

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

April 12, 2021

7:00 PM

This meeting will be broadcast Live on the Town's YGTV stations, Optimum channel 20 and FiOs channel 33, and on the Town's website at yorktownny.org/ygtv/live.

To participate in the video conference, please register in advance:

<https://us02web.zoom.us/meeting/register/tZwpfuGqpjsjHNeDy6GA6a8oU32ooxFhomFr>

If any interested members of the public would like to provide comments on the Public Hearings, please email the meeting host at rsteinberg@yorktownny.org. In addition, written comments can be provided to the Board by mail sent to the Planning Department at 1974 Commerce Street, Yorktown Heights, NY 10598 or by email before the meeting to Robyn Steinberg at rsteinberg@yorktownny.org. Submitted written comments will be given to the Planning Board in advance of the meeting.

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

WORK SESSION

3. Martinez Subdivision Lot 2
Request for SWPPP Permit

Location: 35.16-1-2; 1767 Jacob Road

Contact: Westchester Modular Homes

Description: Applicant is requesting a SWPPP permit be granted by the Planning Board pursuant to Resolution #05-23 dated September 26, 2005, which required the approval of a permit prior to building permit.

4. Alek-Tris Subdivision
Zoning Board Referral

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

Contact: Architectural Visions, PLLC

Description: Applicant has requested the Zoning Board revisit their 1981 decision prohibiting future subdivision of Lot 26.

REGULAR SESSION

5. Hemlock Hills Farm Solar Farm
Decision Statement

Location: 46.08-1-1 (Yorktown) & 45.12-1-4 (Cortlandt); 500 Croton Avenue, Cortlandt Manor

Contact: Badey and Watson Surveying and Engineering, P.C.

Description: Proposed 1.69 MW solar farm on 4 acres of the 50 acre Hemlock Hill Farm property that is located in the Town of Yorktown.

6. Hansmann Major Subdivision
Public Informational Hearing

Location: 6.13-1-10, 6.17-2-63; 280 East Main Street, Jefferson Valley

Contact: Ralph Mastro Monaco, PE, PC

Description: Proposed 3 lot subdivision on 11.43 acres in the R1-80 zone.

7. Foothill Street Solar

Public Informational Hearing Site Plan & Special Permit

Location: 15.07-1-5; 3849 Foothill Street

Contact: Con Edison Clean Energy Businesses, Inc.

Description: Proposed installation of a 1.875 MW ground mounted solar panel system with associated access road, electric utility upgrades, and perimeter fencing.

8. Taco Bell – Mohegan Lake

Public Hearing Amended Site Plan & Special Use Permit for Outdoor Seating

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.

WORK SESSION

9. Par 3 Golf Course

Discussion Site Plan

Location: 16.07-1-38; 795 Route 6

Contact: James Martorano Jr.

Description: Proposed Par 3 golf course on Town owned Parkland.

10. Proposed Planned Design District Overlay Zones

Town Board Referral

Last Revised – April 9, 2021

Foothill Solar
Public Info Hearing



April 01, 2021

Robyn Steinberg, Town Planner
Yorktown Community & Cultural Center (YCCC)
1974 Commerce Street
(Top Floor, Room 222)
Yorktown Heights, NY 10598
(914) 962-6565

RECEIVED
PLANNING DEPARTMENT
APR 1 2021
TOWN OF YORKTOWN

Dear Mrs. Steinberg;

On behalf of Con Edison Clean Energy Businesses, Inc., enclosed please find an updated submission for the Yorktown A Solar Farm Project. This submission provides proof that a notice letter was mailed out to the property owners adjacent to the project for the upcoming Public Informational Hearing that will be held by the Planning Board of the Town of Yorktown on April 12, 2021.

Please find the enclosed items for your review for the proposed Yorktown A Solar Project:

- USPS Stamped Firm Mailing Book for Accountable Mail dated, March 31, 2021.
- 7 Copies of the Adjacent Property Exhibit dated, April 1, 2021.

Should you have any questions or require additional information, do not hesitate to contact me at (518) 556-3631 or by email at eredding@bergmannpc.com.

Sincerely,

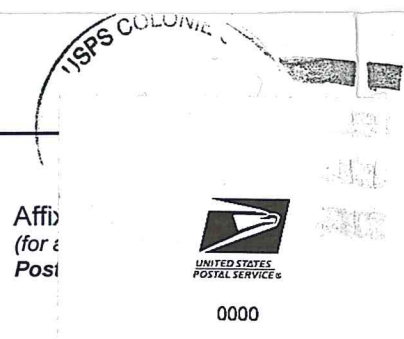
Eric Redding, PE, LEED AP
DISCIPLINE LEADER, BERGMANN

Cc: Joe Shanahan – Con Edison Clean Energy Businesses, Inc.



Name and Address of Sender
 Bergmann
 2 Winners circle
 suite 102
 Albany NY 12205

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1. RECEIVED PLANNING DEPARTMENT APR 1 2021	49 cliff street LLC. 49 cliff street Yonkers NY 10701													
2. TOWN OF YORKTOWN	Anna M Polao 128 lockwood Road Cortlandt Manor, NY 10567													
3.	Christina Moronta 1726 Lockwood Road Mohegan Lake, NY 10547													
4.	Christopher Sawyer 32 E Hill Road Cortlandt Manor, NY 10567													
5.	Colin Clarke 130 Lockwood road Cortlandt Manor, NY 10567													
6.	Cornelius Jones 34 E Hill Road Cortlandt Manor, NY 10567													
7.	David Johnson 35 wheeler Drive Cortlandt Manor, NY 10567													
8.	Deborah Kasper - Coons 50 Lockwood Road Cortlandt Manor, NY 10567													

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1.	Mario Picarello 97 Lockwood Road Cortlandt Manor, NY 10567													
2.	Michael P Roushion 120 Lockwood Road Cortlandt Manor, NY 10567													
3.	Niles Schwartz 330 West 45th Street New York, NY 10036													
4.	Rafael Alvarez 122 Lockwood Road Cortlandt Manor, NY 10567													
5.	Richard Imprescia 1821 Casey Ct. Mohegan Lake, NY 10547													
6.	Rivertowns Acquisitions Co. 211 South Ridge Street Rye Brook, NY 10567													
7.	Robert Flower 89 Lockwood Road Cortlandt Manor, NY 10567													
8.	Robert Foley 93 Lockwood Road Cortlandt Manor, NY 10567													

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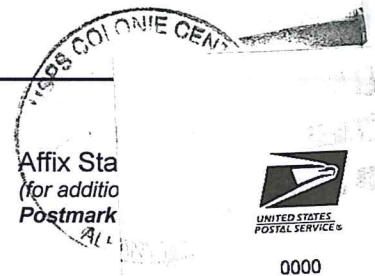
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1.	Douglas Call 3900 Foothill Street Mohegan Lake, NY 10547													
2.	Erdal Karabulut 126 Lockwood Road Cortlandt Manor, NY 10567													
3.	Gary Burstell 55 Lockwood Road Cortlandt Manor, NY 10567													
4.	Hector Campo 77 Lockwood Road Cortlandt Manor, NY 10567													
5.	John Eremita 1766 Casey Ct. Mohegan Lake, NY 10547													
6.	Joseph Astrologo 118 Lockwood Road Cortlandt Manor, NY 10567													
7.	Margaret Ludlum 85 Lockwood Road Cortlandt Manor, NY 10567													
8.	Marijan Juncaj 1151 Astor Avenue Bronx, NY 10469													

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1.	Sami Jamal 1820 Casey Ct. Mohegan Lake, NY 10547													
2.	Timothy farrell 81 Lockwood Road Cortlandt Manor, NY 10567													
3.	Carroll Jan 22 Peekskill Hollow TrnPK Putnam valley, NY 10579													
4.	Godinho Wagner 8 Peekskill Hollow TrnPK Putnam valley, NY 10579													
5.	Highfields Homeowner Assoc. Po Box 1019 Croton falls, NY 10579													
6.	Irani Ardesar 32 Peekskill Hollow TrnPK Putnam valley, NY 10579													
7.	Kern Lisa A 28 Peekskill Hollow TrnPK Putnam valley, NY 10579													
8.	Lockwood Milton W Po Box 2510 Peekskill, NY 10566													
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1.	Mirabella Elizabeth 36 Peekskill Hollow TrnPK Putnam Valley, NY 10579			Handling Charge - if Registered and over \$50,000 in value											
2.	Putnam Valley Central School distict 146 Peekskill Hollow Road Putnam valley, NY 10579														
3.	slanzi Robert 16 Peekskill Hollow TrnPK Putnam Valley, NY 10579														
4.									Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling
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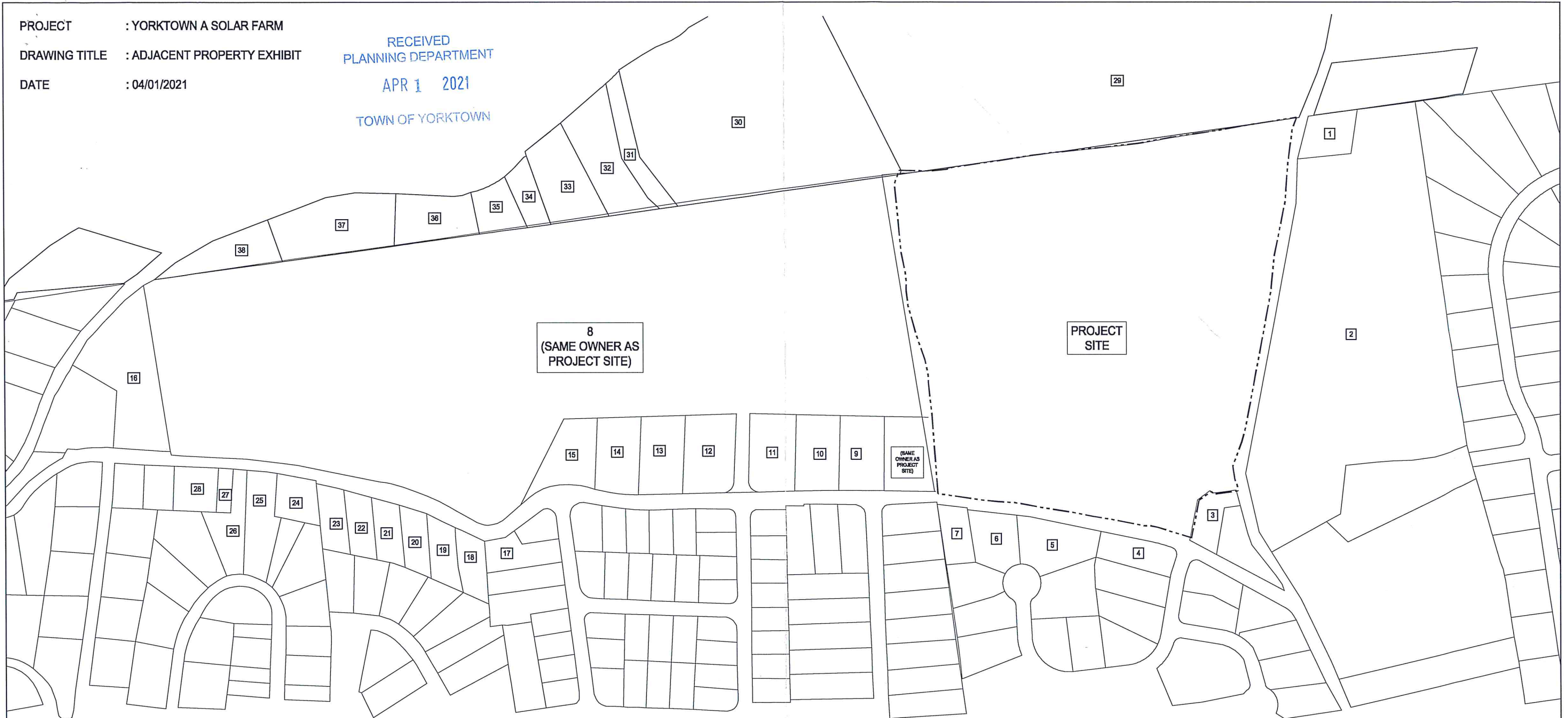
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PROJECT : YORKTOWN A SOLAR FARM
 DRAWING TITLE : ADJACENT PROPERTY EXHIBIT
 DATE : 04/01/2021

RECEIVED
 PLANNING DEPARTMENT
 APR 1 2021
 TOWN OF YORKTOWN



#	PROPERTY OWNER	TAX MAP #	MAILING ADDRESS	NOTES
1	DOUGLAS CALL	15.07-1-6	3900 FOOTHILL STREET, MOHEGAN LAKE NY 10547	
2	NILES SCHWARTZ	15.07-1-7	330 WEST 45TH STREET, NEW YORK, NY 10038	
3	CHRISTINA MORONTA	15.07-1-3	1726 LOCKWOOD ROAD, MOHEGAN LAKE, NY 10547	
4	JOHN EREMITA	15.07-1-10	1786 CASEY CT. MOHEGAN LAKE, NY 10547	
5	SAMI JAMAL	15.07-1-9	1820 CASEY CT, MOHEGAN LAKE, NY 10547	
6	RICHARD IMPRESCIA	15.07-1-8	1821 CASEY CT. MOHEGAN LAKE, NY 10547	
7	SHARON NORBECK	15.07-1-2	1799 LOCKWOOD ROAD, MOHEGAN LAKE, NY 10547	
8	WILLIAM LOCKWOOD			SAME OWNER, SEE ADJACENT PARCELS BELOW
9	COLIN CLARKE	13.10-2-3.7	130 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	
10	ANNA M POLAD	13.10-2-3.8	128 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	
11	ERDAL KARABULUT	13.10-2-3.5	126 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	
12	RAFAEL ALVAREZ	13.10-2-3.4	122 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	
13	MICHAEL P ROUSHION	13.10-2-3.3	120 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	
14	JOSEPH ASTROLOGO	13.10-2-3.2	118 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	
15	DEBORAH KASPER-COONS	13.10-2-3.1	50 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	
16	MARIAN JUNCAJ	13.10-2-2	1151 ASTOR AVENUE, BRONX NY 10468	
17	DAVID JOHNSON	13.10-4-9	35 WHEELER DR., CORTLANDT MANOR, NY 10567	
18	MARIO PICARELLO	13.10-4-6	97 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	
19	ROBERT FOLEY	13.10-4-5	93 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567	

20	ROBERT FLOWER	13.10-4-4	89 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567
21	MARGARET LUDLUM	13.10-4-3	85 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567
22	TIMOTHY FARRELL	13.10-4-2	81 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567
23	HECTOR CAMPO	13.10-4-1	77 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567
24	49 CLIFF STREET LLC	13.10-1-18	49 CLIFF STREET, YONKERS NY 10701
25	CORNELIUS JONES	13.10-1-17	34 E HILL ROAD, CORTLANDT MANOR, 10567
26	CHRISTOPHER SAWYER	13.10-1-16	32 E HILL ROAD, CORTLANDT MANOR, 10567
27	RIVERTOWNS ACQUISITIONS CO.	13.10-1-15	211 SOUTH RIDGE STREET, RYE BROOK NY 10567
28	GARY BURSTELL	13.10-1-14	55 LOCKWOOD ROAD, CORTLANDT MANOR NY 10567
29	PUTNAM VALLEY CENTRAL SCHOOL DISTRICT 3	84-2-29	148 PEEKSKILL HOLLOW ROAD, PUTNAM VALLEY, NY 10579
30	HIGHFIELDS HOMEOWNERS ASSC INC.	92-1-3.1	PO BOX 1019, CROTON FALLS NY 10519
31	LOCKWOOD MILTON W	92-1-4	PO BOX 2510, PEEKSKILL NY 10566
32	MIRABELLO ELIZABETH	92-1-5	36 PEEKSKILL HOLLOW TRNPK, PUTNAM VALLEY NY 10579
33	IRANI ARDESAR	92-1-6	32 PEEKSKILL HOLLOW TRNPK, PUTNAM VALLEY NY 10579
34	LOCKWOOD MILTON	92-1-7	PO BOX 2510, PEEKSKILL NY 10566
35	KERN LISA A	92-1-8	28 PEEKSKILL HOLLOW TRNPK, PUTNAM VALLEY NY 10579
36	CARROLL IAN	91.8-1-11	22 PEEKSKILL HOLLOW TRNPK, PUTNAM VALLEY NY 10579
37	SLANZI ROBERT	91.8-1-12	18 PEEKSKILL HOLLOW TRNPK, PUTNAM VALLEY NY 10579
38	GOODHO WAGNER	91.8-1-13	8 PEEKSKILL HOLLOW TRNPK, PUTNAM VALLEY NY 10579

April 8, 2021

Richard Fon, Chairman
Planning Board
Town of Yorktown
1974 Commerce Street
Yorktown Heights, NY 10598

Re: Proposed Solar Project, Foothill Street, Yorktown, New York
Resolution by Putnam Valley Central School District in Opposition to Project

Dear Chairman Fon :

Reference is made to the Resolution passed by the Putnam Valley Central School District (PVCSD) on January 21, 2021 in opposition to the solar project proposed to be built on land abutting the Putnam Valley Middle School/High School Campus and sent to the Planning Board for the Town of Yorktown. A nearly identical Resolution was also sent to the Planning Board by the Town Board for the Town of Putnam Valley.

Unfortunately, the School District took its action in opposition to the solar project long before the most recent revised proposal for the project was submitted to the Town of Yorktown on March 17, 2021 and, therefore, before the Board of Education could avail itself of the relevant facts about the project. As a result, most of the claims set forth in the preambular clauses of the Resolution are unfounded and without merit.

It is perhaps most telling that one of the first such preambular clauses states that “the district has hired an engineer to study the proposed solar farm and make recommendations to the school district.” The District’s engineering “study” must be suspect, however, as it was conducted, and a report issued December 23, 2020, nearly three months before the current solar farm proposal was even submitted to the Town of Yorktown and available for review.

I would like to address many of the erroneous claims set forth in the Resolution and then, provide certain facts about the project which would have likely been instructive to the School District and the Town of Putnam Valley had they chosen to avail themselves of such information.

At least three of the preambular clauses in the Resolution make unsubstantiated claims that (i) groundwater runoff would increase as a result of the solar project and (ii) the project’s stormwater management plan would divert the watershed, both of which would allegedly have an adverse impact on the School District’s property. These claims are patently false. In fact, the stormwater features incorporated in the solar project proposal will **decrease** the groundwater runoff and **lessen** its impact on the District’s property. More specifically, analysis of the pre-construction versus post-construction peak discharge for storm events shows a 39% reduction for the 1-year event; 18% reduction for the 10-year event; and 4% reduction for the 100-year

event. Further, the proposed Stormwater Management Plan has been prepared and is designed to not impact the PVCSD's property, all in accordance with NYSDEC requirements. A stormwater detention pond and bioretention area have been designed as post-construction stormwater management practices in accordance with the NYSDEC Stormwater Management Design manual to provide water quantity mitigation as well as provide the required Water Quality Volume (WQv) and Runoff Reduction Volume (RRv). In addition, the area draining from the project site to the PVCSD property is the same in post-development conditions as it is currently in pre-development conditions. And no additional area of runoff is being directed to the PVCSD property.

Another clause in the Resolution alleges that the "noise" from the project's electrical equipment will "put an end to the tranquility enjoyed (by those using) the Wellness trail along the perimeter of the School District property." Again, this claim is unfounded. While the solar array inverters and battery storage equipment emit some slight noise, it is not discernible unless one is near them. And the boundary of the proposed solar project is far enough away from the Wellness trail and the perimeter of the School District property that any such noise will likely be imperceptible from those locations. We also note that the PVCSD has initiated a program to add solar photovoltaic roof systems at all its school campuses with no apparent concern about any "noise" from the electrical equipment necessary for those systems despite those systems being located on the buildings at School District properties themselves.

See **[Creating a Legacy of Sustainability for Putnam Valley Schools](https://celfeducation.org/wp-content/uploads/2020/...)**

<https://celfeducation.org/wp-content/uploads/2020/...>

Similarly unwarranted is the claim that the School District property will be visually impacted by "unsightly solar panels, inverters and other electrical equipment." With the solar panels set at an angle with a maximum height of 12 feet, the low-profile solar project would have virtually no visual impact in any direction. With regard to the District viewshed in particular, there already exists substantial natural screening between the school campus to the north and the project site and the natural topography between the two properties will make any visual impact from that direction negligible. See the attached photographs which show a literal wall of trees which screen the project site from the School property even with no leaves on the trees in the Winter months. See also the photo simulations showing the same perspectives from the School property when there will be leaves on the trees. While these attachments demonstrate that the solar project will be all but invisible from the School property, also see the other photos attached which show the "unsightly" view from the Lockwood property to the School property, where the Schools' access drive, four rows of vehicular parking, snow removal equipment, several tractor trailer sized storage containers, trash barrels and large rubbish dumpsters are in plain view.

The Resolution also makes the unjustified claim that the solar project will "destroy the natural habitat of many of our forest creatures." In fact, 18.32 acres of the 34-acre solar project site will be left undisturbed and untouched and, once the project is completed, almost all of the 15.90 acres disturbed to construct the project will be returned to grass and meadow, using a pollinator seed and/or plantings, as suggested by a Certified Ecological Restoration Practitioner with whom the developer has previously consulted. Further, with all the solar panels approximately three

feet off the ground and the fence enclosing the solar array installed six inches above the ground, wildlife will be able to traverse the entire 34.23-acre site.

Finally, the Resolution states that the PVCSD, in collaboration with the Town of Putnam Valley, opposes the placement of the Con Edison CEB solar farm on the subject property “for its detrimental impact upon the environment and its impact on this ecologically sensitive area.” This assertion might best be addressed in the context of what is likely to happen to “the environment” and “this ecologically sensitive area” if Con Edison CEB **does not** develop its solar project on this property.

Con Edison Clean Energy Businesses, Inc. is proposing to develop this ground-mounted solar facility on approximately 16 acres of land at 3849 Foothill Street in Yorktown, New York under a Lease with the landowner, William Lockwood, whose family has owned the land for generations.

As the PVCSD may be aware, Mr. Lockwood has previously explored two other development projects with the Town of Yorktown for this same site. Each of those projects proposed a 20-lot residential subdivision, with access roads and appurtenant utility services. One of the developments was designed as a cluster subdivision with 2 proposed access roads. The other development was designed as a conventional subdivision with 3 proposed access roads.

Mr. Lockwood deferred consideration of the residential development of his land after we approached him with the proposal to lease the land for solar development. That decision was based upon his conviction that (i) solar development will have less impact on the site, the neighborhood and the community than a residential development; (ii) he can lease the property to us rather than selling it to others and giving up ownership of his family’s land forever; and (iii) at the end of the Lease, the solar facility will be removed, the land restored, and it will again be available for his family’s use. If, however, the Town does not approve the proposed solar development, Mr. Lockwood is committed to proceed with a residential development at the site.

Since introducing the proposed solar project to the Town, we have had considerable feedback relative to the impacts such development might have, particularly with regard to tree cutting and land disturbance. Recognizing that the property will likely be developed, whether for the currently proposed solar project or as one of the previously proposed 20-lot residential subdivisions, we have given careful consideration to the impacts each of those development types will have ... during construction, upon completion, and long-term. After a discussion with, and at the suggestion of Yorktown’s Planning Department, we developed the following comparison of the potential impacts of the three projects, not only on the Town of Yorktown, but also upon the Town of Putnam Valley and the Putnam Valley Central School District.

Obviously, the development of any of the three projects at the Lockwood site will have impacts, but the impacts for each will be different with regard to features, degree and length of term. An objective analysis clearly demonstrates that the proposed solar project will have significantly less impact on the site, the neighborhood and the community than the development of a residential subdivision ... from the outset and long-term.

Land Cover and Disturbance

The table below compares the changes to the land cover that would result from the development of each of the three projects:

Feature	Existing Site (Vacant)	Yorktown A Solar Farm	Cluster Subdivision	Conventional Subdivision
Treed Area	34.23 Acres	18.33 +/- Acres	19.97 +/- Acres	18.12 +/- Acres
Grass/ Meadow	0.00 Acres	15.66± Acres	11.47 +/- Acres	13.50 +/- Acres
Impervious Materials Added	0.00 Acres	0.07± Acres	Roads/Driveways 1.63 +/- Acres Houses 1.16 +/- Acre Total 2.79 +/- acres	Roads/Driveways 1.76 acres +/- Houses 0.85 +/- acres Total: 2.61 ± Acres
Pervious Gravel Added	0.00 Acres	0.17± Acres	0.00 Acres	0.00 Acres

While there has been much discussion about the tree area that would be cut to develop the solar project (15.90 acres), in fact, more tree area would be cut for the conventional subdivision (16.11 acres) and just slightly less would be cut for the cluster subdivision (14.26 acres).

Further, either of the two subdivisions will have a much greater impact on the environment, and stormwater in particular, as both would add over 2 ½ acres of impervious materials for roads, driveways, patios and roofs as compared to less than the 1/10th of an acre needed for the solar project.

The paved roads and driveways of the subdivisions would eliminate natural filters for watershed- bound pollutants and the vehicles using those roads and driveways would introduce fuel, oil, grease, road salt and other pollutants to the watershed. The solar project would have no paved surfaces and, with almost no vehicular traffic to or from the project site, introduce no pollutants to the watershed.

Most significant, however, is the fact that, at the end of the life of the solar project, the solar arrays and all appurtenances would be removed and the land restored as much as practicable to its original condition ... with a financial surety posted with the Town to assure that those conditions are fulfilled. Either of the two subdivisions, with their roads, infrastructure, utilities, 20 homes and driveways, would be forever!

Construction Time

The site work necessary to and the construction of the solar project will take approximately 12 weeks. Upon completion, except for periodic visits to the site for inspections and maintenance, there will be no vehicular traffic to or from the project site.

The development of either of the 20-lot subdivisions will likely take three to five years, with the noise of construction and the traffic from construction vehicles a part of the Foothill Street and Lockwood Road neighborhoods throughout that period.

Traffic, Emissions and Greenhouse Gas Effect

Except for periodic visits by way of the single gravel driveway to the site for inspections and maintenance, once the solar project is completed, there will be no vehicular traffic to or from the project site.

On the other hand, either of the two residential subdivisions will result in a significant increase in motor vehicle traffic over Foothill Street and/or Lockwood Road and the resulting emissions therefrom. The 20 homes will likely add at least 40 automobiles to the neighborhood, along with the concomitant cars of visitors and guests, school buses, construction and service vehicles, and the ever-present UPS, Fedex and Amazon Prime delivery trucks.

Obviously, all of the vehicles making up this subdivision traffic burn fuel to power their engines. This is a process that yields harmful greenhouse gases that are very dangerous to the environment. The emission of these pollutants has several far-reaching effects, including global warming, smog and acid rain.

While the development of either subdivision and the traffic either would generate would yield harmful greenhouse gases, the solar project would not produce air pollution and would have a positive, indirect effect on the environment as solar energy replaces or reduces the use of other energy sources that have larger effects on the environment. This one 1.87 MW AC solar project would offset the equivalent of 478 passenger vehicles driven for one year or 5,494,911 miles driven by an average passenger vehicle.

Noise

The solar project would have no audible noise beyond the project boundaries. There are no motors, turbines, or ongoing deliveries.

The subdivisions would generate noise from the above-mentioned vehicular traffic, routine outdoor activities and even barking dogs.

Lighting

The solar project would have no lighting installed at the project site.

The 20 homes and related traffic in either of the subdivisions would obviously produce outdoor illumination.

Municipal and School District Services

The solar project would have little, if any, need for Town-provided police, fire or emergency medical services ... and would put no additional children in the school system.

The residents in the 20 homes will certainly need Town-provided police, fire and emergency medical services ... and, with 20 4-bedroom homes, will definitely put another 40+ additional children in the school system.

Mitigation to Offset Impacts

Under Yorktown's recently adopted Tree Ordinance, the solar project is required to develop "mitigation measures ... to offset the impacts of the proposed regulated activities."

Con Edison's Mitigation Plan is being developed with due consideration to offsetting impacts not only to the Town of Yorktown, but also the Town of Putnam Valley and, more specifically, the Putnam Valley Central School District.

With regard to the PVCSD, ConEd CEB is mindful of the District's collaboration with its sister company, Consolidated Edison Solutions, in recent years to create an Energy Performance Contract and the former Superintendent's message at the time that "The Board of Education was interested in making a visible and meaningful statement about sustainability and energy conservation to build on the early implementation of geothermal energy."

Accordingly, the initial draft of our Mitigation Plan in connection with the solar project includes consideration of a donation to the School District so that it may collaborate with an organization such as the Children's Environmental Literacy Foundation to foster the goal of creating a lasting legacy of an environmental and civic-minded school community with a deep connection to, stewardship and understanding of the natural world.

If you or the Board have any questions, please do not hesitate to contact me.

Your consideration is appreciated.

Sincerely,

Joe Shanahan







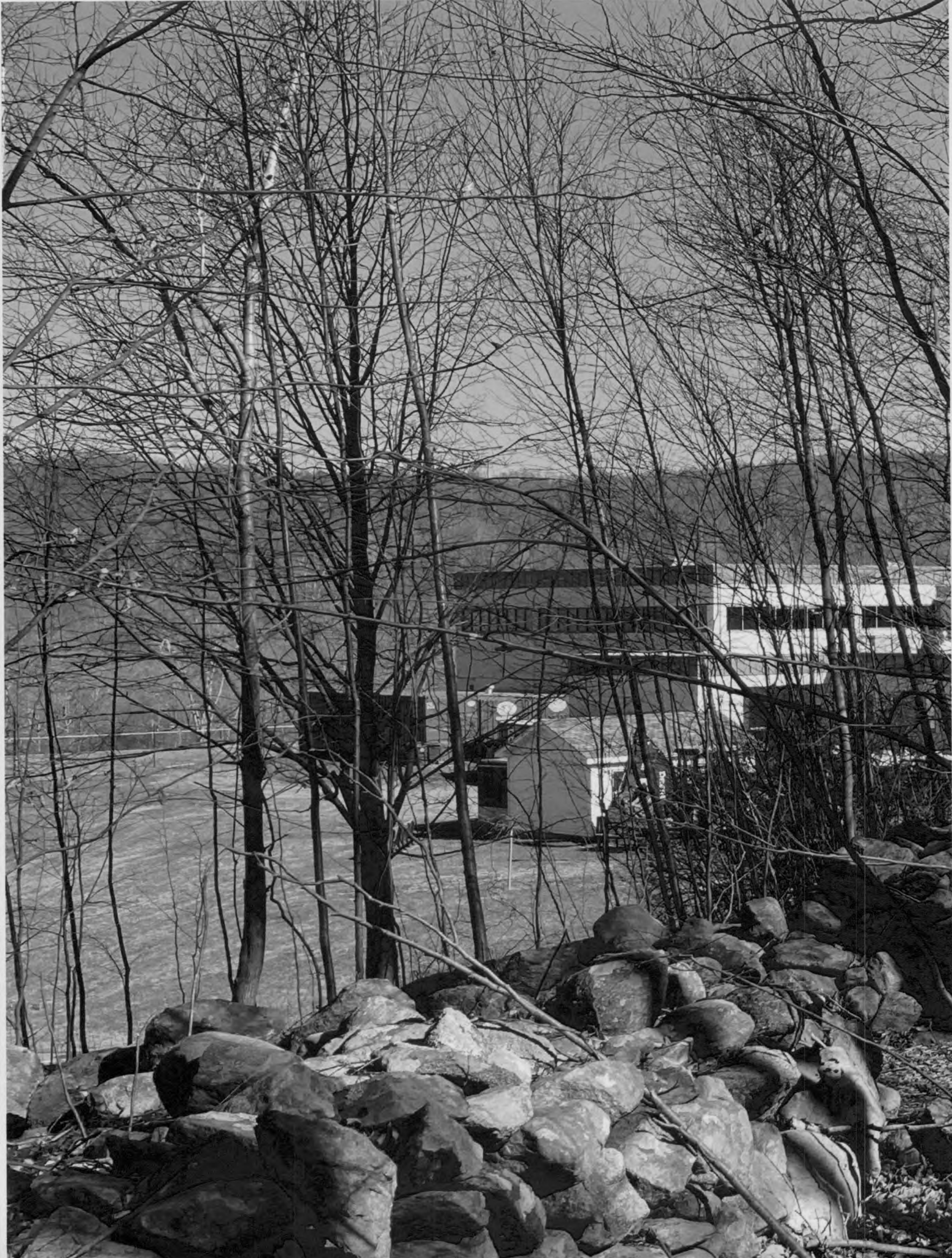














TOWN OF CORTLANDT
DEPARTMENT OF TECHNICAL SERVICES
PLANNING DIVISION

Michael Preziosi, P.E.
Director – D.O.T.S

Chris Kehoe, AICP
Deputy Director – Planning

Planning Staff
Michelle Robbins, AICP
Rosemary Boyle-Lasher

Town Hall, 1 Heady Street
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Main #: 914-734-1080

Town Supervisor
Linda D. Puglisi

Town Board
Richard Becker
Debra A. Carter
James F. Creighton
Francis X. Farrell

RECEIVED
PLANNING DEPARTMENT

APR 12 2021

TOWN OF YORKTOWN

March 13, 2021

Robin Steinberg, AICP, Town Planner
Albert A. Capellini Community & Cultural Center
1974 Commerce Street
Yorktown Heights, NY 10598

Dear Robyn,

We are providing the following comments on the Foothill Street Solar Farm:

1. If any disturbance related to the proposed solar farm is proposed within the Town of Cortlandt, a site development permit will be required. At minimum plans shall include:
 - Erosion and Sedimentation Control with details of the same.
 - Phasing and Construction Sequencing plan.
 - Details for utilities, drainage and roadway improvements.
 - Total land disturbance in Cortlandt and aggregately for the proposed development as part of common plan of development.
 - Required storm water controls for any impervious area constructed. This includes gravel driveways and low impact roadways.
 - Coverage under the SPDES General Permit for Construction Activities
2. If any utilities are to be located within the Town of Cortlandt must be located underground as described in Chapter 255 Solar Energy Systems of the Cortlandt Town Code (see § 255-8. Permitting requirements for Tier 3 solar energy systems.)

3. In addition to the visual renderings from Foothill Street visual renderings of the solar farm from Lockwood Road should also be provided. Landscaping should be installed to buffer views of the solar farm from Lockwood Road into the site.

Please feel free to contact me if you have any questions.

Thank you.



Michelle Robbins, AICP
Senior Planner
Town of Cortlandt

Robyn Steinberg

From: Shanahan, Joseph <ShanahanJ@conedceb.com>
Sent: Tuesday, March 23, 2021 3:10 PM
To: John Tegeder
Cc: Robyn Steinberg; Darbouze, Websly; Redding, Eric; Myrto, Jay; Lord, Jeffrey
Subject: Foothill Street Solar Project
Attachments: Yorktown A_Stormwater Peak Flow Summary Table.pdf

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John,
In follow-up to your question last night about the pre-construction versus post-construction peak discharge for the storm events ...
Please see the attached chart showing a 39% reduction for the 1-year event; 18% reduction for the 10-year event; and 4% reduction for the 100-year event.
Also ...
May I both you or Robyn to send me the correspondence that the Chair referred to last night.
My recollection is that there were letters from the Putnam Valley School District and the TCAC, but, if there are others, please provide those also.
As always, your cooperation is appreciated.
Joe

Joe Shanahan
Project Developer

Con Edison Clean Energy Businesses
100 Summit Lake Drive
Valhalla, NY 10595
M: (978) 888-4088
E: ShanahanJ@conedceb.com
W: ConEdCEB.com



Nothing contained in this e-mail shall be considered a legally binding agreement, amendment or modification of any agreement, each of which requires a separate fully executed agreement in writing with signatures. The Con Edison Clean Energy Businesses, Inc., through its three main subsidiaries; Con Edison Development, Con Edison Energy, and Con Edison Solutions, develops, owns and operates renewable and energy infrastructure assets and provides energy-related products and services to wholesale and retail customers. It is headquartered, along with its subsidiaries, in Valhalla, NY. We are an Affirmative Action/Equal Opportunity Employer. Please visit the Con Edison Clean Energy Businesses online at www.conedceb.com for more information.



Yorktown A Solar Project Existing and Proposed Peak Discharge for the Storm events

Storm Events	Existing Conditions (cfs)	Proposed Conditions (cfs)	Change (%)
1-Year	2.78	1.69	-39%
10-Year	26.92	22.08	-18%
100-Year	88.24	84.78	-4%

Robyn Steinberg

From: Guy Cohen <gcohen@pvcsd.org>
Sent: Friday, April 09, 2021 3:32 PM
To: Robyn Steinberg
Subject: Proposed Con-Ed Solar Farm in Yorktown

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Ms Steinberg- I am a resident of Putnam Valley, NY and I am also a member of the Putnam Valley School Board. I am writing to express my concern and concerns of the people in this area, about the proposed CON-ED solar farm off of FOOTHILL ROAD in Yorktown. My concerns involve possible ecological problems. I first want to note on the other side of Foothill Road, in Putnam Valley is the PV High School and Middle School. The first concern- is the view that one will have when the forest area is cleared for the solar farm. Then there is a very strong possibility that due to change of the ecological setting - removal of the trees, there will possibly be an increased runoff onto the school property after rain. Finally, there is the possibility of safety concerns of the solar farm- will there be any chance that possibly rays, etc from the reflectors could impact the students as the walk and run around the school property. I should note that there is a running trail on the west side of Foothill in Putnam Valley, that the students use.

Yes- the concerns that I noted are only possibilities except for the change in the ecological environment - tree removal- habitat degradation and harm to wildlife.. If there is any possibility that they could relocate their solar farm to an area that is not near a large student population, it would be greatly appreciated.

Thank you for any consideration that you and your team can give these concerns.

Guy Cohen
gcohen@pvcsd.org

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MAR 22 2021

TOWN OF YORKTOWN

To: Yorktown Planning Board
From: Yorktown Tree Conservation Advisory Commission (TCAC)
Date: March 22, 2021
cc: Yorktown Planning Dept. (J. Tegeder, R. Steinberg, N. Calicchia); Engineering Dept. (L. Kobiliak); Conservation Board (K. Hughes); Town Supervisor (M. Slater); Town Clerk (D. Quast); TCAC members (L. Klein, T. Schmitt, K. Schepart)

Re: Initial TCAC comment on proposed solar facility at 3849 Foothill Street

Dear Chairman Fon and members of the Planning Board:

The TCAC received additional documents relating to this project on March 17, 2021. We have the following initial comments:

1. Requirements under the revised tree law for non-administrative permit applications per §270-8.C should be followed so the adequacy of the proposed mitigation may be evaluated and determination made whether off-site or other mitigation should be considered.
2. The comparison of solar vs. residential development by Joe Shanahan on behalf of the applicant is instructive. While there may be some opportunities for mitigation of tree removals under residential development, the comparison makes clear the superior environmental benefits of the solar development. The non-permanent alteration of the landscape under the solar plan is key when compared to permanent alteration under the residential alternative, not to mention the environmental benefits of providing a significant amount of clean energy.

Sincerely,

Bill Kellner, Chair, Tree Conservation Advisory Commission
Lawrence W. Klein, PE, Member
Keith Schepart, ISA, Member
Tom Schmitt, Member

MAR 4 2021

Nancy Calicchia

From: Maureen Bellino <mbellino@pvcasd.org> TOWN OF YORKTOWN
Sent: Tuesday, March 2, 2021 3:48 PM
To: Robyn Steinberg; John Tegeder; Planning Department
Cc: Jill Figarella; Jeremy Luft; Sam Oliverio; David Spittal
Subject: Board of Education Resolution Related to Proposed Yorktown Solar Farm

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Please include the following with the information I emailed earlier today related to the proposed Yorktown Solar Farm. Thank you.

At their January 21, 2021, meeting, the Putnam Valley Central School District Board of Education passed the following resolution:

Whereas, the Con Edison Clean Energy Businesses, Inc. is presently before the Yorktown Planning Board asking to install a 16-acre solar farm on the property bordering our Middle/High School campus;
Whereas, the district has hired an engineer to study the proposed solar farm and make recommendations to the school district;
Whereas, this project will require significant deforestation of a 5.8-acre section of property directly behind the school's property. The removal of trees results in more groundwater to accumulate due to the loss of evapotranspiration;
Whereas, runoff from the deforested land could create significant infrastructure damage and cost burden to the adjacent Putnam Valley Middle School/High School Campus;
Whereas, the proposed stormwater management plan could significantly impact the district's property by diverting the watershed to a location that will direct runoff onto the school's property;
Whereas, noise from the proposed project's electrical equipment will put an end to the tranquility enjoyed by Putnam Valley students, faculty, and community members as they use the Wellness trail along the perimeter of the School District property;
Whereas, the viewshed of the proposed project will forever destroy the picturesque setting of Putnam Valley Middle School/High School Campus as a beautiful adjacent forest is replaced by unsightly solar panels, inverters, and other electrical equipment;
Whereas, this project will not only destroy the natural habitat of many of our forest creatures but will lay waste to the beautiful and abundant natural growth in the area;
Whereas, the Putnam Valley School District supports solar farms but with the caveat that they should be placed on available pasteurized land in the region.
Therefore, the Putnam Valley School District, in collaboration with the Town of Putnam Valley, hereby opposes the placement of the Con Edison Clean Energy Business Solar Farm on the property adjacent to Foothill St., Lockwood Rd. by Casey Court and Woodland Blvd. for its detrimental impact upon the environment, the destruction of 100's of trees, and its impact on this ecologically sensitive area.

*Motion by Barbara Parmly, second by Joseph Ferraro.
Final Resolution: Motion Carries
Yea: Guy Cohen, Jeanine Rufo, Joseph Ferraro, Barbara Parmly, Janette Yetter*

--
Thank you.
Maureen Bellino
District Clerk &
Secretary to the Supt. of Schools, Dr. Jeremy Luft
Putnam Valley Central School District
171 Oscawana Lake Road
(Administrative Offices are Located in Building Behind the Elementary School)
Putnam Valley, NY 10579
845 528-8143 x1367

MAR 4 2021

Nancy Calicchia

From: Maureen Bellino <mbellino@pvcasd.org> TOWN OF YORKTOWN
Sent: Tuesday, March 2, 2021 1:46 PM
To: John Tegeder; Planning Department
Cc: Sam Oliverio; Jeremy Luft; Jill Figarella; David Spittal
Attachments: Yorktown Planning Board-wAttach-Solar Farm-LuftJ-March 2021.pdf

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Good afternoon,

Attached please find correspondence related to the proposed Yorktown Solar Farm project from Dr. Jeremy Luft, Superintendent of Schools, Putnam Valley Central School District.

I have also mailed the documents to Mr. Tegeder and the Planning Board.
Thank you.

Maureen Bellino

District Clerk &
Secretary to the Supt. of Schools, Dr. Jeremy Luft
Putnam Valley Central School District
171 Oscawana Lake Road

(Administrative Offices are Located in Building Behind the Elementary School)

Putnam Valley, NY 10579
845 528-8143 x1367

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MAR 4 2021

TOWN OF YORKTOWN



March 2, 2021

To: Members of the Town of Yorktown Planning Board
Albert A. Capellini Community & Cultural Center
1974 Commerce Street, Room 222
Yorktown Heights, New York 10598

The Putnam Valley Central School District is a staunch supporter of renewable/alternative energy. In fact, much of our heating and cooling is conducted through the use of geothermal wells and many of our buildings utilize solar arrays on our roofs. Our middle school/high school campus uses zero gallons of oil to heat our buildings each winter.

Despite our support of renewable energy, the district has serious concerns regarding the proposed solar farm located off of Foothill Street in the Town of Yorktown. Our internal conversations raised enough concern that the district hired an outside consultant to review the planning documents and present the school district with recommendations. The district contracted Preferred Design and Construction, Inc., and Mr. Ed Vergano conducted on-site visitations and completed a thorough review of all the associated documentation filed with the planning board.

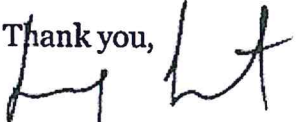
A review of the completed report (attached), acknowledges the district's initial concerns about the proposed solar farm. Findings outlined in the report address the negative effects of clearcutting a large parcel of land adjacent to the district's property. The most concerning impacts will be on the associated storm water management, visual landscape, and biodiversity.

The district has struggled for years to collect and detour the large volume of surface runoff and groundwater that cascades onto our property from Foothill Street and the adjacent properties. During a recent capital project, the district taxpayers invested over \$100,000 to make improvements to the stormwater management systems on the campus. Clearcutting thousands of trees is sure to only increase the volume of water flooding onto our property; adversely affecting our buildings, parking lots, and athletic fields.

