURBANCE TO ANYONE'S RIGHT TO THE USE OF THE PROPERTY OR THE DISTURBANCE OF ANY UTILITIES NOT SHOWN OR REFERENCED ON THIS SURVEY PLAT.
- UNDERGROUND IMPROVEMENTS IF ANY AND NOT VISIBLE AT THE TIME OF THE SURVEY, HAVE NOT BEEN LOCATED IN THE FIELD OR SHOWN HEREON.
- LOCATIONS OF ALL UTILITIES AND SUBSTRUCTURES ARE APPROXIMATE ONLY BASED ON SURFACE EVIDENCE AND EXISTING PLANS. THE INFORMATION GIVEN ON THE SURVEY PERTAINING TO UTILITIES AND SUBSTRUCTURES IS NOT CERTIFIED TO ACCURACY OR COMPLETENESS. CONSULT WITH THE APPROPRIATE COMPANY OR AGENCY BEFORE DESIGNING OR CONSTRUCTING IMPROVEMENTS. TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. WILL NOT BE RESPONSIBLE FOR ANY DAMAGE SUBSEQUENTLY CAUSED TO PERSONNEL, STRUCTURES, OR UTILITIES.
- THIS SURVEY PLAT IS FOR SITE PLAN/ENGINEERING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR THE TRANSFER OF TITLE.
- THE SUBJECT PROPERTY FALLS WITHIN FLOOD ZONE "A" AS PER THE NATIONAL FLOOD INSURANCE RATE MAP FOR THE TOWN OF YORKTOWN, COUNTY OF WESTCHESTER, STATE OF NEW YORK, COMMUNITY PANEL NO #3619C0029F, EFFECTIVE DATE OF 09/28/07. THIS DETERMINATION IS BASED ON SCALED MAP LOCATION AND GRAPHIC PLOTTING.
- WETLAND FLAGS SHOWN AS DELINEATED BY TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. ON 01/06/21, AND FIELD SURVEYED BY TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. ON 01/06/21.



UNAUTHORIZED ALTERATION OR ADDITIONS TO A DOCUMENT BEARING THE SEAL OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR IS A VIOLATION OF SECTION 7209 SUBSECTION 2 OF THE NEW YORK STATE EDUCATION LAW.

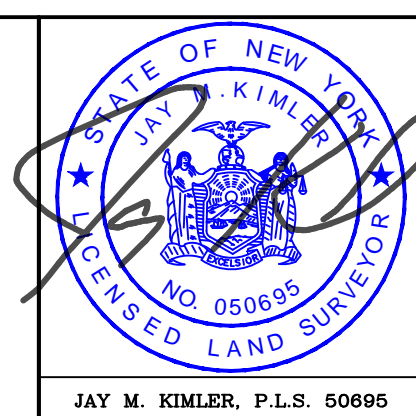
COPIES OF THIS DOCUMENT WITHOUT A FACSIMILE OF THE SIGNATURE AND AN ORIGINAL EMBOSSED SEAL OR ORIGINAL STAMP IN BLUE OR RED INK OF THE PROFESSIONAL ENGINEER OR LAND SURVEYOR SHALL NOT BE CONSIDERED VALID COPIES.

THIS DOCUMENT IS PREPARED SPECIFICALLY FOR THE CLIENT AND PROJECT DESIGNATED HEREON. MODIFICATION, ALTERATION, REVISION, DUPLICATION, OR USE WITHOUT THE CONSENT OF TECTONIC ENGINEERING, P.C. IS PROHIBITED. COPYRIGHT 2021 TECTONIC ENGINEERING, P.C. ALL RIGHTS RESERVED.

Rev	Date	Revision	Approved
0	01/27/21	ISSUED	

DRAWING CONTROL			
Designed by:	Drawn by:	Checked by:	
N/A	Ryan Dembeck	DS	
Purpose	Released by	Date	
<input type="radio"/> For Comment			
<input type="radio"/> For Approval			
<input type="radio"/> For Bid			
<input type="radio"/> For Construction			

**Tectonic**  
 PRACTICAL SOLUTIONS. EXCEPTIONAL SERVICE.  
 Tectonic Engineering Consultants, Geologists & Land Surveyors, D.P.C.  
 70 Pleasant Hill Road Phone: (845) 534-5959  
 P.O. Box 37 Mountainville, NY 10953 (800) 829-6531  
 www.tectonicengineering.com



BOUNDARY & TOPOGRAPHIC SURVEY			
ECOLOGY ENERGY MA VIII LLC SHRUB OAK 1426 E MAIN ST SHRUB OAK, NY 10588			
Date	Work Order	Drawing No.	Rev
1/27/2021	10734.SHRUBOAK	SU-101	0
Scale			
1" = 40'			