171 Oscawana Lake Road
Putnam Valley, NY 10579
845 528-8143

We are requesting that the Town of Yorktown not allow the proposed solar farm off of Foothill Street to move forward as proposed. It is evident that this project will have an adverse impact on the neighboring properties, including the Putnam Valley Central School District. We continue to support and encourage the development of renewable energy farms but ask the Town of Yorktown to consider alternative locations, preferably on already deforested land.

We thank you for your time and consideration on this matter. Please review the attached report provided by Preferred Design and Construction Inc.

Thank you,

Dr. Jeremy Luft
Superintendent of Schools

Cc: John A. Tegeder, Director of Planning

171 Oscawana Lake Road
Putnam Valley, NY 10579
845 528-8143

Preferred Design and Construction, Inc.
96 Buckhaven Hill
Upper Saddle River, NJ 07458
(201) 602-3971
(201) 825-4213 (fax)
edvergano@gmail.com

December 23, 2020

Ms. Jill Figarella, Treasurer
Putnam Valley Central School District
171 Oscawana Lake Road, Putnam Valley, NY 10579

Re: Evaluation of Proposal for Solar Farm
Foothill Street, Yorktown, NY 10598

Dear Ms. Figarella,

We are pleased to submit this evaluation of the documents provided to us by the Putnam Valley Central School District in connection with the proposed solar farm as detailed in our November 20, 2020, proposal for services.

INTRODUCTION

Preferred Design and Construction, Inc. has been retained by the Putnam Valley Central School District (PVCSD) to evaluate potential environmental and other impacts from a proposed solar farm on an adjacent property that boards the east section of the school campus. Con Edison Clean Energy Business, Inc., Valhalla, New York, is proposing a 16-acre community solar farm on a 34-acre parcel(s) located at 3849 Foothill Street, Yorktown, New York (Section 15.07, Block 1, Lot 5) referred to herein as the "Lockwood property." As required by the New York State Environmental Quality Review Act (SEQRA), Yorktown has solicited responses from "involved or interested agencies and authorities." Yorktown has provided PVCSD an eleven-page set of plans prepared by Bergmann Associates, Albany, NY dated October 27, 2020, which details the proposal. Yorktown has also provided the PVCSD with a link to digital copies of the Stormwater Pollution Prevention Plan, (SWPPP), the Long Environmental Assessment Form (LEAF), and the Yorktown Planning Board "Site Plan" and "Special Use" permit application forms. As the review process advances, more documentation will become available regarding various environmental impacts that have yet to be determined or

identified. At present, we will review the submitted information with a focus on drainage and visual impacts on the school property. The final section of this report will detail our conclusions and recommendations for improvements and further studies in this early stage of the application process.

On Tuesday, November 17, 2020, I met at the campus with the Superintendent, Dr. Jeremy Luft, and the Director of Operations, Dave Spittal, who both described the existing groundwater drainage problem on school grounds that appears to originate (at least in part) from the steep-sloped Lockwood property. Furthermore, they both expressed concern regarding the proposed removal of thousands of trees currently visible from school property which may be replaced by a sea of solar panels.

DOCUMENT REVIEW

Our evaluation of the SWPPP and other documents will be limited to the 5.8-acre section of the Lockwood property that drains to the school property (i.e., to “design point 2”) and the section of the Lockwood property that provides the postcard quality views from the school campus.

STORMWATER RUNOFF (SWPPP)

As required by Federal and NYS Law, the SWPPP details “responsibilities for compliance with stormwater discharge permit regulations at the construction sites.” These procedures help to mitigate potential adverse impacts to water quality and quantity (i.e., rate and volume of runoff) to on and off-site areas during and after construction. These procedures also offer the opportunity to correct existing problems caused by excessive groundwater and/or surface water runoff.

Appendix C of the SWPPP, entitled “Erosion and Sediment Control Plan(s) and Details (ESC),” addresses practices such as the use of silt fence, check dams, establishing vegetative cover, installing matting on steep slopes, etc. We are concerned that the noted ESC measures may not be sufficient to control the increased runoff resulting from clear-cutting and grubbing the 5.8-acre steep, heavily treed section of the Lockwood property that discharges stormwater runoff directly onto the adjacent school property. We would like the applicant to evaluate the use of siltation basins and evaluate using a more phased approach to construction in this area.

The applicant’s engineer used “HydroCAD” to model the hydrology/hydraulic effects of the proposed solar farm. The HydroCAD stormwater model system, which is based on the widely accepted stormwater modeling developed by the USDA Soil Conservation

Service, was used to evaluate the 1-year, 10-year, and 100-year, 24-hour storm events as determined by the National Oceanic and Atmospheric Administration (NOAA).

The TR-20 methodology considers a multitude of characteristics including watershed areas (i.e., sub-catchments), soil types, soil permeability, vegetative cover, time of concentration topography, rainfall intensity, ponding, etc.

As mentioned above, the objective of stormwater mitigation is to reduce the rate of runoff to pre-development conditions and to preserve water quality. Usually, when land is cleared for development without a properly sized detention or retention structure, the post-development rate of runoff will exceed the pre-development rate of runoff. This occurs usually because the post-development condition of the site has a less pervious surface (i.e., a greater CN value) and a quicker runoff time. This is easy to understand when a meadow is developed for commercial or multi-family residential use. At the Lockwood property, the existing steep slopes are covered with mature trees that soak up groundwater and, in my opinion, should have been assigned a higher CN value (i.e., "Woods" with a "Good" underbrush, not "Fair"). Furthermore, the time of concentration (i.e., the time it takes for runoff from the most hydrologically distant point in the 5.8-acre watershed to reach the design point) appears to be too low for the existing and too high in the model of the proposed condition. Since the size of both detention ponds is dependent on CN and Tc, it is critical that these factors are accurate. Other issues that the designer should look at are as follows:

1. There should be at least one foot of freeboard above the 100-year storm elevation in each basin.
2. The outfall structure in Detention Pond #1 shows that the top of the weir in the outfall structure is at the same elevation as the top of the basin.
3. Detention Basin #2, which discharges directly onto the adjacent school property, is located within the 50-foot buffer—as is the proposed maintenance property located at the northeast corner of the site. In fact, the "limit of disturbance" line runs about halfway into the buffer that abuts school property. The buffer is an area that is intended to remain untouched.
4. Special care should be given to the design and construction of Detention Basin #1. In two places the detention pond borders the school watershed. With virtually no freeboard and the fact that the proposed 12-inch discharge line can get clogged, the school property must be protected from accidental spillage, or potentially worse, a breach in the wall of the pond at these two locations; thereby, discharging water from another watershed onto school property.

As previously mentioned, a permanent maintenance area is proposed at the northeast corner of the subject 5.8-acre area. Runoff is proposed to be treated in a bioretention facility. More detail is needed (possibly just a detailed profile) to evaluate this facility.

What the SWPPP does not address is the excessive groundwater problem at the school campus. The problem may be better or may get worse after the project is complete. Some concerns/issues are as follows:

1. The proposed discharge to the onsite wetlands is proposed to change from overland sheet flow through the woods to capturing runoff from the east side of the Lockwood property, located just south of the watershed that drains onto school property, via a proposed swale and directing that runoff to Detention Basin #1. This not only changes the hydrology of the onsite wetland area (the impacts to the wetlands which should be evaluated) it also may change the groundwater in the area.
2. The removal of trees results in more groundwater to accumulate due to the loss of evapotranspiration.
3. The school superintendent explained that a large section of the school parking area deteriorates rapidly even after resurfacing due to the presence of water.
4. Can installing a curtain drain along the perimeter of the steep slope adjacent to (or on) school property help to alleviate the groundwater problem?

CONCLUSION AND RECOMMENDATIONS

1. The Putnam Valley Central School District has serious concerns about the visual impact the proposed solar farm will have on its watershed. Currently, trees within and outside of the 5.8-acre watershed on the Lockwood property will be removed and replaced with near grade level solar panels. The applicant should provide the school with a 3D computer-generated video of how the view from different locations on school grounds and in the buildings will change.
2. The removal of thousands of trees will significantly affect wildlife and plant life. There should be a biodiversity study of the subject property and of the region to assess how wildlife will be affected. The study should also address the impact on the large wetland on the Lockwood property. The applicant proposes to maintain a 100-foot buffer around the wetland, thereby eliminating the need for a wetland permit. However, this wetland currently receives sheet flow on all sides. The proposal includes directing a portion of the sheet flow from the east side of the wetland via a swale to Detention Basin #1 which will direct runoff accumulated in the detention pond via a 12-inch pipe to the north end of the wetland buffer. This could have an adverse impact on the wetland.

3. The Stormwater Management Report should be modified as suggested above (e.g. the Tc and CN values) or further justification shall be provided supporting the pre vs post-development conditions affecting the school property with regard to water quality and quantity. Detention Basins 1 and 2 should be adjusted to provide at least one foot of freeboard above the 100-year flood elevation.
4. As noted above, it appears that subsurface runoff from the Lockwood property has found its way to the school property, possibly accounting for the high volume of groundwater observed by the Director of Operations who provided this office with pictures and a video showing what the Director described as groundwater pouring into an open excavation conducted a few years ago for a utility installation. He also stated that groundwater is likely responsible for the rapid deterioration of the asphalt parking area closest to the Lockwood property. Therefore, it is advised that an appropriately sized curtain drain be installed along the southeast end of the school property.
5. To lessen visual and drainage impacts, the applicant should consider increasing the 50-foot buffer on the Lockwood property abutting the school property to 100-foot. At a minimum, the 50-foot buffer should not be disturbed for any reason as noted above.

Thank you for the opportunity to evaluate potential adverse impacts to the school property that could result from the construction of the proposed solar farm.

Please feel free to contact me anytime if you have any questions or comments.

Respectfully submitted,
Ed Vergano, P.E., President



March 12, 2021

Mr. John A. Tegeder, Director of Planning
Yorktown Community & Cultural Center (YCCC)
1974 Commerce Street
(Top Floor, Room 222)
Yorktown Heights, NY 10598
(914) 962-6565

Dear Mr. Tegeder;

On behalf of Con Edison Clean Energy Businesses, Inc., enclosed please find an updated submission for the Yorktown A Solar Farm Project. It is our understanding that this project has been placed on the agenda for the March 22nd, 2021 Planning Board meeting for consideration. The project involves the installation of ground mounted photovoltaic panels and battery storage on a vacant forested parcel west of Foothill Street and north of Lockwood Road.

Please find the enclosed items for your review for the proposed Yorktown A Solar Project:

- Eight (8) copies of the Site Plan Set
- Two (2) copies of the Stormwater Pollution Prevention Plan (SWPPP)
- Fifteen (15) copies of the Photo Simulations
- Fifteen (15) copies of the Comparative Narrative

This letter is also provided in response to a memorandum we received from the Town of Yorktown Engineering Department, dated November 9, 2020. Provided below are the comments from the memorandum followed by our responses in bold.

The scope of work for this project was not clearly defined in the submitted documents so we are providing following guidance regarding Engineering Department permits:

- Wetlands: required if there is any disturbance or work occurring in the watercourses or wetlands on the property. Also applies to the 100-foot buffer areas around the watercourses and wetlands,
 - The proposed project will not disturb any wetlands or watercourses on the project site. In addition, the proposed project and all proposed disturbance is outside the 100-foot buffer area adjacent to the stream and wetlands.
- MS4 Stormwater Management: required if there will be a soil disturbance in excess of 50 cubic yards,
 - The SWPPP and corresponding Stormwater calculations have been submitted for Town review and the MS4 Management Permit will be completed and submitted under separate cover as the project progresses through the approval process.



- Tree Removal: Will be required as we understand many trees are being removed.
 - The Tree Permit Application was submitted in the first application package dated October 27, 2021. In addition, a Tree Mitigation Plan, dated November 30, 2020 was prepared in order to address the enacted Town Tree Law. The proposed Tree Mitigation Plan describes different measures designed to mitigate the potential impacts of clearing trees on the project site. The proposed measures are based upon the options provided in the Tree Law, as well as items we consider important to the Town. Furthermore, the plan proposes a PILOT agreement with the Town which follows the guidance provided by the New York State Energy Research and Development Authority (NYSERDA).

We note that there are several environmental features on the property site, including the watercourses and wetlands noted, plus there is a FEMA 100-year floodplain running through the property. Approximately one third of the site contains steep slope (slopes in excess of 15%)

- Noted, all environmental features as well as all applicable 100-foot buffers on the property site are being avoided. Solar panel development on slopes in excess of 15% is common and within the allowable range.

In order to complete our technical review, additional information is needed to fully describe the scope of land disturbance, the purpose and function of stormwater detention ponds, the calculations to show if there is an increase in stormwater runoff, the tree removal survey and tree mitigation plan. We also think it would be very beneficial if the Applicant provided photo renderings of the existing site conditions and the proposed condition.

- The stormwater Pollution Prevention Plan (SWPPP) is included as an attachment to this letter and provides all information regarding the land disturbance, the purpose and function of the stormwater detention ponds as well as the calculations pertaining to the stormwater treatment and storage necessary to meet the requirements of the New York State Department of Environmental Conservation and the Town of Yorktown. In addition, the limits of tree clearing are shown on the Site Plans, a tree mitigation plan was included in our previous submission and photo renderings of the existing site conditions and proposed site conditions is included as an attachment to this letter.

Should you have any questions or require additional information, do not hesitate to contact me at (518) 556-3631 or by email at eredding@bergmannpc.com.

Sincerely,

Eric Redding, PE, LEED AP
DISCIPLINE LEADER, BERGMANN

Cc: Joe Shanahan – Con Edison Clean Energy Businesses, Inc.

March 12, 2021

John Tegeder, R. A.
Director of Planning
Town of Yorktown
Albert A. Capellini Community & Cultural Center
1974 Commerce Street
Yorktown Heights, NY 10598

Re: Proposed Foothill Street Solar Project
Comparison to Previously Proposed Residential Subdivisions

Dear Mr. Tegeder:

Con Edison Clean Energy Businesses, Inc. is proposing to develop a ground-mounted solar facility on approximately 16 acres of land at 3849 Foothill Street in Yorktown, New York under a Lease with the landowner, William Lockwood, whose family has owned the land for generations.

As you are aware, Mr. Lockwood has previously explored two other development projects with the Town for this same site. Each of those projects proposed a 20-lot residential subdivision, with access roads and appurtenant utility services. One of the developments was designed as a cluster subdivision with 2 proposed access roads. The other development was designed as a conventional subdivision with 3 proposed access roads.

Mr. Lockwood deferred consideration of the residential development of his land after we approached him with the proposal to lease the land for solar development. That decision was based upon his conviction that (i) solar development will have less impact on the site, the neighborhood and the community than a residential development; (ii) he can lease the property to us rather than selling it to others and giving up ownership of his family's land forever; and (iii) at the end of the Lease, the solar facility will be removed, the land restored, and it will again be available for his family's use. If, however, the Town does not approve the proposed solar development, Mr. Lockwood is committed to proceed with a residential development at the site.

Since introducing the proposed solar project to the Town, we have had considerable feedback relative to the impacts such development might have, particularly with regard to tree cutting and land disturbance. Recognizing that the property will likely be developed, whether for the currently proposed solar project or as one of the previously proposed 20-lot residential subdivisions, we have given careful consideration to the impacts each of those development types will have ... during construction, upon completion, and long-term. After a discussion with, and at the suggestion of, Mr. Tegeder, we are submitting this comparison of the potential impacts of the three projects.

Obviously, the development of any of the three projects at the Lockwood site will have impacts, but the impacts for each will be different with regard to features, degree and length of term. An objective analysis clearly demonstrates that the proposed solar project will have significantly less impact on the site, the neighborhood and the community than the development of a residential subdivision ... from the outset and long-term.

Land Cover and Disturbance

The table below compares the changes to the land cover that would result from the development of each of the three projects:

Feature	Existing Site (Vacant)	Yorktown A Solar Farm	Cluster Subdivision	Conventional Subdivision
Treed Area	34.23 Acres	18.33 +/- Acres	19.97 +/- Acres	18.12 +/- Acres
Grass/ Meadow	0.00 Acres	15.66± Acres	11.47 +/- Acres	13.50 +/- Acres
Impervious Materials Added	0.00 Acres	0.07± Acres	Roads/Driveways 1.63 +/- Acres Houses 1.16 +/- Acre Total 2.79 +/- acres	Roads/Driveways 1.76 acres +/- Houses 0.85 +/- acres Total: 2.61± Acres
Pervious Gravel Added	0.00 Acres	0.17± Acres	0.00 Acres	0.00 Acres

While there has been much discussion about the tree area that would be cut to develop the solar project (15.90 acres), in fact, more tree area would be cut for the conventional subdivision (16.11 acres) and just slightly less would be cut for the cluster subdivision (14.26 acres). See the attached maps showing the roads and yard areas for each of the two residential subdivisions.

As can also be seen from the attached maps, tree cutting for the conventional subdivision would be far more impactful on the Foothill Street viewshed than the solar project as the land fronting on Foothill Street would be nearly clear-cut to a depth of at least 50 feet for the access road, the front yards for the five house lots and driveways in that subdivision. There would likely be no landscape screening required along Foothill Street and no plantings in mitigation for the trees removed. Similarly, the cluster subdivision would have an access road and three house lots and driveways on Foothill Road with likely no landscape screening required and no plantings in mitigation for the trees removed. The solar project, on the other hand, would leave undisturbed a 15-foot strip of existing vegetation along Foothill Street and further enhance that natural buffer with an additional 212 plantings, installed at a cost of \$160,000, to enhance the natural screening and in mitigation for the trees removed for the project. See the Landscaping & Plantings in Mitigation Plan attached (and included in the Site Plan set as Sheet C006 at a larger scale). See also the Landscaping and Plantings for Mitigation Inventory and Cost Estimate attached.

Further, either of the two subdivisions will have a much greater impact on the environment, and stormwater in particular, as both would add over 2 ½ acres of impervious materials for roads, driveways, patios and roofs as compared to less than the 1/10th acre needed for the solar project.

The paved roads and driveways of the subdivisions would eliminate natural filters for watershed-bound pollutants and the vehicles using those roads and driveways would introduce fuel, oil, grease, road salt and other pollutants to the watershed. The solar project would have no paved surfaces and, with almost no vehicular traffic to or from the project site, introduce no pollutants to the watershed.

Most significant, however, is the fact that, at the end of the life of the solar project, the solar arrays and all appurtenances would be removed and the land restored as much as practicable to its original condition ... with a financial surety posted with the Town to assure that those conditions are fulfilled. Either of the two subdivisions, with their roads, infrastructure, utilities, 20 homes and driveways, would be forever!

Construction Time

The site work necessary to and the construction of the solar project will take approximately 12 weeks. Upon completion, except for periodic visits to the site for inspections and maintenance, there will be no vehicular traffic to or from the project site.

The development of either of the 20-lot subdivisions will likely take three to five years, with the noise of construction and the traffic from construction vehicles a part of the Foothill Street and Lockwood Road neighborhoods throughout that period.

Visual Impact

With the solar panels set at an angle with a maximum height of 12 feet, the low-profile solar project would have virtually no visual impact in any direction. There is substantial natural screening which will be left untouched to the south between Lockwood Road and the project site. Similarly, to the south and west, a 15.7-acre area along the stream will be left undisturbed, providing more than ample natural screening from those directions to the project site. And, while there is some natural screening between the school campus to the north and the project site, the natural topography between the two properties will make any visual impact from that direction negligible.

Absent an extensive landscape screening and planting for mitigation plan, the solar project would, however, have some visual impact from the Foothill Street viewshed to the east. The project will be set back 55 feet from the roadway and there is natural screening in that setback, but it would not be sufficient to completely screen the project site from that direction.

Accordingly, Con Edison CEB has worked with a registered landscape architect to develop a dense and extensive planting plan to enhance the natural screening already there. That plan, with a cost of \$160,000, provides for an additional 212 plantings, averaging over six feet in height when installed on Day 1 and growing to an average height of nearly 14 feet in Year 5.

Again, see the Landscaping and Plantings for Mitigation Inventory and Cost Estimate attached, along with the Year 5 average growth rate chart developed on information from the Arbor Day Foundation annexed thereto.

Photo Simulations showing the screening of the solar project provided as a result of the Landscaping & Plantings in Mitigation Plan, with plantings averaging over six feet in height when installed on Day 1 and growing to an average height of nearly 14 feet in Year 5, have been provided to the Planning Board under separate cover. As demonstrated by those Photo Simulations, the solar project will be well-screened with negligible visual impact from Day 1, but, at Year 5, the project will be almost invisible from any direction.

Either of the two subdivisions will certainly be visible from the Foothill Street and Lockwood Road viewsheds. Compared to the low-profile 12-foot high solar panels, the subdivisions would each consist of 20 homes, likely to be 3,000 square feet in size and 25 to 30 feet in height. In the conventional subdivision, the land fronting on Foothill Street would be nearly clear-cut to a depth of at least 50 feet for the access road and five house lots and driveways in that subdivision. There would likely be no landscape screening required along Foothill Street and no plantings in mitigation for the trees removed. Similarly, the cluster subdivision would have an access road and three house lots and driveways on Foothill Road with likely no landscape screening required and no plantings in mitigation for the trees removed.

Traffic, Emissions and Greenhouse Gas Effect

Except for periodic visits by way of the single gravel driveway to the site for inspections and maintenance, once the solar project is completed, there will be no vehicular traffic to or from the project site.

On the other hand, either of the two residential subdivisions will result in a significant increase in motor vehicle traffic over Foothill Street and/or Lockwood Road and the resulting emissions therefrom. The 20 homes will likely add at least 40 automobiles to the neighborhood, along with the concomitant cars of visitors and guests, school buses, construction and service vehicles, and the ever-present UPS, Fedex and Amazon Prime delivery trucks.

Obviously, all of the vehicles making up this subdivision traffic burn fuel to power their engines. This is a process that yields harmful greenhouse gases that are very dangerous to the environment. The emission of these pollutants has several far-reaching effects, including global warming, smog and acid rain.

While the development of either subdivision and the traffic either would generate would yield harmful greenhouse gases, the solar project would not produce air pollution and would have a positive, indirect effect on the environment as solar energy replaces or reduces the use of other energy sources that have larger effects on the environment. This one 1.87 MW AC solar project would offset the equivalent of 478 passenger vehicles driven for one year or 5,494,911 miles driven by an average passenger vehicle. See the attached EPA Greenhouse Gas Equivalencies Calculator.

Wildlife Habitat

While the tree removal necessary for any of the three projects is comparable, the completed projects would have a significantly different impact on the wildlife habitat.

The conventional subdivision would remove 16.11 acres and the cluster would remove 14.26 acres from the current 34.23-acre habitat, but the solar project would remove nearly no land area from the habitat.

The roads, infrastructure and stormwater treatment features, house lots and driveways, along with the residential activities that would come with 20 new homes in either subdivision would virtually eliminate the wildlife habitat in those developed areas. And there would likely be no prohibition on the homeowners from using pesticides and herbicides in their yards.

Over and above the 18.32 acres left wholly undisturbed and untouched by the solar project development, once the project is completed, almost all of the 15.90 acres disturbed to construct the project would be returned to grass and meadow, using a pollinator seed and/or plantings, as suggested by a Certified Ecological Restoration Practitioner with whom the Applicant has previously consulted. Further, with all of the solar panels approximately three feet off of the ground and the fence enclosing the solar array installed six inches above the ground, wildlife will be able to traverse the entire 34.23-acre site. Finally, except for periodic inspectional visits, the project site will be devoid of any human activities which might disturb the habitat. And, per company policy, pesticides and herbicides would be prohibited at the site throughout the life of the project.

Noise

The solar project would have no audible noise beyond the project boundaries. There are no motors, turbines, or ongoing deliveries.

The subdivisions would generate noise from the above-mentioned vehicular traffic, routine outdoor activities and even barking dogs.

Lighting

The solar project would have no lighting installed at the project site.

The 20 homes and related traffic in either of the subdivisions would obviously produce outdoor illumination.

Town Services

The solar project would have little, if any, need for Town-provided police, fire or emergency medical services ... and would put no additional children in the school system.

The residents in the 20 homes will certainly need Town-provided police, fire and emergency medical services ... and, with 20 4-bedroom homes, will definitely put another 40+ additional children in the school system.

For all of the reasons set forth above, the solar project will be far less impactful to the Lockwood site, the neighborhood and the Town of Yorktown than would be either of the subdivisions.

Sincerely,

Joe Shanahan

Solar Developer

CLUSTER SUBDIVISION



SINGLE FAMILY HOME SUBDIVISION



LEGEND	CLUSTER SUBDIVISION (ACRES)	SINGLE FAMILY HOME SUBDIVISION (ACRES)	
	TREES	19.97±	18.12±
	GRASS	11.47±	13.50±
	DRIVEWAY	1.63±	1.76±
	HOUSE	1.16±	0.85±

YORKTOWN A SOLAR FARM FOOTHILL STREET

TOWN OF YORKTOWN
WESTCHESTER COUNTY
NEW YORK

**CON EDISON CLEAN
ENERGY BUSINESSES, INC.**

100 SUMMIT LAKE DRIVE
VALHALLA, NY 10595

B BERGMANN
ARCHITECTS ENGINEERS PLANNERS

Bergmann Associates, Architects, Engineers,
Landscape Architects & Surveyors, D.P.C.
2 Winners Circle, Suite 102
Albany, NY 12205

office: 518.862.0325

www.bergmannpc.com

REVISIONS				
NO.	DATE	DESCRIPTION	REV.	CKD
1	1/28/2021	PLAN REVISIONS	WD	ECR

**PRELIMINARY
NOT FOR CONSTRUCTION**

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Landscape Architects & Surveyors, D.P.C.

Note:
Unauthorized alteration or addition to this drawing is a violation of
the New York State Education Law Article 145, Section 7209.

Project Manager	Checked By
ECR	ECR
Designed By	Drawn By
WD	WD
Date Issued	Title
OCTOBER 27, 2020	1"=100'
Project Number	14847,00

**LANDSCAPING & PLANTING
FOR MITIGATION PLAN**

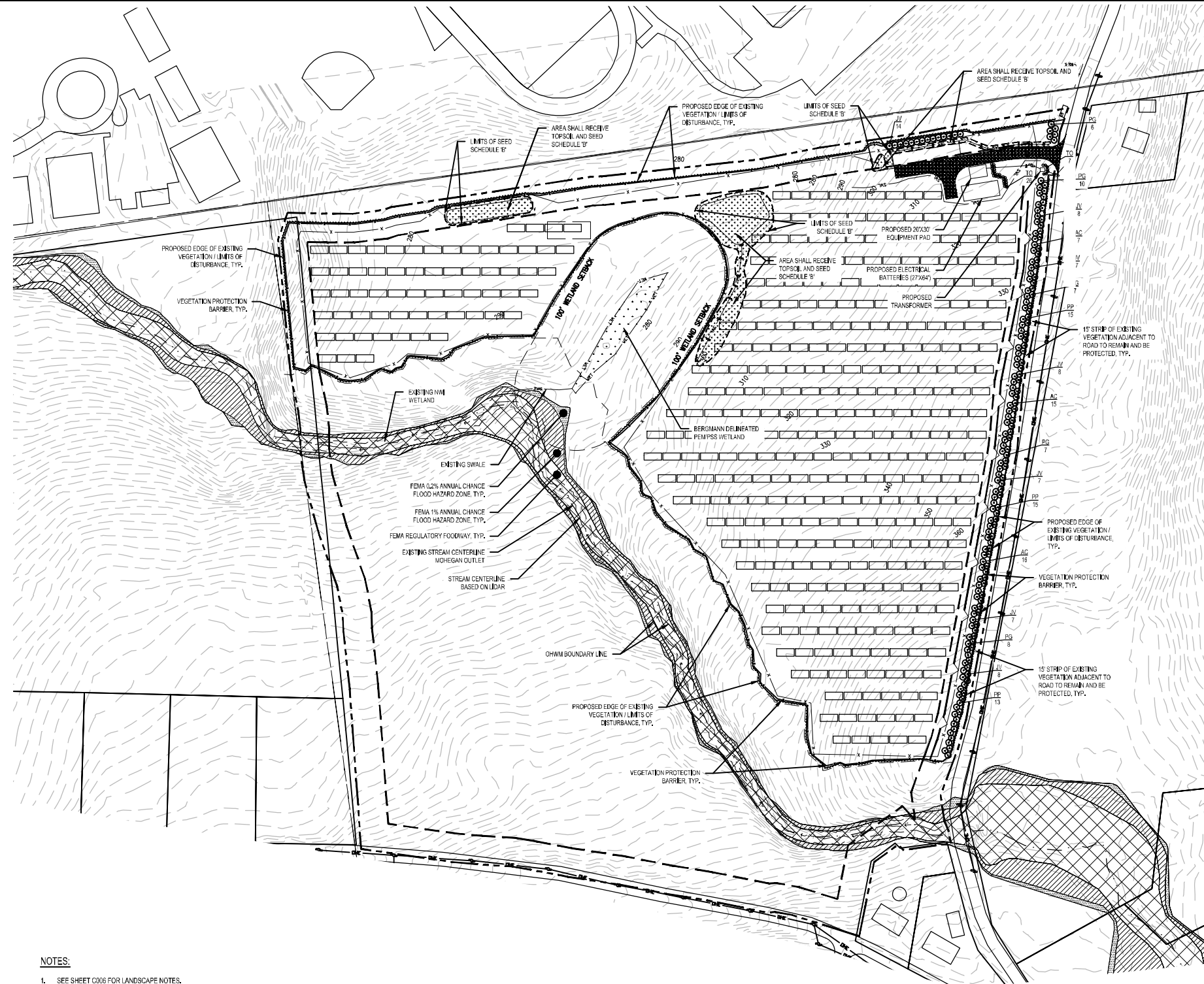
CALL BEFORE YOU DIG!
NEW YORK LAW REQUIRES
NOTICE AT LEAST 2 FULL WORKING DAYS,
BUT NOT MORE THAN 10 FULL WORKING DAYS,
BEFORE EXCAVATION IS SCHEDULED TO BEGIN.

Dig|Safely. New York
1-800-962-7962

Drawing Number:

C006

7 of 12



LEGEND:

- PROPOSED TREE PLANTING
- VEGETATION PROTECTION BARRIER
- SEED LIMIT LINE
- SEED SCHEDULE 'B'
- PROPOSED GRAVEL DRIVEWAY
- FEMA 1% ANNUAL CHANCE FLOOD HAZARD
- FEMA 0.2% ANNUAL CHANCE FLOOD HAZARD
- EXISTING FEMA REGULATORY FLOODWAY
- EXISTING ROAD
- ADJ. PROPERTY/R.O.W. LINE (SURVEYED)
- FENCE LINE
- EXISTING VEGETATION
- PROPOSED LIMITS OF TREE CLEARING
- BERGMANN DELINEATED PALUSTRINE EMERGENT WETLAND (PEM) / PALUSTRINE SCRUB SHRUB WETLAND (PSS)
- @ STREAM
- 100' WETLAND SETBACK

NOTES:

- SEE SHEET C006 FOR LANDSCAPE NOTES.
- SEE SHEET C007 FOR LANDSCAPE DETAILS.
- SEE SHEET C009 FOR SEED SCHEDULES.

PLANT LIST

Key	Qty	Botanical Name	Common Name	Mature Size		Installed Size	Condition	Notes
				Height	Spread			
Evergreen Trees								
AC	39	Abies concolor	White Fir	50-75' Ht.	20-30' Sprd.	6-7' Ht.	B&B	
JV	59	Juniperus virginiana	Eastern Red Cedar	30-60' Ht.	10-25' Sprd.	8' Ht.	B&B	
PG	38	Picea glauca	White Spruce	40-60' Ht.	10-20' Sprd.	8' Ht.	B&B	
PP	43	Picea pungens	Colorado Spruce	30-60' Ht.	10-20' Sprd.	7-8' Ht.	B&B	
Evergreen Shrubs								
TD	33	Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitae	7-15' Ht.	3-4' Sprd.	5' Ht.	B&B	

M:\Con Edison\CEED\14847,00\Con Edison CEEB - Yorktown A Solar Farm\4.0 Drawings\4.1 Civil\14847,00_Landscape Planting.dwg 3/2/2021 1:26 PM

Landscaping & Planting for Mitigation Budget Cost Estimate

February 5, 2021

Item Description	Unit	Quantity	Unit Price (2020 \$)	Cost
Tree Plantings				
AC - Abies concolor - White Fir (6-7' Height)	EA	39	\$600	\$23,400
JV - Juniperus virginiana - Eastern Red Cedar (8' Height)	EA	59	\$700	\$41,300
PG - Picea glauca - White Spruce (8' Height)	EA	38	\$700	\$26,600
PP - Picea pungens - Colorado Spruce (8' Height)	EA	43	\$650	\$27,950
TO - Thuja occidentalis 'Emerald Green' - Emerald Green Arborvitae (5' Height)	EA	33	\$450	\$14,850
			SUB-TOTAL	\$134,100
Basic Work Zone traffic Control (5%)	LS	1		\$6,705
Mobilization (4%)	LS	1		\$5,364
Survey Operations (2%)	LS	1		\$2,682
Erosion and Sediment Control (0.5%)	LS	1		\$671
			TOTAL	\$149,522
			Construction Contingency (5%)	\$7,476
			GRAND TOTAL	\$156,998
			SAY	\$160,000

Assumptions:

1. Unit cost includes installation.

PLANT LIST

Key	Qty.	Botanical Name	Common Name	Mature Size		Installed Size	Condition	Approximate Size in 5 Years
				Height	Spread			
Evergreen Trees								
AC	39	Abies concolor	White Fir	50-75' Ht.	20-30' Sprd.	6-7' Ht.	B&B	14-15' Ht. /10-12' Sprd.
JV	59	Juniperus virginiana	Eastern Red Cedar	30-60' Ht.	10-25' Sprd.	8' Ht.	B&B	15-16' Ht. /8-9' Sprd.
PG	38	Picea glauca	White Spruce	40-60' Ht.	10-20' Sprd.	8' Ht.	B&B	15-16' Ht. /8-9' Sprd.
PP	43	Picea pungens	Colorado Spruce	30-60' Ht.	10-20' Sprd.	7-8' Ht.	B&B	14-15' Ht. /10-12' Sprd.
Evergreen Shrubs								
TO	33	Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitae	7-15 Ht.	3-4' Sprd.	5' Ht.	B&B	7-8' Ht. /2-3' Sprd.

1. Average growth rates were based on information from the Arbor Day Foundation.
2. Size in 5 years represented on this table are approximate and do not take into account exact site conditions the trees will be planted in.
3. Individual trees grow at different rates depending on their condition at installation and watering/maintenance during the period of establishment. Growth rates will vary.

United States Environmental Protection Agency

Greenhouse Gas Equivalencies Calculator

1.87 MW AC Solar Project

3,132,000 kilowatt-hours of electricity

Equivalency Results

[How are they calculated?](#)

The sum of the greenhouse gas emissions you entered above is of Carbon Dioxide Equivalent. This is equivalent to:

2,214 Metric Tons

Greenhouse gas emissions from


478



Passenger vehicles driven for one year

-or-

5,494,911



Miles driven by an average passenger vehicle

CO₂ emissions from

249,178



gallons of gasoline consumed

-or-

217,529



gallons of diesel consumed

-or-


2,440,019



Pounds of coal burned

-or-

29.3



tanker trucks' worth of gasoline

-or-


256



homes' energy use for one year

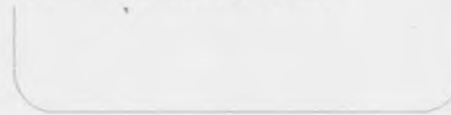
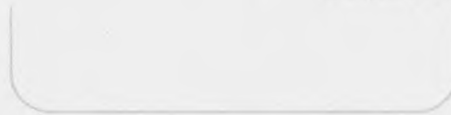
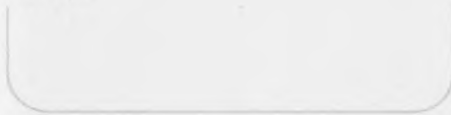
-or-

375




homes' electricity use for one year

-or-




12.2

 railcars' worth of coal burned


-or-

5,127


 barrels of oil consumed

-or-

90,526

 propane cylinders used for home barbeques

0.0006

 coal-fired power plants in one year


-or-

282,413,637

 number of smartphones charged

Greenhouse gas emissions avoided by

753

 Tons of waste recycled instead of landfilled

-or-

108

 Garbage trucks of waste recycled instead of landfilled

-or-

94,224


 trash bags of waste recycled instead of landfilled

-or-

0.178

94,126


0.470



Wind turbines running for a year

-or-


04,120



Incandescent lamps switched to LEDs

Carbon sequestered by

36,616



tree seedlings grown for 10 years

-or-


2,892



acres of U.S. forests in one year

-or-

15



acres of U.S. forests preserved from conversion to cropland in one year



November 30, 2020

Richard Fon, Chairman
Planning Board
Town of Yorktown
363 Underhill Avenue
Yorktown, NY 10598

Subject: Draft Mitigation Plan for Proposed Solar Project, Foothill Street, Yorktown, New York

Dear Mr. Fon:

As you will recall, when the subject project was introduced to the Planning Board on November 9, the Board suggested that, in accordance with the recently enacted Tree Law, we develop and submit a Draft Mitigation Plan for the Board's consideration.

We are committed to becoming excellent corporate neighbors, and, therefore, I am pleased to submit the following information related to the Mitigation Plan & Measures we are proposing.

	Mitigation Measure	Notes
1	Carbon offset	The EPA Greenhouse Gas Calculator provided herewith shows the immense positive environmental impact the Solar Projects will have, including saving nearly 55,350 Metric Tons of Carbon Dioxide emissions over the initial 25-Year term of the Project. This is equivalent to saving over 61 Million Pounds of Coal Burned, and the equivalent of the Carbon Dioxide sequester by over 72,300 acres of U.S. forests. This is also the equivalent of 478 passenger vehicles driven for one year or 5,494,911 miles driven by an average passenger vehicle.
2	Planting of pollinator friendly mix	Planting of pollinator friendly mix at the Project site to support a diverse ecosystem and habitat for pollinators.
3	Pollinator friendly ground cover- Second planting	2nd year over-seeding of additional native seed around perimeter of array, inside and outside fence for taller and more productive pollinator support.
4	Tree planting on site	We are proposing a significant Landscape Plan for the site to all but eliminate any visual impact while replanting trees directly on the site.
5	Tree planting at the Library and/or Granite Knolls Park	We are aware that the library recently removed hazardous trees. We are happy to provide a donation to support the planting of new trees or other vegetation at the Library and/or at Granite Knolls Park. Support for other of the parks in Town also.
6	Support for the Capellini Center	We had a deep affection and respect for the late Al Capellini, who represented us tirelessly in connection with framing a proposed Local Solar Law and developing this solar project before his illness. Accordingly, we feel it appropriate to support the Capellini Community & Cultural Center with funds for capital improvements and/or support of its many valuable programs and services.

7	Removal of invasive species on site	Removal of invasive species in the array areas as well as along road frontage & other important areas. This would include consultation with a field biologist to identify invasive species in those areas, along with excavation & special handling.
8	Removal of invasive species off site	We would like to work with the Town to identify critical areas where we can support invasive species removal.
9	Donation to Tree Bank Fund	We propose to donate to the Tree Bank fund for the Town to support plantings at locations identified by the Town to support the beautification of the Town.
10	Suggestions from Tree Conservation Advisory Commission	We shall solicit suggestions from the Commission with regard to additional mitigation measures which might be undertaken.
11	Suggestions from the Public	We shall solicit suggestions from the Public with regard to additional mitigation measures which might be undertaken.

The Mitigation Measures set forth above are based upon the options provided in the Tree Law, as well as items we feel are important to the Town. We look forward to discussing these in further detail to refine the Mitigation Plan.

The Mitigation Plan would be in addition to a Payment in Lieu of Taxes Agreement (PILOT) we would sign with the Town. Please refer to the attached PILOT Toolkit, which is information and guidance provided by the New York State Energy Research and Development Authority (NYSERDA). As you can see, the proposed range for PILOT payments in the ConEd Territory is from a base of \$3,700 to a high of \$11,100 per MW AC of capacity. The reason for the range is that each Solar Project has individual characteristics which greatly affect its profitability. In this case, we are proposing to make payment to the Town at the top end of the NYSERDA Guidance, that is \$11,100 per MW AC. Though some of the project specific characteristics are higher than the NYSERDA Base Case which was used to come up with the PILOT guidance, such as higher lease payments and utility interconnection costs, in the spirit of collaboration we do not propose any discounts to the PILOT rate. These payments will be made in addition to the standard property tax currently paid to the Town.

As currently designed, this proposed project have a capacity of approximately 1.87 MW AC. Based on the \$11,100 per MW AC Payment, this equals an additional tax payment to the Town of approximately \$20,757 per year, or a total of approximately \$311,355 over the term of the PILOT Agreement. This provides great tax benefit to the Town without placing any burden on Town resources or services. More specifically, our projects do not use sewer or water, do not require trash pick-up or police or fire response and, most importantly, do not put any additional children in the school system. As a result, all of this additional revenue can be used for enhancing Town programs and/or or infrastructure ... or to lower the tax burden for residents.

Your consideration of this Draft Mitigation Plan is appreciated. We look forward to becoming a good corporate neighbor in the Town and to assisting in further enhancing the community in which you and the Planning Board justifiably take such pride. We are also excited to bring these clean, renewable electricity projects to the Town. It will be a flagship facility for which you can also be proud and will act as the model for all other communities in Westchester County.



Regards,

Joe Shanahan

Joe Shanahan

Project Developer

Con Edison Clean Energy Businesses

100 Summit Lake Drive

Valhalla, NY 10595

M: (978) 888-4088

E: ShanahanJ@conedceb.com

W: ConEdCEB.com



Cc: Town Supervisor Matthew J. Slater (By Email)

John A. Tegeder, Director of Planning (By Email)

Robin A. Steinberg, AICP, Town Planner (By Email)

Bill Kellner, Chair, Tree Conservation Advisory Commission (By USPS)

JAN 18 2021

TOWN OF YORKTOWN

From: Sam Oliverio [<mailto:soliverio@putnamvalley.com>]

Sent: Tuesday, January 19, 2021 10:55 AM

To: Matthew Slater <m Slater@yorktownny.org>; John Tegeder <jtegeder@yorktownny.org>; Robyn Steinberg <rsteinberg@yorktownny.org>

Subject: Resolution Opposing the Con Edison Solar Farm

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 Morning,

Attached is a resolution approved by our Town Board at our December 16th Monthly Meeting. Please add this resolution to the public record showing our Town's concern for this project.

Sincerely,

Sam Oliverio

Supervisor - Town of Putnam Valley

845-526-2121

Carpe Diem

Resolution Concerning the Con Edison Clean Energy Businesses, Inc. planned Solar Farm.

Whereas the Con Edison Clean Energy Businesses, Inc. is presently before the Yorktown Planning Board asking to install a massive solar farm on the property bordering our Middle/High School Campus and Highfields Townhouses.

Whereas this project is enormous and will deforest the entire area from behind the schools and Highfields to Lockwood Rd. by Casey Court and Woodland Blvd.

Whereas this project will be placed in a natural forested area with the picturesque waterfalls encompassing the Mohegan Outlet (a source of the City of Peekskill's Water Supply) and other wetland designated zones.

Whereas runoff from the deforested land will create significant infrastructure damage and cost burden to the adjacent Putnam Valley Middle School/High School Campus.

Whereas rain water will be subject to an abnormal temperature increase as it cascades off of the solar panels and runs into the Mohegan Outlet causing undo stress and a disrupted environmental venue for all of the present fauna and flora.

Whereas the view shed of the proposed project will forever destroy the bucolic setting of Putnam Valley Middle School/ High School Campus as a beautiful adjacent forest is replaced by unsightly solar panels, inverters and other electrical equipment.

Whereas noise from the proposed project's electrical equipment will put an end to the tranquility enjoyed by Putnam Valley students, faculty and community members as they use the Wellness trail along the perimeter of the School District property

Whereas this project will not only destroy the natural habitat of many of our forest creatures, but will lay waste to the beautiful and abundant natural growth in the area.

Whereas the Town of Putnam Valley supports Solar Farms but with the caveat that they should be placed on already pastured land or existing abandoned farmland that is abundant and plentiful in the Counties north of us.

Therefore the Town of Putnam Valley in collaboration with the Putnam Valley School District hereby opposes the placement of the Con Edison Clean Energy Business Solar Farm on the property adjacent to Foothill St., Lockwood Rd. by Casey Court and Woodland Blvd. for its detrimental impact upon the environment, the destruction of 100s of trees and its impact on the fauna and flora of this ecologically sensitive area.