# Short Environmental Assessment Form

## Part 1 - Project Information

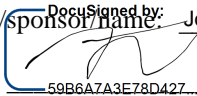
### Instructions for Completing

**Part 1 – Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

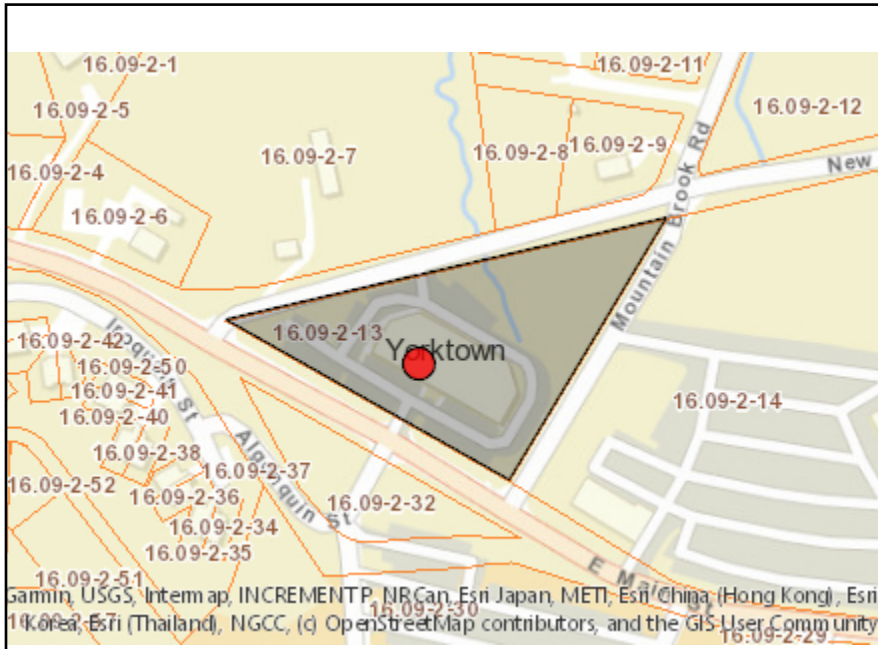
<b>Part 1 – Project and Sponsor Information</b>			
Name of Action or Project: Ecogy Shrub Oak Shopping Center Community Solar			
Project Location (describe, and attach a location map): 1426 E. Main Street, Shrub Oak 10588			
Brief Description of Proposed Action: Ecogy Solar LLC as the Contractor for its Customer, Ecogy New York VI LLC, proposes to install a rooftop solar photovoltaic system on the building and a solar photovoltaic canopy over a portion of the parking lot at 1426 E Main Street. The solar project will consist of solar modules mounted on the roof of an existing building, two solar canopies mounted over an existing paved parking lot, conduit under the paved parking lot from the solar canopies to the building, solar equipment mounted in the basement and in the electrical room of the building, a new utility meter for the solar system, and interconnection of the solar system to the Con Edison electric grid through and existing utility pull box. Ecogy New York VI LLC has entered into a site lease for the rooftop of the building, the parking lot, and other relevant areas of the property as required for installation of the solar photovoltaic system with the property owner.			
Name of Applicant or Sponsor: John A. Bertuzzi, Ecogy New York VI LLC		Telephone: (718) 304-0945	
		E-Mail: projectmanagement@ecogysolar.com	
Address: 315 Flatbush Ave #393			
City/PO: Brooklyn		State: NY	Zip Code: 11217
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval: Town of Yorktown's Planning Board, Zoning Board, and Building Department approval		NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ 2.7 acres			
b. Total acreage to be physically disturbed? _____ 0.011 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.2 acres			
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: The proposed action involves the installation of a solar photovoltaic system, which will generate clean electricity. _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ Potable water is not required for the installation or operation of the proposed action.	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ Wastewater treatment is not required for the installation or operation of the proposed action.	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ As part of project diligence, Ecology has conducted a wetlands delineation to ensure we don't encroach into any existing wetlands.	NO <input type="checkbox"/> <input checked="" type="checkbox"/>	YES <input checked="" type="checkbox"/> <input type="checkbox"/>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes,	NO	YES
a. Will storm water discharges flow to adjacent properties?	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe: _____ _____		
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>		
Applicant/sponsor name: <u>John A. Bertuzzi, Ecogy New York VI LLC</u> Date: <u>1/19/2021</u>		
Signature: <u></u> Title: <u>CEO</u>		

## EAF Mapper Summary Report

Thursday, January 14, 2021 7:02 PM



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	Yes

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



\*593233429LAG0014\*

### Westchester County Recording & Endorsement Page

#### Submitter Information

Name: Ecogy Energy Phone: 7183040945  
 Address 1: 67 West St. Fax:  
 Address 2: Suite 232 Email: julia.magliozzo@ecogyenergy.com  
 City/State/Zip: Brooklyn NY 11222 Reference for Submitter: Shrub Oak Roof Lease

#### Document Details

Control Number: **593233429** Document Type: **Lease Agreement (LAG)**  
 Package ID: 2019111900186001001 Document Page Count: **6** Total Page Count: **7**

#### Parties

Additional Parties on Continuation page

##### 1st PARTY

##### 2nd PARTY

1: OAK SHOPPING LLC - Other 1: ECOGY NEW YORK VI LLC - Other  
 2: 2:

#### Property

Additional Properties on Continuation page

Street Address: 1390 -1426 EAST MAIN STREET Tax Designation: 16.09 -2 -13  
 City/Town: YORKTOWN Village:

#### Cross-References

Additional Cross-Refs on Continuation page

1: 2: 3: 4:

#### Supporting Documents

1: TP-584

#### Recording Fees

Statutory Recording Fee: \$40.00  
 Page Fee: \$35.00  
 Cross-Reference Fee: \$0.00  
 Mortgage Affidavit Filing Fee: \$0.00  
 RP-5217 Filing Fee: \$0.00  
 TP-584 Filing Fee: \$5.00  
 Total Recording Fees Paid: **\$80.00**

#### Mortgage Taxes

Document Date:  
 Mortgage Amount:  
 Basic: \$0.00  
 Westchester: \$0.00  
 Additional: \$0.00  
 MTA: \$0.00  
 Special: \$0.00  
 Yonkers: \$0.00  
 Total Mortgage Tax: **\$0.00**

#### Transfer Taxes

Consideration: \$0.00  
 Transfer Tax: \$0.00  
 Mansion Tax: \$0.00  
 Transfer Tax Number: 5723

Dwelling Type: Exempt:   
 Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 11/21/2019 at 03:07 PM  
 Control Number: **593233429**  
 Witness my hand and official seal

Timothy C. Idoni  
 Westchester County Clerk

#### Record and Return To

Pick-up at County Clerk's office

Ecogy Energy  
 67 West St.  
 Suite 232  
 Brooklyn, NY 11222  
 Attn: Julia Magliozzo

EXHIBIT REVIEWED

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:  Anthony J. Lebe RECL Group 39 Quail Court Suite #306 Walnut Creek, CA 94596	
--	--

Space above this line for Recorder's Use

**MEMORANDUM OF OPTION AND LEASE AGREEMENT**

THIS MEMORANDUM OF OPTION AND LEASE AGREEMENT ("**Memorandum**"), dated as of September 13, 2019 is entered into by and between Oak Shopping LLC, a New York limited liability company ("**Lessor**"), and Ecogy New York VI LLC, a Delaware limited liability company ("**Lessee**"). All capitalized terms used but not otherwise defined shall have the meanings ascribed to them in the Option and Lease Agreement (defined below).