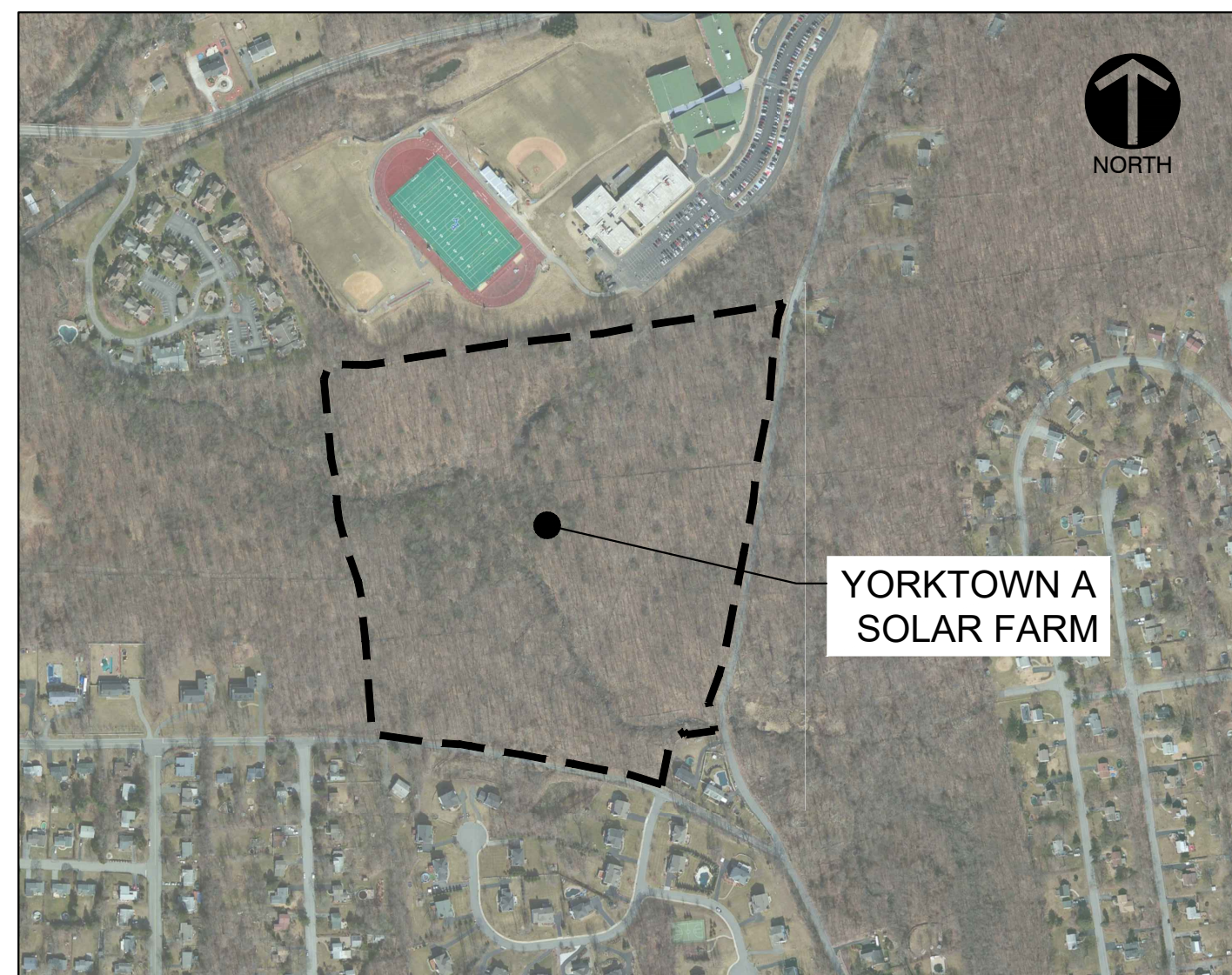
 1. 1/16/20

Sam Oliverio
Town of Putnam Valley Supervisor

CON EDISON CLEAN ENERGY BUSINESSES, INC.

YORKTOWN A SOLAR FARM SITE PLANS

FOOTHILL STREET
TOWN OF YORKTOWN



LOCATION MAP
1"=500'

SHEET INDEX			
C000	SHEET 1 OF	12	COVER SHEET
C001	SHEET 2 OF	12	OVERALL SITE PLAN
C002	SHEET 3 OF	12	SITE PLAN
C003	SHEET 4 OF	12	GRADING / SWPPP PLAN
C004	SHEET 5 OF	12	DETAILED GRADING PLAN
C005	SHEET 6 OF	12	DRIVEWAY DETAILS
C006	SHEET 7 OF	12	LANDSCAPING & PLANTING FOR MITIGATION PLAN
C007	SHEET 8 OF	12	GENERAL NOTES
C008	SHEET 9 OF	12	EROSION & SEDIMENT CONTROL DETAILS
C009	SHEET 10 OF	12	EROSION & SEDIMENT CONTROL DETAILS
C010	SHEET 11 OF	12	SITE DETAILS
C011	SHEET 12 OF	12	CONSTRUCTION DETAILS

PROJECT INFORMATION:

LATITUDE: 41.333 N
 LONGITUDE: 73.859 W
 TOWN: YORKTOWN
 COUNTY: WESTCHESTER
 STATE: NEW YORK

PROJECT OWNER/APPLICANT:

CON EDISON CLEAN ENERGY BUSINESSES, INC.
 100 SUMMIT LAKE DRIVE
 VALHALLA, NY 10595
 PH: (973) 600-4328
 CONTACT: JOE SHANAHAN

PREPARED BY:

BERGMANN
 2 WINNERS CIRCLE, SUITE 102
 ALBANY, NY 12205
 PH: (518) 862-0325
 CONTACT: ERIC REDDING, P.E.

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YORKTOWN A SOLAR FARM

FOOTHILL STREET

TOWN OF YORKTOWN
WESTCHESTER COUNTY
NEW YORK

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ENERGY BUSINESSES, INC.**

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VALHALLA, NY 10595



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COVER SHEET

C000

YORKTOWN A SOLAR FARM

FOOTHILL STREET

TOWN OF YORKTOWN
WESTCHESTER COUNTY
NEW YORK

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Project Number: 14847.00	

OVERALL SITE PLAN

Drawing Number:

C001

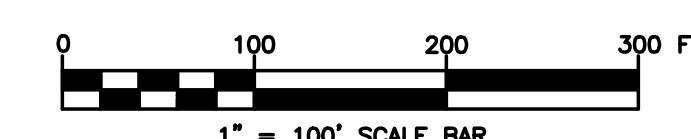
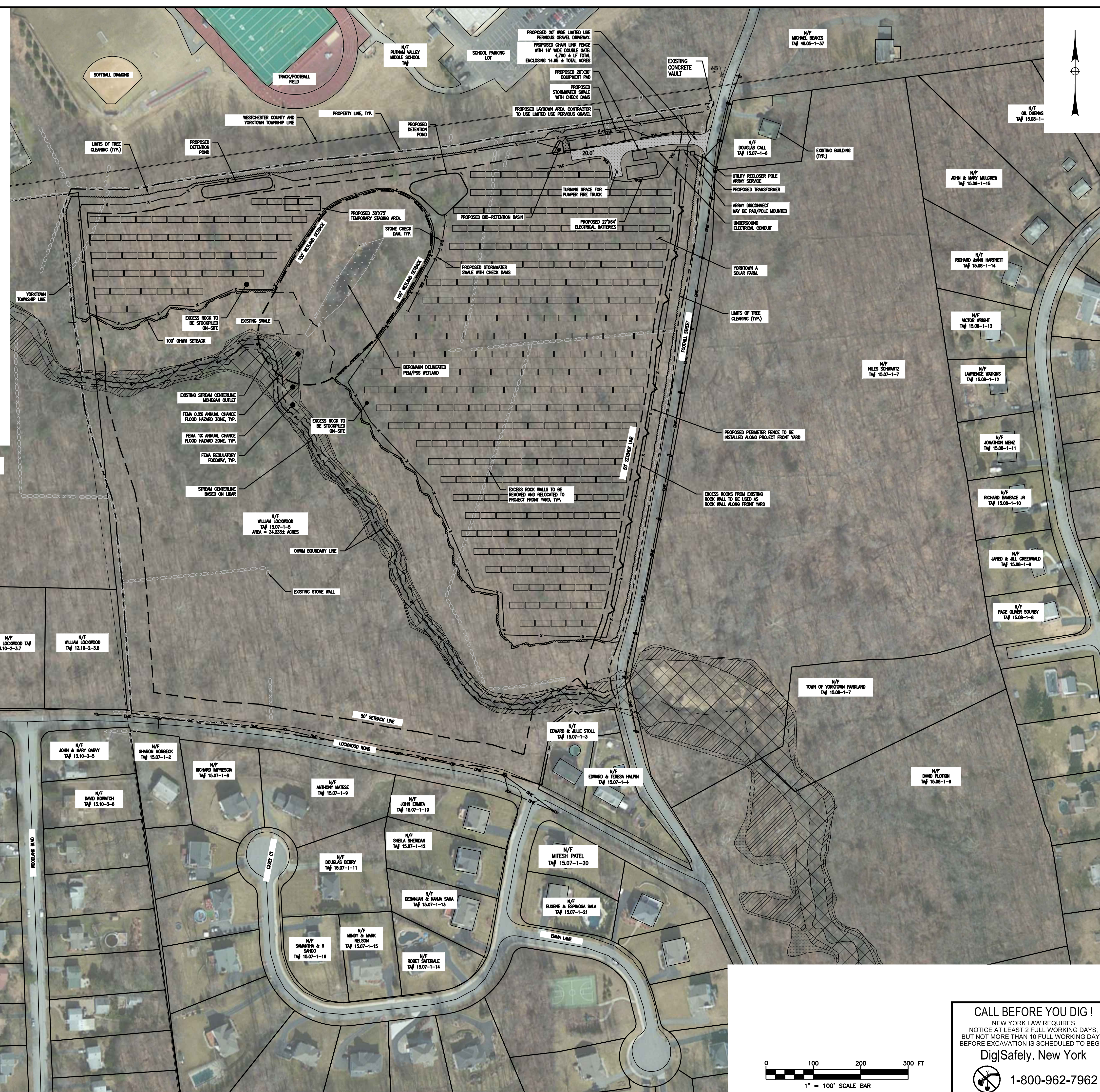
2 of 12

LEGEND:

	PROPERTY LINE SETBACK - 50 FEET
	PROPERTY/R.O.W. LINE
	EXISTING LOT LINE ADJUSTMENT
	PROPOSED GRAVEL DRIVEWAY
	FEMA 1% ANNUAL CHANCE FLOOD HAZARD
	FEMA 0.2% ANNUAL CHANCE FLOOD HAZARD
	EXISTING FEMA REGULATORY FLOODWAY
	EXISTING ROAD
	ADJ. PROPERTY/R.O.W. LINE (SURVEYED)
	FENCE LINE
	CONTOUR - MAJOR
	CONTOUR - MINOR
	EXISTING VEGETATION
	EXISTING ROCK WALL
	PROPOSED LIMITS OF TREE CLEARING
	BERGMANN DELINEATED PALUSTRINE EMERGENT WETLAND (PEM) / PALUSTRINE SCRUB SHRUB WETLAND (PSS)
	Q STREAM
	100' WETLAND BUFFER
	PROPOSED ROCK WALL
	PROPOSED SCREENING TREES
	PROPOSED SWALE

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SITE PLAN DATA TABLE		
SITE IS LOCATED IN THE "R1-40" RESIDENTIAL ZONING DISTRICT.		
PROPOSED USE: SOLAR		
PARCEL 15.07-1-5		
TOWN OF YORKTOWN, COUNTY OF WESTCHESTER		
STATE OF NEW YORK		
APPLICANT: CON EDISON CLEAN ENERGY BUSINESSES, INC. 100 SUMMIT LAKE DRIVE VALHALLA NY, 10595 (978) 888-4088	OWNER(S) OF RECORD: WILLIAM LOCKWOOD	
PLANS PREPARED BY: BERGMANN 2 WINNERS CIRCLE, SUITE 102 ALBANY, NY 12205 (518) 862-0325		
DESCRIPTION	REQUIRED	PROPOSED
MIN. LOT SIZE	2 AC.	34.2± AC.
MIN. LOT WIDTH	150 FT	1,011± FT
MIN. LOT DEPTH	150 FT	1,114± FT
MIN. SIDE YARD SETBACK	50 FT	60± FT
MIN. FRONT YARD SETBACK	50 FT	55± FT
MIN. REAR YARD SETBACK	50 FT	50± FT
MAX. HEIGHT	15 FT	9± FT
MAX. LOT COVERAGE (INCLUDING PANELS)	80%	11.3± %



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YORKTOWN A SOLAR FARM

FOOTHILL STREET

TOWN OF YORKTOWN
WESTCHESTER COUNTY
NEW YORK

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VALHALLA, NY 10595

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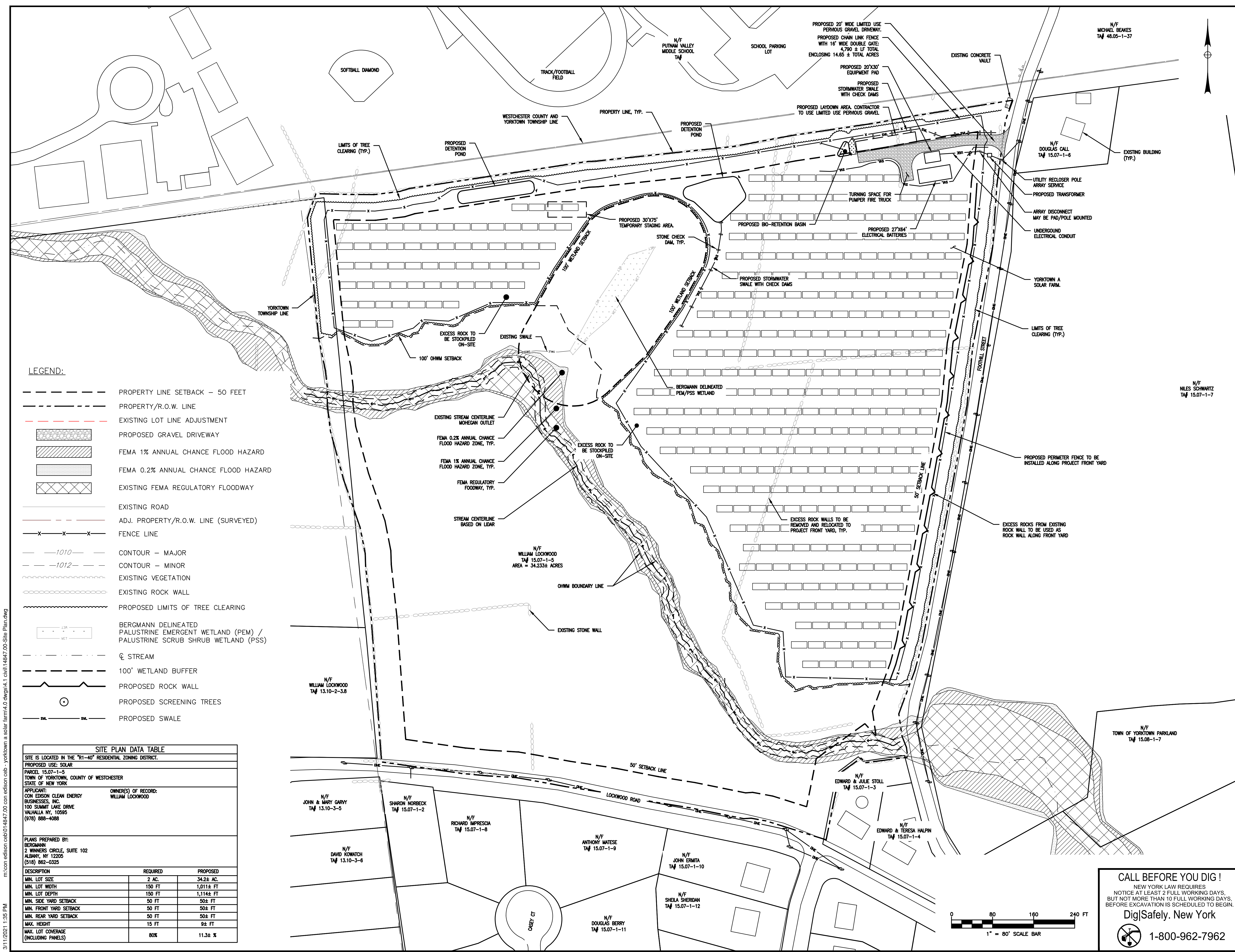
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SITE PLAN

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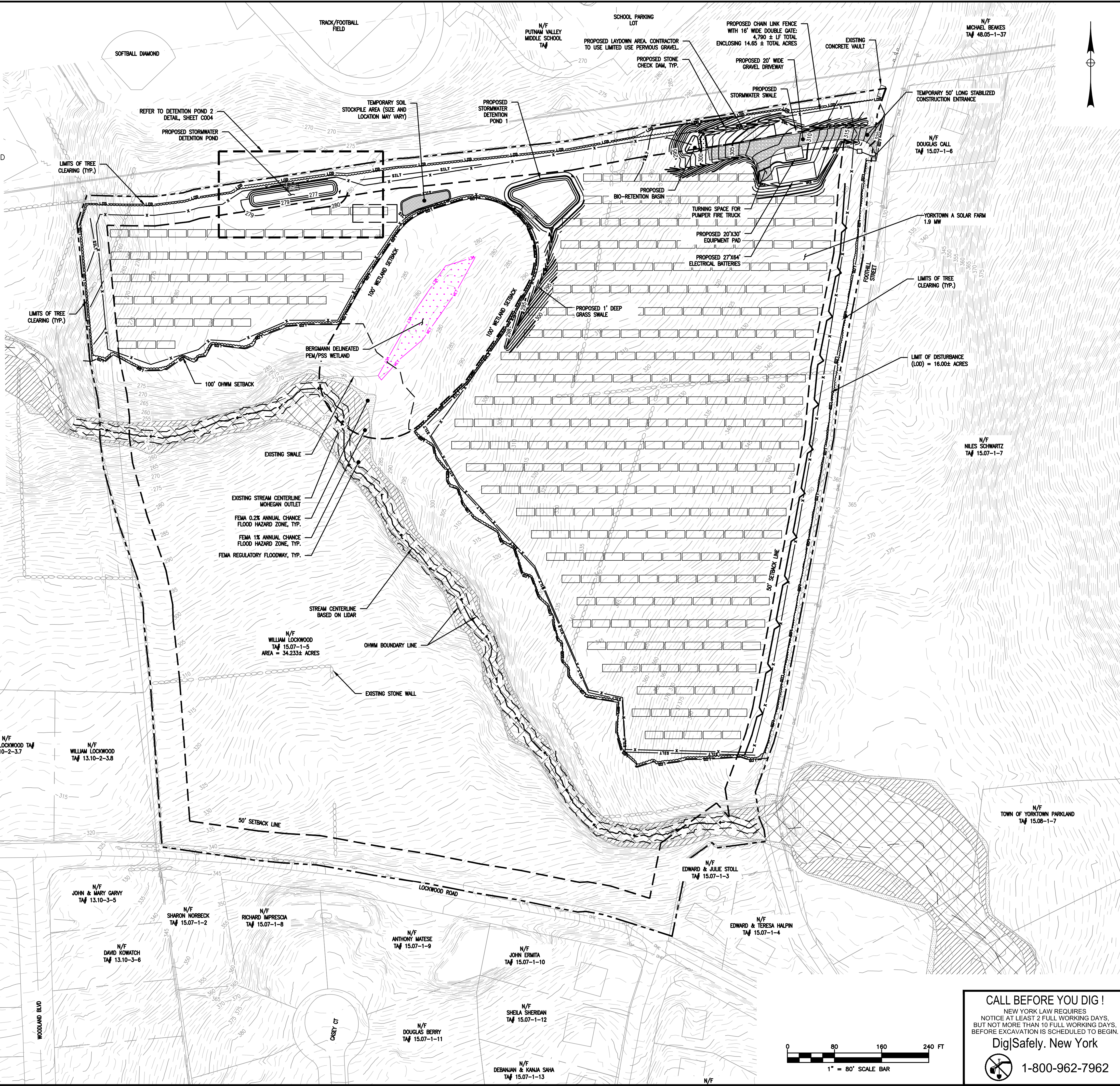
LEGEND:

- PROPERTY LINE SETBACK - 50 FEET
- PROPERTY/R.O.W. LINE
- EXISTING LOT LINE ADJUSTMENT
- PROPOSED GRAVEL DRIVEWAY
- FEMA 1% ANNUAL CHANCE FLOOD HAZARD
- FEMA 0.2% ANNUAL CHANCE FLOOD HAZARD
- EXISTING FEMA REGULATORY FLOODWAY
- EXISTING ROAD
- ADJ. PROPERTY/R.O.W. LINE (SURVEYED)
- FENCE LINE
- CONTOUR - MAJOR
- CONTOUR - MINOR
- EXISTING VEGETATION
- EXISTING ROCK WALL
- PROPOSED LIMITS OF TREE CLEARING
- BERGMANN DELINEATED PALUSTRINE EMERGENT WETLAND (PEM) / PALUSTRINE SCRUB SHRUB WETLAND (PSS)
- STREAM
- 100' WETLAND BUFFER
- PROPOSED ROCK WALL
- PROPOSED SCREENING TREES
- PROPOSED SWALE

SITE PLAN DATA TABLE		
SITE IS LOCATED IN THE "R1-40" RESIDENTIAL ZONING DISTRICT.		
PROPOSED USE: SOLAR		
PARCEL: 15.07-1-5		
TOWN OF YORKTOWN, COUNTY OF WESTCHESTER		
STATE OF NEW YORK		
APPLICANT: CON EDISON CLEAN ENERGY BUSINESSES, INC. 100 SUMMIT LAKE DRIVE VALHALLA NY, 10595 (978) 888-4088	OWNER(S) OF RECORD: WILLIAM LOCKWOOD	
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MAX. HEIGHT	15 FT	9± FT
MAX. LOT COVERAGE (INCLUDING PANELS)	80%	11.3± %

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- LEGEND:**
- PROPERTY LINE SETBACK - 50 FEET
 - - - PROPERTY/R.O.W. LINE (SURVEYED)
 - - - EXISTING LOT LINE ADJUSTMENT
 - [Pattern] PROPOSED GRAVEL DRIVEWAY
 - [Pattern] PROPOSED ASPHALT PAVEMENT
 - [Pattern] FEMA 1% ANNUAL CHANCE FLOOD HAZARD
 - [Pattern] FEMA 0.2% ANNUAL CHANCE FLOOD HAZARD
 - [Pattern] EXISTING FEMA REGULATORY FLOODWAY
 - EXISTING ROAD
 - - - ADJ. PROPERTY/R.O.W. LINE (SURVEYED)
 - x - x - FENCE LINE
 - - - EXISTING CONTOUR - MAJOR
 - - - EXISTING CONTOUR - MINOR
 - - - PROPOSED CONTOUR - MAJOR
 - - - PROPOSED CONTOUR - MINOR
 - [Pattern] EXISTING VEGETATION
 - [Pattern] EXISTING ROCK WALL
 - [Pattern] PROPOSED LIMITS OF TREE CLEARING
 - [Pattern] BERGMANN DELINEATED PALUSTRINE EMERGENT WETLAND (PEM) / PALUSTRINE SCRUB SHRUB WETLAND (PSS)
 - Q STREAM
 - - - 100' WETLAND BUFFER
 - - - LIMITS OF DISTURBANCE LINE
 - - - SILT FENCE



YORKTOWN A SOLAR FARM
FOOTHILL STREET
 TOWN OF YORKTOWN
 WESTCHESTER COUNTY
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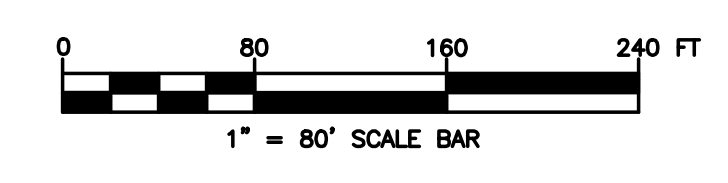
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PROJECT NUMBER: 14847.00	

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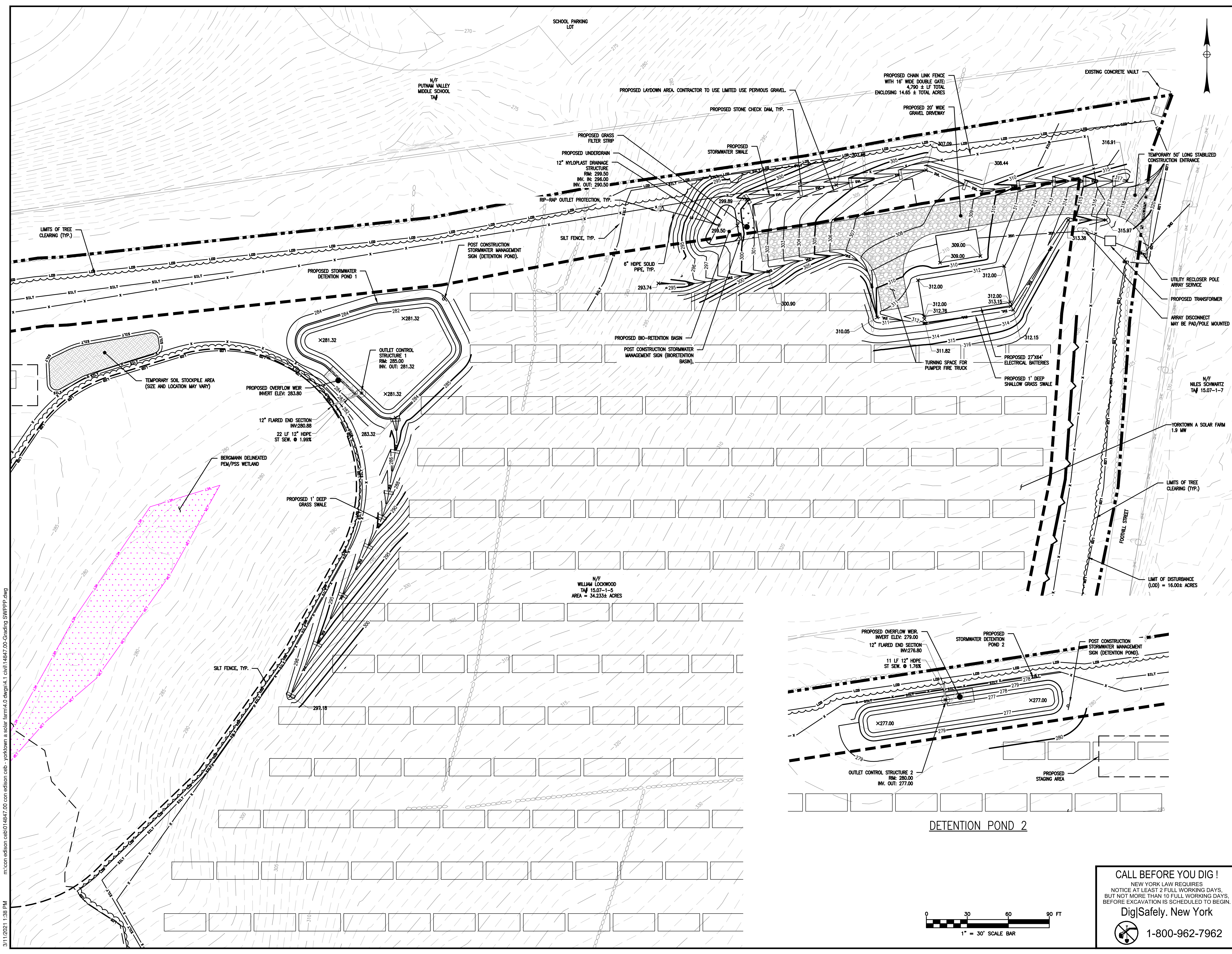
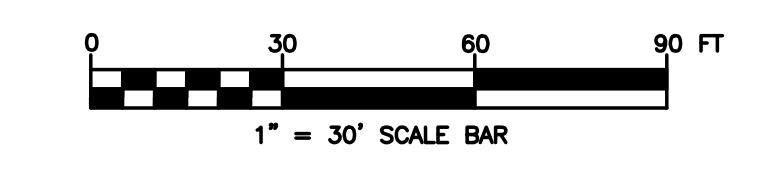
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DETAILED GRADING PLAN

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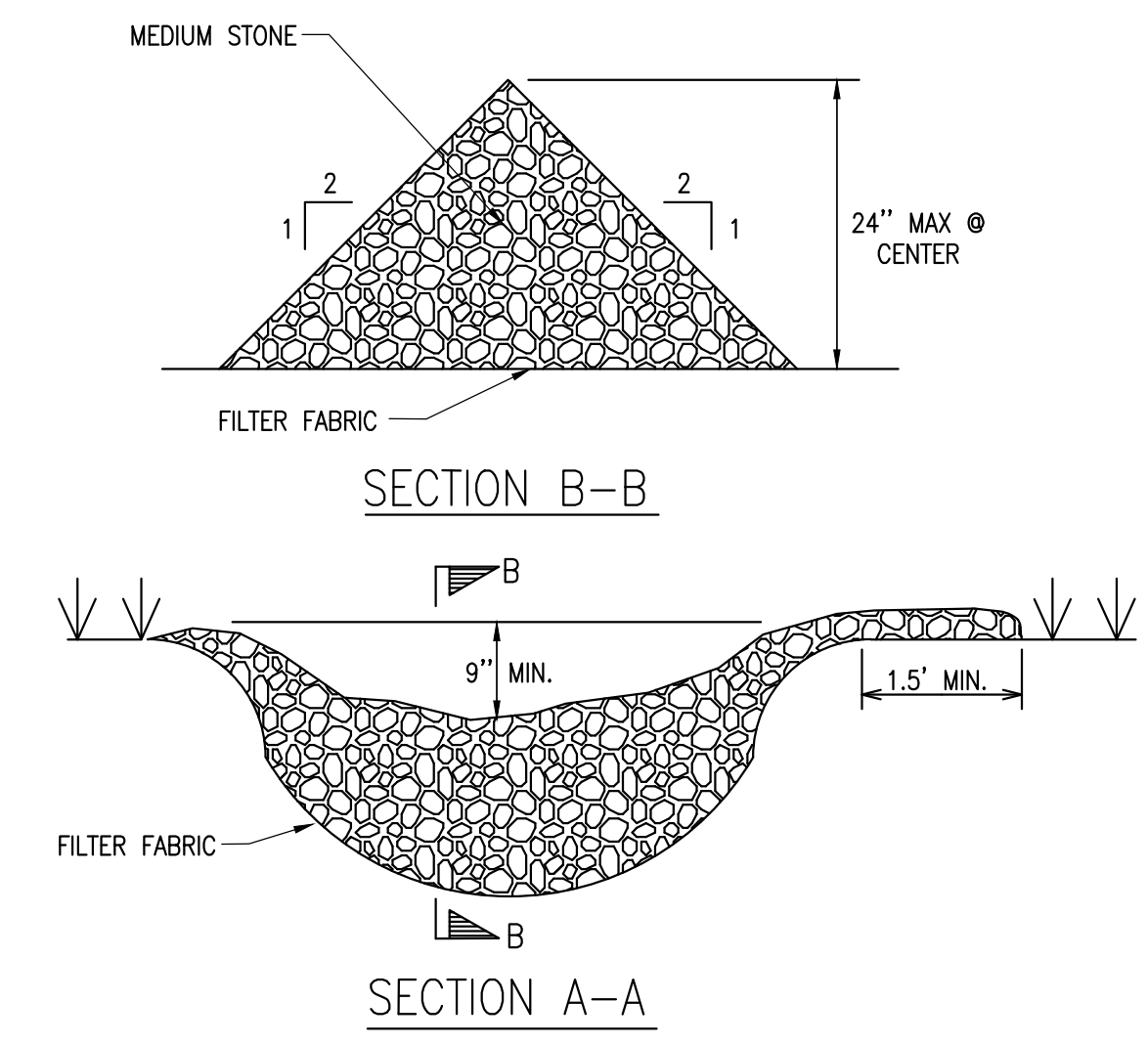
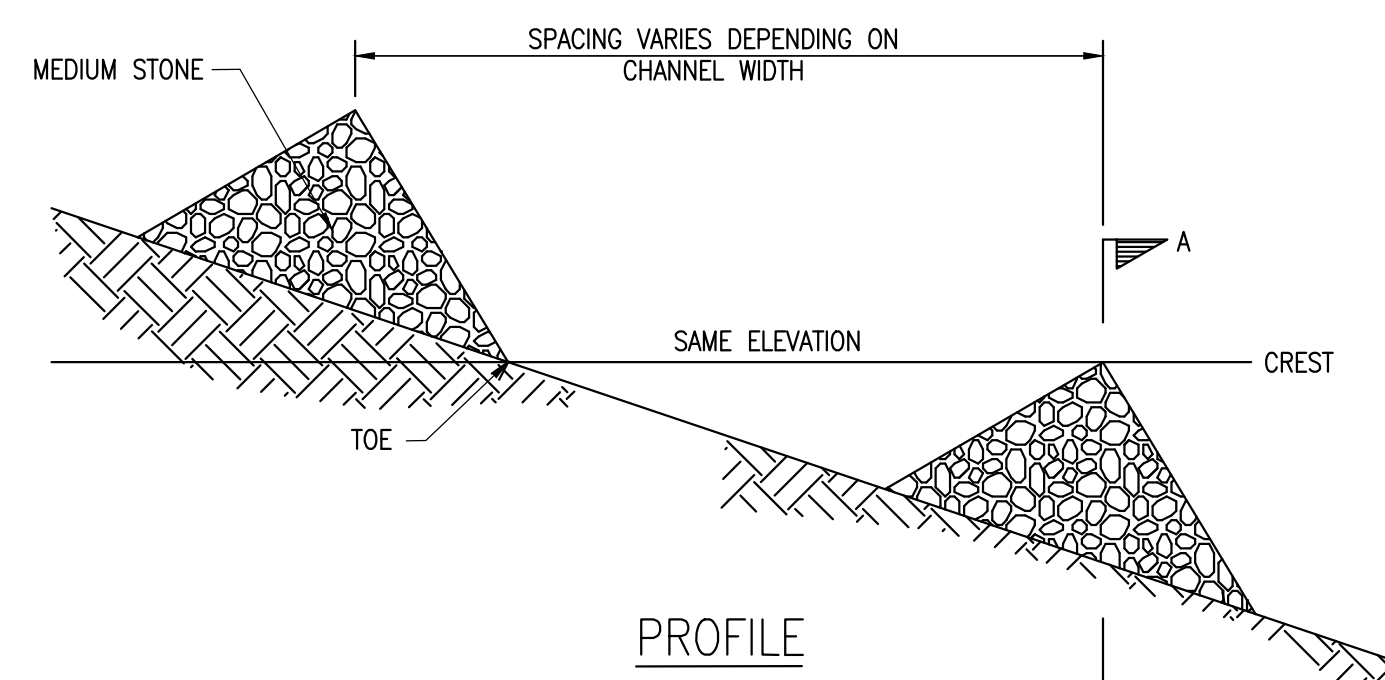
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WD	WD
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DRIVEWAY DETAILS

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Drawing Number:

C005



CONSTRUCTION SPECIFICATIONS

- STONE WILL BE PLACED ON A FILTER FABRIC FOUNDATION TO THE LINES GRADES AND LOCATIONS SHOWN ON THE PLAN.
- SET SPACING OF CHECK DAMS TO ASSUME THAT THE ELEVATIONS OF THE CREST OF THE DOWNSTREAM DAM IS AT THE SAME ELEVATION OF THE TOE OF THE UPSTREAM DAM.
- EXTEND THE STONE A MINIMUM OF 1.5' BEYOND THE DITCH BANKS TO PREVENT CUTTING AROUND THE DAM.
- PROTECT THE CHANNEL DOWNSTREAM OF THE LOWEST CHECK DAM FROM SCOUR AND EROSION WITH STONE OR LINER AS APPROPRIATE.
- ENSURE THAT CHANNEL APPURTENANCES SUCH AS CULVERT ENTRANCES BELOW CHECK DAMS ARE NOT SUBJECT TO DAMAGE OR BLOCKAGE FROM DISPLACED STONES.

LIGHT STONE CHECK DAM
NOT TO SCALE

GEOGRID MATERIAL NOTES:

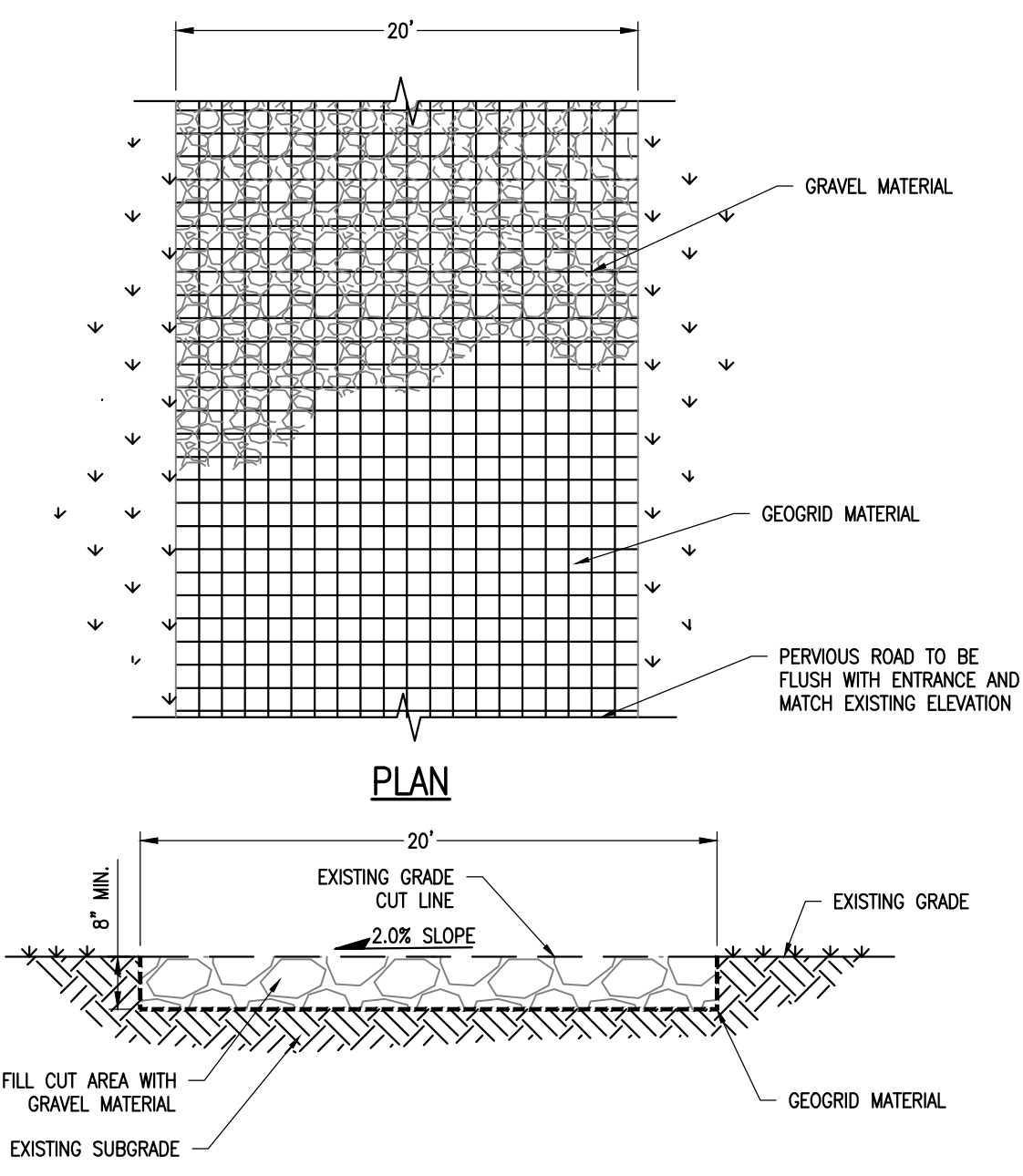
- THE GEOGRID, OR COMPARABLE PRODUCT, IS INTENDED FOR USE IN ALL CONDITIONS, IN ORDER TO ASSIST IN MATERIAL SEPARATION FROM NATIVE SOILS AND PRESERVE ACCESS LOADS.
- GRAVEL FILL MATERIAL SHALL CONSIST OF 1-4" CLEAN, DURABLE, SHARP ANGLED CRUSHED STONE OF UNIFORM QUALITY, MEETING THE SPECIFICATION OF NYSDOT 703-02, SIZE DESIGNATION 3-5 OF TABLE 703-4. STONE MAY BE PLACED IN FRONT OF AND SPREAD WITH A TRACKED VEHICLE. GRAVEL SHALL NOT BE COMPACTED.
- GEOGRID SHALL BE MIRAFI BX110 OR APPROVED EQUAL. GEOGRID SHALL BE DESIGNED BASED ON EXISTING SOIL CONDITIONS AND PROPOSED HAUL ROAD SLOPES.
- IF MORE THAN ONE ROLL WIDTH IS REQUIRED, ROLLS SHOULD OVERLAP A MINIMUM OF SIX INCHES.
- REFER TO MANUFACTURER'S SPECIFICATION FOR PROPER TYING AND CONNECTIONS.
- LIMITED USE PERVIOUS ACCESS ROAD SHALL BE DRESSED AS REQUIRED WITH ONLY 1-4" CRUSHED STONE MEETING NYSDOT 703-02 SPECIFICATIONS.

BASIS OF DESIGN: TENCATE MIRAFI BX110 GEOGRIDS; 365 SOUTH HOLLAND DRIVE, PENDERGRASS, GA; 800-685-9990 OR 706-693-2226; WWW.MIRAFI.COM

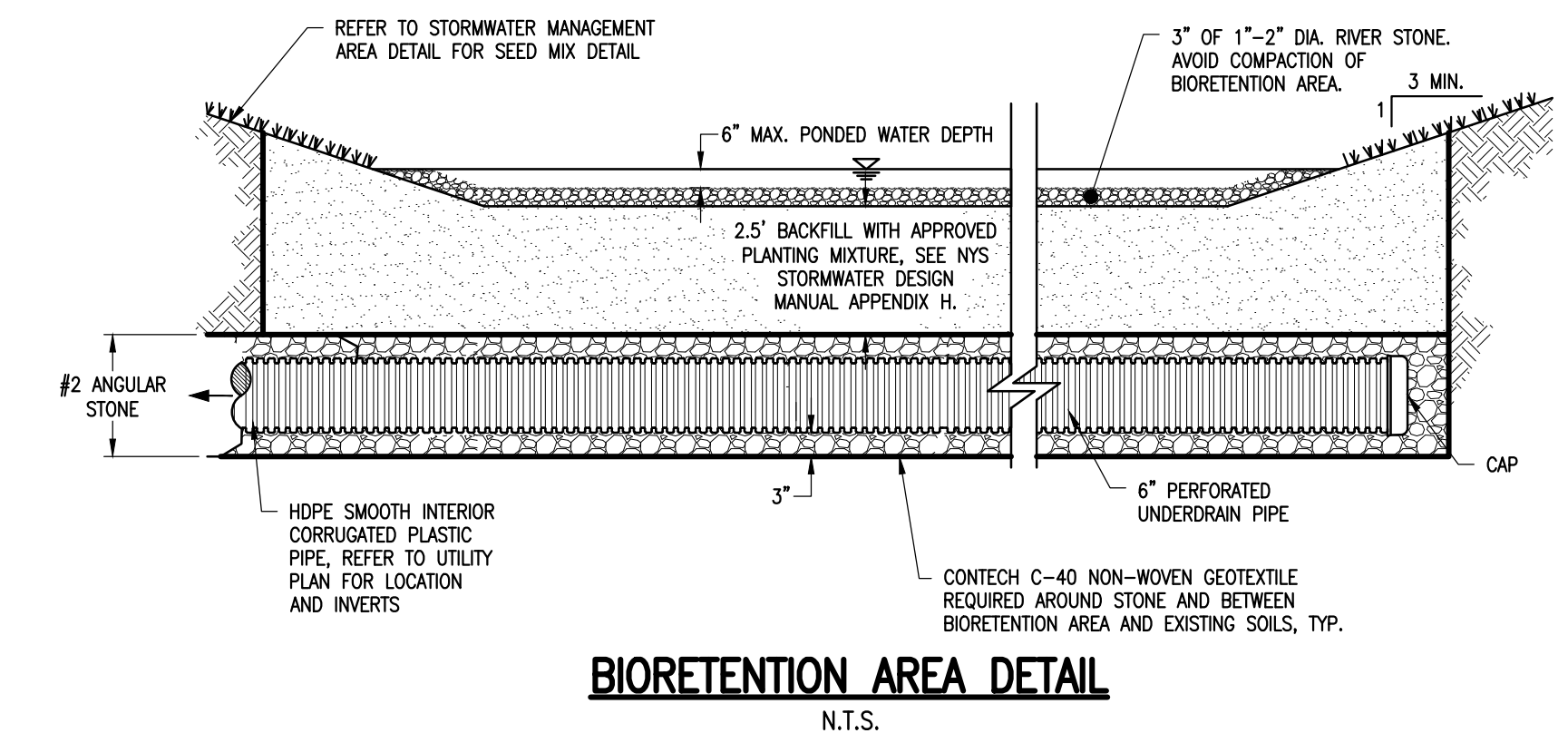
WOVEN GEOTEXTILE MATERIAL NOTES:

- SPECIFIED GEOTEXTILE WILL ONLY BE UTILIZED IN PLACID SOILS. PLACID SOILS CONSIST OF POORLY DRAINED SOILS COMPOSED OF FINELY TEXTURED PARTICLES AND ARE PRONE TO RUTTING. PLACID SOILS ARE TYPICALLY PRESENT IN LOW-LYING AREAS WITH HYDROLOGIC SOILS GROUP (HSG) OF C OR D OR AS SPECIFIED FROM AN ENVIRONMENTAL SCIENTIST, SOIL SCIENTIST OR GEOTECHNICAL DATA.
- THE CONCERN OF POTENTIAL REDUCTION OF NATIVE INFILTRATION RATES DUE TO THE GEOTEXTILE MATERIAL WOULD NOT BE A SIGNIFICANT CONCERN IN POORLY DRAINED SOILS WHERE SEGREGATION OF PERVIOUS STONE AND NATIVE MATERIALS IS CRUCIAL FOR LONG TERM OPERATION AND MAINTENANCE.