**WITNESSETH:**

That for value received, Lessor and Lessee do hereby covenant, promise and agree as follows:

**LESSOR:** Oak Shopping LLC, a New York Limited Liability Company

Address: Oak Shopping LLC  
C/O Dominion Management Company  
200 Madison Avenue, 24<sup>th</sup> Fl  
New York, NY 10016

**LESSEE:** Ecogy New York VI LLC, a Delaware Limited Liability Company

Address: Ecogy New York VI LLC  
67 West St. Suite 232  
Brooklyn, NY 11222

**DESCRIPTION OF PREMISES:**

The Premises consists of approximately 22,000 square feet of roof space on the building located on the Property owned by Lessor and commonly known as 1426 E. Main St. Shrub Oak NY 10588. The Property is more particularly described in Exhibit 1 attached to and incorporated into this Memorandum.

For Lessor's title to the Property, reference is herein made to Deed dated and recorded at the Westchester County Land and Tax Map as Section 16.9 Block 2 Lot 13.

**OPTION COMMENCEMENT DATE:**

The Effective Date of the Option and Lease Agreement.

EXHIBIT REVIEWED



**LEASE COMMENCEMENT DATE:**

The date Lessee exercises the Option.

**TERM OF OPTION:**

Five hundred forty (540) days

**TERM OF LEASE:**

25 years

Two five (5) year mutual extension term options.

**NO FIXTURE:**

The System, as defined in the Agreement, installed and operated by Lessee at the Premises shall not be deemed a fixture. The System is Lessee's personal property and Lessor has no right, title or interest in the System. Further, Lessor has waived all right of levy for rent, all claims and demands against the System and all rights it may have to place a lien on the System.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first written.

**LESSOR:**

**Oak Shopping LLC,**  
a New York limited liability company

By: \_\_\_\_\_

Name:

Title:

**LESSEE:**

**Ecogy New York VI LLC,**  
a Delaware limited liability company

By: 

Name:

Title: John Bertuzzi  
Managing Member

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of New York )  
County of Kings )

On September 3, 2019, before me,

(insert name of notary)

Notary Public, personally appeared

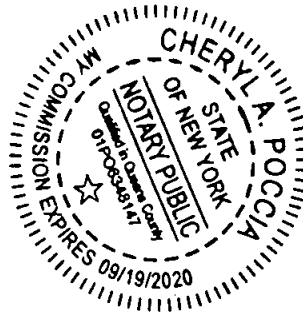
Jack Bertucci  
, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of NY that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Handwritten Signature]

(Seal)



**LEASE COMMENCEMENT DATE:**

The date Lessee exercises the Option.

**TERM OF OPTION:**

Five hundred forty (540) days

**TERM OF LEASE:**

25 years

Two five (5) year mutual extension term options.

**NO FIXTURE:**

The System, as defined in the Agreement, installed and operated by Lessee at the Premises shall not be deemed a fixture. The System is Lessee's personal property and Lessor has no right, title or interest in the System. Further, Lessor has waived all right of levy for rent, all claims and demands against the System and all rights it may have to place a lien on the System.

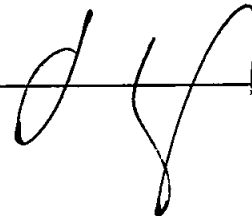
IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first written.

**LESSOR:**

**Oak Shopping LLC,**  
a New York limited liability company

By: \_\_\_\_\_

Name:  
Title:



**LESSEE:**

**Ecogy New York VI LLC,**  
a Delaware limited liability company

By: \_\_\_\_\_

Name: John Boruzzi  
Title: Managing Member



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of New York  
County of New York

On Nov. 13, 2019, before me,

Robin Roberts  
(insert name of notary)

Notary Public, personally appeared

James Rinzler

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of NY that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Robin Roberts

(Seal)

ROBIN B. ROBERTS  
Notary Public, State of New York  
No. 02RO6153240  
Qualified in New York County  
Commission Expires October 02, 2022



Exhibit 1 to Memorandum

Description of Property

That real property commonly known as: 1390-1426 E. Main St. Shrub Oak New York 105888 (Assessor's Parcel Number 16.9 Block 2 Lot 13 as shown on the Westchester County Land and Tax Map and more fully described in the Legal Description set forth below:

**LEGAL DESCRIPTION**

Real property in the Town of Yorktown, County of Westchester, State of New York

**1390-1426 East Main Street, Shrub Oak, New York 10588**

**ALL THAT CERTAIN** plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York, bounded and described as follows:

**BEGINNING** at a point at the intersection of the northerly side of Jefferson Valley Road and the southerly side of New Road;

**RUNNING THENCE** South 49 degrees 00 minutes 00 seconds East, 471.28 feet to a point;

**THENCE** along said Jefferson Valley Road, South 46 degrees 59 minutes 00 seconds East, 26.00 feet to a point;

**THENCE** North 43 degrees 01 minute 00 seconds East, 469.22 feet to a point on the southerly side of New Road;

**THENCE** along New Road, South 88 degrees 39 minutes 36 seconds West, 695.06 feet to the point or place of **BEGINNING**.