BASIS OF DESIGN: TENCATE MIRAFI RSI-SERIES WOVEN GEOSYNTHETICS; 365 SOUTH HOLLAND DRIVE, PENDERGRASS, GA; 800-685-9990 OR 706-693-2226; WWW.MIRAFI.COM



LIMITED USE PERVIOUS ACCESS ROAD - 0% TO 10% SLOPES
NO SCALE



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FOOTHILL STREET

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Designed By: WD	Drawn By: WD
Date Issued: OCTOBER 27, 2020	Scale: 1"=100'
Project Number: 14847.00	

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FOR MITIGATION PLAN**

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C006



LEGEND:

- PROPOSED TREE PLANTING
- VEGETATION PROTECTION BARRIER
- SEED LIMIT LINE
- SEED SCHEDULE 'B'
- PROPOSED GRAVEL DRIVEWAY
- FEMA 1% ANNUAL CHANCE FLOOD HAZARD
- FEMA 0.2% ANNUAL CHANCE FLOOD HAZARD
- EXISTING FEMA REGULATORY FLOODWAY
- EXISTING ROAD
- ADJ. PROPERTY/R.O.W. LINE (SURVEYED)
- FENCE LINE
- EXISTING VEGETATION
- PROPOSED LIMITS OF TREE CLEARING
- BERGMANN DELINEATED PALUSTRINE EMERGENT WETLAND (PEM) / PALUSTRINE SCRUB SHRUB WETLAND (PSS)
- STREAM
- 100' WETLAND SETBACK

- NOTES:**
- SEE SHEET C006 FOR LANDSCAPE NOTES.
 - SEE SHEET C007 FOR LANDSCAPE DETAILS.
 - SEE SHEET C009 FOR SEED SCHEDULES.

PLANT LIST								
Key	Qty.	Botanical Name	Common Name	Mature Size		Installed Size	Condition	Notes
				Height	Spread			
Evergreen Trees								
AC	39	Abies concolor	White Fir	50-75 Ht.	20-30' Sprd.	6-7 Ht.	B&B	
JV	59	Juniperus virginiana	Eastern Red Cedar	30-60 Ht.	10-25' Sprd.	8' Ht.	B&B	
PG	36	Picea glauca	White Spruce	40-60 Ht.	10-20' Sprd.	8' Ht.	B&B	
PP	43	Picea pungens	Colorado Spruce	30-60 Ht.	10-20' Sprd.	7-8' Ht.	B&B	
Evergreen Shrubs								
TO	33	Thuja occidentalis 'Emerald Green'	Emerald Green Arborvitae	7-15 Ht.	3-4' Sprd.	5' Ht.	B&B	

3/11/2021 1:39 PM m:\con edison cab\014847.00 con edison cab - yorktown a solar farm\4.0 dwgs\4.1 civil\14847.00 Landscape Plan.dwg

GENERAL NOTES

1. THE UNDERGROUND STRUCTURES AND UTILITIES SHOWN ON THIS MAP HAVE BEEN PLOTTED FROM AVAILABLE SURVEYS AND RECORD MAPS. THEY ARE NOT CERTIFIED TO THE ACCURACY OF THEIR LOCATION AND/OR COMPLETENESS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO VERIFY THE LOCATION AND EXTENT OF ALL UNDERGROUND STRUCTURES AND UTILITIES PRIOR TO ANY DIGGING OR CONSTRUCTION ACTIVITIES IN THEIR VICINITY. THE CONTRACTOR SHALL HAVE ALL EXISTING UTILITIES FIELD STAKED BEFORE STARTING WORK BY CALLING 1-800-962-7962.
2. THE CONTRACTOR SHALL PERFORM ALL WORK IN COMPLIANCE WITH TITLE 29 OF FEDERAL REGULATIONS, PART 1926, SAFETY AND HEALTH REGULATIONS FOR CONSTRUCTION(OSHA).
3. HIGHWAY DRAINAGE ALONG ALL ROADS AND PRIVATE DRIVES SHALL BE KEPT CLEAN OF MUD, DEBRIS ETC. AT ALL TIMES.
4. THE CONTRACTOR SHALL CONSULT THE DESIGN ENGINEER BEFORE DEVIATING FROM THESE PLANS.
5. IN ALL TRENCH EXCAVATIONS, CONTRACTOR MUST LAY THE TRENCH SIDE SLOPES BACK TO A SAFE SLOPE, USE A TRENCH SHIELD OR PROVIDE SHEETING AND BRACING.
6. IF SUSPICIOUS AND/OR HAZARDOUS MATERIAL IS ENCOUNTERED DURING DEMOLITION/CONSTRUCTION, ALL WORK SHALL STOP AND THE WESTCHESTER COUNTY DEPARTMENT OF HEALTH AND THE NEW YORK STATE DEPARTMENT OF CONSERVATION SHALL BE NOTIFIED IMMEDIATELY. WORK SHALL NOT RESUME UNTIL THE DEVELOPER HAS OUTLINED APPROPRIATE ACTION FOR DEALING WITH THE WASTE MATERIAL AND THE DEVELOPMENT PLANS ARE MODIFIED AS MAY BE NECESSARY.
7. EXCAVATED WASTE MATERIAL REMOVED FROM THE SITE SHALL BE PLACED AT A LOCATION ACCEPTABLE TO THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION.
8. AREAS DISTURBED OR DAMAGED AS PART OF THIS PROJECTS CONSTRUCTION THAT ARE OUTSIDE OF THE PRIMARY WORK AREA SHALL BE RESTORED, AT THE CONTRACTORS EXPENSE, TO THE SATISFACTION OF THE OWNER'S REPRESENTATIVE.
9. UNLESS COVERED BY THE CONTRACT SPECIFICATIONS OR AS NOTED ON THE PLANS, ALL WORK SHALL CONFORM TO THE NEW YORK STATE DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS DATED MAY 1, 2008 AND ANY SUBSEQUENT REVISIONS.

SITE STABILIZATION

1. WHEN FINAL GRADE IS ACHIEVED DURING NON-GERMINATING MONTHS, THE AREA SHOULD BE MULCHED UNTIL THE BEGINNING OF THE NEXT PLANTING SEASON.
2. MULCHES SHOULD BE APPLIED AT THE RATES SHOWN IN THE MULCH APPLICATION RATES TABLE. VERY LITTLE BARE GROUND SHOULD BE VISIBLE THROUGH THE MULCH.
3. STRAW AND HAY MULCH SHOULD BE ANCHORED OR TACKIFIED IMMEDIATELY AFTER APPLICATION TO PREVENT BEING WINDBLOWN. A TRACTOR-DRAWN IMPLEMENT MAY BE USED TO "CRIMP" THE STRAW OR HAY INTO THE SOIL - ABOUT 3 INCHES. THIS METHOD SHOULD BE LIMITED TO SLOPES NO STEEPER THAN 3H:1V. THE MACHINERY SHOULD BE OPERATED ALONG THE CONTOUR. NOTE: CRIMPING OF HAY OR STRAW BY RUNNING OVER IT WITH TRACKED MACHINERY IS NOT RECOMMENDED.
4. BEFORE SEEDING IS APPLIED THE CONTRACTOR SHALL SPREAD SOIL TO PREVENT PONDING AND CONFIRM THAT SOIL WILL SUSTAIN THE SEED GERMINATION AND ESTABLISHMENT OF VEGETATION.
5. GRADED AREAS SHOULD BE SCARIFIED OR OTHERWISE LOOSENEO TO A DEPTH OF 3 TO 5 INCHES TO PERMIT BONDING OF THE TOPSOIL TO THE SURFACE AREAS AND TO PROVIDE A ROUGHENED SURFACE TO PREVENT TOPSOIL FROM SLIDING DOWN SLOPE. COMPACTED SOILS SHOULD BE SCARIFIED TO A DEPTH OF 6 TO 12 INCHES, ALONG CONTOUR WHEREVER POSSIBLE, PRIOR TO SEEDING.
6. TOPSOIL OR AMENDED SOIL SHOULD BE UNIFORMLY DISTRIBUTED ACROSS THE DISTURBED AREA TO A MINIMUM DEPTH OF 4 INCHES. SPREADING SHOULD BE DONE IN SUCH A MANNER THAT SODDING OR SEEDING CAN PROCEED WITH A MINIMUM OF ADDITIONAL PREPARATION OR TILLAGE. IRREGULARITIES IN THE SURFACE RESULTING FROM TOPSOIL PLACEMENT SHOULD BE CORRECTED IN ORDER TO PREVENT FORMATION OF DEPRESSIONS.
7. TOPSOIL SHOULD NOT BE PLACED WHILE THE TOPSOIL OF SUBSOIL IS IN A FROZEN OR MUDDY CONDITION, WHEN THE SUBSOIL IS EXCESSIVELY WET, OR IN A CONDITION THAT MAY OTHERWISE BE DETRIMENTAL TO PROPER GRADING AND SEEDBED PREPARATION.
8. WHEN USED AS A MULCH REPLACEMENT, THE APPLICATION RATE (THICKNESS) OF THE COMPOST SHOULD BE 1/2" TO 3/4". COMPOST SHOULD BE PLACED EVENLY AND SHOULD PROVIDE 100% SOIL COVERAGE. NO SOIL SHOULD BE VISIBLE.
9. POLYMERIC AND GUM TACKIFIERS MIXED AND APPLIED ACCORDING TO MANUFACTURER'S RECOMMENDATIONS MAY BE USED TO TACK MULCH. AVOID APPLICATION DURING RAIN AND ON WINDY DAYS. A 24-HOUR CURING PERIOD AND A SOIL TEMPERATURE HIGHER THAN 45° F ARE TYPICALLY REQUIRED. APPLICATION SHOULD GENERALLY BE HEAVIEST AT EDGES OF SEEDED AREAS AND AT CRESTS OF RIDGES AND BANKS TO PREVENT LOSS BY WIND. THE REMAINDER OF THE AREA SHOULD HAVE BINDER APPLIED UNIFORMLY. BINDERS MAY BE APPLIED AFTER MULCH IS SPREAD OR SPRAYED INTO THE MULCH AS IT IS BEING BLOWN ONTO THE SOIL. APPLYING STRAW AND BINDER TOGETHER IS GENERALLY MORE EFFECTIVE.
10. SYNTHETIC BINDERS, OR CHEMICAL BINDERS, MAY BE USED AS RECOMMENDED BY THE MANUFACTURER TO ANCHOR MULCH PROVIDED SUFFICIENT DOCUMENTATION IS PROVIDED TO SHOW THEY ARE NON-TOXIC TO NATIVE PLANT AND ANIMAL SPECIES.
11. MULCH ON SLOPES OF 8% OR STEEPER SHOULD BE HELD IN PLACE WITH NETTING. LIGHTWEIGHT PLASTIC, FIBER, OR PAPER NETS MAY BE STAPLED OVER THE MULCH ACCORDING TO MANUFACTURER'S RECOMMENDATIONS.
12. SHREDDED PAPER HYDROMULCH SHOULD NOT BE USED ON SLOPES STEEPER THAN 5%. WOOD FIBER HYDROMULCH MAY BE APPLIED ON STEEPER SLOPES PROVIDED A TACKIFIER IS USED. THE APPLICATION RATE FOR ANY HYDROMULCH SHOULD BE 2,000 LB/ACRE AT A MINIMUM.
13. LIME, FERTILIZER, SEED, AND MULCH DISTURBED AREAS PER THE EROSION AND SEDIMENT CONTROL PLANS. IN AREAS OF STEEP SLOPES OR OBVIOUS AREAS WHERE POTENTIAL EROSION MAY OCCUR, AN EROSION CONTROL MAT OR FLEXIBLE GROWTH MEDIUM (FGM) SHALL BE USED. FGM SHALL BE APPLIED PER MANUFACTURER SPECIFICATIONS.
14. ONCE A SECTION OF THE ALIGNMENT HAS BEEN STABILIZED, NO CONSTRUCTION TRAFFIC SHALL OCCUR TO REMOVE ANY BMP'S UNTIL THE SECTION HAS ACHIEVED 80% PERENNIAL VEGETATIVE COVER. AN AREA SHALL BE CONSIDERED TO HAVE ACHIEVED FINAL STABILIZATION WHEN IT HAS A MINIMUM 80% PERENNIAL VEGETATIVE COVER OR OTHER PERMANENT NONVEGETATIVE COVER WITH A DENSITY SUFFICIENT TO RESIST ACCELERATED EROSION AND SUBSURFACE CHARACTERISTICS SUFFICIENT TO RESIST SLIDING OR OTHER MOVEMENTS.

WASTE/HAZARDOUS MATERIAL PRACTICES

1. WHENEVER POSSIBLE COVERED TRASH CONTAINERS SHOULD BE USED.
2. DAILY SITE CLEANUP IS REQUIRED TO REDUCE DEBRIS AND POLLUTANTS IN THE ENVIRONMENT.
3. CONTRACTOR SHALL PROVIDE A SAFE STORAGE SPACE FOR ALL PAINTS, STAINS AND SOLVENTS INSIDE A COVERED STORAGE AREA.
4. CONTRACTOR SHALL PROVIDE A SAFE STORAGE AREA FOR PESTICIDES AND FERTILIZERS.
5. ALL FUELS, OILS AND GREASE MUST BE KEPT IN CONTAINERS AT ALL TIMES.

STORMWATER POLLUTION PREVENTION PLAN NOTES

1. THE DEVELOPER/OWNER/OPERATOR SHALL PROVIDE A QUALIFIED INSPECTOR TO INSPECT THE PROJECT AT THE END OF EACH WORK WEEK AND PROVIDE A REPORT AT LEAST ONCE PER WEEK.
2. INSTALL SILT FENCE, DIVERSION SWALES/BERMS, CHECK DAMS AND ALL OTHER EROSION CONTROL MEASURES AS INDICATED ON THE PLAN PRIOR TO THE START OF ANY EXCAVATION WORK. EROSION CONTROL MEASURES WILL BE IMPLEMENTED IN ACCORDANCE WITH THE NEW YORK STATE GUIDELINES FOR URBAN EROSION SEDIMENT CONTROL MANUAL, NEW YORK STATE HEALTH DEPARTMENT, AND THE GOVERNING CITY REQUIREMENTS.
3. REMOVE AND STOCKPILE TOPSOIL AS DIRECTED BY THE CONSTRUCTION MANAGER REPLACE TOPSOIL TO A MINIMUM 4" DEPTH WITH TOPSOIL OR AMENDED SOIL. ALL DISTURBED AREAS TO BE SEEDED TO PROMOTE VEGETATION AS SOON AS PRACTICABLE.
4. IF THE SEASONS PROHIBITS TEMPORARY SEEDING, THE DISTURBED AREAS WILL BE MULCHED WITH STRAW HAY OR EQUIVALENT AND ANCHORED IN ACCORDANCE WITH THE "STANDARDS", NETTING OR LIQUID MULCH BINDER.
5. CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE AND REMOVAL OF TEMPORARY SEDIMENTATION CONTROLS. EROSION CONTROL MEASURES SHALL NOT BE REMOVED BEFORE 80% UNIFORM VEGETATION HAS BEEN ACHIEVED.
6. INSTALL INLET PROTECTION, AND RIP RAP APRONS PROGRESSIVELY AS STORM SEWER, AND DISCHARGE POINTS ARE INSTALLED.
7. ALL EROSION CONTROL MEASURES ARE TO BE REPLACED WHENEVER THEY BECOME CLOGGED OR INOPERABLE AND SHALL BE REPLACED AT A MINIMUM OF EVERY 3 MONTHS.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR RESTORATION OF TOPSOIL OR AMENDED TO ALL DISTURBED AREAS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN EROSION CONTROL MEASURES AT ALL TIMES.
9. THE CONTRACTOR SHALL DESIGNATE A MEMBER OF HIS/HER FIRM TO BE RESPONSIBLE TO MONITOR EROSION CONTROL, EROSION CONTROL STRUCTURES, TREE PROTECTION AND PRESERVATION THROUGHOUT CONSTRUCTION.
10. ALL DISTURBED AREAS SHALL BE FINISH GRADED TO PROMOTE VEGETATION ON ALL EXPOSED AREAS AS SOON AS PRACTICABLE. STABILIZATION PRACTICES (TEMPORARY/PERMANENT SEEDING, MULCHING, GEOTEXTILES, ETC. MUST BE IMPLEMENTED WITHIN SEVEN (7) DAYS WHERE CONSTRUCTION ACTIVITIES HAVE TEMPORARILY OR PERMANENTLY CEASED, AND NOT EXPECTED TO RESUME WITHIN FOURTEEN (14) DAYS.
11. PAVED ROADWAYS MUST BE KEPT CLEAN AT ALL TIMES. ALL CONSTRUCTION DEBRIS AND SEDIMENT SPOILS, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT-OF-WAYS MUST BE REMOVED IMMEDIATELY.
12. DUST SHALL BE CONTROLLED BY WATERING.
13. ADJOINING PROPERTY SHALL BE PROTECTED FROM EXCAVATION AND FILLING OPERATIONS ON THE PROPOSED SITE.
14. DIVERSION SWALES/BERMS, AND SEDIMENT TRAPS SHOULD BE RELOCATED INWARD AS PERIMETER SLOPE CONSTRUCTION PROGRESSES AND RECONSTRUCTED TO THE NYS STANDARDS & SPECIFICATIONS AT THE END OF EACH DAY TO DIVERT RUNOFF FROM SLOPED AREAS AND DIRECT TO APPROPRIATE BASINS.
15. SLOPE TRACKING SHALL BE IMPLEMENTED ON ALL SLOPE 1 ON 3 OR GREATER AT THE END OF EACH WORK DAY AND PRIOR TO FINAL SLOPE GRADING AND STABILIZATION.

SWPPP SEQUENCE OF CONSTRUCTION

1. PRE-CONSTRUCTION MEETING HELD TO INCLUDE PROJECT MANAGER, OPERATOR'S ENGINEER, CONTRACTOR, AND SUB-CONTRACTORS PRIOR TO LAND DISTURBING ACTIVITIES.
2. CONSTRUCT CONSTRUCTION ENTRANCE/EXIT AT LOCATIONS DESIGNATED ON PLANS.
3. INSTALL PERIMETER SILT FENCE.
4. BEGIN SITE APPURTENANCE DEMOLITION.
5. BEGIN CLEARING AND GRUBBING OPERATIONS. CLEARING AND GRUBBING SHALL BE DONE ONLY IN AREAS WHERE EARTHWORK WILL BE PERFORMED AND ONLY IN AREAS WHERE CONSTRUCTION IS PLANNED TO COMMENCE WITHIN 14 DAYS AFTER CLEARING AND GRUBBING.
6. HAVE A QUALIFIED PROFESSIONAL CONDUCT AN ASSESSMENT OF THE SITE PRIOR TO THE COMMENCEMENT OF CONSTRUCTION AND CERTIFY IN AN INSPECTION REPORT THAT THE APPROPRIATE EROSION AND SEDIMENT CONTROLS DESCRIBED IN THE SWPPP AND REQUIRED BY THE NYSDEC PERMIT HAVE BEEN ADEQUATELY INSTALLED OR IMPLEMENTED TO ENSURE OVERALL PREPAREDNESS OF THE SITE FOR THE COMMENCEMENT OF CONSTRUCTION.
7. STRIP TOPSOIL AND STOCKPILE IN A LOCATION ACCEPTABLE TO CONSTRUCTION MANAGER. WHEN STOCKPILE IS COMPLETE, INSTALL PERIMETER SILT FENCE. SEED SURFACE WITH 100% PERENNIAL RYEGRASS MIXTURE AT A RATE OF 2-4 LBS. PER 1000 SF, APPLY 90-100 LBS PER 1000 SF OF MULCH.
8. COMMENCE EARTHWORK CUT AND FILLS. THE WORK SHALL BE PROGRESSED TO ALLOW A REASONABLE TRANSFER OF CUT AND FILL EARTH FOR ROUGH GRADING AND EARTH MOVING. THE CONTRACTOR WILL BE GIVEN SOME LATITUDE TO VARY FROM THE FOLLOWING SCHEDULE IN ORDER TO MEET THE FIELD CONDITIONS ENCOUNTERED. CONTRACTOR SHALL REVIEW VARIATIONS TO SWPPP WITH DESIGN ENGINEER AND QUALIFIED PROFESSIONAL PRIOR TO IMPLEMENTATION. ALL CHANGES TO SWPPP DRAWINGS MUST BE DOCUMENTED WITHIN ONSITE SWPPP.
9. STABILIZE ALL AREAS AS SOON AS PRACTICABLE, IDLE IN EXCESS OF 7 DAYS AND IN WHICH CONSTRUCTION WILL NOT COMMENCE WITHIN 14 DAYS.
10. FOLLOWING ROUGH GRADING, UTILITY INSTALLATION SHOULD BEGIN, TRENCH EXCAVATION/BACKFILL AREAS SHOULD BE STABILIZED PROGRESSIVELY AT THE END OF EACH WORKDAY WITH SEED AND STRAW MULCH AT A RATE OF 100% PERENNIAL RYE GRASS AT 2-4 LBS/1000 SF MULCHED AT 90-100 LBS/1000 SF.
11. CONSTRUCT SWALES AS SHOWN ON THE PLANS.
12. STABILIZE ALL AREAS IDLE IN EXCESS OF 7 DAYS IN WHICH CONSTRUCTION WILL NOT COMMENCE WITHIN 14 DAYS.
13. AS ROADWAY AND ACCESS DRIVES ARE BROUGHT TO GRADE, THEY WILL BE STABILIZED WITH CRUSHED STONE SUBBASE AT A DEPTH SPECIFIED ON PLANS TO PREVENT EROSION AS SOON AS PRACTICABLE.
14. AS LANDSCAPED AREAS ARE BROUGHT TO GRADE, STABILIZE WITH TOPSOIL, SEEDING AND MULCHING PER SPECIFICATIONS.
15. REMOVE TEMPORARY CONSTRUCTION EXITS ONLY PRIOR TO GRAVEL ROAD CONSTRUCTION (THESE AREAS ARE TO BE CONSTRUCTED LAST).
16. THE DEVELOPER/OWNER/OPERATOR SHALL HAVE A QUALIFIED PROFESSIONAL CONDUCT AN ASSESSMENT OF THE SITE AND FINAL REPORT TO DETERMINE ALL PERMANENT STORMWATER MEASURES HAVE BEEN INSTALLED PER PLANS AND 80% UNIFORM GERMINATION STABILIZATION HAS BEEN ACHIEVED PRIOR TO THE REMOVAL OF ALL REMAINING TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES.

LANDSCAPE NOTES

1. ALL PLANTS MUST BE HEALTHY, VIGOROUS, AND FREE OF PESTS AND DISEASE.
2. STANDARDS SET FORTH IN "AMERICAN STANDARD FOR NURSERY STOCK", ANSI, Z60.1 (LATEST EDITION), REPRESENT GUIDELINE SPECIFICATIONS ONLY AND SHALL CONSTITUTE MINIMUM QUALITY REQUIREMENTS FOR PLANT MATERIAL.
3. ALL PLANTS MUST BE HARDY UNDER CLIMATE CONDITIONS THAT EXIST AT THE PROJECT SITE AND GROWN AT A NURSERY AT THE SAME HARDINESS ZONE AS THE PROJECT LOCATION.
4. NO SUBSTITUTIONS SHALL BE PERMITTED WITHOUT PRIOR WRITTEN APPROVAL OF THE OWNER OR OWNER'S REPRESENTATIVE.
5. ALL TREES MUST BE STRAIGHT TRUNKED, INJURY FREE, AND FULL HEADED.
6. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL QUANTITIES SHOWN ON THESE PLANS BEFORE PRICING THE WORK.
7. ANY DISCREPANCY WITH QUANTITIES, LOCATIONS AND / OR FIELD CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
8. MULCH ALL ISLANDS AND PLANTINGS IN LAWN AREAS WITH DOUBLE GROUND BARK MULCH MADE FROM A MIXTURE OF HARDWOOD AND/OR SOFTWOOD. MULCH SHALL BE AGED A MIN. OF ONE (1) YEAR FOR PARTIAL DECOMPOSITION. IT SHALL BE SCREENED TO EXCLUDE PARTICLES LARGER THAN ONE (1) INCH IN DIAMETER. MATERIAL SHALL BE COMPOSED OF BARK AND HAVE A LOW WOOD CONTENT WITH NO HIDDEN WOODS FROM CONSTRUCTION DEBRIS, PALLETS OR PRESSURE TREATED LUMBER AND BE FREE OF WEEDS, SEEDS, AND GREEN LEAF MATTER. IT SHALL BE NATURALLY DARK BROWN IN COLOR. NO DYED MULCH WILL BE ACCEPTED. MULCH DEPTH SHALL BE THREE (3) INCHES UNLESS OTHERWISE DIRECTED.
9. ANY PLANT WHICH DIES, TURNS BROWN, OR DEFOLIATES (PRIOR TO TOTAL ACCEPTANCE OF THE WORK) SHALL BE PROMPTLY REMOVED FROM THE SITE AND REPLACED WITH MATERIAL OF THE SAME SPECIES, QUANTITY AND SIZE MEETING ALL PLANT LIST SPECIFICATIONS.
10. THE CONTRACTOR IS RESPONSIBLE FOR FULLY MAINTAINING ALL PLANT MATERIALS (INCLUDING, BUT NOT LIMITED TO: WATERING, SPRAYING, MULCHING, FERTILIZING, AND REMOVAL OF STAKES AND GUYS) AND LAWN AREAS UNTIL FINAL ACCEPTANCE BY THE OWNER.
11. THE CONTRACTOR SHALL COMPLETELY GUARANTEE ALL PLANT MATERIAL FOR A PERIOD OF ONE (1) YEAR, BEGINNING ON THE DATE OF FINAL ACCEPTANCE. THE CONTRACTOR SHALL PROMPTLY MAKE ALL REPLACEMENTS BEFORE THE END OF THE GUARANTEE PERIOD.
12. ALL AREAS DISTURBED BY UTILITY INSTALLATION AND SITE GRADING ACTIVITY SHALL RECEIVE APPROVED TOPSOIL (TO A COMPACTED DEPTH OF FOUR (4) INCHES, UNLESS OTHERWISE SPECIFIED BY THE GOVERNING MUNICIPALITY), BE FINE GRADED, SEEDED, MULCHED AND WATERED UNTIL A HEALTHY STAND OF GRASS IS OBTAINED.
13. ALL TOPSOIL SHALL BE SCREENED LOAM SURFACE SOIL, FREE OF STONES AND SHALL HAVE THE FOLLOWING MINIMUM REQUIREMENTS:
 - a) AN ORGANIC CONTENT OF 6-12%
 - b) SOIL ACIDITY RANGE OF pH 6.0 TO pH 6.8
 - c) SOLUBLE SALTS OF 1000 PPM OR LESS
 - d) MAXIMUM CLAY CONTENT OF 15-20%
14. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING, AT THEIR EXPENSE, A CERTIFIED SOIL TEST ANALYSIS OF ON SITE AND / OR IMPORTED TOPSOIL. TOPSOIL ANALYSIS TO INCLUDE THE FOLLOWING DATA:
 - a) pH FACTOR.
 - b) MECHANICAL ANALYSIS, INCLUDING SIEVE ANALYSIS PROVIDING SEPARATE SAND, SILT AND CLAY PERCENTAGES.
 - c) PERCENTAGE OF ORGANIC CONTENT BY WEIGHT
 - d) NUTRIENT LEVELS INCLUDING NITROGEN, PHOSPHOROUS AND POTASSIUM.
15. SHOULD TESTS AND ANALYSIS INDICATE THAT SOIL PROPOSED FOR USE IS DEFICIENT IN ANY OF THE ABOVE REQUIREMENTS, A SYSTEM OF AMELIORATING MAY BE PROPOSED FOR APPROVAL. ANY SYSTEM PROPOSED SHALL PROVIDE FOR AN ACIDITY RANGE OF Ph 6.0 TO 6.8 INCLUSIVE.
16. COMPOST SHALL MEET THE FOLLOWING MINIMUM REQUIREMENTS:
 - a) ORGANIC CONTENT OF 35-60% (DRY WEIGHT BASIS)
 - b) LOOSE AND FRABLE WITH MOISTURE CONTENT OF 35-60% (WET WEIGHT BASIS)
 - c) PARTICLE SIZE SHALL BE <12 INCH (100% PASSING)
 - d) SOLUBLE SALTS CONCENTRATION SHALL BE <4.0 MMHOS/CM (DSM), MAXIMUM
 - e) pH RANGE OF 6.0-8.5
17. PLANTING MIX FOR PLANT PITS SHALL BE COMPOSED OF (2) PARTS IMPORTED OR ON-SITE SCREENED TOPSOIL AND (1) PART COMPOST. THE RATIO OF TOPSOIL TO COMPOST IS SUBJECT TO CHANGE BASED ON THE TESTING RESULTS FOR TOPSOIL.
18. LOCATIONS OF EXISTING BURIED UTILITIES SHOWN ON THE PLAN ARE BASED UPON BEST AVAILABLE INFORMATION AND ARE TO BE CONSIDERED APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATIONS OF ALL UNDERGROUND UTILITY LINES ADJACENT TO THE WORK AREA. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ANY AND ALL DAMAGE TO UTILITIES, STRUCTURES AND SITE APPURTENANCES, ETC., WHICH OCCURS AS A RESULT OF THE LANDSCAPE INSTALLATION.
19. THE CONTRACTOR IS RESPONSIBLE FOR INSTALLING ALL PLANT MATERIAL PER DETAILS. ANY DEVIATIONS FROM THE DETAIL MUST BE APPROVED BY THE OWNER'S REPRESENTATIVE OR LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
20. SEE SHEET C007 FOR LANDSCAPE DETAILS.
21. UPON FINAL ACCEPTANCE OF THE LANDSCAPE INSTALLATION, THE OWNER WILL ASSUME MAINTENANCE OF THE LANDSCAPED AREAS.
22. EXISTING TREES TO REMAIN SHALL BE PROTECTED BY INSTALLING A TEMPORARY FENCE AT THE OUTER LIMITS OF THE TREE CANOPY.

YORKTOWN A SOLAR FARM FOOTHILL STREET

TOWN OF YORKTOWN
WESTCHESTER COUNTY
NEW YORK

CON EDISON CLEAN ENERGY BUSINESSES, INC.

100 SUMMIT LAKE DRIVE
VALHALLA, NY 10595



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REVISIONS				
NO.	DATE	DESCRIPTION	REV.	CKD
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Prepared By:	Checked By:
ECR	ECR
Drawn By:	Drawn By:
WD	WD
Date Issued:	Scale:
OCTOBER 27, 2020	AS NOTED
Project Number:	
14847.00	

GENERAL NOTES

CALL BEFORE YOU DIG!
NEW YORK LAW REQUIRES
NOTICE AT LEAST 2 FULL WORKING DAYS,
BUT NOT MORE THAN 10 FULL WORKING DAYS,
BEFORE EXCAVATION IS SCHEDULED TO BEGIN.



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C007

YORKTOWN A SOLAR FARM

FOOTHILL STREET

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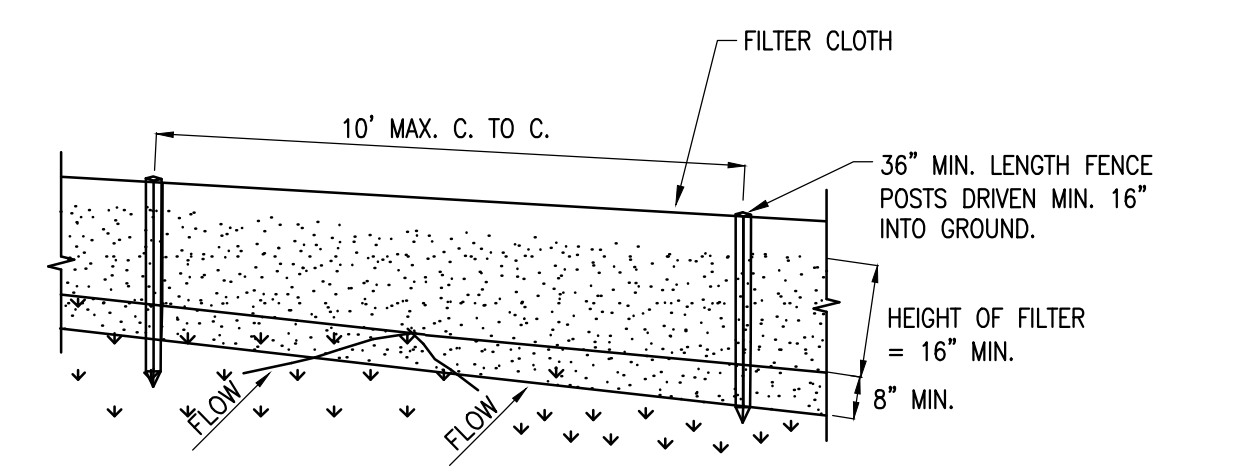
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Prepared By: ECR	Checked By: ECR
Designed By: WD	Drawn By: WD
Date Issued: OCTOBER 27, 2020	Scale: AS NOTED
Project Number: 14847.00	

**EROSION AND
SEDIMENT CONTROL
DETAILS**

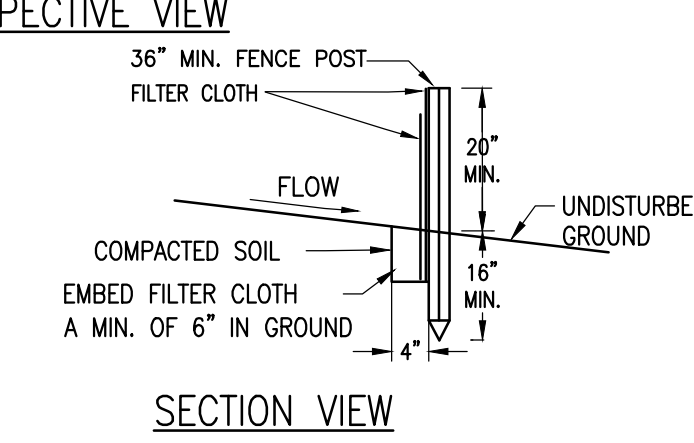
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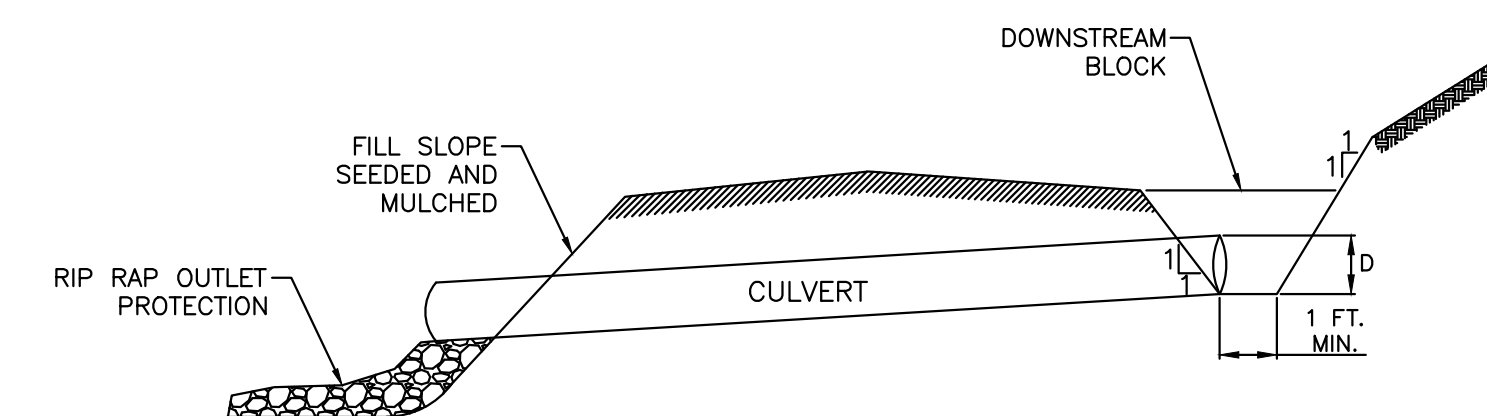
CONSTRUCTION SPECIFICATIONS

- SILT FENCE FABRIC TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "T" OR "U" TYPE OR HARDWOOD.
- WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
- PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
- MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.



SILT FENCE DETAIL

NO SCALE



NOTES:

CUT AND FILL SLOPES SHALL BE STABILIZED IMMEDIATELY UPON COMPLETION OF DRIVEWAY GRADING. THESE AREAS SHALL BE BLANKETED WHEREVER THEY ARE LOCATED WITHIN 50 FEET OF A SURFACE WATER OR WITHIN 100 FEET OF AN HIGH QUALITY OR EXCEPTIONAL VALUE SURFACE WATER OR WHERE A SUITABLE VEGETATIVE FILTER STRIP DOES NOT EXIST.

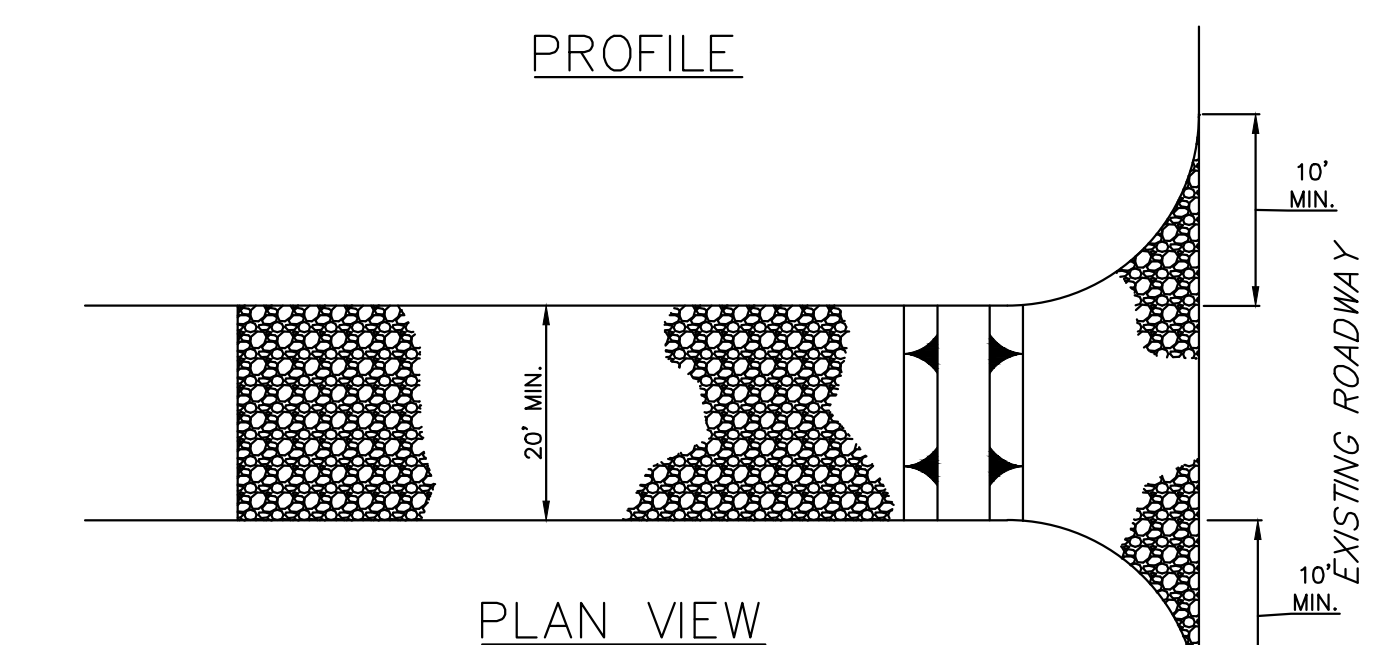
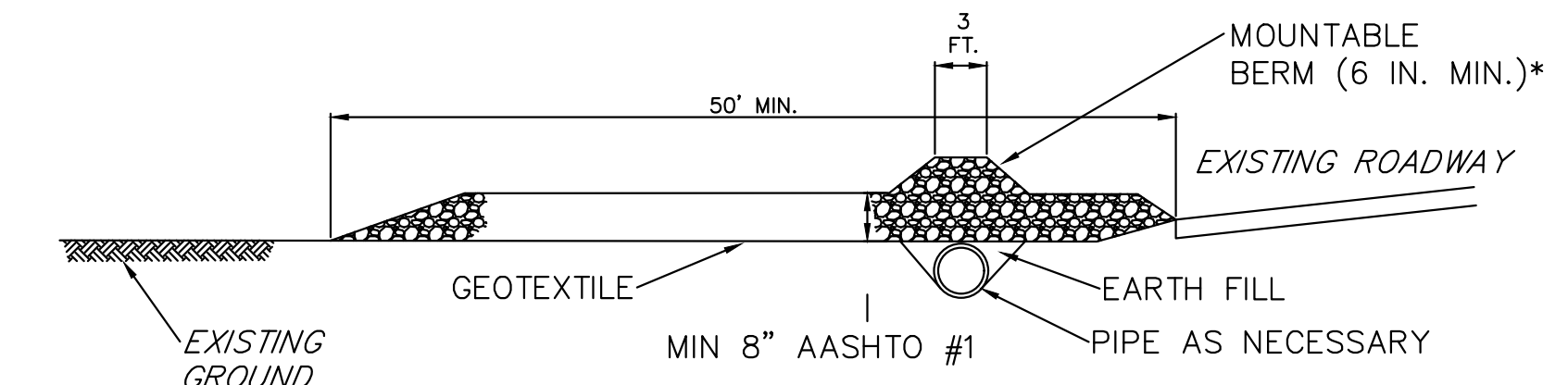
A TOP DRESSING COMPOSED OF HARD, DURABLE STONE SHALL BE PROVIDED FOR SOILS HAVING LOW STRENGTH.

DRIVEWAY DITCHES SHALL BE PROVIDED WITH ADEQUATE PROTECTIVE LINING WHEREVER RUNOFF CANNOT SHEET FLOW AWAY FROM THE DRIVEWAY.

DRIVEWAY SHALL BE INSPECTED WEEKLY AND AFTER EACH RUNOFF EVENT. DAMAGED DRIVEWAYS, DITCHES, OR CROSS DRAINS SHALL BE REPAIRED IMMEDIATELY.

CROSS CULVERT

NO SCALE



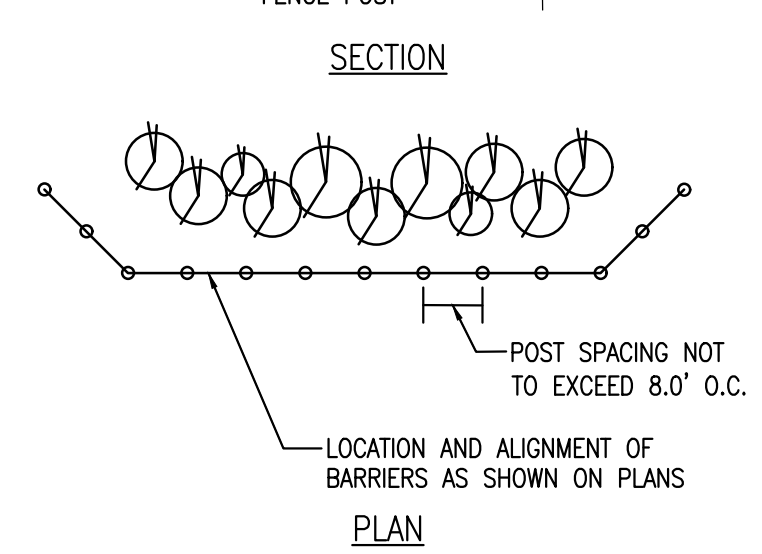
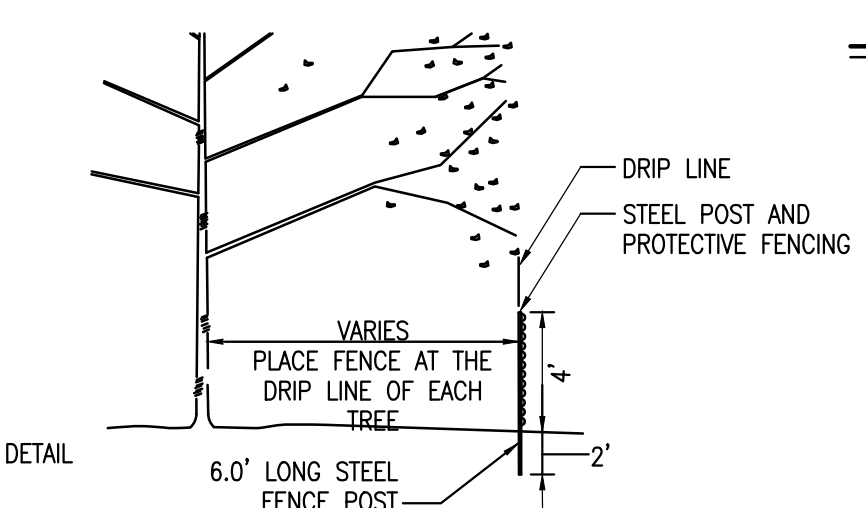
* MOUNTABLE BERM USED TO PROVIDE PROPER COVER FOR PIPE

NOTES:

- REMOVE TOPSOIL PRIOR TO INSTALLATION OF ROCK CONSTRUCTION ENTRANCE. EXTEND ROCK OVER FULL WIDTH OF ENTRANCE.
- RUNOFF SHALL BE DIVERTED FROM ROADWAY TO A SUITABLE SEDIMENT REMOVAL BMP PRIOR TO ENTERING ROCK CONSTRUCTION ENTRANCE.
- MOUNTABLE BERM SHALL BE INSTALLED WHEREVER OPTIONAL CULVERT PIPE IS USED AND PROPER PIPE COVER AS SPECIFIED BY MANUFACTURER IS NOT OTHERWISE PROVIDED. PIPE SHALL BE SIZED APPROPRIATELY FOR SIZE OF DITCH BEING CROSSED.
- MAINTENANCE: ROCK CONSTRUCTION ENTRANCE THICKNESS SHALL BE CONSTANTLY MAINTAINED TO THE SPECIFIED DIMENSIONS BY ADDING ROCK. A STOCKPILE SHALL BE MAINTAINED ON SITE FOR THIS PURPOSE. ALL SEDIMENT DEPOSITED ON PAVED ROADWAYS SHALL BE REMOVED AND RETURNED TO THE CONSTRUCTION SITE IMMEDIATELY. IF EXCESSIVE AMOUNTS OF SEDIMENT ARE BEING DEPOSITED ON ROADWAY, EXTEND LENGTH OF ROCK CONSTRUCTION ENTRANCE BY 50 FOOT INCREMENTS UNTIL CONDITION IS ALLEVIATED OR INSTALL WASH RACK. WASHING THE ROADWAY OR SWEEPING THE DEPOSITS INTO ROADWAY DITCHES, SEWERS, CULVERTS, OR OTHER DRAINAGE COURSES IS NOT ACCEPTABLE.

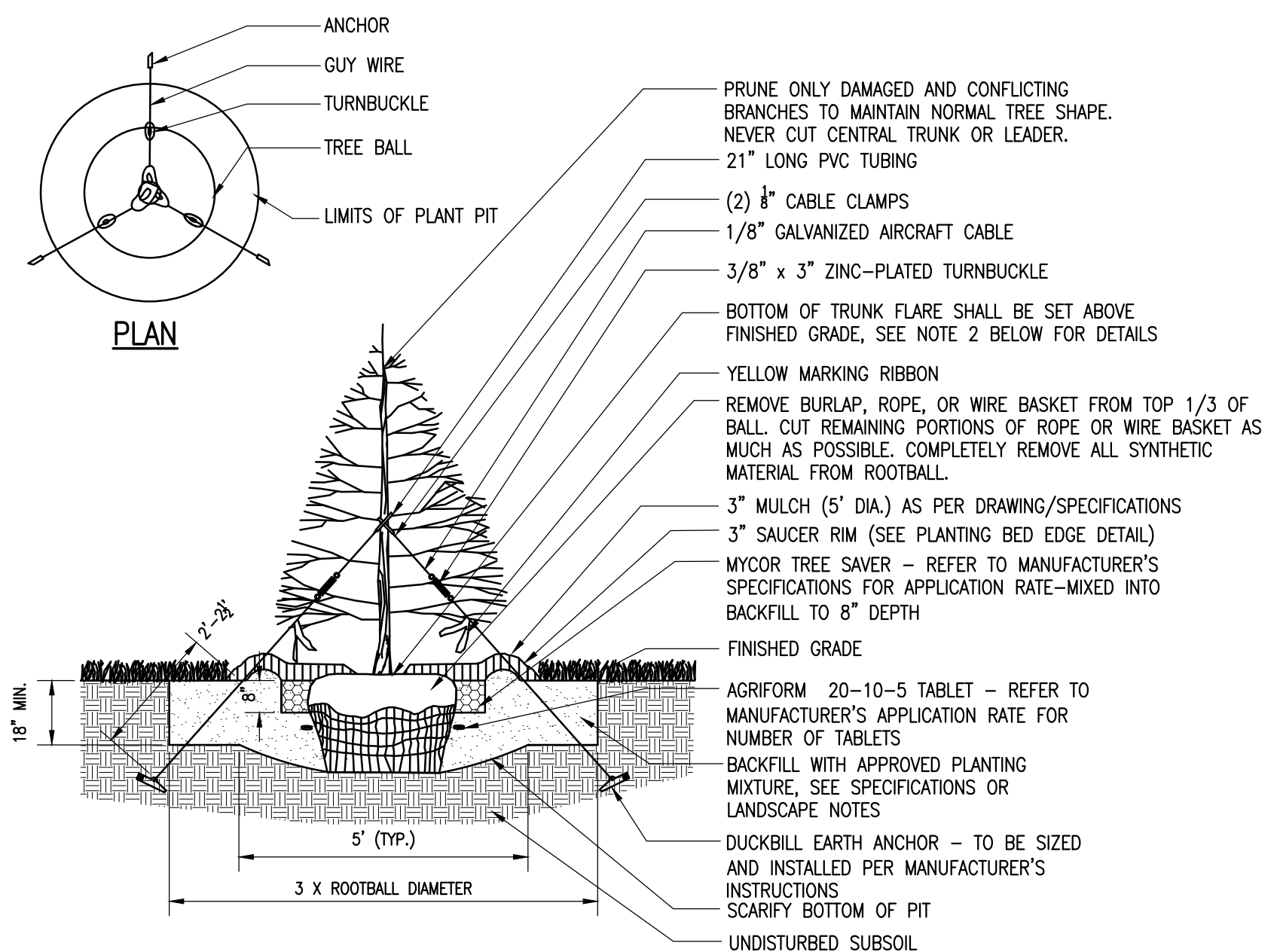
STABILIZED CONSTRUCTION ENTRANCE

NO SCALE



VEGETATION PROTECTION BARRIER

NO SCALE

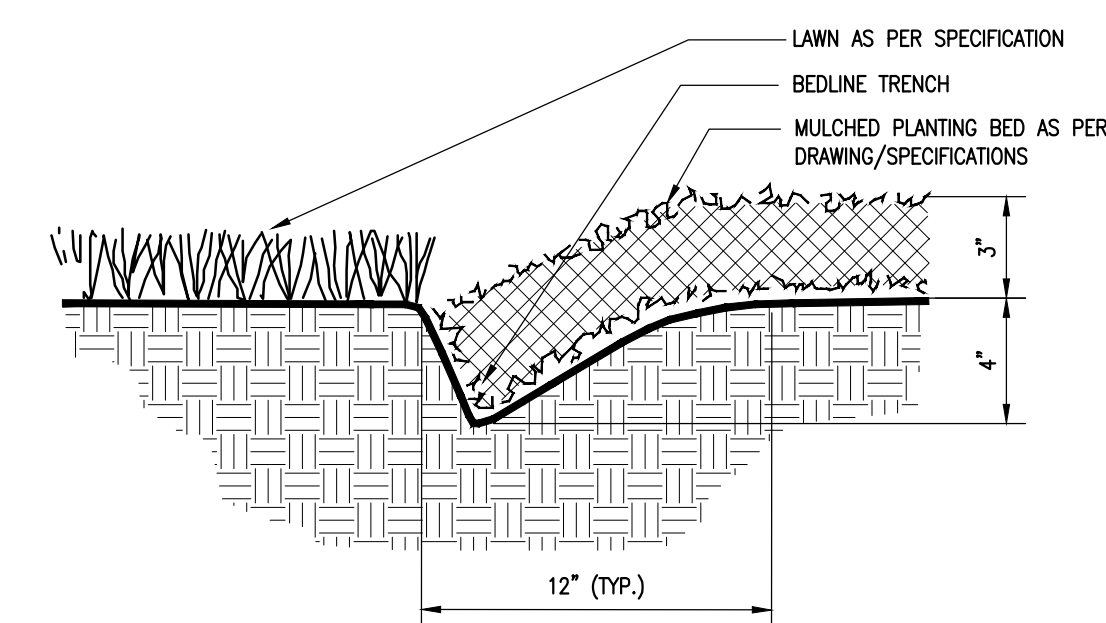


NOTES:

- MAINTAIN A 2" MINIMUM RADIUS CLEAR OF MULCH AROUND THE TRUNK.
- THE DISTANCE BETWEEN THE BOTTOM OF THE TRUNK FLARE AND THE FINISHED GRADE SHALL BE AS FOLLOWS:
FOR SANDY OR LOAMY SOILS: 1"
FOR CLAY OR POORLY DRAINED SOILS: 3"
THE CONTRACTOR SHALL REVIEW THE APPROPRIATE PLANTING DEPTH WITH THE OWNER'S REPRESENTATIVE PRIOR TO INSTALLATION.
- WHEN TAGGING TREES AT THE NURSERY, MARK THE NORTH SIDE OF THE TREE IN THE FIELD AND WHEN INSTALLING, ROTATE TREE TO FACE NORTH WHENEVER POSSIBLE.

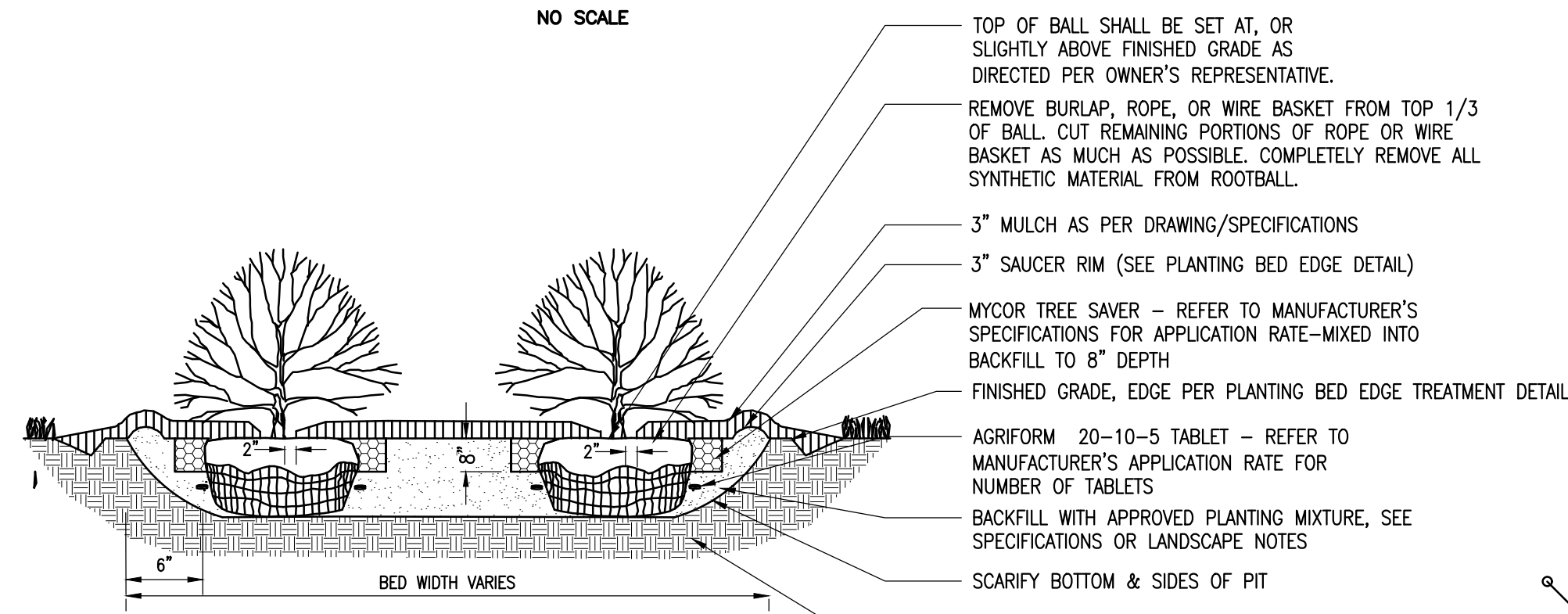
EVERGREEN TREE PLANTING

NO SCALE



PLANTING BED EDGE TREATMENT

NO SCALE



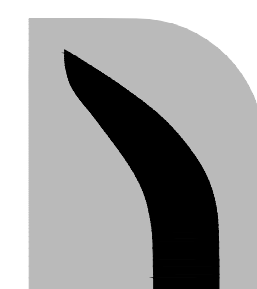
NOTES:

- MAINTAIN A 2" MINIMUM RADIUS CLEAR OF MULCH AROUND THE TRUNK.
- PLANTING BED DEPTH IN LAWN AREAS SHALL BE A MINIMUM OF 18" DEEP AND/OR AS DIRECTED BY THE OWNER'S REPRESENTATIVE.
- ALL PLANTING BEDS SHALL BE FREE OF CONSTRUCTION DEBRIS.

SHRUB PLANTING

NO SCALE

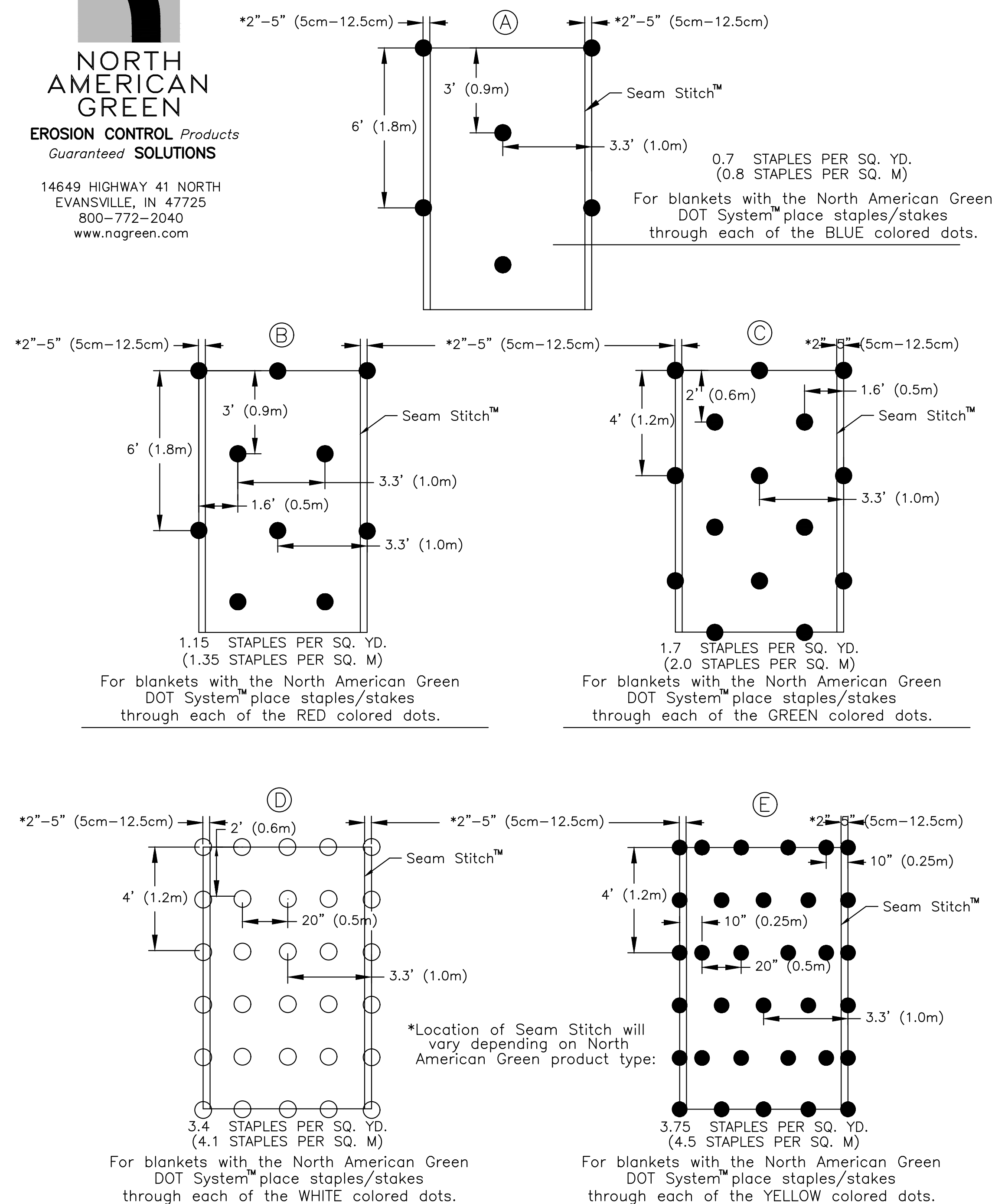
3/11/2021 1:39 PM m:\con edison cab\014847.00 con edison cab - yorktown a solar farm\4.0 dwgs\4.1 civil\4847.00 Notes & Details.dwg



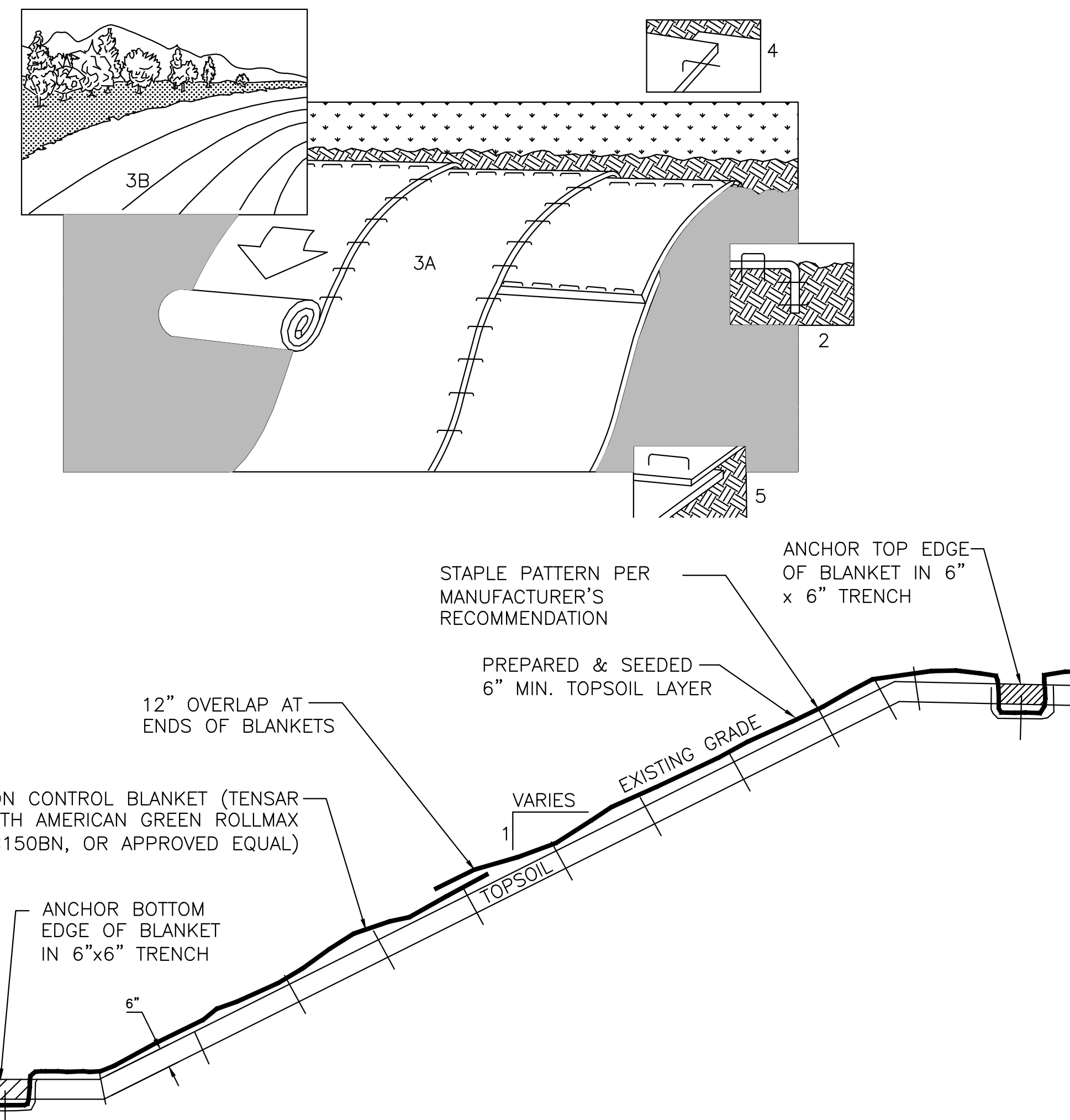
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DOT SYSTEM™ STAPLE PATTERN GUIDE



**EROSION CONTROL BLANKET
STAPLE PATTERN**
NO SCALE



NOTES:

1. PREPARE SOIL BEFORE INSTALLING BLANKETS, INCLUDING APPLICATION OF LIME, FERTILIZER, AND SEED.
2. BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE BLANKET IN 6" DEEP X 6" WIDE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING.
3. ROLL THE BLANKETS (A.) DOWN OR (B.) HORIZONTALLY ACROSS THE SLOPE.
4. THE EDGES OF PARALLEL BLANKETS MUST BE STAPLED WITH APPROXIMATELY 2" OVERLAP.
5. WHEN BLANKETS MUST BE SPLICED DOWN THE SLOPE, PLACE BLANKETS END OVER END (SHINGLE STYLE) WITH APPROXIMATELY 12" OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" APART.
6. EROSION CONTROL BLANKETS SHALL BE INSTALLED ON ALL 3:1 OR STEEPER SLOPES WITH A MINIMUM OF 6 INCHES OF TOPSOIL.
7. REFER TO STAPLE PATTERN DETAIL FOR ADDITIONAL STAPLE INFORMATION.
8. THE USE OF FLEXIBLE GROWTH MEDIUM, BONDED FIBER MATRIX, OR POLYMER STABILIZED FIBER MATRIX, APPLIED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATIONS, IS AN ACCEPTABLE ALTERNATIVE TO THE USE OF EROSION CONTROL BLANKET.

EROSION CONTROL BLANKET
NO SCALE

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FOOTHILL STREET

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NO.	DATE	DESCRIPTION	REV.	CKD
1	1/28/2021	PLAN REVISIONS	WD	ECR

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ECR	WD	ECR	WD
Date Issued:		Scale:	
OCTOBER 27, 2020		AS NOTED	
Project Number:			
14847.00			

EROSION AND SEDIMENT CONTROL DETAILS

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C009

SEED SCHEDULE 'A'

Upland Seed Mix		
Low-Growing Wildflower & Grass Mix - ERNMX #156		
Seeding Rate: 20 lb per acre with a cover crop of grain rye at 30 lb per acre		
SCIENTIFIC NAME	COMMON NAME	% OF MIX
Festuca ovina	Sheep Fescue, Variety Not Stated	63.60%
Lolium multiflorum (L. perenne var. italicum)	Annual Ryegrass	17%
Linum perenne ssp. lewisii	Perennial Blue Flax	8%
Rudbeckia hirta	Blackeyed Susan, Coastal Plain NC Ecotype	2%
Coreopsis lanceolata	Lanceleaf Coreopsis, Coastal Plain NC Ecotype	2%
Chrysanthemum leucanthemum	Oxeye Daisy	2%
Chrysanthemum maximum	Shasta Daisy	1%
Chamaecrista fasciculata (Cassia f.)	Partridge Pea, PA Ecotype	1%
Papaver rhoeas, Shirley Mix	Corn Poppy/Shirley Mix	1%
Achillea millefolium	Common Yarrow	0.5%
Aster oblongifolius (Symphyotrichum oblongifolium)	Aromatic Aster, PA Ecotype	0.5%
Eupatorium coelestinum (Conoclinium c.)	Mistflower, VA Ecotype	0.5%
Monarda punctata, Coastal Plain SC Ecotype	Spotted Beebalm, Coastal Plain SC Ecotype	0.5%
Asclepias tuberosa	Butterfly Milkweed	0.3%
Pycnanthemum tenuifolium	Slender Mountainmint	0.1%
Company Information		
Ernst Conservation Seeds, Inc.		
Address: 8884 Mercer Pike, Meadville, PA 16335		
Phone: (800) 873-3321		
Web: http://www.ernstseed.com		

* CURRENT ERNST SEED MIX COMPOSITION OR APPROVED EQUIVALENT
 * PROVIDE TEMPORARY SEEDING OF ANNUAL RYEGRASS (LOLIUM MULTIFLORUM) WITHIN SEEDING LIMITS AT RATE OF 20 LBS. PER ACRE

SEED SCHEDULE 'B'

OBL-FACW Wetland Mix		
ERNMX #120		
Seeding Rate: 20 lb per acre or 1/2 lb per 1000 sq ft		
SCIENTIFIC NAME	COMMON NAME	% OF MIX
Elymus virginicus	Virginia Wildrye	20%
Poa palustris	Fowl Bluegrass	20%
Carex lurida	Lurid Shallow Sedge	17%
Carex lupulina	Hop Sedge	9%
Carex scoparia	Blunt Broom Sedge	8%
Carex vulpinoidea	Fox Sedge	5%
Panicum clandestinum Dichanthelium c.	Deertongue 'Tioga'	5%
Sparganium eurycarpum	Giant Bur Reed	4%
Sparganium americanum	Eastern Bur Reed	3%
Juncus effusus	Soft Rush	3%
Carex crinita	Fringed Nodding Sedge	2%
Leersia oryzoides	Rice Cutgrass	2%
Scirpus cyperinus	Woolgrass	2%
Juncus tenuis	Path Rush	0.5%
Company Information		
Ernst Conservation Seeds Inc.		
Address: 8884 Mercer Pike Meadville PA 16335		
Phone: 800 873-3321		
Web: http://www.ernstseed.com		

* CURRENT ERNST SEED MIX COMPOSITION OR APPROVED EQUIVALENT
 * PROVIDE TEMPORARY SEEDING OF ANNUAL RYEGRASS (LOLIUM MULTIFLORUM) WITHIN SEEDING LIMITS AT RATE OF 20 LBS. PER ACRE

SITE STABILIZATION – SEED MIX

SOIL AMENDMENT APPLICATION RATE EQUIVALENTS					
SOIL AMENDMENT	PER ACRE	PER 1,000 SQ. FT.	PER 1,000 SQ. YD.	NOTES	
TEMPORARY SEEDING	AGRICULTURAL LIME	6 TONS	240 LB.	2,480 LB.	OR AS PER SOIL TEST: MAY NOT BE REQUIRED IN AGRICULTURAL FIELDS
	10-10-20 FERTILIZER	1,000 L.B.	25 LB.	210 LB.	
TEMPORARY SEEDING	AGRICULTURAL LIME	1 TON	40 LB.	410 LB.	TYPICALLY NOT REQUIRED FOR TOPSOIL STOCKPILES
	10-10-20 FERTILIZER	500 LB.	12.5 LB.	100 LB.	
COMPOST STANDARDS					
ORGANIC MATTER CONTENT		80% - 100% (DRY WEIGHT BASIS)			
ORGANIC PORTION		FIBROUS AND ELONGATED			
pH		5.5 - 8.0			
MOISTURE CONTENT		35% - 55%			
PARTICLE SIZE		98% PASS THROUGH 1" SCREEN			
SOLUBLE SALT CONCENTRATION		5.0 dS/m (mmhos/cm) MAXIMUM			
MULCH APPLICATION RATES					
MULCH TYPE	APPLICATION RATE (MIN.)			NOTES	
	PER ACRE	PER 1,000 SQ. FT.	PER 1,000 SQ. YD.		
STRAW	3 TONS	140 LB.	1,240 LB.	EITHER WHEAT OR OAT STRAW, FREE OF WEEDS, NOT CHOPPED OR FINELY BROKEN	
HAY	3 TONS	140 LB.	1,240 LB.	TIMOTHY, MIXED CLOVER AND TIMOTHY, OR OTHER NATIVE FORAGE GRASSES	
WOOD CELLULOSE	1,500 LB.	35 LB.	310 LB.	DO NOT USE ALONE IN WINTER, DURING HOT AND DRY WEATHER OR ON STEEP SLOPES (> 3:1)	
WOOD	1,000 LB. CELLULOSE	25 LB.	210 LB.	WHEN USED OVER STRAW OR HAY	
WOOD CHIPS	4 - 6 TONS	185 - 275 LB.	1,650 - 2,500 LB.	MAY PREVENT GERMINATION OF GRASSES AND LEGUMES	

NOTES:

- WHEN FINAL GRADE IS ACHIEVED DURING NON-GERMINATING MONTHS, THE AREA SHOULD BE TEMPORARILY STABILIZED UNTIL THE BEGINNING OF THE NEXT PLANTING SEASON.
- MULCHES SHOULD BE APPLIED AT THE RATES SHOWN IN THE MULCH APPLICATION RATES TABLE. VERY LITTLE BARE GROUND SHOULD BE VISIBLE THROUGH THE MULCH.
- STRAW AND HAY MULCH SHOULD BE ANCHORED OR TACKIFIED IMMEDIATELY AFTER APPLICATION TO PREVENT BEING WINDBLOWN.
- TOPSOIL SHOULD BE UNIFORMLY DISTRIBUTED ACROSS THE DISTURBED AREA TO A DEPTH OF 4 INCHES MINIMUM. SPREADING SHOULD BE DONE IN SUCH A MANNER THAT SEEDING CAN PROCEED WITH A MINIMUM OF ADDITIONAL PREPARATION OR TILLAGE.
- TOPSOIL SHOULD NOT BE PLACED WHILE THE TOPSOIL OF SUBSOIL IS IN A FROZEN OR MUDDY CONDITION, WHEN THE SUBSOIL IS EXCESSIVELY WET, OR IN A CONDITION THAT MAY OTHERWISE BE DETRIMENTAL TO PROPER GRADING AND SEEDBED PREPARATION.
- WHEN USED AS A MULCH REPLACEMENT, THE APPLICATION RATE (THICKNESS) OF THE COMPOST SHOULD BE 1/2" TO 3/4". COMPOST SHOULD BE PLACED EVENLY AND SHOULD PROVIDE 100% SOIL COVERAGE. NO SOIL SHOULD BE VISIBLE.
- BLANKETING SHALL BE USED ON ALL SLOPES 3H:1V OR STEEPER OR AS NOTED ON THE PLANS.
- PERMANENT STABILIZATION SHALL BE INSTALLED IMMEDIATELY UPON COMPLETION OF EARTH DISTURBANCE.
- WETLAND SEED MIX SHOULD BE INSTALLED ONLY IN DRY SWALE.

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1	1/28/2021	PLAN REVISIONS	WD	ECR

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Designed By: WD	Drawn By: WD
Date Issued: OCTOBER 27, 2020	Scale: AS NOTED
Project Number: 14847.00	

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C010

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WD		WD	
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OCTOBER 27, 2020		AS NOTED	
Project Number:	14847.00		

**CONSTRUCTION
DETAILS**

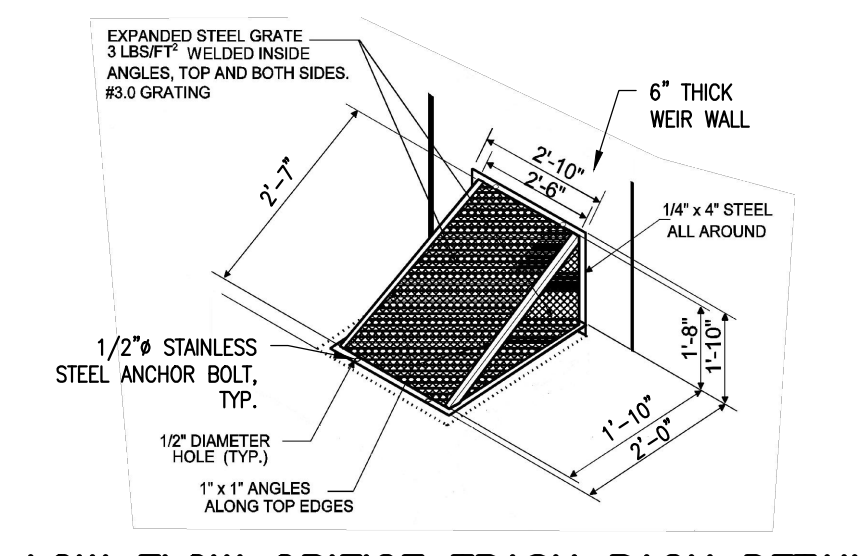
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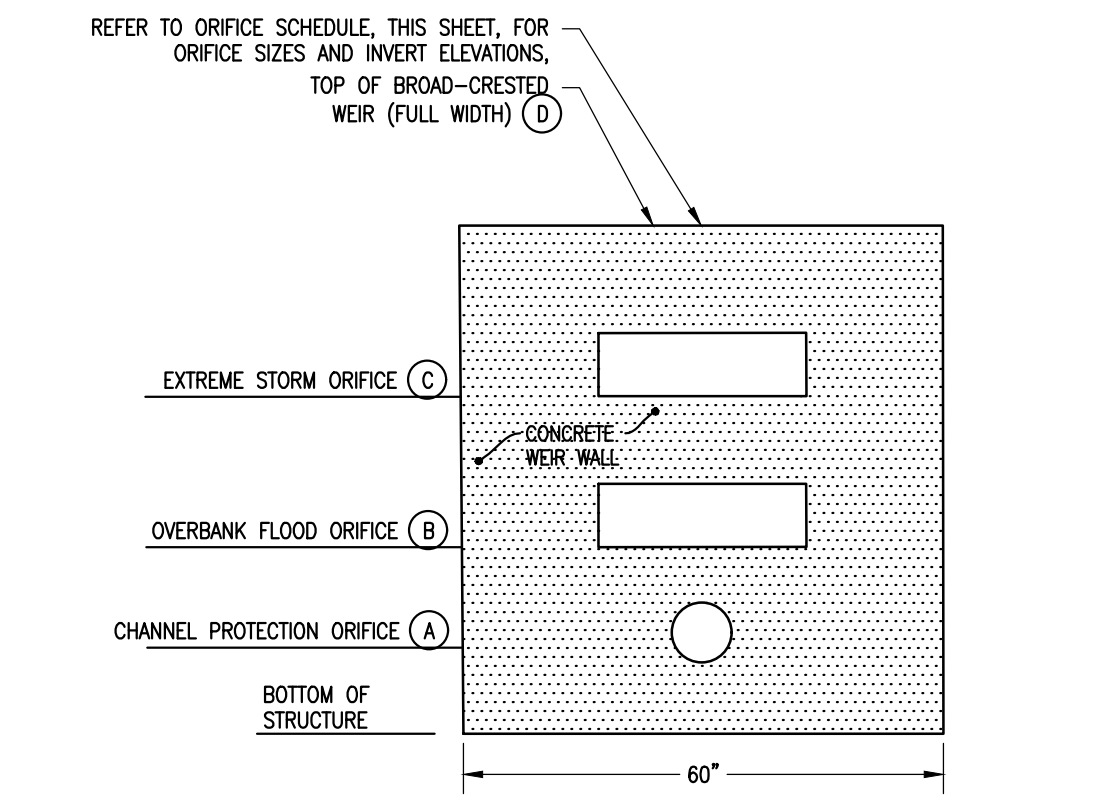
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C011

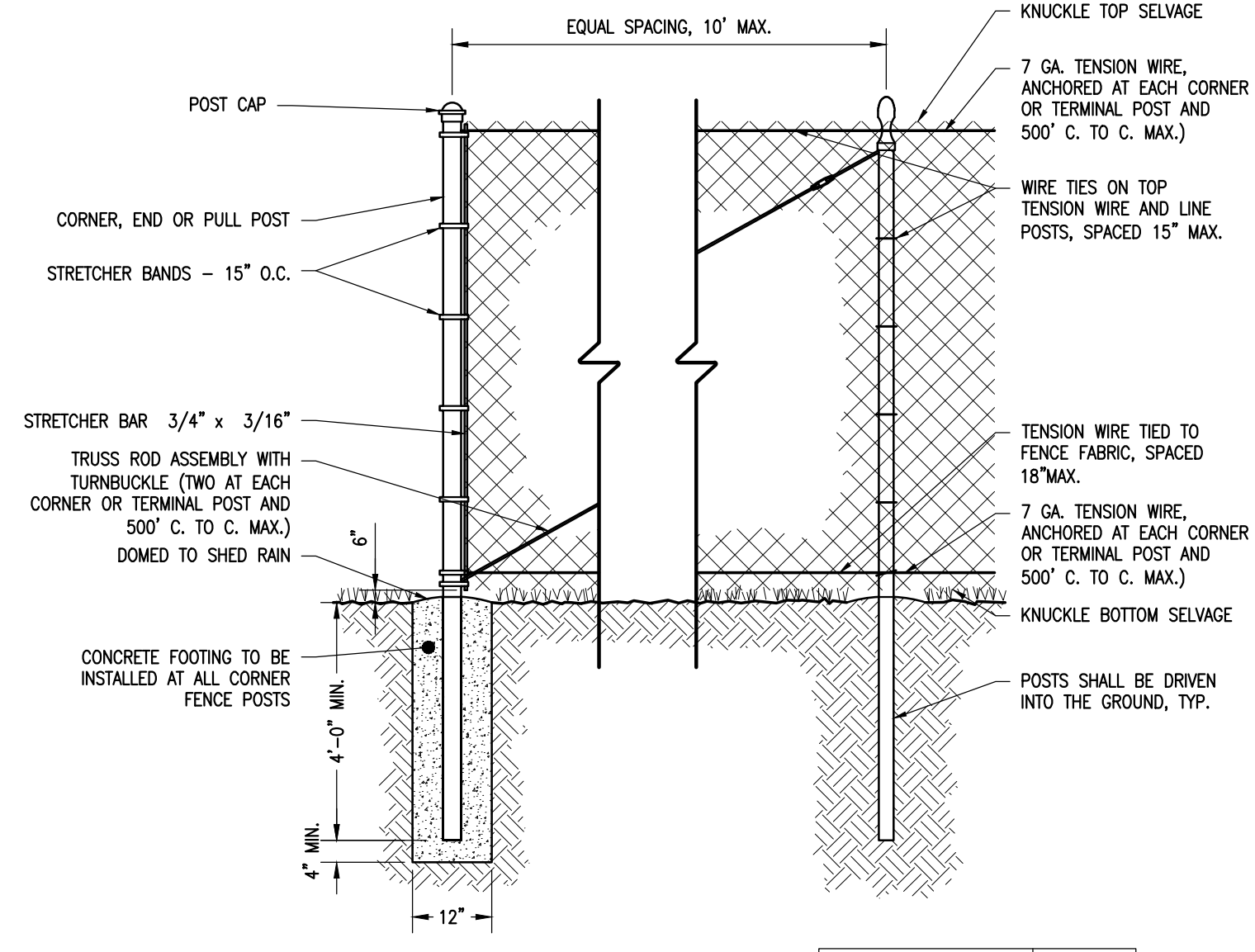


LOW FLOW ORIFICE TRASH RACK DETAIL
N.T.S.

CONTROL STRUCTURE	(A) SIZE	(A) ELEV	(B) SIZE	(B) ELEV	(C) SIZE	(C) ELEV	(D) ELEV
1	3"	281.32	30"x8"	281.75	30"x6"	283.10	284.00



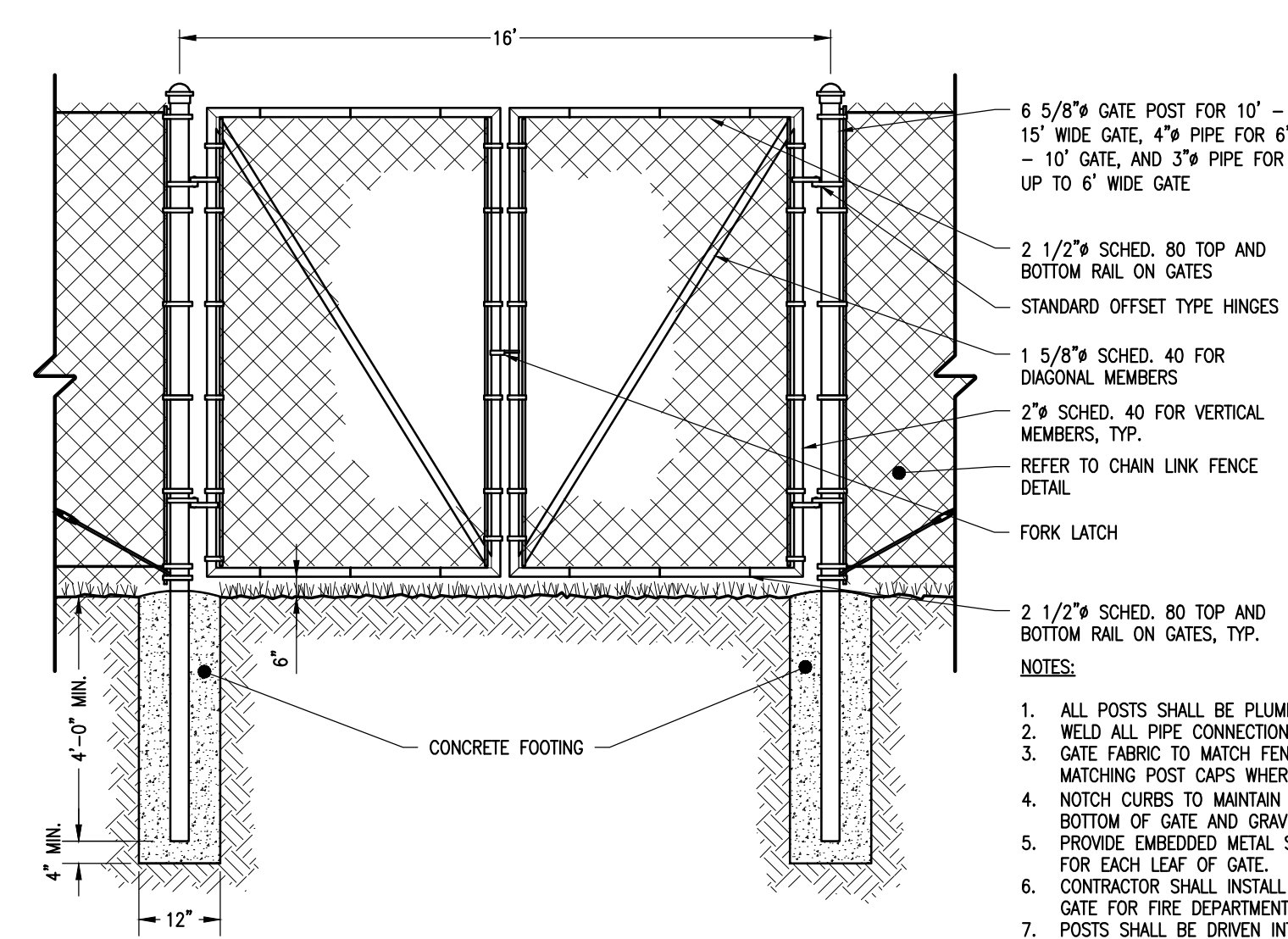
ORIFICE DETAIL
N.T.S.