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



\*592583015LAG0012\*

### Westchester County Recording & Endorsement Page

#### Submitter Information

Name: Ecogy Energy Phone: 7183040945  
 Address 1: 67 West St. Fax:  
 Address 2: Suite 232 Email: julia.magliozzo@ecogyenergy.com  
 City/State/Zip: Brooklyn NY 11222 Reference for Submitter: Shrub Oak Canopy Lease

#### Document Details

Control Number: **592583015** Document Type: **Lease Agreement (LAG)**  
 Package ID: 2019091500007001001 Document Page Count: **6** Total Page Count: **7**

#### Parties

Additional Parties on Continuation page

##### 1st PARTY

##### 2nd PARTY

1: OAK SHOPPING LLC - Other 1: ECOGY NEW YORK VI LLC - Other  
 2: 2:

#### Property

Additional Properties on Continuation page

Street Address: 1390 -1426 EAST MAIN STREET Tax Designation: 16.09 -2 -13  
 City/Town: YORKTOWN Village:

#### Cross-References

Additional Cross-Refs on Continuation page

1: 2: 3: 4:

#### Supporting Documents

1: TP-584

#### Recording Fees

Statutory Recording Fee: \$40.00  
 Page Fee: \$35.00  
 Cross-Reference Fee: \$0.00  
 Mortgage Affidavit Filing Fee: \$0.00  
 RP-5217 Filing Fee: \$0.00  
 TP-584 Filing Fee: \$5.00  
 Total Recording Fees Paid: **\$80.00**

#### Mortgage Taxes

Document Date:  
 Mortgage Amount:  
 Basic: \$0.00  
 Westchester: \$0.00  
 Additional: \$0.00  
 MTA: \$0.00  
 Special: \$0.00  
 Yonkers: \$0.00  
 Total Mortgage Tax: **\$0.00**

#### Transfer Taxes

Consideration: \$0.00  
 Transfer Tax: \$0.00  
 Mansion Tax: \$0.00  
 Transfer Tax Number: 5722

Dwelling Type: Exempt:   
 Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 11/21/2019 at 03:07 PM  
 Control Number: **592583015**  
 Witness my hand and official seal

Timothy C. Idoni  
 Westchester County Clerk

#### Record and Return To

Pick-up at County Clerk's office

Ecogy Energy  
 67 West St.  
 Suite 232  
 Brooklyn, NY 11222  
 Attn: Julia Magliozzo

**EXHIBIT REVIEWED**

<p>RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:</p> <p>Anthony J. Lebe RECL Group 39 Quail Court Suite #306 Walnut Creek, CA 94596</p>	
---	--

Space above this line for Recorder's Use

**MEMORANDUM OF OPTION AND LEASE AGREEMENT**

THIS MEMORANDUM OF OPTION AND LEASE AGREEMENT ("Memorandum"), dated as of September 13, 2019 is entered into by and between Oak Shopping LLC, a New York limited liability company ("Lessor"), and Ecogy New York VI LLC, a Delaware limited liability company ("Lessee"). All capitalized terms used but not otherwise defined shall have the meanings ascribed to them in the Option and Lease Agreement (defined below).

**WITNESSETH:**

That for value received, Lessor and Lessee do hereby covenant, promise and agree as follows:

**LESSOR:** Oak Shopping LLC, a New York Limited Liability Company

Address: Oak Shopping LLC  
C/O Dominion Management Company  
200 Madison Avenue, 24<sup>th</sup> Fl  
New York, NY 10016

**LESSEE:** Ecogy New York VI LLC, a Delaware Limited Liability Company

Address: Ecogy New York VI LLC  
67 West St. Suite 232  
Brooklyn, NY 11222

**DESCRIPTION OF PREMISES:**

The Premises consists of approximately 30,000 square feet of parking lot space located on the Property owned by Lessor and commonly known as 1426 E. Main St. Shrub Oak NY 10588. The Property is more particularly described in Exhibit 1 attached to and incorporated into this Memorandum.

For Lessor's title to the Property, reference is herein made to Deed dated and recorded at the Westchester County Land and Tax Map as Section 16.9 Block 2 Lot 13.

**OPTION COMMENCEMENT DATE:**

The Effective Date of the Option and Lease Agreement.

**EXHIBIT REVIEWED**

**LEASE COMMENCEMENT DATE:**

The date Lessee exercises the Option.

**TERM OF OPTION:**

Five hundred forty (540) days

**TERM OF LEASE:**

25 years

Two five (5) year mutual extension term options.

**NO FIXTURE:**

The System, as defined in the Agreement, installed and operated by Lessee at the Premises shall not be deemed a fixture. The System is Lessee's personal property and Lessor has no right, title or interest in the System. Further, Lessor has waived all right of levy for rent, all claims and demands against the System and all rights it may have to place a lien on the System.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first written.

**LESSOR:**

**Oak Shopping LLC,**  
a New York limited liability company

By: \_\_\_\_\_

Name:

Title:

**LESSEE:**

**Ecogy New York VI LLC,**  
a Delaware limited liability company

By:  \_\_\_\_\_

Name: John DeWitt

Title: Managing Member





**ACKNOWLEDGMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of New York  
County of Kings

On September 3, 2019, before me,

(insert name of notary)

Notary Public, personally appeared

John Bertuzzi

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

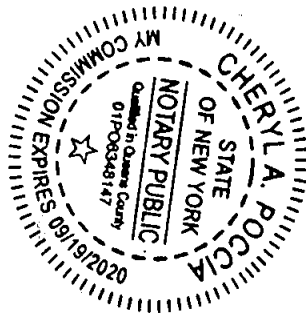
I certify under PENALTY OF PERJURY under the laws of the State of NY that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

[Handwritten Signature]

(Seal)



**LEASE COMMENCEMENT DATE:**

The date Lessee exercises the Option.

**TERM OF OPTION:**

Five hundred forty (540) days

**TERM OF LEASE:**

25 years

Two five (5) year mutual extension term options.

**NO FIXTURE:**

The System, as defined in the Agreement, installed and operated by Lessee at the Premises shall not be deemed a fixture. The System is Lessee's personal property and Lessor has no right, title or interest in the System. Further, Lessor has waived all right of levy for rent, all claims and demands against the System and all rights it may have to place a lien on the System.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first written.

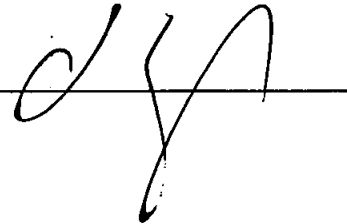
**LESSOR:**

**Oak Shopping LLC,**  
a New York limited liability company

By: \_\_\_\_\_

Name:

Title:



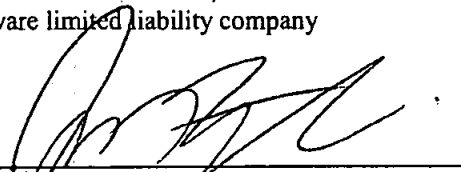
**LESSEE:**

**Ecogy New York VI LLC,**  
a Delaware limited liability company

By: \_\_\_\_\_

Name: John DeWitt

Title: Managing Member



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of NY  
County of NY

On Nov. 13, 2019, before me,

Robin Roberts  
(insert name of notary)

Notary Public, personally appeared James Rinzler

, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of NY that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Robin Roberts

(Seal)

ROBIN B. ROBERTS  
Notary Public, State of New York  
No. 02RO6153240  
Qualified in New York County  
Commission Expires October 02, 2022



Exhibit 1 to Memorandum

Description of Property

That real property commonly known as: 1390-1426 E. Main St. Shrub Oak New York 105888 (Assessor's Parcel Number 16.9 Block 2 Lot 13 as shown on the Westchester County Land and Tax Map and more fully described in the Legal Description set forth below:

**LEGAL DESCRIPTION**

Real property in the Town of Yorktown, County of Westchester, State of New York

**1390-1426 East Main Street, Shrub Oak, New York 10588**

**ALL THAT CERTAIN** plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York, bounded and described as follows:

**BEGINNING** at a point at the intersection of the northerly side of Jefferson Valley Road and the southerly side of New Road;

**RUNNING THENCE** South 49 degrees 00 minutes 00 seconds East, 471.28 feet to a point;

**THENCE** along said Jefferson Valley Road, South 46 degrees 59 minutes 00 seconds East, 26.00 feet to a point;

**THENCE** North 43 degrees 01 minute 00 seconds East, 469.22 feet to a point on the southerly side of New Road;

**THENCE** along New Road, South 88 degrees 39 minutes 36 seconds West, 695.06 feet to the point or place of **BEGINNING**.

## Three Phase Inverter with Synergy Technology

for the 277/480V Grid for North America

SE66.6KUS / SE100KUS



### Specifically designed to work with power optimizers

- / Easy two-person installation – each unit mounted separately, equipped with cables for simple connection between units
- / Balance of System and labor reduction compared to using multiple smaller string inverters
- / Independent operation of each unit enables higher uptime and easy serviceability
- / No wasted ground area: wall/rail mounted, or horizontally mounted under the modules (10° inclination)
- / Integrated arc fault protection and rapid shutdown for NEC 2014 and 2017, per article 690.11 and 690.12
- / Built-in module-level monitoring with Ethernet or cellular GSM
- / Fixed voltage inverter for superior efficiency (98.5%) and longer strings
- / Integrated DC Safety Switch
- / Built-in RS485 Surge Protection, to better withstand lightning events

# / Three Phase Inverter with Synergy Technology

for the 277/480V Grid for North America

SE66.6KUS / SE100KUS

	SE66.6KUS	SE100KUS	
<b>OUTPUT</b>			
Rated AC Power Output	66600	100000	VA
Maximum AC Power Output	66600	100000	VA
AC Output Line Connections	4-wire WYE (L1-L2-L3-N) plus PE		
AC Output Voltage Minimum-Nominal-Maximum <sup>(1)</sup> (L-N)	244 - 277 - 305		Vac
AC Output Voltage Minimum-Nominal-Maximum <sup>(1)</sup> (L-L)	422.5 - 480 - 529		Vac
AC Frequency Min-Nom-Max <sup>(1)</sup>	59.3 - 60 - 60.5		Hz
Maximum Continuous Output Current (per Phase) @277V	80	120	A
GFDI Threshold	1		A
Utility Monitoring, Islanding Protection, Configurable Power Factor, Country Configurable Thresholds	Yes		
<b>INPUT</b>			
Maximum DC Power (Module STC) / Unit	90000 / 45000	135000 / 45000	W
Transformer-less, Ungrounded	Yes		
Maximum Input Voltage DC to Gnd	500		Vdc
Maximum Input Voltage DC+ to DC-	1000		Vdc
Nominal Input Voltage DC to Gnd	425		Vdc
Nominal Input Voltage DC+ to DC-	850		Vdc
Maximum Input Current	2 x 40	3 x 40	Adc
Maximum Input Short Circuit Current	120		Adc
Reverse-Polarity Protection	Yes		
Ground-Fault Isolation Detection	350kΩ Sensitivity per Unit		
CEC Weighted Efficiency	98.5		%
Nighttime Power Consumption	< 12		W
<b>ADDITIONAL FEATURES</b>			
Supported Communication Interfaces	RS485, Ethernet, Cellular GSM (optional)		
Rapid Shutdown	NEC2014 and NEC2017 compliant/certified, upon AC Grid Disconnect		
RS485 Surge Protection	Built-in		
<b>DC SAFETY SWITCH</b>			
DC Disconnect	1000V / 2 x 40A	1000V / 3 x 40A	
<b>STANDARD COMPLIANCE</b>			
Safety	UL1741, UL1741 SA, UL1699B, UL1998, CSA 2.22		
Grid Connection Standards	IEEE 1547, Rule 21, Rule 14 (HI)		
Emissions	FCC part15 class A		
<b>INSTALLATION SPECIFICATIONS</b>			
Number of units	2	3	
AC Output Conduit Size / Max AWG / Max PE AWG	1.5" / 2/0 / 6	2" / 4/0 / 4	
DC Output Conduit Size / Terminal Block AWG Range / Number of Strings <sup>(2)</sup>	2 x 1.25" / 6-14 / 6 strings	2 x 1.25" / 6-14 / 9 strings	
Dimensions (H x W x D)	Primary Unit: 37 x 12.5 x 10.5 / 940 x 315 x 260; Secondary Unit: 21 x 12.5 x 10.5 / 540 x 315 x 260		in / mm
Weight	Primary Unit: 105.8 / 48; Secondary Unit 99.2 / 45		lb / kg
Operating Temperature Range	-40 to +140 / -40 to +60 <sup>(3)</sup>		°F / °C
Cooling	Fan (user replaceable)		
Noise	< 60		dBA
Protection Rating	NEMA 3R		
Mounting	Bracket provided		