CHAIN-LINK FENCE DETAIL
N.T.S.

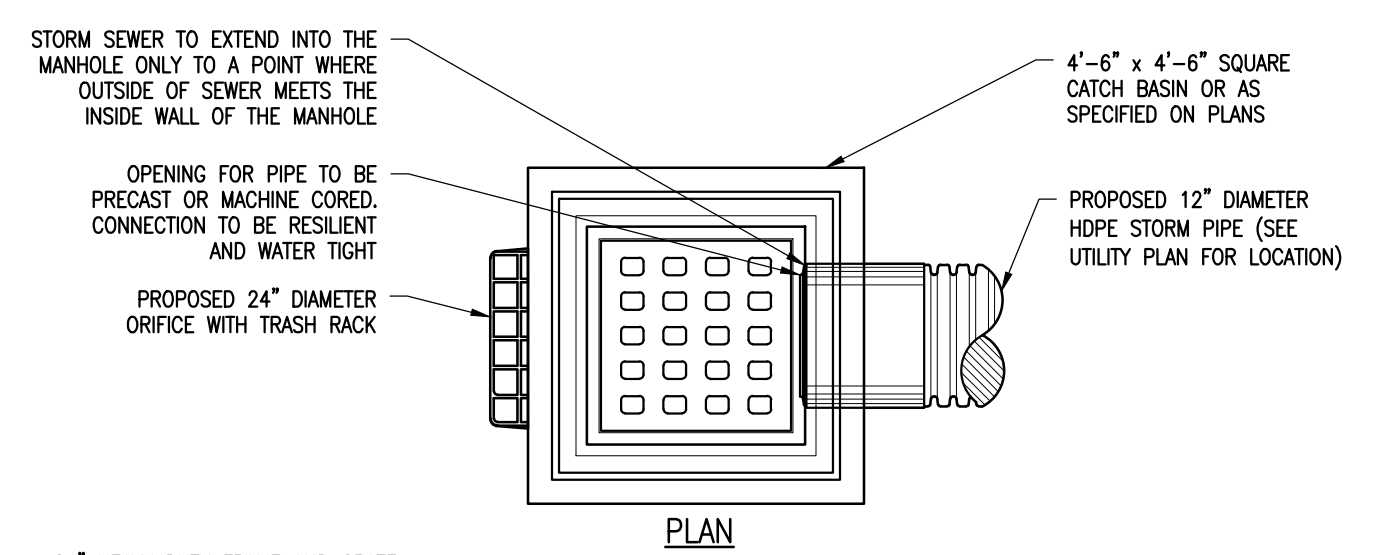
USE	NOM. OD.
LINE POSTS	2 1/2"
CORNER, END, GATE, & PULL POSTS	3"
RAILS	1 5/8"
GATE FRAMES	2"

DESIGNER TO COORDINATE
PIPE SIZES WITH
SPECIFICATIONS

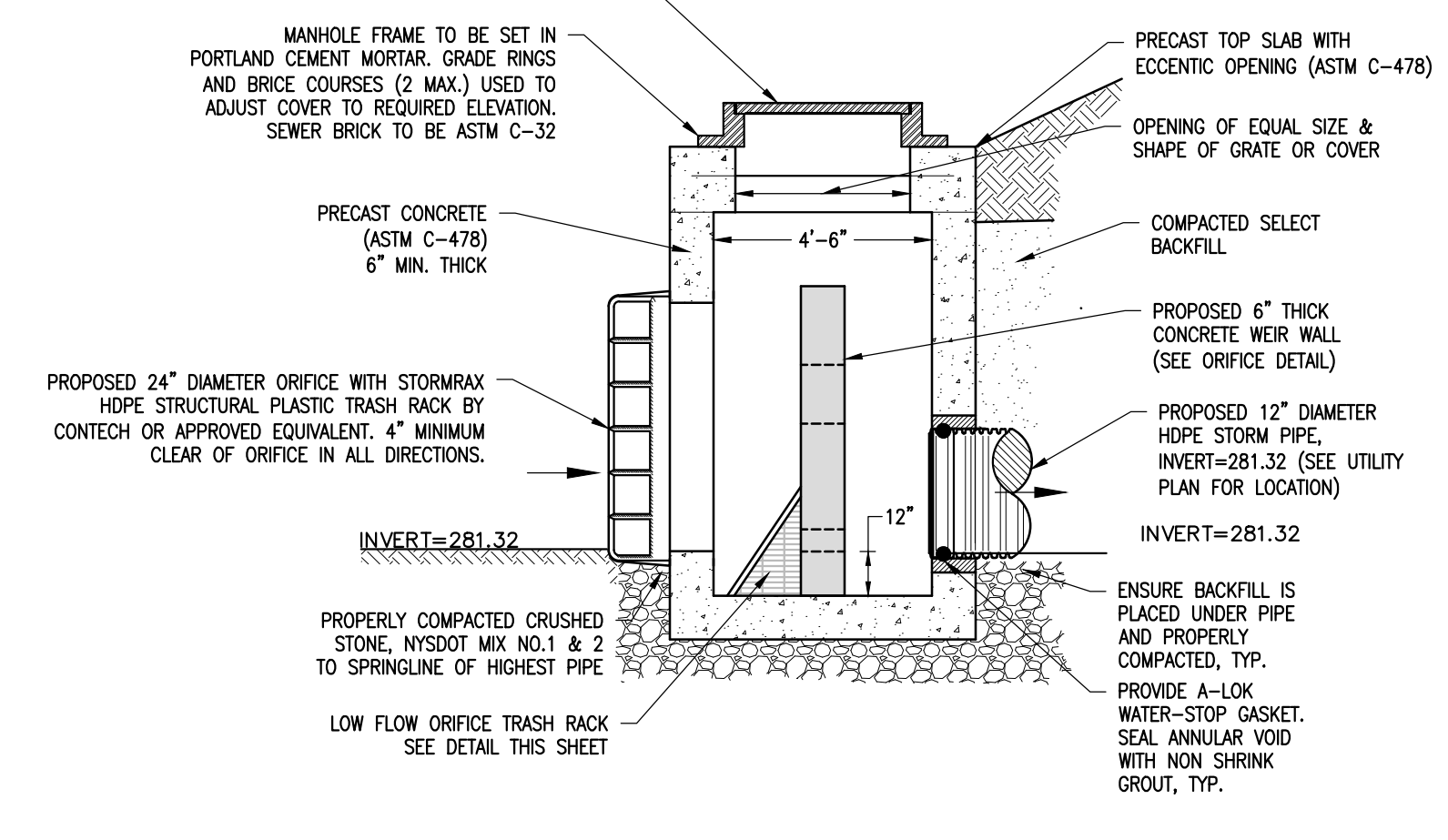


CHAIN-LINK FENCE GATE DETAIL
NO SCALE

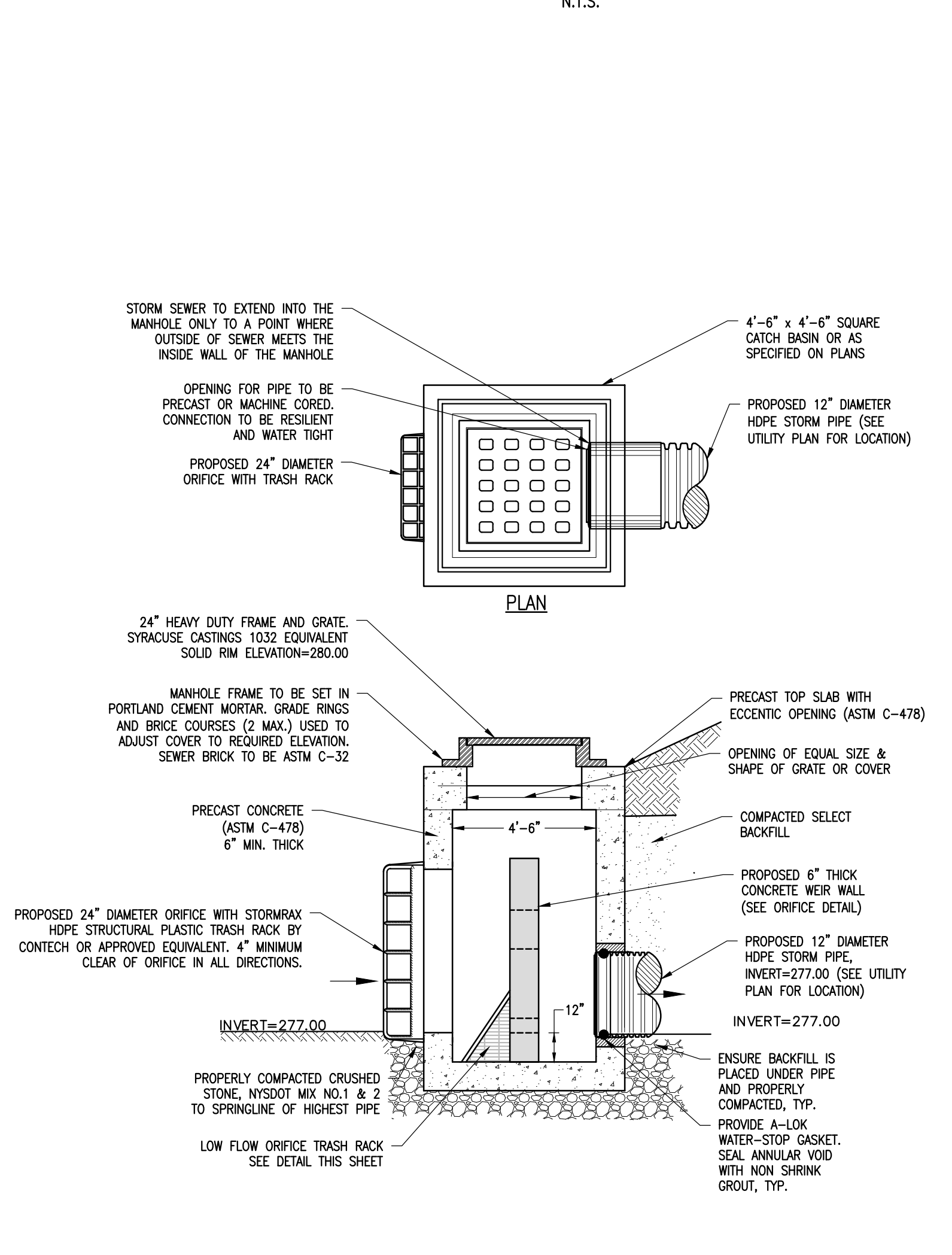
- NOTES:
- ALL POSTS SHALL BE PLUMB
 - WIRE TIES SHALL BE PLACED 15" ON CENTER ALONG TOP RAIL AND LINE POSTS.
 - 6 5/8" GATE POST FOR 10' - 15' WIDE GATE, 4" PIPE FOR 6' - 10' GATE, AND 3" PIPE FOR UP TO 6' WIDE GATE
 - 2 1/2" SCHED. 80 TOP AND BOTTOM RAIL ON GATES
 - STANDARD OFFSET TYPE HINGES
 - 1 5/8" SCHED. 40 FOR DIAGONAL MEMBERS
 - 2" SCHED. 40 FOR VERTICAL MEMBERS, TYP.
 - REFER TO CHAIN LINK FENCE DETAIL
 - FORK LATCH
 - 2 1/2" SCHED. 80 TOP AND BOTTOM RAIL ON GATES, TYP.



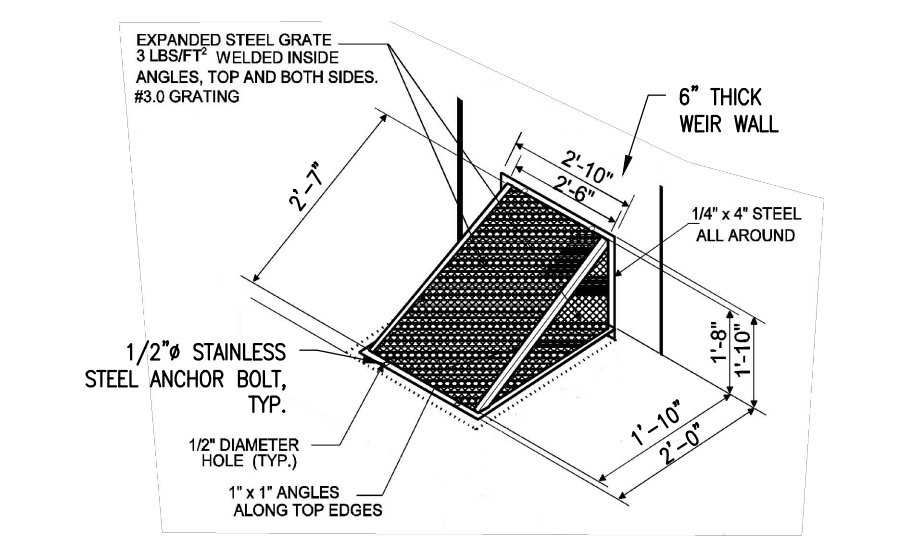
OUTLET CONTROL STRUCTURE 1 DETAIL
N.T.S.



OUTLET CONTROL STRUCTURE 2 DETAIL
N.T.S.

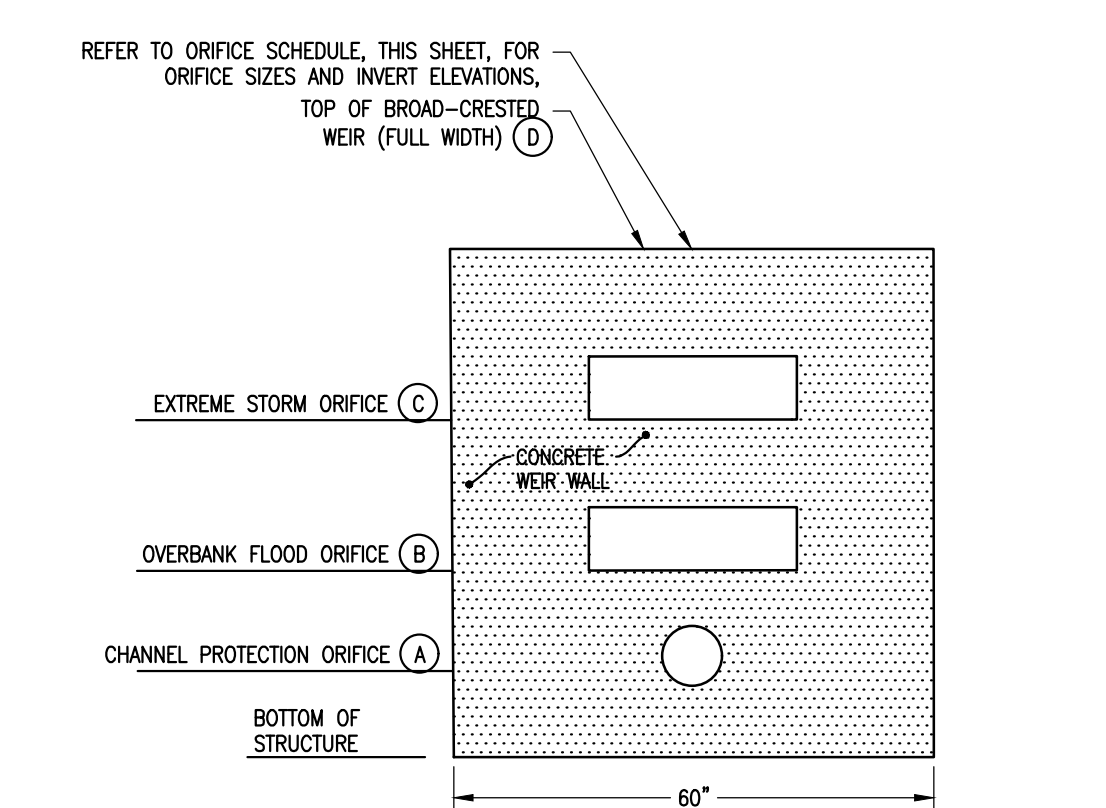


OUTLET CONTROL STRUCTURE 2 DETAIL
N.T.S.



LOW FLOW ORIFICE TRASH RACK DETAIL
N.T.S.

CONTROL STRUCTURE	(A) SIZE	(A) ELEV	(B) SIZE	(B) ELEV	(C) SIZE	(C) ELEV	(D) ELEV
1	3"	277.00	20"x6"	277.50	30"x6"	278.10	279.00



ORIFICE DETAIL
N.T.S.

3/11/2021 1:40 PM m:\con edison ccb\014847.00 con edison ccb - yorktown a solar farm\4.0 dwgs\4.1 civil\4847.00 Notes & Details.dwg

Photo simulation #1 – Foothill Street with Planting Enhancement – Day 1



Photo simulation #2 – Foothill Street with Planting Enhancement – Day 1



Photo simulation #3 – Foothill Street with Planting Enhancement – Day 1



Photo simulation #4 – Foothill Street with Planting Enhancement – Year 5



Photo simulation #5 – Foothill Street with Planting Enhancement – Year 5



Photo simulation #6 – Foothill Street with Planting Enhancement – Year 5



Photo simulation #7 – Foothill Street with Planting Enhancement – Day 1



Photo simulation #8 – Entrance Area with Planting Enhancement – Day 1



Photo simulation #9 – Entrance Area with Planting Enhancement – Year 5



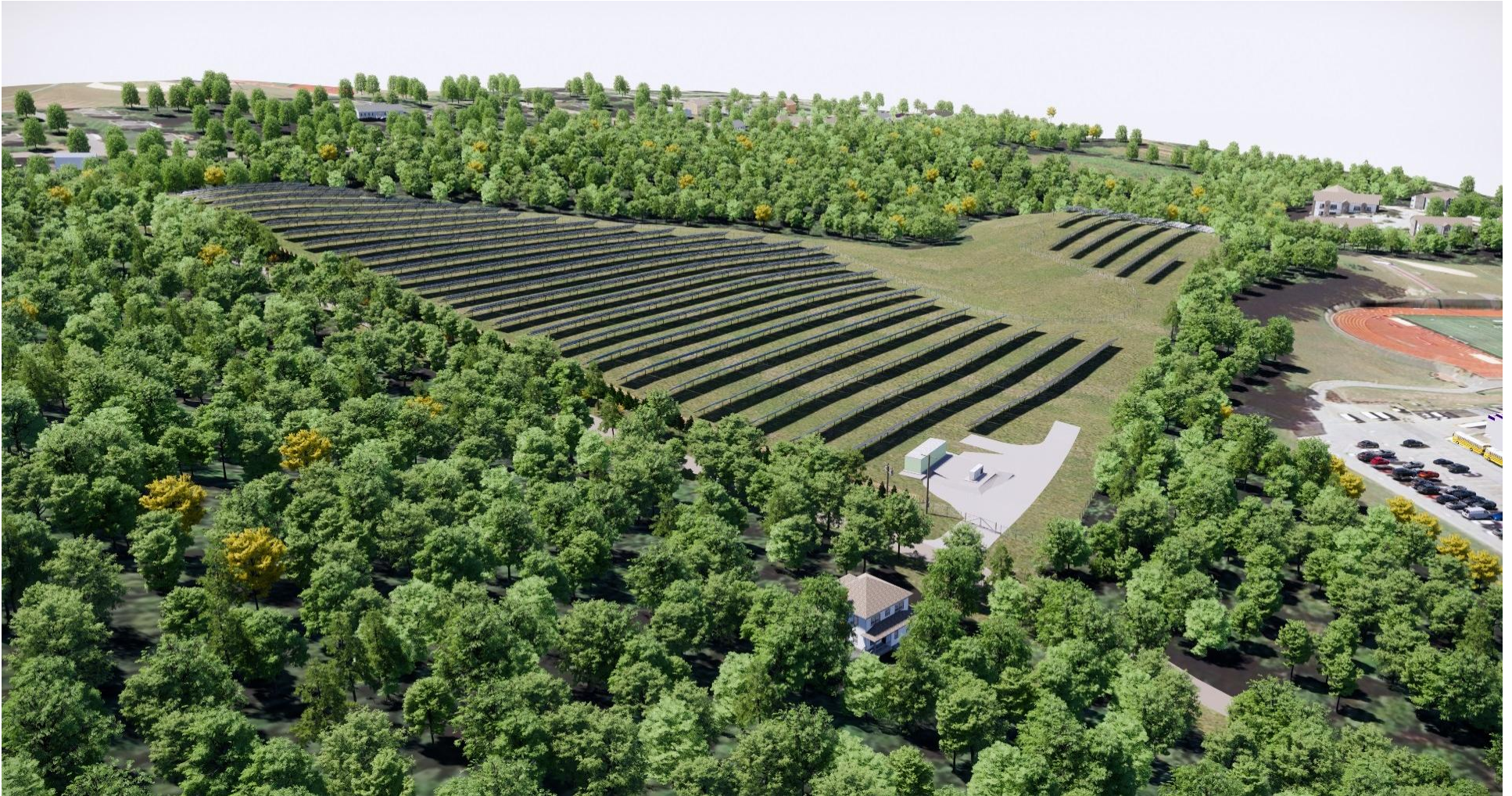
Photo simulation #10 – Entrance Area with Planting Enhancement – Year 5



Photo simulation #11 – Aerial – Year 5



Photo simulation #12 – Aerial – Year 5



Taco Bell Public Hearing

TOWN OF YORKTOWN PLANNING DEPARTMENT

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

To: Planning Board
From: Planning Department
Date: April 9, 2021
Subject: Taco Bell Public Hearing

The Public Notices for this hearing were not sent out until April 5, 2021, therefore after those attending speak, the Hearing must be adjourned and re-noticed.

From: Paul J. Dumont, PE [<mailto:PDumont@jmcpllc.com>]
Sent: Monday, April 05, 2021 12:32 PM
To: Robyn Steinberg <rsteinberg@yorktownny.org>
Subject: RE: Taco Bell Mohegan [JMC 20045]

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.

Robyn,

Thank you, attached is the Proof of Mailing. Our office made an error and the notices were not sent out until this morning.

Could you please let us know if the Board would still like to hold the hearing next Monday or if it will be postponed? Thank you and apologies for the inconvenience.

Sincerely,

PAUL J. DUMONT, PE
Senior Designer II

JMC

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USPS® Tracking Number Firm-specific Identifier		Postmaster, per (name of receiving enterprise) <div style="text-align: center;">  </div>		Address <small>(Name, Street, City, State, and ZIP Code)</small>	Postage	Fee	Special Handling	Parcel Airlift
1.	ST. MARY'S EPISCOPAL 1836 E. MAIN ST. MOHEGAN LAKE, NY 10547							
2.	ROUTE 6 REALTY HOLDING, 1791 EAST MAIN ST. MOHEGAN LAKE, NY 10547							
3.	OLD ST. GEORGE'S LLC 10 GILEAD ROAD MAHOPAC, NY 10541							
4.	MOHEGAN VISTA PROPERTIES P.O. BOX 365 JEFFERSON VALLEY, NY 10535							
5.	ROTTENKOLBER, JOHN & PATRICIA P.O. BOX 2 GLENHAM, NY 12527							
6.	MOHEGAN VISTA PROPERTIES P.O. BOX 365 JEFFERSON VALLEY, NY 10535							




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USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
1.	RADER, DAVID & MARY 3485 SAGAMORE AVE. MOHEGAN LAKE, NY 10547				
2.	TOWN OF YORKTOWN 363 UNDERHILL AVE. YORKTOWN HGTS., NY 10598				
3.	TOWN OF YORKTOWN PARKLAND 363 UNDERHILL AVE. YORKTOWN HGTS., NY 10598				
4.	FAITH BIBLE CHURCH 3500 MOHEGAN AVE. MOHEGAN LAKE, NY 10547				
5.	ABRAMS, DAVID P.O. BOX 365 JEFFERSON VALLEY, NY 10535				
6.	ABRAMS, DAVID P.O. BOX 365 JEFFERSON VALLEY, NY 10535				



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	Postmaster, per (name of receiving employee)		

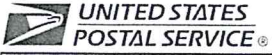
USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
1.	TOWN OF YORKTOWN PARKLAND 363 UNDERHILL AVENUE YORKTOWN HGTS, NY 10598				
2.	3555 MOHEGAN AVE LLC. 362 HIGHLAND AVE. MONTCLAIRE, NJ 07043				
3.	TOWN OF YORKTOWN 363 UNDERHILL AVE. YORKTOWN HEIGHTS, NY 10598				
4.	SACARNY-DEVITO ASSOC. INC 90 BYRAM RIDGE RD. ARMONK, NY 10504				
5.	VILLAGE TRADITIONS, LLC 47 KAYLA AVENUE MAHOPAC, NY 10541				
6.	MAIN STREET HOME CENTER 2090 EAST MAIN ST. CORTLANDT MANOR, NY 10567				



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USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
1.	MEEHAN, GREGORY F & 3560 MOHEGAN AVENUE MOHEGAN LAKE, NY 10547				
2.	FIRST H.C.OF P. 1821 EAST MAIN STREET PEEKSKILL, NY 10566				
3.	HUDSON RIVER TEACHERS 3563 MOHEGAN AVE. MOHEGAN LAKE, NY 10547				
4.	FRIENDLY SERVICE MOHEGAN 25 ST. CHARLES STREET THORNWOOD, NY 10594				
5.	MOHEGAN LAKE MOTORS INC. P.O. BOX 965 MOHEGAN LAKE, NY 10547				
6.	UHL, LISA 3552 MOHEGAN AVE MOHEGAN LAKE, NY 10547				



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		Postmaster, per (name of receiving employee)				
USPS® Tracking Number Firm-specific Identifier	Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift	
1.	FAITH BIBLE CHURCH 3500 MOHEGAN AVE. MOHEGAN LAKE, NY 10547					
2.	MOHEGAN VISTA P.O. BOX 365 JEFFERSON VALLEY, NY 10535					
3.	SIMMONS, MICHAEL 3519 SAGAMORE AVENUE MOHEGAN LAKE, NY 10547					
4.						
5.						
6.						

Sign Notification Certification

Per Section §205-7 of the Town of Yorktown Town Code, every applicant that submits an application to an approval authority empowered to approve or deny said application must post one or more notification signs on the property which is the subject of said application.

Section 15.16 Block 1 Lot 21

Project Name: Taco Bell Mohegan Lake

Address: 3571 Mohegan Avenue

Applicant's Name: Keystone Mohegan Lake LLC

Address: 25 Route 59, Nyack, NY 10960

Phone: (201) 863-3670

No. Signs Posted: 2

Sign #1 Location: Mohegan Avenue Frontage

Sign #2 Location: Route 6 Frontage

Sign #3 Location: _____

- Please Attach and Label Photos on Additional Sheets -

Applicant's Signature:  Raghav Patel, Keystone Mohegan Lake LLC

Land Owner's Signature:  Mark Ellman, Celestial Route 6 Associates II LLC

TACO BELL – MOHEGAN LAKE
SIGN NOTIFICATION CERTIFICATION



Robyn Steinberg

From: Richard Zack <r@zack.to>
Sent: Monday, April 12, 2021 3:39 PM
To: Robyn Steinberg
Subject: Taco bell

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.

Hello,

Our family lives on Wenonah Trail in Mohegan Lake, and both our young kids are students at The Learning Exchange. We are strongly opposed to the proposal for a Taco Bell on the corner of Route 6 and Mohegan Avenue — its close proximity to TLE will certainly have a negative impact on our kids and the hundreds of other kids at TLE for many obvious reasons. In addition, there can be no doubt that it will add significantly to the traffic problems in the area, as well as to the amount of trash entering Lake Mohegan. We strongly ask and encourage you to reject the proposal for the Taco Bell at this location.

Please do not hesitate to contact me at any time.

Thank you,

Richard Zack
1626 Wenonah Trail
Mohegan Lake, NY 10547
347-585-7752
r@zack.to

Robyn Steinberg

From: Johnny Fitz <john.matthew.fitz11@gmail.com>
Sent: Monday, April 12, 2021 2:35 PM
To: Robyn Steinberg
Subject: Taco Bell

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.

Hello Ms. Steinberg I am a concerned parent of students at the daycare near the proposed Taco Bell site. I am 100% opposed to putting another busy traffic inducing establishment near our children.

There is no shortage of locations throughout Yorktown to put -another- place to eat. The safety of our children should be the main concern for our elected officials.

The pollution and noise during construction will affect the kids outdoor playtime and cause many of them to constantly have issues with noise. They will suffer from the added pollution of all of the cars idling at the drive thru constantly once it is built. I understand money drives everything but this is our children's health and well being we are talking about.

Myself and other parents will probably pull our kids from TLE in order to avoid this situation - further throwing off their development and forcing them to make new friends and be displaced from a place that they are comfortable - probably sending TLE into a desperate situation - after they have been there for us thru the pandemic.

If this goes thru I would seriously consider voting against all of our elected officials next term as it is clear that they would value money over our children's health and safety. I'm sure that is not something that anyone involved in this would want in their conscience. I hope everyone votes accordingly when the time comes.

Thank you for your time
John

APR 12 2021

From: Jaclyn Guerra <jaclynguerra@gmail.com>
Sent: Sunday, April 11, 2021 6:01 PM
To: John Tegeder; Robyn Steinberg; Matthew Slater; Nancy Calicchia; Nancy Milanese
Subject: Questions and Concerns in Regards to Taco Bell on Mohegan and Main Street

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.

Dear Members of the Planning Board,

After listening to the Work Session in regards to the Taco Bell on Mohegan Avenue and East Main Street, several questions came to mind in how this project will affect the area. As you know, the corner of Mohegan Avenue and East Main Street is a very busy intersection. Traffic frequently backs up in both directions on Rt 6 all the way to the Cortlandt Town Center and St. George's Winery. Drivers get so tired of waiting in this traffic that they frequently run the red lights, use the center turn lane on Rte. 6 as a passing lane, cut through the CVS parking lot, or take detours on Mohegan Avenue, Strawberry Rd, or Sagamore, depending on which direction they are traveling. When school is in session, buses are backed up for miles; then during the summer, parents for Camp Nabby are speeding through these tiny streets. The majority of my questions pertain to the above situations and how it will be affected by a drive-thru restaurant.

1. Can another independent traffic study be completed? The first traffic study was done by the owner of the property and the second was done the week of Thanksgiving, which, especially with COVID travel restrictions, had much lower traffic than a typical workday.

2. During the work session, it was mentioned that COVID is causing an increase in drive-thru usage, especially in reference to Popeye's, and that it would decrease once COVID ended. But we should also consider that, due to COVID, commuter traffic has decreased. Following the same line of reasoning, once COVID ends, commuter traffic will increase, impacting this intersection. Has a post-COVID evening commute, which coincides with rush hour for a Taco Bell drive-thru, been factored into the traffic studies? What is the traffic study's conclusion for this exact scenario?

3. Can an additional entrance on Rt. 6 be added for Taco Bell?

4. When westbound traffic backs up past St. George's Winery (which occurs on a daily basis even now during COVID), drivers turn into the parking lot by Mohegan Lake Dental, cutting through the conjoined parking lots all the way to CVS, where they turn left onto Mohegan Avenue and continue to cut through the residential neighborhood around Lake Mohegan. With an increase in traffic at the Rte. 6 / Mohegan Ave / Lakeland intersection, people will cut through the CVS parking lot more often, potentially resulting in accidents, especially those involving pedestrians. What will be done to prevent cars from cutting through these parking lots?

5. Due to the traffic, people use Mohegan Avenue to Dale to Amazon as a cut through between Lexington and Rt. 6. They drive above the speed limit, even with the speed bumps. Families walk along this road; during the summer, pedestrians are more common than many other parts of Yorktown because residents walk to the beaches at the lake. What will be done to prevent an increase in cut throughs as a result of the increase in traffic because of Taco Bell? To discourage cut-throughs and slow traffic, can all-way stop signs be installed at the following dangerous intersections, which will only become more


treacherous with increased traffic: Mohegan / Sagamore, Mohegan / Lakeshore / Fenimore, Mohegan / Christine / Tamarack, Lakeshore / Christine?

6. Is it possible to have the Taco Bell without a drive thru in this location?
7. Have other food establishments that provide more variety to Yorktown residents been considered for this location? E.g. sit down restaurants, bakeries, etc.?
8. Can the town be held liable if there is an increase in accidents at this intersection directly related to this project?
9. Can the taxes created by Taco Bell be set aside to repair Mohegan Avenue, which will deteriorate further with the increase in cut through traffic?
10. Taco Bell is known for late night hours, catering to students, and impaired drivers. Can they be forced to close at an earlier time, such as 9 pm, to prevent an increase in impaired drivers on the road?
11. A study by Clean Water Action has shown that close to 50% of street litter comes from fast food restaurants. This aligns with what we already see around our neighborhood, even from fast food restaurants much further away. In our neighborhood, street litter makes its way into Lake Mohegan. A drive-thru fast food restaurant on the shores of Lake Mohegan will counteract Supervisor Slater's campaign promises to clean up Lake Mohegan. It will also undermine the decades of bipartisan efforts dedicated to improving the ecological health of Lake Mohegan. What will be done to keep Taco Bell's trash out of Lake Mohegan? How many trash cans, including car-accessible trash cans, will be installed on the Taco Bell site? How many "litter cameras" will be installed along the Mohegan Avenue-Dale-Amazon route? How many on Sagamore? What resources will be used to monitor these cameras and hold the littering cars accountable? What resources will be allocated for roadside clean-ups of litter along this corridor?

Thank you for your time. I look forward to hearing your answers.

Sincerely,
Jaclyn Guerra
Joseph Disisto
Maureen Hughes
Linda Caffrey
Celeste Foster

**Local Products
to Play Ball in
Olympics
...page 17**

 twitter.com/ExaminerMedia

COVID-19 Breakdown:

Yorktown	4,100 (179)
Village of Ossining	3,897 (132)
Peekskill	3,729 (122)
Cortlandt	3,470 (150)
Somers	1,947 (149)
Croton-on-Hudson	743 (37)
Town of Ossining	561 (20)
Buchanan	260 (8)

The NORTHERN WESTCHESTER Examiner

Covering Yorktown, Somers, Cortlandt, Croton-on-Hudson, Buchanan, Ossining and Peekskill

April 6 - April 12, 2021

SMALL NEWS IS BIG NEWS

Volume 13, Issue 589

Residents Oppose Drive-Thru Taco Bell in Mohegan

By Rick Pezzullo

A proposed drive-thru Taco Bell on the corner of Route 6 and Mohegan Avenue in Mohegan Lake has a large contingent of residents in the area calling for the project to be scrapped.

An online petition from Concerned Citizens for Mohegan Lake opposing the plan has generated more than 125 signatures in less than a week. A public hear-

ing before the Yorktown Planning Board via Zoom is scheduled for Monday, April 12.

"It will be a tragedy to have this restaurant built in that location," Thomas Mieto, a 20-year resident of Mohegan Lake, remarked during a Planning Board meeting when the project was first discussed. "It's a disgrace. It's wrong."

In 2007, Yorktown officials approved a four-lot subdivision on

the site, including a 4,000-square-foot bank in the same location where the 2,000-square-foot Taco Bell is envisioned. The bank was never built since the property owner was unable to find a tenant.

In 2018, the Yorktown Town Board rezoned the .83-acre property to commercial retail, paving the way for an eatery, such as Taco Bell, to seek occupancy.



PHOTO BY RICK PEZZULLO

continued on page 2 Intersection of Rt. 6 and Mohegan Ave. where Taco Bell is proposed.

Hen Hud Weighs Princeton Plan as Indian Pt. Closes

By Rick Pezzullo

With the Indian Point nuclear power plants scheduled to close at the end of the month and a large chunk of its annual revenue disappearing, the Hendrick Hudson School District is considering implementing the Princeton Plan at the elementary level to reduce expenses.

In recent weeks, Superintendent of Schools Joseph Hochreiter and other district officials have held a series of community forums to inform parents and residents of what the Princeton Plan entails and what it could mean to students as early as September.

"We knew we had major decisions to make," Hochreiter said during the first of 10 forums that took place in mid-March.

Since Entergy announced in January 2017 that it would be departing from the nuclear facility in Buchanan, Hendrick Hudson officials have been exploring ways to make up the \$25 million it will be losing annually from Indian Point. For years, Indian Point has been supplying funding for almost one-third of the district's operating budget.

The Princeton Plan, which the Hendrick

Hudson Board of Education has been pondering since 2019, involves students being arranged by grade level instead of where they live geographically.

If implemented, Hochreiter said switching to the Princeton Plan could save the district an estimated \$2 million annually and result in a 4.5% property tax avoidance. One of the downsides is 14 staff positions in kindergarten through fifth grade would be eliminated.

"None of us are excited about that," Hochreiter said.

Hochreiter noted enrollment in the district has declined by 10% the last 10 years with 240 fewer students. At Furnace Woods Elementary School, enrollment has dropped 30%.

During its review of the Princeton Plan, which included a stakeholder group of 37 staff, parents and other community members, Hendrick Hudson reached out to Somers, Ossining and Tarrytown to learn how those districts have fared with the same learning model.

If the Princeton Plan is given the green light in Hendrick Hudson, district officials will decide if it will go into effect next fall or be put on hold until September 2022.



PHOTO BY RICK PEZZULLO

Welcome to the World, Lorenzo

Lorenzo Max Makiling was born March 30 at 5:15 a.m. at White Plains Hospital to Dr. Cheryline Pezzullo and Dr. Mark Makiling. Lorenzo, who weighed in at seven pounds, four ounces, is the first grandchild of Examiner Media Editor Rick Pezzullo and his wife, Jacqueline, of Cortlandt, and Juvy and Max Makiling of Rockland County

- SILVER TAEKWONDO CLUB: Ages 60+
- ADULT Morning Classes
- COVID Safe Certified Instructors
- Comprehensive Sanitation Policy
- Socially Distanced Curriculum



20 YEARS IN YORKTOWN

WSJTKD.COM / (914) 243-3000

Murtaugh Appointed to Fill Vacancy on Croton Village Board

By Anna Young

A former longtime Croton-on-Hudson trustee has been appointed to fill the vacancy on the Village Board following the sudden death of John Habib.

During a special meeting on March 29, Mayor Brian Pugh selected Ian Murtaugh to serve the remaining seven months of Habib's unexpired term. Habib, 57, a first-term trustee who was endorsed by the Croton Democratic Committee to run for a second term in November, died suddenly March 11 while on vacation with family and friends.

A cause of death has not been publicly released but a memorial service will be held at Senasqua Park on Sunday from 2 to 4 p.m. The service will take place rain or shine, with attendees required to wear masks and encouraged to dress casually.

"As Mayor it is my responsibility to appoint a new member of the board and certainly there is no replacing John, but we do need I believe to have a full board," Pugh said. "I believe Ian Murtaugh, who has previously served on the board and previously served in an acting capacity on the board, would be well suited to help us carry the burden."

Murtaugh, a lifelong resident of Croton who was first elected to the Board of Trustees in 2009, said he was glad to be back serving the village despite the tragic circumstances. He assured officials he is available to help wherever he can.

Pugh had said last month that while the board was reluctant to fill Habib's seat so quickly, there was an immediacy in wanting a full board in time to discuss the proposed \$18.9 million budget for the 2021-22 fiscal year.

The tentative budget carries a 3.82 percent tax increase that raises taxes on the average homeowner by \$149.

Village Manager Janine King said that while the village made over \$415,000 in cuts from the budget, it is currently not in compliance with the property tax cap law. A tax levy of \$12,474,070 is being proposed, which is \$132,171 over the allowable limit and an increase of \$544,720 from the prior year.

King pressed that the proposed tax increase is justified to keep the village financially solvent during unprecedented times.

She said the village experienced a major revenue loss from commuter parking at the Croton-Harmon train station and in other areas, such as fines and forfeited bail, recreation fees, and interest and earnings. The loss has resulted in approximately \$250,000 in cuts being made to em-

ployee salaries.

In the budget, King is recommending a 10 percent increase in the water rates and a two percent increase to the sewer fund to maintain a healthy fund balance. She said the increase to the water rate will help reduce the deficit over time and is a necessary surplus to help fund improvements to the water infrastructure and make necessary repairs.

In addition, King has forecast a \$1 million deficit in the operating budget for the current fiscal year. She recommended utilizing \$1.5 million in unassigned fund balance to offset the budget but advised officials to focus over the next year on finding creative ways to maximize its non-tax revenue and carefully evaluate any new projects before moving forward.

The budget is scheduled to be adopted on April 26.

Reimagined Relay For Life of Yorktown Unveils Activities

By Rick Pezzullo

The American Cancer Society (ACS) Relay For Life of Yorktown is inviting the community to rally together as part of a re-imagined event throughout Yorktown on Friday, May 14.

"Whether we come together in person or virtually for this event, let's rally together in the fight against cancer and make a differ-

ence," said Jim Poulin. "We envision a future where we no longer live with the threat of cancer. Unfortunately, that future is at risk and there is a mission urgency since COVID-19 forced the postponement of fundraising activities this past year. We want you to help us give hope the advantage for the future to be cancer free."

On May 14, starting at 7:30 a.m., an all-day boot drive will

kick off on Commerce Street. There will be two additional boot drive locations at the Shrub Oak Library and the Jefferson Valley Mall that will start at 8 a.m.

Relay teams, local businesses and the community at large are all invited to participate in a Drive-Thru Relay Experience and Lumina Ceremony from 7 to 9 p.m. at the mall.

Funds raised help the Ameri-

can Cancer Society conduct breakthrough research, provide 24/7 support for cancer patients and access to lifesaving screenings.

"Fundraising through Relay For Life is more important than ever and we can't allow progress to be put on hold because of the pandemic. Cancer won't stop, and neither can we," said Kate Corsitto, American Cancer Society

Development Manager.

To join an existing Relay For Life team or start a new one, visit relayforlife.org/yorktownny. To learn more about Relay For Life of Yorktown, the American Cancer Society, to volunteer or to become a sponsor, visit that same website or contact event co-managers Leigh-Ann Todd at leighann.todd@cancer.org or Kate Corsitto at kate.corsitto@cancer.org.



St. Andrew's Church First Easter Egg Hunt a Success!

More than 200 adults and children took part in the first annual Easter Egg Hunt at St. Andrew's Evangelical Lutheran Church in Yorktown. Attendees enjoyed family-friendly children's games, shopping at the open air produce market, and having food from several vendors.

Residents Oppose Drive-Thru Taco Bell in Mohegan

continued from page 1

Paul Dumont, a senior designer and civil engineer with JMC Site Development Consultants, said during a March 8 meeting a traffic analysis was completed in 2018 that determined there would be no difference in traffic congestion on Route 6 whether a bank, drive-thru restaurant or retail business existed on the property.

He also noted in 2007 several traffic improvements were made at the Route 6/Mohegan Avenue intersection when the credit union and daycare center were approved in the same location where Taco Bell wants to set up shop.

However, the petition circulating states there has already been one fatal accident on the roadway and traffic will only escalate if Taco Bell is approved.

Concerns about motorists cutting through residential streets to avoid traffic on Route 6 and increased litter that could seep into nearby Mohegan Lake were also expressed.

Jaclyn Guerra, a resident of Lookout Street in Mohegan, posed a number of questions to the Planning Board in a recent email.

"As you know, the corner of Mohegan

Avenue and East Main Street is a very busy intersection. Traffic frequently backs up in both directions on Rt. 6 all the way to the Cortlandt Town Center and St. George's Winery. Drivers get so tired of waiting in this traffic that they frequently run the red lights, use the center turn lane on Rt. 6 as a passing lane, cut through the CVS parking lot, or take detours on Mohegan Avenue, Strawberry Rd, or Sagamore, depending on which direction they are traveling," Guerra wrote. "When school is in session, buses are backed up for miles; then during the summer, parents for Camp Nabby are speeding through these tiny streets. The majority of my questions pertain to the above situations and how it will be affected by a drive-thru restaurant. Can the town be held liable if there is an increase in accidents at this intersection directly related to this project?"