(1) For other regional settings please contact SolarEdge support

(2) Single input option per unit (up to 3AWG) available

(3) De-rating from 50°C

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# Power Optimizer For North America

P860 / P960



POWEROPTIMIZER

## PV power optimization at the module-level

The most cost-effective solution for commercial and large field installations

- Specifically designed to work with SolarEdge inverters
- Up to 25% more energy
- Superior efficiency (99.5%)
- Balance of System cost reduction; 50% less cables, fuses and combiner boxes, over 2x longer string lengths possible
- Fast installation with a single bolt
- Advanced maintenance with module-level monitoring
- Module-level voltage shutdown for installer and firefighter safety
- Meets NEC requirements for arc fault protection (AFCI) and Photovoltaic Rapid Shutdown System (PVRSS)
- Use with two PV modules connected in parallel

# / Power Optimizer

## For North America

### P860 / P960

Power Optimizer Model (Typical Module Compatibility)	P860 (for 2 x 72 cell modules)		P960 (for 2 x 72 cell modules)		
<b>INPUT</b>					
Rated Input DC Power <sup>(1)</sup>	860		960		W
Connection Method	Dual input for independently connected modules <sup>(2)</sup>				
Absolute Maximum Input Voltage (Voc at lowest temperature)	60				Vdc
MPPT Operating Range	12.5 - 60				Vdc
Maximum Short Circuit Current (Isc)	22		23		Adc
Maximum Short Circuit Current per Input (Isc)	11		11.5		Adc
Maximum Efficiency	99.5				%
Weighted Efficiency	98.6				%
Overvoltage Category	II				
<b>OUTPUT DURING OPERATION (POWER OPTIMIZER CONNECTED TO OPERATING SOLAREEDGE INVERTER)</b>					
Maximum Output Current	18				Adc
Maximum Output Voltage	80				Vdc
<b>OUTPUT DURING STANDBY (POWER OPTIMIZER DISCONNECTED FROM SOLAREEDGE INVERTER OR SOLAREEDGE INVERTER OFF)</b>					
Safety Output Voltage per Power Optimizer	1 ± 0.1				Vdc
<b>STANDARD COMPLIANCE</b>					
Photovoltaic Rapid Shutdown System	Compliant with NEC 2014, 2017 <sup>(3)</sup> , 2020				
EMC	FCC Part 15 Class A, IEC61000-6-2, IEC61000-6-3				
Safety	IEC62109-1 (class II safety), UL1741				
Material	UL94 V-0, UV resistant				
RoHS	Yes				
<b>INSTALLATION SPECIFICATIONS</b>					
Compatible SolarEdge Inverters	Three phase inverters				
Maximum Allowed System Voltage	1000				Vdc
Dimensions (W x L x H)	129 x 168 x 59 / 5.1 x 6.61 x 2.32				mm / in
Weight	1064 / 2.34				gr / lb
Input Connector	MC4 <sup>(4)</sup>				
Input Wire Length	Wire length options	Input #1		Input #2	
	(1)	(-) 0.16 / 0.52, (+) 0.16 / 0.52		(-) 0.16 / 0.52, (+) 0.16 / 0.52	
	(2)	(-) 1.6 / 5.24, (+) 0.16 / 0.52		(-) 0.16 / 0.52, (+) 1.6 / 5.24	
Output Wire Type / Connector	Double insulated; MC4				
Output Wire Length	2.3 / 7.5				m / ft
Operating Temperature Range <sup>(5)</sup>	-40 to +85 / -40 to +185				°C / °F
Protection Rating	IP68 / NEMA6P				
Relative Humidity	0 - 100				%

(1) Rated power of the module at STC will not exceed the power optimizer "Rated Input DC Power". Modules with up to +5% power tolerance are allowed

(2) In the event of an odd number of PV modules in one string, installation of one P860 /P960 power optimizer connected to one PV module is allowed. When connecting a single module to the P860/P960, seal the unused input connectors with the supplied pair of seals

(3) NEC 2017 requires that the maximum combined input voltage does not exceed 80V

(4) For other connector types please refer to: <https://www.solaredge.com/sites/default/files/optimizer-input-connector-compatibility.pdf>

(5) For ambient temperature above +70°C / +158°F, power de-rating is applied. Refer to the Power Optimizers Temperature De-Rating Application Note for more details

PV System Design Using a SolarEdge Inverter <sup>(6)</sup>		Three Phase for 208V Grid <sup>(7)</sup>		Three Phase for 277/480V Grid		
		P860	P960	P860	P960	
Minimum String Length	Power Optimizers	8		14		
	PV Modules	15		27		
Maximum String Length	Power Optimizers	30				
	PV Modules	60				
Maximum Power per String		7200 <sup>(8)</sup>		15300 <sup>(9)</sup>		W
Parallel Strings of Different Lengths or Orientations		Yes				

(6) It is not allowed to mix P860/P960 with P801/P800p/P850/P950/P1100 in one string or to mix with P370-P505 in one string

(7) P860 design with three phase 208V inverters is limited. Use the SolarEdge Designer for verification

(8) For the 208V grid: It is allowed to install up to 7700W per string when the maximum power difference between each string is 1,000W

(9) For the 277/480V grid: it is allowed to install up to 17,550W per string when the maximum power difference between each string is 2,000W



# **Granite Knolls Sports Complex**

**TOWN OF YORKTOWN TOWN BOARD**

Resolved, the Town Clerk is authorized to refer out to appropriate agencies for their review and/or recommendation a resolution subject to permissive referendum authorizing the Yorktown Supervisor to sign a lease agreement to lease certain premises between the Town and HESP Solar, LLC for the construction of a solar facility and four EV charging stations at the Granite Knolls Sports Complex.