Mieto noted there were already 23 restaurants within a one-mile radius of where Taco Bell would be situated.

"How many more restaurants do we need in the neighborhood?" he said. "It's shameful to consider this project with so many restaurants struggling."



Welcome back to Change.org! A new petition wins every hour thanks to signers like you.

Petition details Comments Updates

No Drive-Thru Taco Bell at Rte. 6 and Mohegan



Concerned Citizens for Mohegan Lake started this petition to Yorktown Planning Board

We, residents of Mohegan Lake and the surrounding communities, oppose the construction of a Drive-Thru Taco Bell on the corner of Mohegan Avenue and Route 6.

We are concerned that the drive-thru will:

- increase traffic along the Route 6 corridor that is already overwhelmed and plagued with accidents (tragically, one was recently fatal).
- increase litter in Lake Mohegan and the surrounding wetlands, two of Yorktown's most ecologically vulnerable areas.
- increase the risk (in the form of car accidents) to children of the Learning Experience, which shares the same entrance/exit onto

287 have signed. Let's get to 500!



evan bray signed this petition

I'm signing because... (optional)

- Please share my name and email address with Concerned Citizens for Mohegan Lake, so that I can receive updates on this campaign and others.
- Display my name and comment on this petition

Sign this petition

Mohegan Avenue and the same parking lot as the proposed drive-thru Taco Bell.

-increase the number of cars turning at an intersection where accidents already happen regularly.

-increase the cut-through traffic of cars avoiding this often-gridlocked section of Route 6 by speeding through the residential neighborhood to reach Lexington Avenue. This is already a popular cut-through, and we are concerned for the safety of the pedestrians, young children, and pets that frequently recreate on these roads.

We would like to know:

-has a Taco Bell **without** a drive-thru been considered for this site?

-can an independent traffic study be completed **during the evening rush hour** (which is when peak Route 6 traffic, The Learning Experience pickup, and dinner rush for Taco Bell coincide) that takes into account expected commute traffic post-COVID?

-has the developer explored a separate entrance /exit for the drive-thru Taco Bell that would allow for direct access from Route 6?


-if the drive-thru is approved, what will the developer and town do to increase the safety of the intersection, ease the increased traffic on Route 6, and discourage cars from cutting through the residential neighborhood?

-if the drive-thru is approved, what will the developer and town do to prevent litter from entering Lake Mohegan and the surrounding wetlands?

We appreciate the work you do for our town. Thank you for taking our concerns seriously.

Reasons for signing


See why other supporters are signing, why this petition is important to them, and share your reason for signing (this will mean a lot to the starter of the petition).



Laurie Noonan
21 hours ago

Route 6 is too congested now, the location is at a very busy intersection, and we don't need another Taco Bell in Town!!!!


♡ 0 [Report](#)



Sean Rowan
1 day ago

I am sign because I do not believe that this a good location for a fast food restaurant with a drive through.


♡ 0 [Report](#)



Erika A. Leslie
2 days ago

I agree. This is not the location for any drive thru.

♡ 0 [Report](#)



Dana Paulstich
2 days ago

The town is becoming a fast food town. Terrible for the people that live here for years.

♡ 0 [Report](#)



Jeanne Gilholm

2 days ago

Too many fast-food restaurants in this entire area! Traffic is horrible in the very area proposed! Litter is everywhere from fast-food joints already here and this will just make it worse. The intersection is already so dangerous, especially to pedestrians, and this will make that worse as well! If... [Read more](#)

♡ 0

[Report](#)



Karen Frey

2 days ago

That stretch of Rt 6 is crazy busy now without adding a drive thru . There are so many other places in Mohegan Lake that would make more sense

♡ 1

[Report](#)



Catherine Polcari

2 days ago

The traffic on 6 and behind where everyone cuts through is already insane. Forget when Nabby opens (they send several emails asking their parents to remember they are in a neighborhood and to drive slow) taco bell will not do that, along with it probably going out of business and then what... [Read more](#)

♡ 1

[Report](#)



Christine Sotmary

2 days ago

Traffic concerns and healthy food concerns

♡ 0

[Report](#)



Kirsten Ostiguy

2 days ago

I live in this area and it is so clogged with traffic on rt 6 that I do use the alternate route through the neighborhoods and see people speeding through there already to avoid rt 6 and lexington. The entire area is already too congested and dangerous in some parts.

♡ 1

[Report](#)



Marurose Hart

3 days ago

It is an absolutely terrible idea. The traffic is already excessive and dangerous, with people driving through the red light regularly.

♡ 1

[Report](#)



Joanne Erenberg

3 days ago

I live on Lakeland St. and we struggle with massive litter. I fill a bag every week. The last thing we need is a rat attracting low class Food chain. If you build it I will end up picking up taco wrappers along with the liquor bottles and Dunkin cups. Until I move.

♡ 0

[Report](#)



Anthony Aromando

3 days ago

My children go to George Washington elementary school, and I frequent cvs often. The traffic at 4:15, when I pick my kids up from after school is atrocious!!! There is absolutely no reason to put a drive thru fast food place in this area at all.

♡ 2

[Report](#)



Jennifer Cole

3 days ago

We don't need another fast food restaurant!

♡ 1

[Report](#)



Elizabeth Grogan

3 days ago

I live on the residential neighborhood discussed. I have a four year old daughter that is learning to ride her bike and likes to come with me when I walk our dog. The traffic and garbage

♡ 2

[Report](#)



Vinko Kotiga

4 days ago

I have lived in Mohegan Lake since 1962. The entire is overpopulated and over commercialized. There are many empty retail spaces spread around the area. In the 80s I use to rent the home that was on this lot. When the CVS shopping center was just a field for dirt bikes. Must we build more... [Read more](#)

♡ 1

[Report](#)



Cristina Defran

4 days ago

Cristina Defrancesco

♡ 0

[Report](#)



Diane Byrne

1 week ago

Mohegan Lake shouldnt become a fast food destination. The traffic is bad enough on rte 6. We already have enough garbage food options in the CVS shopping center and down the road at the cortlandt town center.

♡ 1

[Report](#)



Brianna Frey

2 weeks ago

That is an absolutely horrible spot for a drive through , not to mention not safe for the children coming in and out of the day care in that parking lot. People already run that light and it's a nightmare Do not put a drive through there.

♡ 2

[Report](#)



Jessenia Cursio
2 weeks ago

My child attends The Learning Experience. Traffic in that area is already treacherous during the busy evening pick up time which happens to be when Taco Bell would be at its busiest. Increasing the potential for a tragic accident is not worth the risk for a fast food, unhealthy establishment.

♡ 2

[Report](#)



K McDonough
2 weeks ago

Already a heavily congested corner in a very tight corridor of Route 6.

♡ 1

[Report](#)



Anthony Venezia
2 weeks ago

Don't want anymore fast food places in our neighborhoods.

♡ 0

[Report](#)



J Sun
2 weeks ago

As a customer of CVS in Mohegan Lake and of Camp Nabby, and a previous patron of Dance for Joy nearby - I know just how busy and frequented this area is. I have also witnessed countless accidents in this vicinity as well. A drive thru Taco Bell or anything else has NO business being in this area.

♡ 1

[Report](#)



Veronica mcgrath
2 weeks ago

I think Taco Bell is disgusting, artificial food that is leading to everyone's problems with nutrition and obesity.

♡ 1

[Report](#)



lucy ciruzzi
2 weeks ago

Moved here and dont want or need more traffic

♡ 0

[Report](#)



Stacy Williams-Kerr
2 weeks ago

I was in a car accident at that intersection—a car hit me as I tried to turn left onto Mohegan. My 11-month-old son was in the car. Thankfully, everyone walked away. I have since witnessed several other accidents at that intersection. Building a drive-thru on this corner and increasing the... [Read more](#)

♡ 2

[Report](#)

John Tegeder

From: Town Clerk
Sent: Wednesday, March 24, 2021 9:56 AM
To: Matthew Slater; alicerok472@outlook.com; Alice Roker; vishnuv@optonline.net; Thomas Diana; Ed lachterman; John Tegeder
Subject: FW: Taco Bell

RECEIVED
PLANNING DEPARTMENT
MAR 24 2021

Please see below.

From: Johnny Fitz <john.matthew.fitz11@gmail.com>
Sent: Tuesday, March 23, 2021 9:41 PM
To: Town Clerk <TownClerk@yorktownny.org>
Subject: Taco Bell

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.

Hello I am a concerned parent of students at TLE where the proposed taco bell will be located - how anyone thinks that putting a Taco Bell -which will constantly be busy with the drive thru - near a children's daycare is a good idea is absolutely beyond my understanding.

This is a pathetic money grab by selfish individuals that do not care about people's welfare or our children's safety. This is an outrageous abuse of the community's trust.

There is no lack of land or buildings to put this Taco Bell in - put it away from schools and the busiest road in the area.

You will continue to wreck the quality of life that most of us have moved north to find. If this passes you will have successfully turned our area into Yonkers - foregoing everything in search of the mighty dollar. The fact people even have to write in or attend a meeting to combat this nonsense is an embarrassment to our community.

I promise you that you will all be held accountable in the next election should you continue to turn our area into a cesspool of commercial development. Other people out there know that family and community come first. I hope you consider this when the time to vote comes.

Disgruntled citizen.

Nancy Calicchia

From: arengo <felarengo@optonline.net>
Sent: Sunday, March 7, 2021 4:55 PM
To: Planning Department
Subject: Taco Bell in Mohegan Lake

RECEIVED
PLANNING DEPARTMENT
MAR 9 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.

Dear Members of the Planning Board,

As a Mohegan Lake homeowner, I am writing to express my concern about the proposal to establish a drive-thru Taco Bell on Mohegan Avenue and East Main Street. Current plans are for a single entrance and exit on Mohegan Ave. to access the Taco Bell. Traffic on Mohegan Ave. to Rt. 6 is already congested at certain times of the day, with long waits at the traffic light to go from Mohegan Ave to Rt. 6 and vice versa. A drive-thru with high use times coinciding with already busy traffic times will only exacerbate the congestion in this area. Has the Planning Board considered a Taco Bell without the drive-thru convenience?

Studies show that around 50% of street litter comes from fast food garbage. The section of Mohegan Ave. at the north end of Mohegan Lake already accumulates significant litter which is cleaned up by volunteers from our community. Will the Taco Bell give back to the community that supports their business by helping keep the areas around the lake free of their garbage?

Thank you for your time. I look forward to the discussion of this issue at the session this week.

Sincerely,

Felicity Arengo

3211 Lakeshore Dr.

Mohegan Lake

Robyn Steinberg

From: Jaclyn Guerra <jaclynguerra@gmail.com>
Sent: Saturday, February 06, 2021 10:10 AM
To: Matthew Slater; Robyn Steinberg; John Tegeder; Nancy Calicchia; Nancy Milanese
Subject: Taco Bell Mohegan Ave Alternate Plans

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

Dear Members of the Board,

Please correct me if I am wrong, but after reviewing all the suggested plans for Taco Bell, the original and the alternate, it appears there is only one entrance and exit for the establishment. This is going to create a bottle neck of traffic. People are already frustrated waiting at the lights to the point where they run the red. This will only make things worse. In addition, if you look at the chaos being created by Popeye's, RT. 6 is a much smaller area and cannot handle the additional traffic. Please also keep in mind that this affects not just Mohegan Lake, but the surrounding areas.

A fast food restaurant, with a high flow of traffic does not belong in this location. A regular, sit down restaurant could work. Not something with a continuous flow of cars.

Thank you,
Jaclyn Guerra

NOV 24 2020

Nancy Calicchia

TOWN OF YORKTOWN

From: Jaclyn Guerra <jaclynguerra@gmail.com>
Sent: Tuesday, November 24, 2020 7:41 PM
To: John Tegeder; Robyn Steinberg; Nancy Calicchia; Nancy Milanese; Matthew Slater
Subject: Taco Bell Mohegan Avenue Concerns

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

Dear Members of the Planning Board,

I am writing to you in regards to the Taco Bell that will possibly be built on Mohegan Avenue and Rt. 6. I am a resident of Mohegan Lake and live on Lookout Street. I have lived here for over five years now and in that time, the traffic on Route 6 stretching from St. George's Restaurant to Corner Car Care has become horrendous in both directions. Below, I have listed why you should seriously consider rejecting this plan and how the traffic is already horrible in this area.

1. Multiple accidents have occurred at the intersection of Mohegan and East Main directly related to the traffic and drivers being tired of waiting several lights to get through.
2. It is supposed to take 9 minutes to drop off my daughter, one way, at Tom Thumb, it takes over 20 minutes.
3. The fire department is located in the middle of this traffic. Cars have been stuck in the fire lane, waiting to turn. Increased traffic could negatively impact the ability of the fire department to respond to calls.
4. The most recent traffic study was done by the company that wants to build the taco bell.
5. The increase in traffic affects not just Mohegan Lake, but Yorktown, Cortlandt, Putnam and all the surrounding areas that use this heavily trafficked roadway.
6. The parking lot where the Taco Bell would go has been packed. Between all the existing businesses, there is not enough space to accommodate the patrons of a fast food establishment.

If you live in this area, you know how bad traffic is on Rt. 6. Please reject this plan. It is not a good idea for our community or the surrounding areas.

Thank you and Happy Thanksgiving,
Jaclyn Guerra

OCT 26 2020

From: Evan Bray [mailto:evan.bray@gmail.com]

Sent: Monday, October 26, 2020 3:52 PM

To: Diana Quast <dquast@yorktownny.org>; John Tegeder <jtegeder@yorktownny.org>; Robyn Steinberg <rsteinberg@yorktownny.org>

Cc: MLID <mlid@watpa.org>

Subject: Celestial Route 6 II Taco Bell

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.

Hi Team,

I have comments on the proposed Taco Bell application, below. I respectfully request permission to attend the online Planning Board meeting tonight to discuss the subject.

-Evan

Dearest Planning Board Members,

Introduction: My name is Evan Bray and my family of 6 resides at 3496 Mohegan Ave, Mohegan Lake, NY 10547. Literally a stone's throw (I have a strong arm) from the proposed development site.

History: The applicant obtained a site plan approval for a subdivision of four lots on the parcel. The applicant developed the Learning Experience and Credit Union and "generously" donated the unbuildable lot adjacent to Mohegan Lake. The third lot has been vacant; this lot was approved for office occupancy which has a much lower traffic impact to the neighborhood. Applicant successfully rezoned the lot in ~2018/2019 to a C-2 zone which would permit a Taco Bell with a drive through. In my opinion, the town grants zoning variances as if they were Pets.com stock in 1999; just tease them with the idea of more tax ratables and present an abstract "traffic study" that no one really understands. Bang--approved.

Taco Bell: I love Taco Bell and would be happy to have one really close to my house, but not at the expense of my community's welfare. I miss the Meximelt, which is a discontinued item which was a tortilla with cheese and beef which was then steamed for about 40 seconds and wrapped up. So simple, so chewy, and, soooo cheesy. Add a little fire sauce and mmmmmmmmmmm...

Traffic: Traffic in this area is absolutely insane during peak times which are becoming more and more frequent. In part, this traffic volume is generated by the same developer across Mohegan Avenue at the CVS parcel/strip mall. During these peak times at midday and evening, it's not unlikely you are going to wait 2 or three [!] traffic light cycles to make a left onto 6 coming from Mohegan Avenue. For the board to make an informed decision on the instant application, it is imperative that the entire Planning Board visit this site at peak hours. I am happy to coordinate a site visit during one of these times with representatives from the 7 beach

associations that surround the lake and MLID. I would recommend we do this on a couple of occasions at a minimum: noon on a Saturday and an evening around 530 PM. The traffic generated by the existing development (by the same developer) absolutely snarls traffic at these times--all without the help of a fastfood restaurant with a *drive-thru*.

Please make sure you closely examine table 3 of the attached traffic study. The 2,000sf Taco Bell more than doubles the traffic of a 4,000sf bank with a drive through and is more than more than 9 times the traffic generated by a 7,000sf retail establishment. So the proposed Taco Bell is the worst possible fit for traffic and will absolutely exacerbate the bad conditions we already have.

The subject parcel has only one entrance and exit. This is exactly opposite of an entrance to the CVS and stripmall across Mohegan Avenue. There are times of the day, currently, when you turn off route 6 to Mohegan and you have a back of cars waiting to turn left into CVS and there are cars backed-up headed towards route 6 on Mohegan Avenue. I'm not sure what the traffic consultant would call this existing condition, which will only be exacerbated by the proposed fastfood drive-thru, but us locals call it a traffic clusterf#%*&. This condition will not get better with the proposal, only far worse. Whereas we have no development on the subject parcel today and tons of traffic problems--by the applicant's traffic consultant, JMC--the traffic for the 2,000sf Taco Bell more than doubles the traffic of a 7,000sf retail establishment on the same site. That's insane to even be considering this.

The Drive-thru: You need to look no more than about a mile down route six to see a disastrous planning board decision with about a 2,000sf Starbuck's with a drive-thru. This actually occurs in an area with 4 lanes of traffic on Route 6. You get traffic backed up in front of Starbuck's which occupies the entire left lane travelling northeast; yes, this is technically in Cortlandt, but we can learn from the mistakes of our neighbors. If anything like that occurred on Route 6 and Mohegan Avenue, it would be a complete and total disaster and the Mohegan Lake community would just be stuck with it with no recourse. Unacceptable.

Easements: I'm sure that the applicant has told you that he has not one, but 2 parking egress easements with St. Mary's Church and Faith Bible Church. Mr. Tegeder can you fill you in on all the details and implications of these documents. This means that the very limited parking they have is shared by two other well attended houses of worship. This means that they cannot insure that the parking they do have is dedicated to Taco Bell. I respectfully request that the easements that the developer executed to encumber his property and are on record with the Town be entered into this application's public record, for all to see.

Parking: As the board is well aware, Yorktown requires a parking space for every 100sf of restaurant occupancy. At 2K sf, that puts the requirement at 20 spaces. The spaces that Celestial Route 6 II (the developer) are not perpetually dedicated to the Taco Bell as Town Code requires. That's absolutely insane and I did, for the record, warn the developer that offering these parking easements might come back to bite him. Who would voluntarily encumber their property with these easements knowing they were having trouble finding a tenant?

Common Sense: Happy to have a small (2K sf) fast food joint. The drive-thru is a killer.

Question and an invitation:

What is the square footage of the proposed Taco Bell?

Will the board meet with myself and representatives of the 7 lake communities and MLID on site during peak traffic? This would be about noon on a Saturday. I'll bring donuts and coffee from the Dunkin Donuts across the street, next to the vacant lot the Mohegan Lake Motors uses as a car storage facility without any planning board approval. Yeah, that one.

I look forward to the meeting tonight.

Kind regards,

Evan Bray

OCT 26 2020

TOWN OF YORKTOWN

From: Stacy Williams <stacyjwilliams@gmail.com>

Sent: Monday, October 26, 2020 3:49 PM

To: Matthew Slater <m Slater@yorktownny.org>; Jenna Belcastro <jbelcastro@yorktownny.org>; John Tegeder <jtegeder@yorktownny.org>; Robyn Steinberg <rsteinberg@yorktownny.org>; Nancy Calicchia <ncalicchia@yorktownny.org>; Nancy Milanese <nmilanese@yorktownny.org>; Planning Department <planning@yorktownny.org>

Subject: Planning Board Meeting 10/26/20 Taco Bell @ Rte. 6 and Mohegan Ave.

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.

October 26, 2020

Dear Supervisor Matt Slater and Members of the Planning Board,

I am writing to voice my opposition to a Drive-Thru Taco Bell to be placed at Mohegan Avenue and Route 6 in Mohegan Lake. My concerns stem from intimate knowledge of this corner, our neighborhood, and our lake:

- As a Mohegan Lake homeowner and as someone who has been in a car crash there, I know that the intersection of Mohegan Ave. and Rte. 6 is very dangerous. I have witnessed another accident and many near misses caused by the same problem that did me in—cars turning left onto Mohegan Ave. (where people will turn left to reach Taco Bell) get stuck in the middle of the lengthy intersection. Oncoming eastbound Rte. 6 cars run the yellow-to-red light, and when cars on Mohegan Ave. finally get the green light (they may have been waiting for 2-3 light cycles), they gun it to turn left without making way for cars still in the middle of the intersection. In our accident, the oncoming eastbound car was speeding to make it through the light, and they hit the side of our car where my 1-year-old son was sitting. Thankfully, everyone was OK. But if Taco Bell goes in, there WILL be increased traffic turning left onto Mohegan Ave., and there WILL be more accidents. **This will both endanger the safety of the citizens of Yorktown and exacerbate the traffic on Rte. 6.** That stretch is already bumper-to-bumper 9am-6pm without an accident every few days.

- As an involved member of the Mohegan Lake Improvement District, I have volunteered in “Battles of Yorktown” to pick up litter along Mohegan Ave. from Faith Bible Church to the CVS parking lot. It has taken six people more than two hours to clean up that small stretch. It is the most-abused spot in our neighborhood, yet it is also one of the most ecologically important sites around the lake. A litter-laden wetland means more toxic blue-green algae blooms in the lake. The lake’s outflow is also under this stretch of road, so increased litter will clog the waterway. **This works directly against the town’s interests**, as it counteracts the significant labor and funds Yorktown has dedicated to mitigate algae blooms in Mohegan Lake, and it ruins the images of picturesque hiking and outdoor recreation that attract city-dwellers to Yorktown.

- As a runner who circumnavigates Mohegan Lake on our roads, I know from experience that that stretch of road is also one of the narrowest. Also, because it is straight (and downhill) from CVS to Sagamore, cars hit extremely fast speeds. While running, I have had more near misses

with cars on that small stretch of road than on any other part of our roadways. This stretch is also frequented by bikers, walkers, and commuters who head to the bus stop along Rte. 6. A Taco Bell will put more traffic—and likely, many teenage drivers—on that stretch of road, where a pedestrian wearing dark clothing or a slightly distracted driver **could result in tragedy.**

Thank you for all your work and well-informed decisions that make Yorktown a great place to live. Childcare duties prevent me from being able to join the Planning Board meeting tonight, but I appreciate the chance to voice my concerns.

Sincerely,
Dr. Stacy Williams-Kerr, Ph.D.
3383 Lakeshore Drive, Mohegan Lake, NY 10547
Stacyjwilliams@gmail.com
847-757-5387

From: Maureen Hughes <MHughes@bpslaw.com>

Sent: Monday, October 26, 2020 12:29 PM

To: John Tegeder <jtegeder@yorktownny.org>; Robyn Steinberg <rsteinberg@yorktownny.org>

Cc: Nancy Calicchia <ncalicchia@yorktownny.org>; 'Hughes, Frank (FHughes@arcwestchester.org)' <FHughes@arcwestchester.org>

Subject: Planning Committee Mtg. re: Proposed Taco Bell at corner of Route 6 and Mohegan Avenue

Importance: High

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RECEIVED
PLANNING DEPARTMENT

OCT 26 2020

TOWN OF YORKTOWN

Hughes
1561 Kimble Avenue
Mohegan Lake, NY 10547

Dear Planning Board Members:

We understand there is a Planning Board meeting scheduled this evening to address the proposed approval of a DRIVE-THRU! Taco Bell to be constructed at the corner of Route 6 and Mohegan Avenue - across from CVS and adjacent to The Learning Center.

We are unable to participate this evening due to work commitments, but wanted to voice our **strong objections** to this unnecessary addition in our neighborhood for the following, salient and wholly relatable reasons:

1. Increased traffic to an already overburdened intersection;
2. Increased likelihood of harm to neighborhood children, adults and pets who regularly recreate from our Mohegan Highlands lake community out to Route 6 and back;
3. Increased noise pollution;
4. Increased air pollution;
5. Increased light pollution as a result of the additional hours of operation that a fast-food chain operation entails;
6. Increased litter to the roads and sidewalks in our lake community; and
7. Increased harm to Mohegan Lake itself.

We believe that there is no benefit to be gained and much environmental harm would ensue by allowing this restaurant to be installed.

Additionally, there are at least 3 other local, similar type restaurants within ONE MILE of the proposed site: Hacienda Suaza; Moes; and Chipotle (most recently).

We would appreciate your acknowledgement of the foregoing objections.

Thank you for your time and attention.

Respectfully submitted,

Maureen and Frank Hughes

Moefuse1987@gmail.com

(914) 400-4358

Public Informational Hearing

Location: 15.16-1-21; 3571 Mohegan Avenue <<https://link.zixcentral.com/u/5de499b4/yFbs9WAV6xGW5B-EhnsoMg?u=https%3A%2F%2Fwww.google.com%2Fmaps%2Fsearch%2F3571%2BMohegan%2BAvenue%3Fentry%3Dgmail%26source%3Dg>>

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.

SITE PLAN APPROVAL DRAWINGS

PROPOSED TACO BELL RESTAURANT

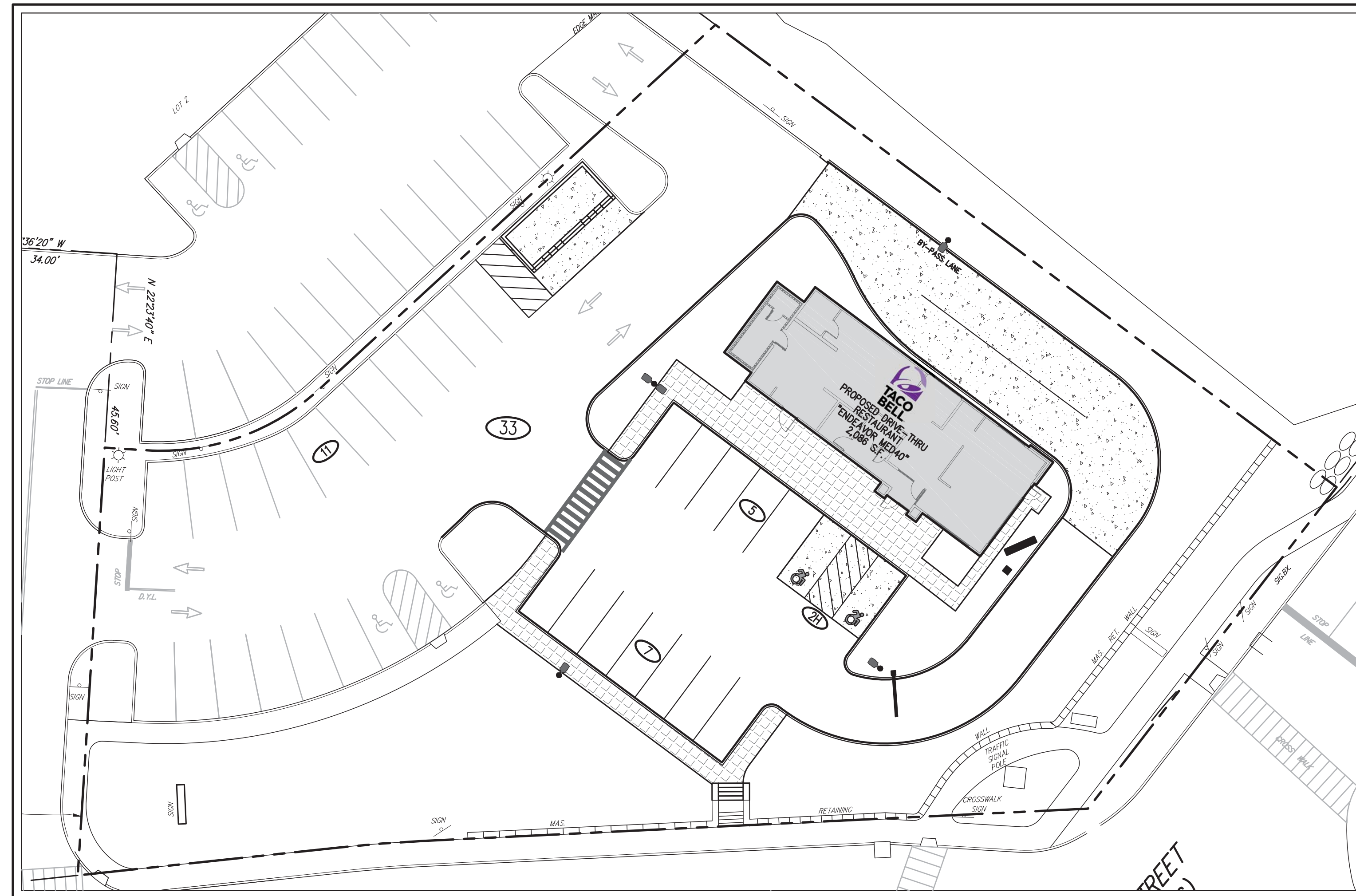
TAX MAP SECTION 15.16 | BLOCK 1 | LOT 21
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

JMC Site Planner, Civil & Traffic Engineer,
 and Landscape Architect:
 120 BEDFORD ROAD
 ARMONK, NY 10504
 (914) 273-5225

Applicant:
KEYSTONE MOHEGAN LAKE LLC
 25 ROUTE 59
 NYACK, NY 10960
 (201) 863-3670

Owner:
CELESTIAL ROUTE 6
 222 BLOOMINGDALE ROAD, SUITE 115
 WHITE PLAINS, NY 10605

Surveyor:
WARD CARPENTER ENGINEERS, INC.
 76 MAMARONECK AVENUE
 WHITE PLAINS, NY 10601
 (914) 949-6000



JMC Drawing List:

- C-000 COVER SHEET
- C-010 EXISTING CONDITIONS MAP
- C-020 DEMOLITION PLAN
- C-100 LAYOUT PLAN
- C-110 DELIVERY VEHICLE TURNING ANALYSES
- C-120 REFUSE VEHICLE TURNING ANALYSES
- C-130 PASSENGER VEHICLE TURNING ANALYSES
- C-200 GRADING PLAN
- C-300 UTILITIES PLAN
- C-400 SITE EROSION AND SEDIMENT CONTROL PLAN
- C-900 CONSTRUCTION DETAILS
- C-901 CONSTRUCTION DETAILS
- C-902 CONSTRUCTION DETAILS
- L-100 LANDSCAPING PLAN
- L-110 SITE SECTIONS

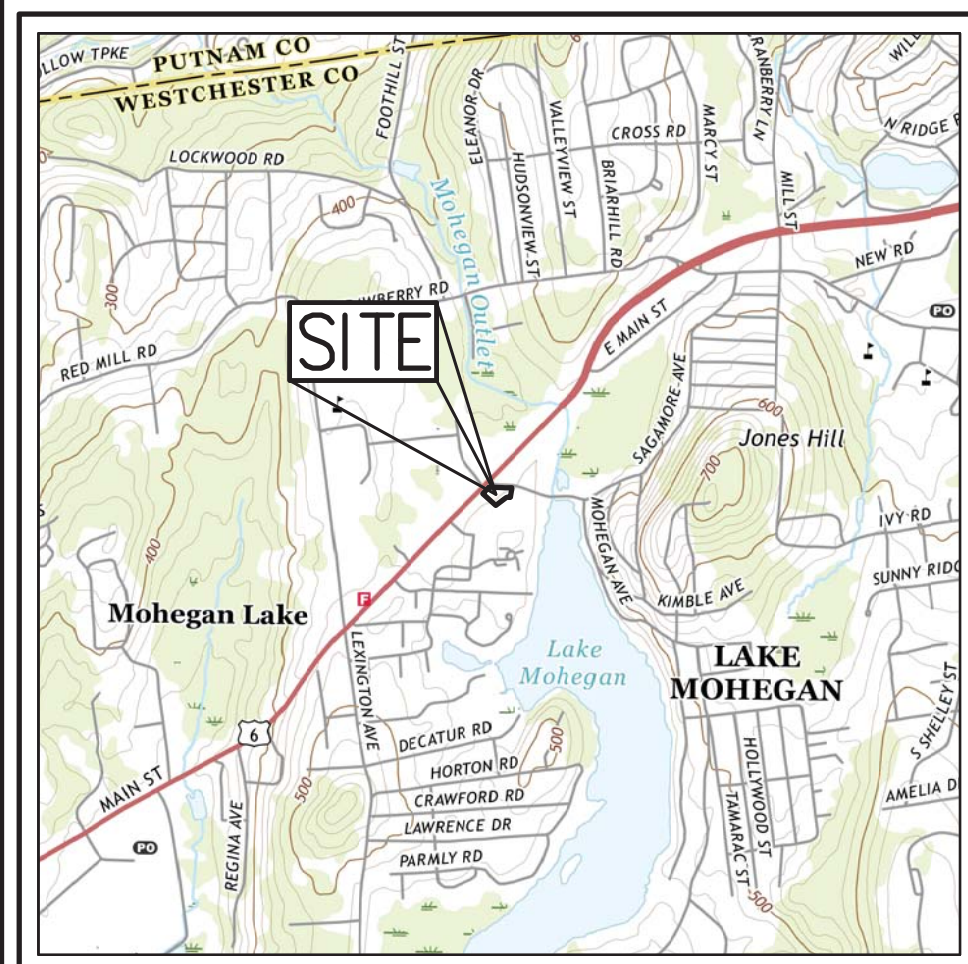
TABLE OF LAND USE				
SECTION 15.16, BLOCK 1, LOT 21 ZONE "C-2" - "COMMERCIAL HAMLET CENTER" PROPOSED USE: FAST-FOOD RESTAURANT				
DESCRIPTION	REQUIRED	EXISTING	PROPOSED	
LOT AREA (ACRES)	N/A	0.83	0.83	
LOT WIDTH AT FRONT LINE OF MAIN BUILDING (FEET)	25	148.9	148.9	
LOT DEPTH (FEET)	N/A	144.5	144.5	
BUILDING HEIGHT (FEET)	35	<35	<35	
LOT COVERAGE BY BUILDING (PERCENT)	30	N/A	5.8	
YARDS				
FRONT BUILDING SETBACK (FEET)	15	N/A	56.2±	
REAR BUILDING SETBACK (FEET)	30	N/A	54.2±	
SIDE BUILDING SETBACK (FEET)	17 / 25 ⁽¹⁾	N/A	35.0±	
PARKING SUMMARY				
STANDARD SPACES (SPACES)	23	21	29	
ACCESSIBLE SPACES (SPACES)	2	2	4	
TOTAL SPACES (SPACES)	25 ⁽¹⁾	23	33 ⁽¹⁾	

NOTES:

1. PER SECTION 300 ATTACHMENT 2 OF THE TOWN OF YORKTOWN CODE, THE SIDE YARD SETBACK SHALL BE 17 FEET IF USED AS A ONE-WAY VEHICULAR ACCESS, AND 25 FEET IF USED AS A TWO-WAY VEHICULAR ACCESS.
2. PER SECTION 300-182(A)(5) OF THE TOWN OF YORKTOWN ZONING CODE, FOR RESTAURANT USES, 1 PARKING SPACE IS REQUIRED FOR EACH 50 S.F. OF FLOOR AREA DEVOTED TO PATRON USE, PLUS 1 PARKING SPACE FOR EACH 100 SQUARE FEET OF FLOOR AREA DEVOTED TO FOOD PREPARATION OR ANCILLARY USE.

TACO-BELL RESTAURANT: 600 S.F. OF FLOOR AREA DEVOTED TO PATRON USE / 50 = 12 PARKING SPACES
 1,050 S.F. OF FLOOR AREA DEVOTED TO FOOD PREPARATION OR ANCILLARY USE / 100 = 10.5 PARKING SPACES
 440 S.F. OF REMAINING FLOOR AREA / 250 = 1.8 PARKING SPACES

TOTAL: 24.3 OR 25 PARKING SPACES REQUIRED.



VICINITY MAP
 SCALE: 1" = 2,000'
 SOURCE: USGS / 2016

AREA MAP
 SCALE: N.T.S.

GENERAL CONSTRUCTION NOTES APPLY TO ALL WORK HEREIN:

1. PRIOR TO CONSTRUCTION, THE CONTRACTOR SHALL CALL 811 "DIG SAFELY" (1-800-982-7862) TO HAVE UNDERGROUND UTILITIES LOCATED INCLUDING ARRANGING FOR A PRIVATE MARKOUT ON-SITE WHERE APPLICABLE. EXPLORATORY EXCAVATIONS SHALL COMPLY WITH CODE 753 REQUIREMENTS. NO WORK SHALL COMMENCE UNTIL ALL THE OPERATORS HAVE NOTIFIED THE CONTRACTOR THAT THEIR UTILITIES HAVE BEEN LOCATED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PRESERVATION OF ALL PUBLIC AND PRIVATE UNDERGROUND AND SURFACE UTILITIES AND STRUCTURES AT OR ADJACENT TO THE SITE OF CONSTRUCTION, INsofar AS THEY MAY BE ENDANGERED BY THE CONTRACTOR'S OPERATIONS. THIS SHALL HOLD TRUE WHETHER OR NOT THEY ARE SHOWN ON THE CONTRACT DRAWINGS. IF THEY ARE SHOWN ON THE DRAWINGS, THEIR LOCATIONS ARE NOT GUARANTEED EVEN THOUGH THE INFORMATION WAS OBTAINED FROM THE BEST AVAILABLE SOURCES, AND IN ANY EVENT, OTHER UTILITIES ON THESE PLANS MAY BE ENCOUNTERED IN THE FIELD. THE CONTRACTOR SHALL, AT HIS OWN EXPENSE, IMMEDIATELY REPAIR OR REPLACE ANY STRUCTURES OR UTILITIES THAT HE DAMAGES, AND SHALL CONSTANTLY PROCEED WITH CAUTION TO PREVENT UNDUE INTERRUPTION OF UTILITY SERVICE.
2. CONTRACTOR SHALL HAND DIG TEST PITS TO VERIFY THE LOCATION OF ALL EXISTING UNDERGROUND UTILITIES PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR SHALL VERIFY EXISTING UTILITIES DEPTHS AND ADVISE OF ANY CONFLICTS WITH PROPOSED UTILITIES. IF CONFLICTS ARE PRESENT, THE OWNER'S FIELD REPRESENTATIVE, JMC, PLLC AND THE APPLICABLE MUNICIPALITY OR AGENCY SHALL BE NOTIFIED IN WRITING. THE EXISTING/PROPOSED UTILITIES RELOCATION SHALL BE DESIGNED BY JMC, PLLC.
3. CONTRACTOR IS RESPONSIBLE FOR OBTAINING ANY AND ALL LOCAL PERMITS REQUIRED.
4. ALL WORK SHALL BE DONE IN STRICT COMPLIANCE WITH ALL APPLICABLE NATIONAL, STATE, AND LOCAL CODES, STANDARDS, ORDINANCES, RULES, AND REGULATIONS. ALL CONSTRUCTION WORK SHALL BE PERFORMED IN ACCORDANCE WITH ALL SAFETY CODES. APPLICABLE SAFETY CODES MEAN THE LATEST EDITION INCLUDING ANY AND ALL AMENDMENTS, REVISIONS, AND ADDITIONS THERETO, TO THE FEDERAL DEPARTMENT OF LABOR, OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION'S OCCUPATIONAL SAFETY AND HEALTH STANDARDS (OSHA); AND APPLICABLE SAFETY, HEALTH REGULATIONS AND BUILDING CODES FOR CONSTRUCTION IN THE STATE OF NEW YORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR GUARDING AND PROTECTING ALL OPEN EXCAVATIONS IN ACCORDANCE WITH THE PROVISION OF SECTION 107-05 (SAFETY AND HEALTH REQUIREMENTS) OF THE NYS DOT STANDARD SPECIFICATIONS. IF THE CONTRACTOR PERFORMS ANY HAZARDOUS CONSTRUCTION PRACTICES, ALL OPERATIONS IN THE AFFECTED AREA SHALL BE DISCONTINUED AND IMMEDIATE ACTION SHALL BE TAKEN TO CORRECT THE SITUATION TO THE SATISFACTION OF THE APPROVAL AUTHORITY HAVING JURISDICTION.
5. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL PROPERTIES AFFECTED BY THE SCOPE OF WORK SHOWN HEREON AT ALL TIMES TO THE SATISFACTION OF THE OWNERS REPRESENTATIVE. RAMPING CONSTRUCTION TO PROVIDE ACCESS MAY BE CONSTRUCTED WITH SUBBASE MATERIAL EXCEPT THAT TEMPORARY ASPHALT CONCRETE SHALL BE PLACED AS DIRECTED BY THE ENGINEER. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING SAFE PEDESTRIAN ACCESS AT ALL TIMES.
6. CONTRACTOR SHALL MAINTAIN THE INTEGRITY OF EXISTING PAVEMENT TO REMAIN.

UNDERGROUND UTILITY LOCATIONS ARE BASED ON A COMPILATION OF FIELD EVIDENCE, AVAILABLE RECORD PLANS AND/OR UTILITY MARK-OUTS. THE LOCATION OR COMPLETENESS OF UNDERGROUND INFORMATION CANNOT BE GUARANTEED. VERIFY THE ACTUAL LOCATION OF ALL UTILITIES PRIOR TO EXCAVATION OR CONSTRUCTION.



No.	Revision	Date	By
1.	ISSUED FOR PUBLIC NOTICING	10/06/2020	PD
2.	REVISED PER TOWN COMMENTS	03/12/2021	PD

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Date: 08/21/2020	
Project No: 20045	
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Drawing No: C-000	

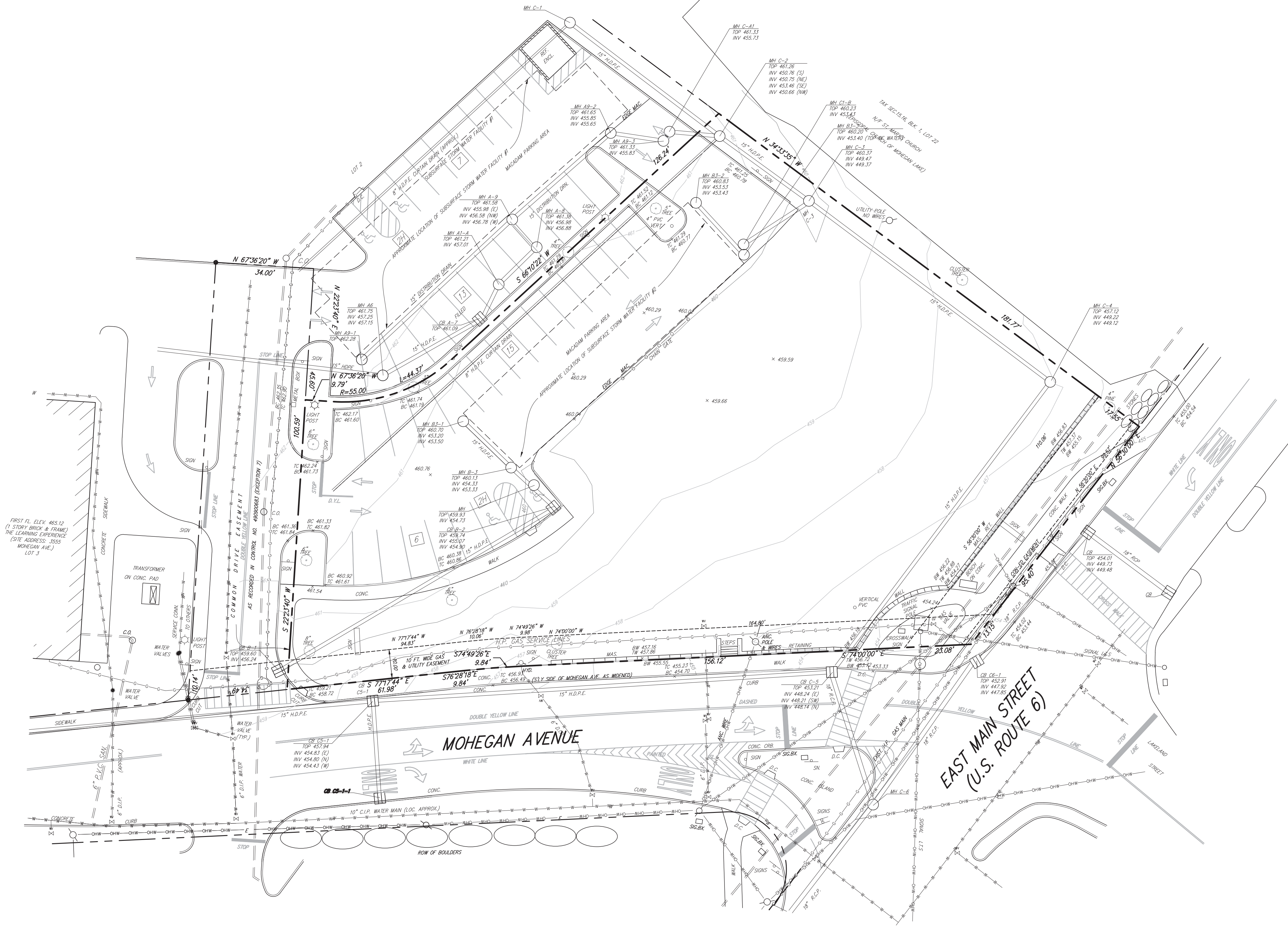


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LEGEND	
	EXISTING PROPERTY LINE
	EXISTING EASEMENT LINE
	EXISTING BUILDING LINE
	EXISTING PAVEMENT EDGE
	EXISTING CURB LINE
	EXISTING INDEX CONTOUR
	EXISTING CONTOUR
	EXISTING RETAINING WALL
	EXISTING TREE AND DESIGNATION
	EXISTING DIRECTIONAL ARROWS
	EXISTING PAINT
	EXISTING PARKING WITH NUMBER OF SPACES
	EXISTING ACCESSIBLE PARKING WITH NUMBER OF SPACES
	EXISTING PEDESTRIAN CROSSING
	EXISTING STORM DRAIN LINE AND SIZE
	EXISTING SANITARY LINE AND SIZE
	EXISTING WATER LINE
	EXISTING GAS LINE
	EXISTING OVERHEAD WIRES
	EXISTING DRAIN INLET
	EXISTING MANHOLE
	EXISTING FIRE HYDRANT
	EXISTING GAS VALVE
	EXISTING WATER VALVE
	EXISTING UTILITY POLE
	EXISTING LIGHT POLE
	EXISTING SIGN

NOTES:

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C-010	

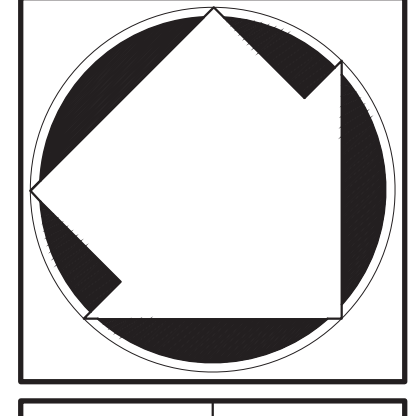
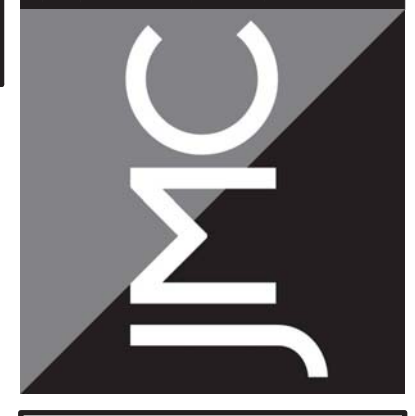
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APPLICANT:
KEYSTONE MOHEGAN LAKE LLC
25 ROUTE 59
NYACK, NY 10960

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.