Further Resolved, the Town Board declares its intent to act as Lead Agency. We are transmitting the following referral for your review and recommendation and ask that you respond back to the Town Clerk by Friday, April 2, 2021.

TO:

- |                                     |  |                                     |                                     |
|-------------------------------------|--|-------------------------------------|-------------------------------------|
| <input checked="" type="checkbox"/> | File   | <input checked="" type="checkbox"/> | <b>Westchester County</b>           |
| <input checked="" type="checkbox"/> | Town Clerk                                       | <input checked="" type="checkbox"/> | Planning Department / Board         |
| <input checked="" type="checkbox"/> |  | <input checked="" type="checkbox"/> | Dept. of Public Works               |
| <input checked="" type="checkbox"/> | ABACA  | <input checked="" type="checkbox"/> | Dept. of Health                     |
| <input checked="" type="checkbox"/> | Building Inspector                               | <input checked="" type="checkbox"/> | Parks & Recreation                  |
| <input type="checkbox"/>            | Community Housing Board                          | <input type="checkbox"/>            | Environmental Facilities            |
| <input checked="" type="checkbox"/> | Conservation Board                               | <input type="checkbox"/>            | Soil & Water                        |
| <input checked="" type="checkbox"/> | Fire:  |                                     | <b>New York State</b>               |
|                                     | <input checked="" type="checkbox"/> Lake Mohegan | <input type="checkbox"/>            | DEC Albany                          |
|                                     | <input checked="" type="checkbox"/> Yorktown     | <input checked="" type="checkbox"/> | DEC New Paltz (Region III)          |
| <input checked="" type="checkbox"/> | Highway Dept.                                    | <input checked="" type="checkbox"/> | DOT                                 |
| <input checked="" type="checkbox"/> | Open Space Committee                             | <input checked="" type="checkbox"/> | Parks & Recreation                  |
| <input checked="" type="checkbox"/> | Planning Dept. / Board (6)                       |                                     |                                     |
| <input checked="" type="checkbox"/> | Police Dept.                                     | <input checked="" type="checkbox"/> | <b>NYC DEP</b>                      |
| <input checked="" type="checkbox"/> | Public Safety Committee                          | <input checked="" type="checkbox"/> | <b>Army Corp. of Engineers</b>      |
| <input checked="" type="checkbox"/> | Recreation Commission                            |                                     |                                     |
| <input checked="" type="checkbox"/> | School District:                                 |                                     | <b>Bordering Municipality</b>       |
|                                     | <input checked="" type="checkbox"/> Yorktown     | <input checked="" type="checkbox"/> | Town of Cortlandt                   |
|                                     | <input checked="" type="checkbox"/> Lakeland     | <input checked="" type="checkbox"/> | Town of Ossining                    |
| <input checked="" type="checkbox"/> | Town Attorney                                    | <input checked="" type="checkbox"/> | Town of Somers                      |
| <input checked="" type="checkbox"/> | Town Board                                       | <input checked="" type="checkbox"/> | Town of Putnam Valley               |
| <input checked="" type="checkbox"/> | Town Engineer                                    |                                     |                                     |
| <input checked="" type="checkbox"/> | Water Department                                 | <input type="checkbox"/>            | Homeowner Association, Mohegan Lake |
| <input type="checkbox"/>            | Wetlands Inspector                               | <input checked="" type="checkbox"/> | Yorktown Chamber of Commerce        |
| <input type="checkbox"/>            | Yorktown Land Trust                              | <input checked="" type="checkbox"/> | Other – Zoning Board of Appeals     |

FROM: DIANA L. QUAST, YORKTOWN TOWN CLERK, CERTIFIED MUNICIPAL CLERK

SUBJECT: **We are transmitting the following: a resolution subject to permissive referendum authorizing the Yorktown Supervisor to sign a lease agreement to lease certain premises between the Town and HESP Solar, LLC**

DATE: March 4, 2021

- |                                     |                      |                                     |                             |
|-------------------------------------|----------------------|-------------------------------------|-----------------------------|
| <input type="checkbox"/>            | Application/Petition | <input type="checkbox"/>            | Report                      |
| <input type="checkbox"/>            | Drawings             | <input type="checkbox"/>            | Wetlands Permit Application |
| <input checked="" type="checkbox"/> | EAF                  | <input type="checkbox"/>            | SEQRA Scope                 |
| <input type="checkbox"/>            | EAF Addendum         | <input checked="" type="checkbox"/> | Other – Resolutions         |

FOR YOUR:  Information       Review       Comment

Diana L. Quast, Town Clerk  
dquast@yorktownny.org



Registrar of Vital Statistics  
Telephone: (914) 962-5722 x 208  
Fax: (914) 962 6591

**TOWN OF YORKTOWN**  
363 Underhill Avenue, P.O. Box 703  
Yorktown Heights, NY 10598

This is a resolution adopted by the Town Board of the Town of Yorktown at its regular meeting held on Tuesday, March 2, 2021.

WHEREAS, the Town seeks to enter into a twenty-five-year agreement with HESP Solar LLC for the construction of a solar facility (including a canopy system, ground mount system, and energy storage unit) and four EV charging stations at the Granite Knolls Sports Complex; and

WHEREAS, the agreement would constitute alienation of parkland and requires the N.Y. State Legislature's permission;

WHEREAS, the request for alienation would constitute an Unlisted Action under SEQRA;

NOW THEREFORE, BE IT RESOLVED, that the Town Board intends to act as Lead Agency under SEQRA, and that the Town Clerk will circulate the Short Form EAF to relevant agencies.

A handwritten signature in cursive script that reads "Diana L. Quast". The signature is written in black ink and is positioned above a horizontal line.

Diana L. Quast, Town Clerk  
Town of Yorktown  
Certified Municipal Clerk

Date: March 3, 2021

To: Matthew J. Slater, Town Supervisor

cc: Patricia Caporale, Town Comptroller  
HESP Solar LLC  
James Martorano, Parks & Recreation Superintendent  
Adam Rodriguez, Town Attorney  
file

Diana L. Quast, Town Clerk  
dquast@yorktownny.org



Registrar of Vital Statistics  
Telephone: (914) 962-5722 x 208  
Fax: (914) 962 6591

**TOWN OF YORKTOWN**  
363 Underhill Avenue, P.O. Box 703  
Yorktown Heights, NY 10598

This is a resolution adopted by the Town Board of the Town of Yorktown at its regular meeting held on Tuesday, March 2, 2021.

WHEREAS, the Town seeks to enter into a twenty-five-year agreement with HESP Solar LLC for the construction of a solar facility (including a canopy system, ground mount system, and energy storage unit) and four EV charging stations at the Granite Knolls Sports Complex; and

WHEREAS, Town Law § 64 requires that the Town's lease of real property be subject to a permissive referendum under Town Law §§ 90 and 91; and

NOW THEREFORE, BE IT RESOLVED, that the Town has determined the action contemplated under this Resolution is a Type II action under the State Environmental Quality Review Act ("SEQR") and therefore no further review is required under SEQR; and be it

FURTHER RESOLVED, the Town Board hereby directs that a copy of this resolution be filed with the Town Clerk and a copy be provided to any person who has requested a copy hereof; and be it

FURTHER RESOLVED, that pursuant to NY Town Law §§ 82 and 90, within ten (10) days from the date of this Resolution the Town Clerk shall post and publish a notice which shall set forth the date of the adoption of the Resolution, shall contain an abstract of such Resolution concisely setting forth the purpose and effect thereof, shall specify that this Resolution was adopted subject to a permissive referendum; and shall publish such notice in the Yorktown News, a newspaper published in the County having a general circulation in the Town of Yorktown, and in addition thereto that the Town Clerk shall post or cause to be posted on the sign-board of the Town of Yorktown, a copy of such notice within ten (10) days after the date of the adoption of this Resolution.

FURTHER RESOLVED, that if 30 days after publication and posting of the above-described notice, this Resolution has not been challenged by permissive referendum, the resolution shall take effect.

Diana L. Quast, Town Clerk  
Town of Yorktown  
Certified Municipal Clerk

Date: March 3, 2021

To: Matthew J. Slater, Town Supervisor

cc: Patricia Caporale, Town Comptroller  
James Martorano, Parks & Recreation Superintendent  
HESP Solar LLC  
Adam Rodriguez, Town Attorney  
file

## NOTICE OF ADOPTION OF RESOLUTION

NOTICE IS HEREBY GIVEN that the Town Board of the Town of Yorktown, Westchester County New York, at a meeting held on the 23<sup>rd</sup> day of February, 2021, duly adopted the resolution published herewith SUBJECT TO A PERMISSIVE REFERENDUM.

Dated: Yorktown Heights, New York  
March 1, 2021

DIANA L. QUAST, TOWN CLERK  
TOWN OF YORKTOWN  
CERTIFIED MUNICIPAL CLERK

RESOLUTION DATED FEBRUARY 23, 2021

A RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM, AUTHORIZING THE SUPERVISOR TO SIGN A LEASE AGREEMENT TO LEASE CERTAIN PREMISES BETWEEN THE TOWN AND HESP SOLAR, LLC FOR THE CONSTRUCTION OF A SOLAR FACILITY (INCLUDING A CANOPY SYSTEM, GROUND MOUNT SYSTEM, AND ENERGY STORAGE UNIT) AND FOUR EV CHARGING STATIONS AT THE GRANITE KNOLLS SPORTS COMPLEX WHICH THE TOWN DEEMS THE LEASE TO BE IN THE BEST INTERESTS OF THE TOWN SINCE THE SOLAR SERVICES WILL BE FOR THE BENEFIT OF THE RESIDENTS.

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the Town Board of the Town of Yorktown, Westchester County, New York, as follows:

RESOLVED, that the Town Supervisor is hereby authorized to execute and deliver on behalf of the Town the Lease for the certain demised premises at the Property, for a twenty-five-year agreement with HESP Solar LLC for the construction of a solar facility (including a canopy system, ground mount system, and energy storage unit) and four EV charging stations at the Granite Knolls Sports Complex. The agreement includes a public marketing and education campaign, outreach to the local schools, an annual rent of approximately \$143,000, and an up-front lump sum rental advance of \$500,000 for the Town to pave the Granite Knolls Sports Complex parking lot (which shall be amortized over the term of the agreement).

This resolution is subject to permissive referendum and shall be posted and advertised accordingly.

Upon this resolution taking effect, the same shall be published in the Yorktown News, which is hereby designated as the official newspaper of said Town for such purpose.

DIANA L. QUAST, TOWN CLERK  
TOWN OF YORKTOWN  
CERTIFIED MUNICIPAL CLERK

## SEAF QUESTION #1 NARRATIVE DESCRIPTION

The Town requests the N.Y. State Legislature's permission to alienate parkland by entering into a twenty-five-year lease with HESP Solar LLC for the construction of a solar facility (including a canopy system, ground mount system, and energy storage unit) and four EV charging stations at the Granite Knolls Sports Complex. The proposed lease includes a public marketing and education campaign, outreach to the local schools, an annual rent of approximately \$143,000, and an up-front lump sum rental advance of \$500,000 for the Town to pave the Granite Knolls Sports Complex parking lot (which shall be amortized over the term of the agreement). The construction of the improvements will be subject to approval by the Yorktown Planning Board and a substantive review of the project under SEQRA.