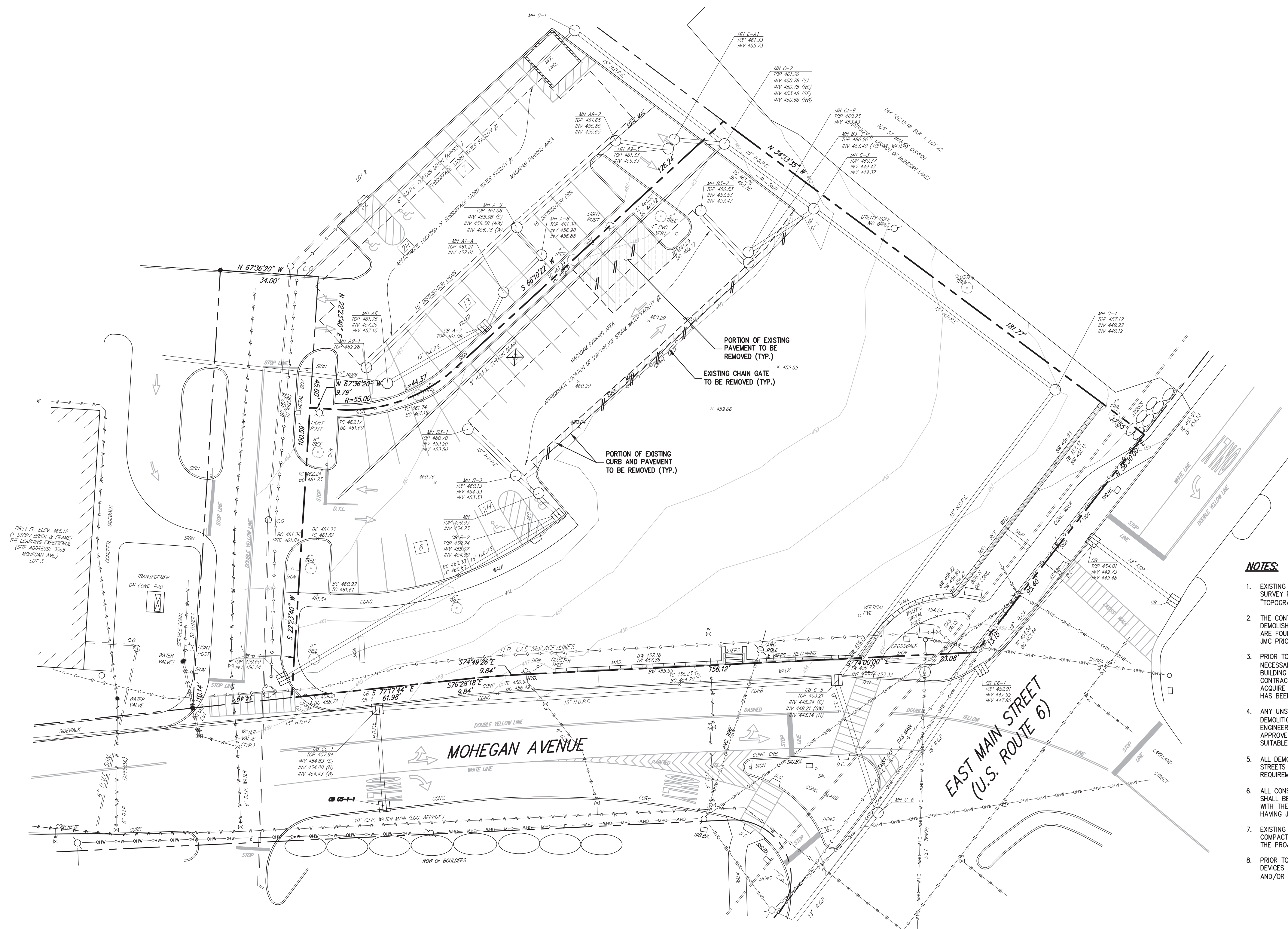
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EXISTING CONDITIONS MAP
PROPOSED TACO BELL RESTAURANT
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

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- THE CONTRACTOR SHALL VERIFY THE LOCATION OF EXISTING UTILITIES TO BE DEMOLISHED AND EXISTING UTILITIES TO BE PROTECTED. IF ANY DISCREPANCIES ARE FOUND, THE CONTRACTOR SHALL NOTIFY THE GENERAL CONTRACTOR AND JMC PRIOR TO THE START OF CONSTRUCTION.
- PRIOR TO THE START OF ANY DEMOLITION THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND/OR APPROVALS FROM THE TOWN OF YORKTOWN BUILDING DEPARTMENT AND ALL OTHER AUTHORITIES HAVING JURISDICTION. CONTRACTOR SHALL PAY ALL OUTSTANDING FEES, CHARGES, AND DEPOSITS TO ACQUIRE SAID PERMITS. NO DEMOLITION SHALL COMMENCE UNTIL A PERMIT HAS BEEN OBTAINED FROM THE TOWN OF YORKTOWN BUILDING DEPARTMENT.
- ANY UNSUITABLE MATERIAL FOUND ON-SITE DURING DEMOLITION/CONSTRUCTION, AS DETERMINED BY THE PROJECT'S GEOTECHNICAL ENGINEER, SHALL BE PROPERLY DISPOSED OF OFF-SITE IN A MANNER APPROVED BY ALL AUTHORITIES HAVING JURISDICTION AND REPLACED WITH SUITABLE MATERIAL AS REQUIRED.
- ALL DEMOLITION AND/OR CONSTRUCTION WITHIN THE RIGHT-OF-WAY, INCLUDING STREETS AND SIDEWALKS, SHALL BE PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TOWN OF YORKTOWN.
- ALL CONSTRUCTION/DEMOLITION DEBRIS NOT PROPOSED TO BE RECYCLED SHALL BE REMOVED AND LEGALLY DISPOSED OF OFF-SITE IN ACCORDANCE WITH THE REGULATIONS OF ALL LOCAL, STATE AND FEDERAL AGENCIES HAVING JURISDICTION.
- EXISTING CONCRETE MAY BE STORED ON SITE, AND RECYCLED FOR USE AS COMPACTED FILL. ALL MATERIAL TO BE USED AS FILL SHALL BE APPROVED BY THE PROJECT GEOTECHNICAL ENGINEER.
- PRIOR TO THE START OF SITE DEMOLITION, EROSION AND SEDIMENT CONTROL DEVICES SHALL BE INSTALLED IN ACCORDANCE WITH C-400, AS REQUIRED AND/OR DIRECTED BY THE TOWN OF YORKTOWN OR JMC.
- EXISTING DRAINAGE PATTERNS ON SITE SHALL BE MAINTAINED TO THE MAXIMUM EXTENT PRACTICABLE.
- ALL EXISTING UTILITY CASTINGS WHICH ARE TO REMAIN SHALL BE REMOVED AND RESET TO THE NEW PROPOSED GRADES IN ACCORDANCE WITH THE DIRECTIONS OF THE OWNER'S FIELD REPRESENTATIVE. EXISTING CASTINGS WHICH ARE DAMAGED OR UNFIT FOR INSTALLATION IN THE NEW CONSTRUCTION, AS DETERMINED BY THE OWNER'S FIELD REPRESENTATIVE, SHALL BE REPLACED.
- ALL EXISTING SIDEWALKS, CURBS, PAVEMENT, ETC. TO REMAIN, WHICH ARE DISTURBED OR DAMAGED DUE TO THE NEW CONSTRUCTION, ARE TO BE REPLACED WITH MATERIALS CONSISTENT WITH EXISTING CONDITIONS.
- THESE PLANS ARE TO BE PROVIDED TO BOTH THE DEMOLITION CONTRACTOR AND THE SITE CONTRACTOR FOR THEIR USE, INFORMATION AND COORDINATION. ANY QUESTIONS OF CONTRACTOR RESPONSIBILITY AND/OR SEPARATION OF WORK SHALL BE DIRECTED TO THE GENERAL CONTRACTOR IN WRITING PRIOR TO ISSUANCE OF BID.
- PRIOR TO COMMENCEMENT OF DEMOLITION, THE CONTRACTOR MUST PROVIDE 24-HOUR NOTIFICATION TO THE TOWN OF YORKTOWN BUILDING DEPARTMENT, ENGINEERING DEPARTMENT, AND JMC.
- THE CONTRACTOR SHALL PROVIDE VERIFICATION TO THE TOWN OF YORKTOWN BUILDING DEPARTMENT THAT FIVE (5) DAYS' PRIOR NOTIFICATION WAS GIVEN TO ALL ADJOINING OWNERS AND THAT NOTIFICATION WAS GIVEN TO THE APPROPRIATE COMMUNITY BOARD PRIOR TO THE COMMENCEMENT OF DEMOLITION.

LEGEND	
	EXISTING PROPERTY LINE
	EXISTING BUILDING LINE
	EXISTING PAVEMENT EDGE
	EXISTING CURB LINE
	EXISTING INDEX CONTOUR
	EXISTING CONTOUR
	EXISTING RETAINING WALL
	EXISTING TREE AND DESIGNATION
	EXISTING TREE TO BE REMOVED
	EXISTING DIRECTIONAL ARROWS
	EXISTING PAINT
	EXISTING PARKING WITH NUMBER OF SPACES
	EXISTING ACCESSIBLE PARKING WITH NUMBER OF SPACES
	EXISTING PEDESTRIAN CROSSING
	EXISTING STORM DRAIN LINE AND SIZE
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	EXISTING WATER LINE
	EXISTING GAS LINE
	EXISTING OVERHEAD WIRES
	EXISTING DRAIN INLET
	EXISTING MANHOLE
	EXISTING FIRE HYDRANT
	EXISTING GAS VALVE
	EXISTING WATER VALVE
	EXISTING LIGHT POLE
	EXISTING SIGN
	EXISTING PAVEMENT TO BE REMOVED
	EXISTING FEATURE TO BE REMOVED
	PROPOSED SAWCUT LINE

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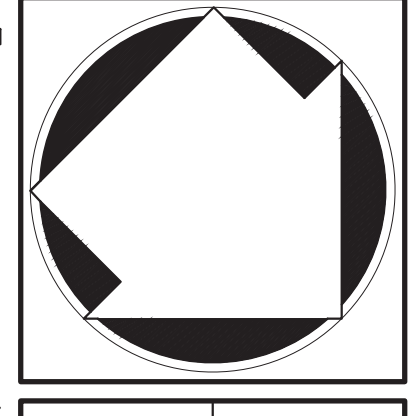
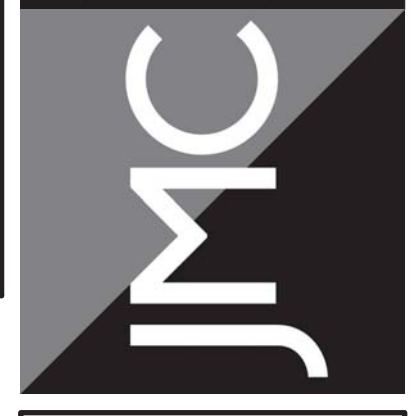
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Scale: 1" = 20'	
Date: 08/21/2020	
Project No: 20045	
2006-9E	DEMO
Drawing No: C-020	

APPLICANT: **KEYSTONE MOHEGAN LAKE LLC**
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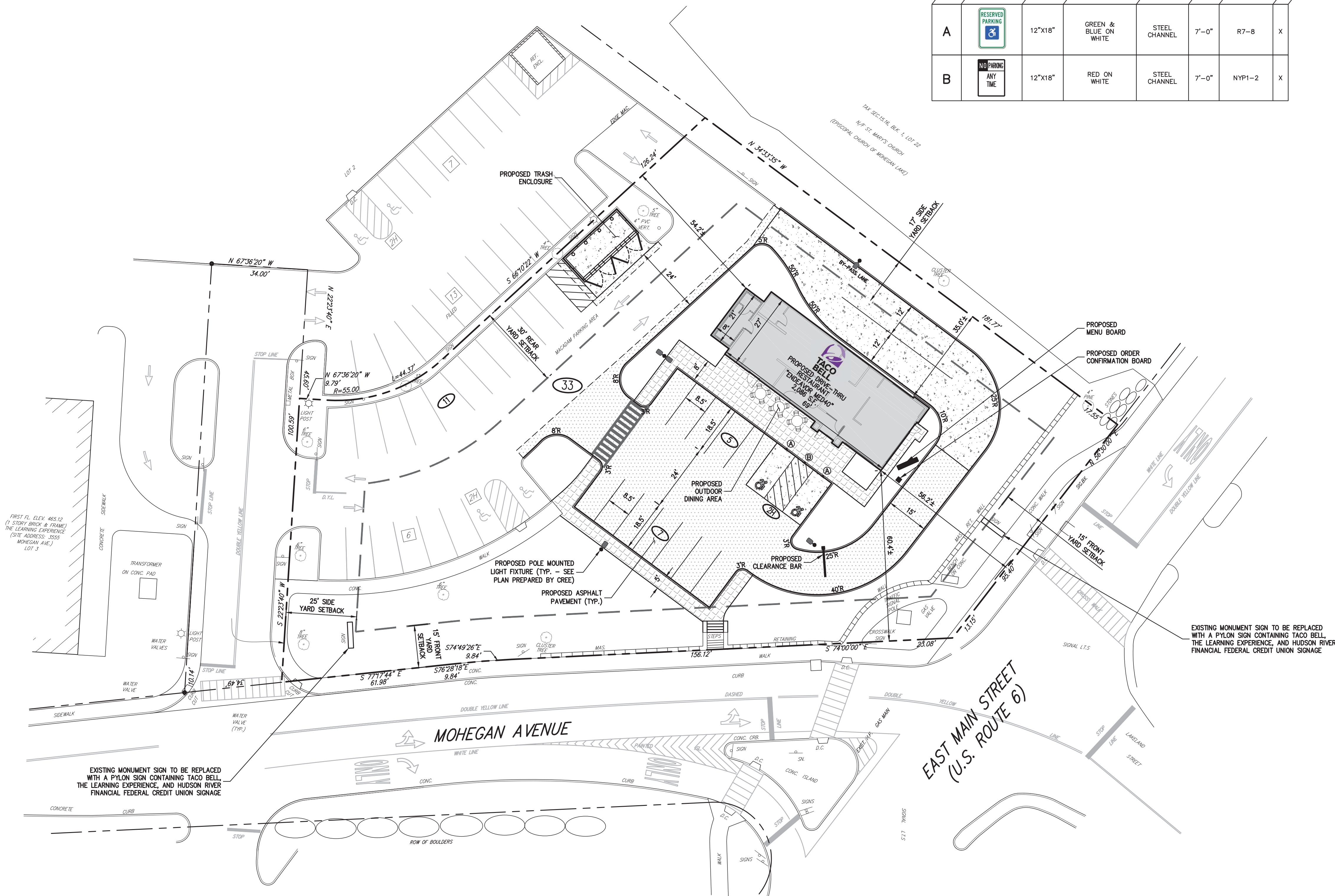
DEMOLITION PLAN

PROPOSED TACO BELL RESTAURANT
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

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SIGN TABLE

DESIGNATION NUMBER	SIGN	SIZE	DESCRIPTION	MOUNTING TYPE	MOUNTING HEIGHT	REGULATORY REFLECTORIZED
A		12"x18"	GREEN & BLUE ON WHITE	STEEL CHANNEL	7'-0"	R7-8 X
B		12"x18"	RED ON WHITE	STEEL CHANNEL	7'-0"	NYP1-2 X

LEGEND

- EXISTING PROPERTY LINE
- EXISTING SETBACK LINE
- EXISTING BUILDING LINE
- EXISTING PAVEMENT EDGE
- EXISTING CURB LINE
- EXISTING RETAINING WALL
- EXISTING TREE AND DESIGNATION
- EXISTING DIRECTIONAL ARROWS
- EXISTING PAINT
- EXISTING PARKING WITH NUMBER OF SPACES
- EXISTING ACCESSIBLE PARKING WITH NUMBER OF SPACES
- EXISTING PEDESTRIAN CROSSING
- EXISTING LIGHT POLE
- EXISTING SIGN
- PROPOSED BUILDING LINE
- PROPOSED CONCRETE CURB
- PROPOSED SAWCUT LINE
- PROPOSED ACCESSIBLE PARKING SPACES WITH NUMBER OF SPACES INDICATED (REFER TO STRIPING DETAILS)
- PROPOSED PARKING SPACES WITH NUMBER OF SPACES INDICATED (REFER TO STRIPING DETAILS)
- PROPOSED CONCRETE SIDEWALK
- PROPOSED ASPHALT PAVEMENT
- PROPOSED CONCRETE PAVEMENT
- PEDESTRIAN CROSSING

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APPLICANT: **KEYSTONE MOHEGAN LAKE LLC**
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LAYOUT PLAN

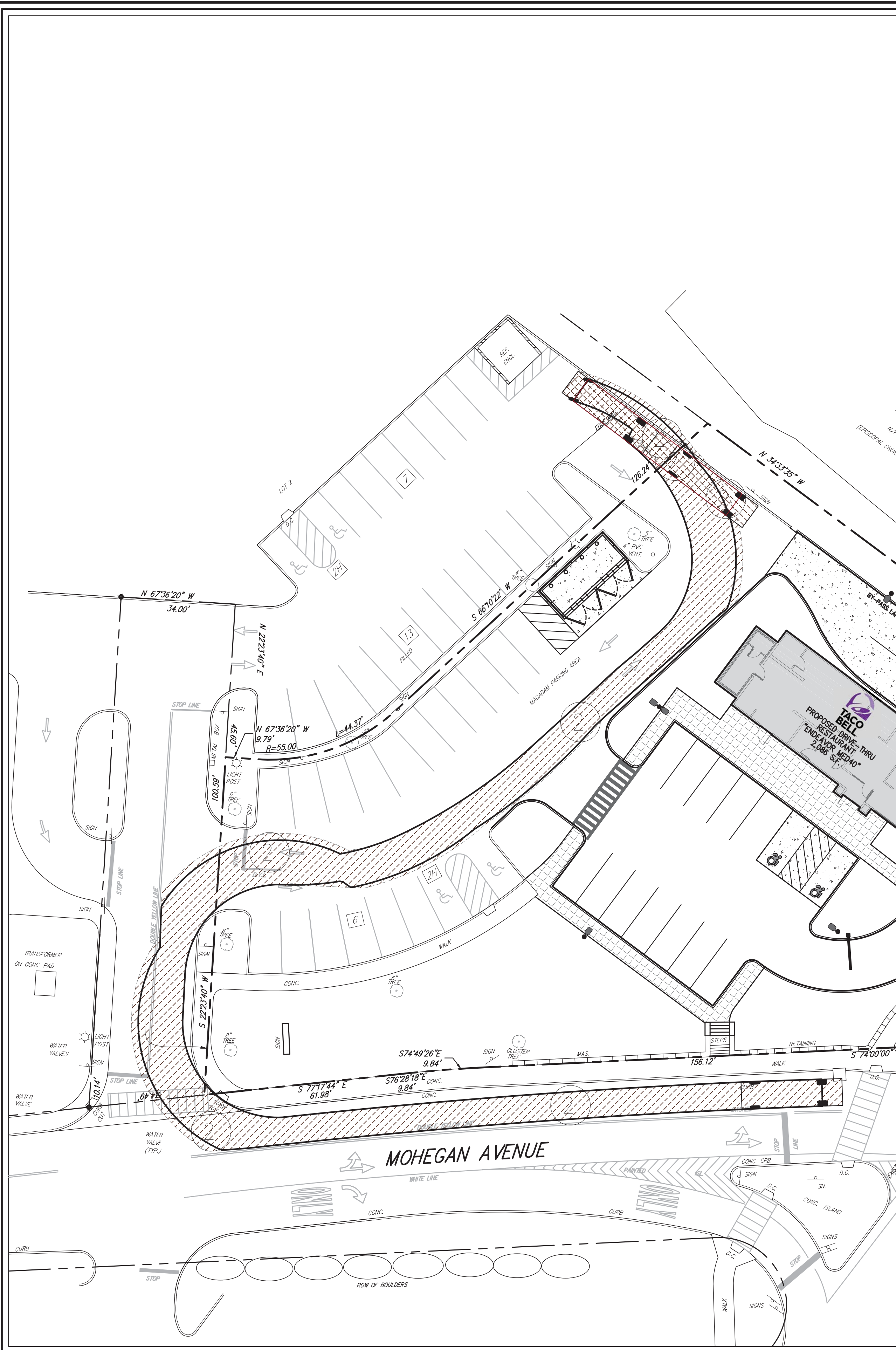
PROPOSED TACO BELL RESTAURANT
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

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Date: 08/21/2020
Project No: 20045
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Drawing No: **C-100**

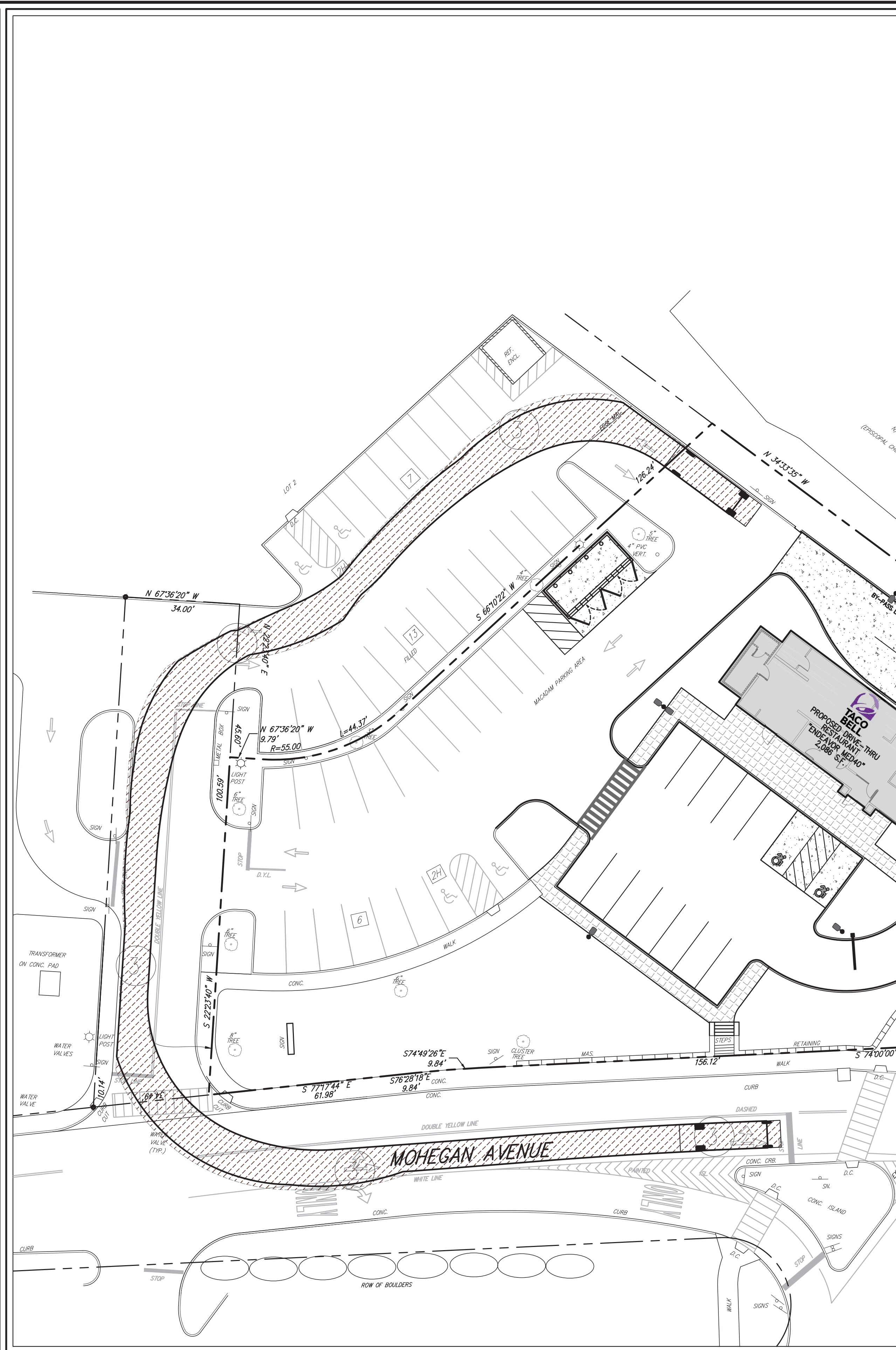
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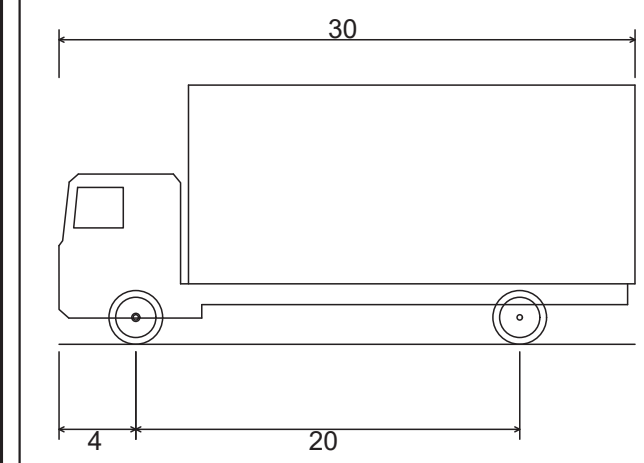
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ENTERING MOVEMENT



EXITING MOVEMENT



SU-30 - Single Unit Truck
 Overall Length 30.000ft
 Overall Width 8.000ft
 Overall Body Height 13.500ft
 Min Body Ground Clearance 1.367ft
 Track Width 8.000ft
 Lock-to-lock time 5.00s
 Max Steering Angle (Virtual) 31.80°

SU-30 PROFILE
 SCALE: N.T.S.

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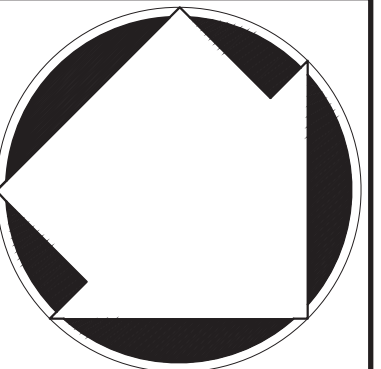
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2046-9E	TRUCK
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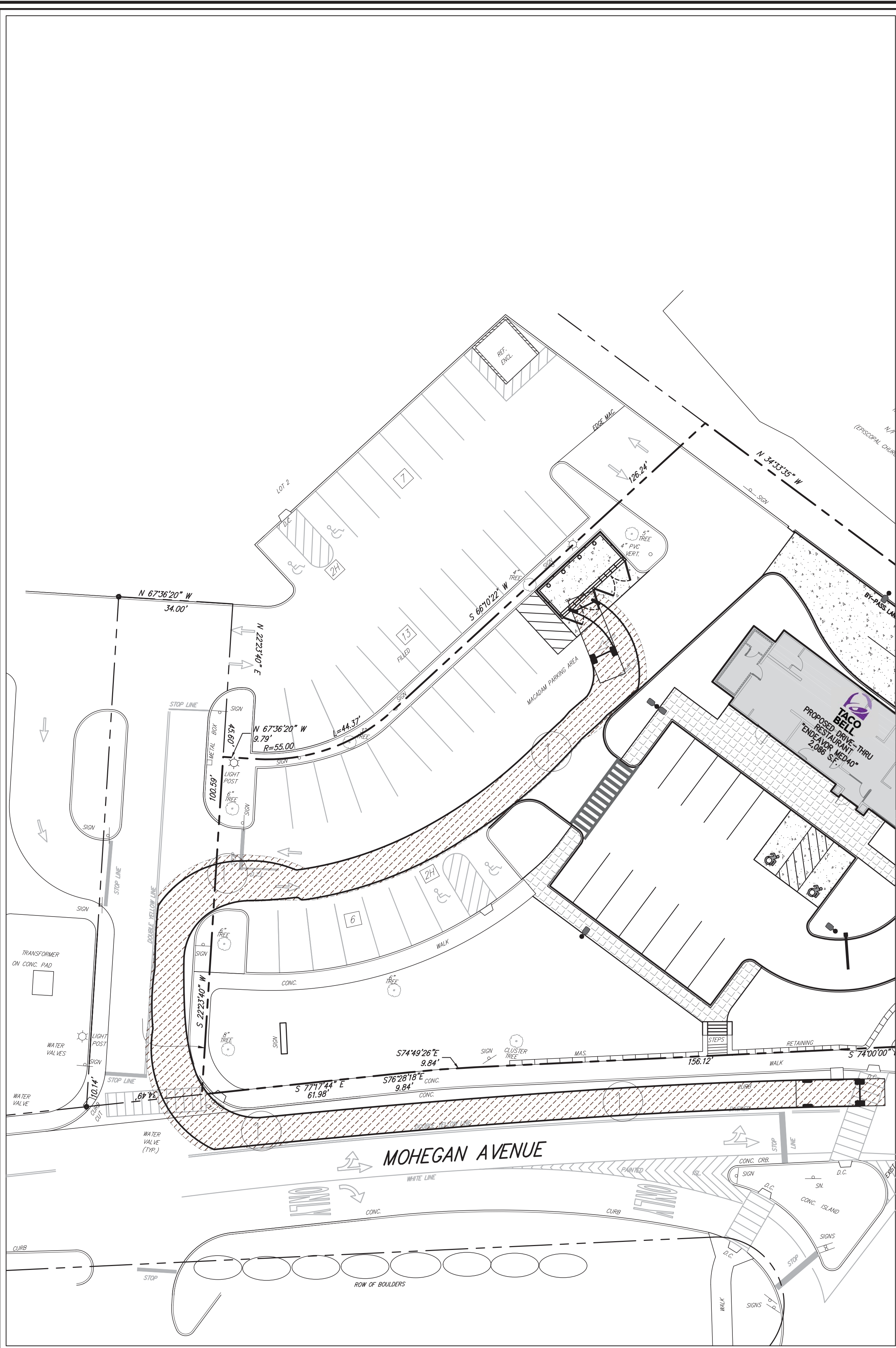


DELIVERY VEHICLE TURNING ANALYSES

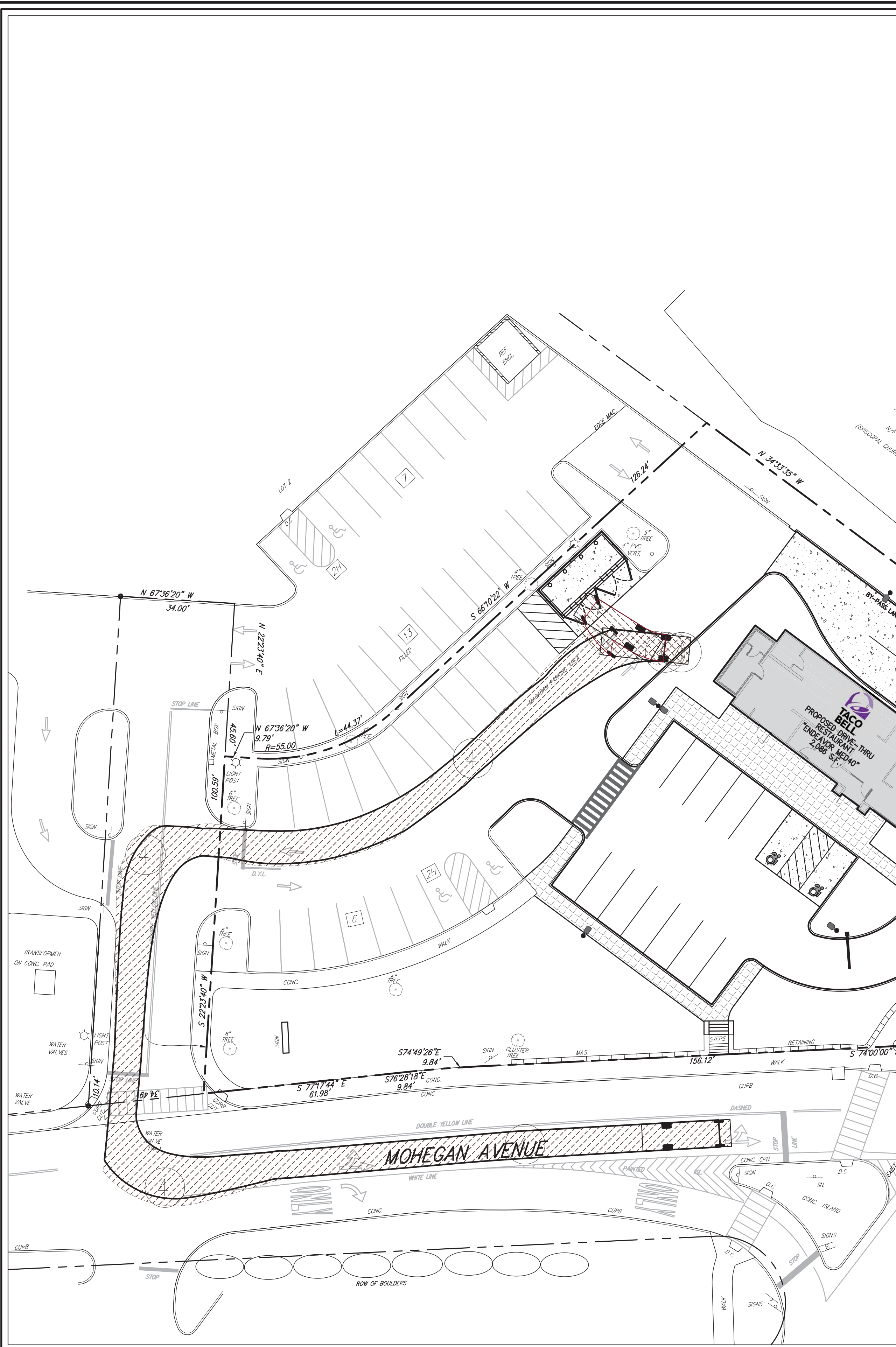
PROPOSED TACO BELL RESTAURANT
 3571 MOHEGAN AVENUE
 TOWN OF YORKTOWN, NY

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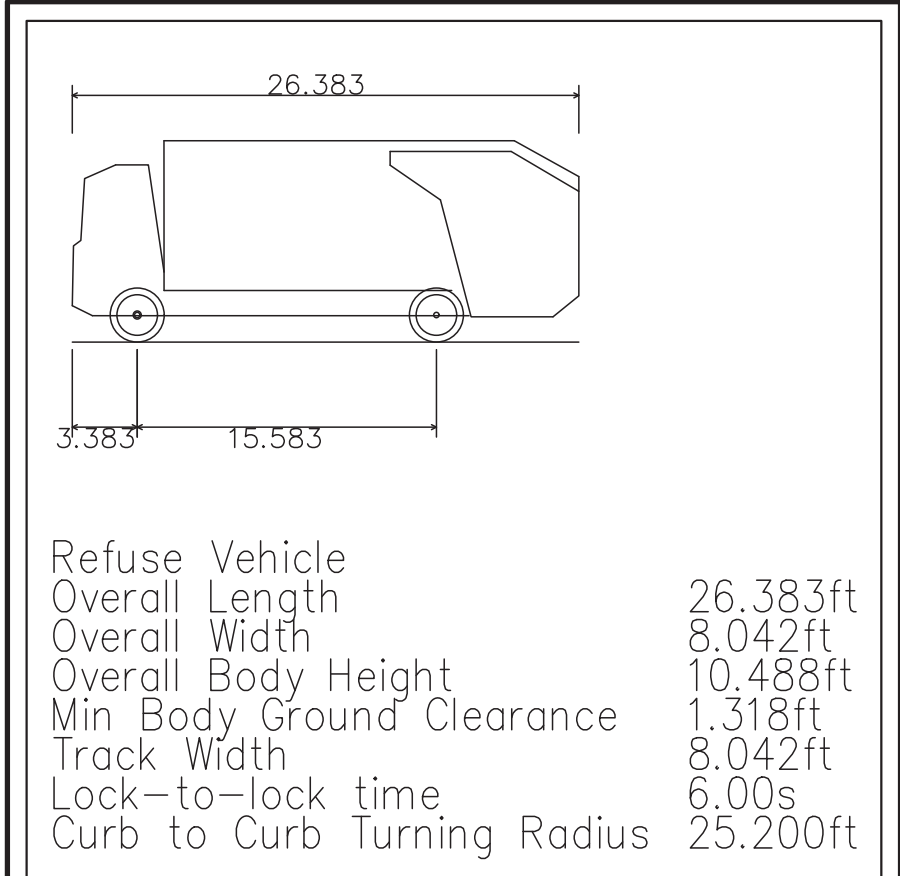
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ENTERING MOVEMENT



EXITING MOVEMENT



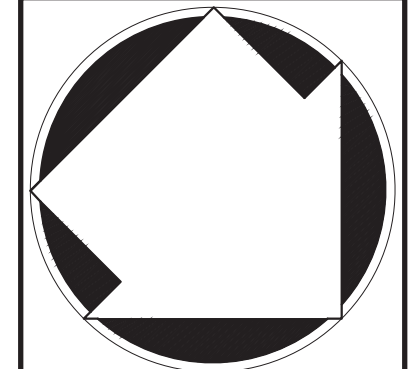
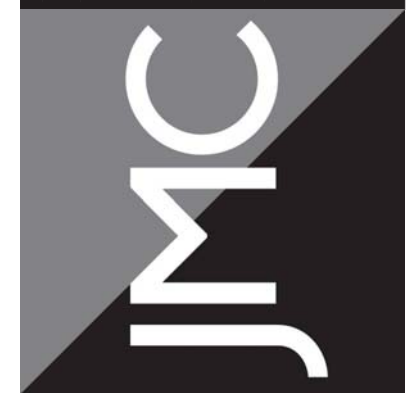
REFUSE VEHICLE PROFILE
SCALE: N.T.S.

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NYACK, NY 10960

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REFUSE VEHICLE TURNING ANALYSES

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TOWN OF YORKTOWN, NY

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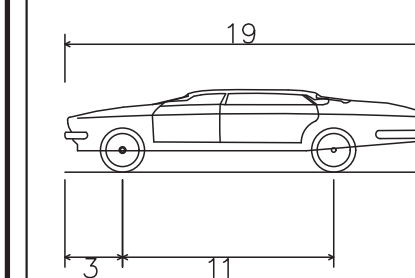
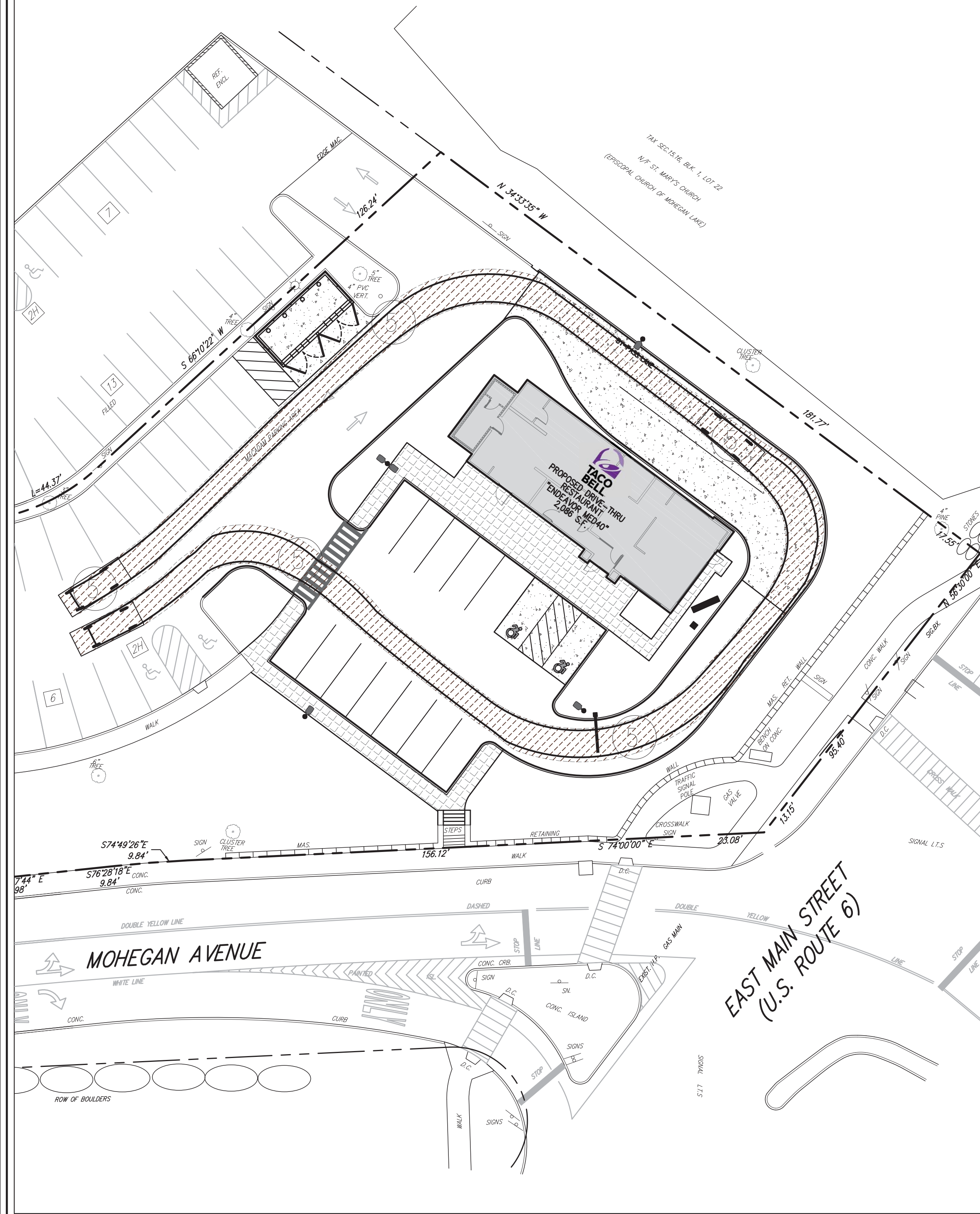
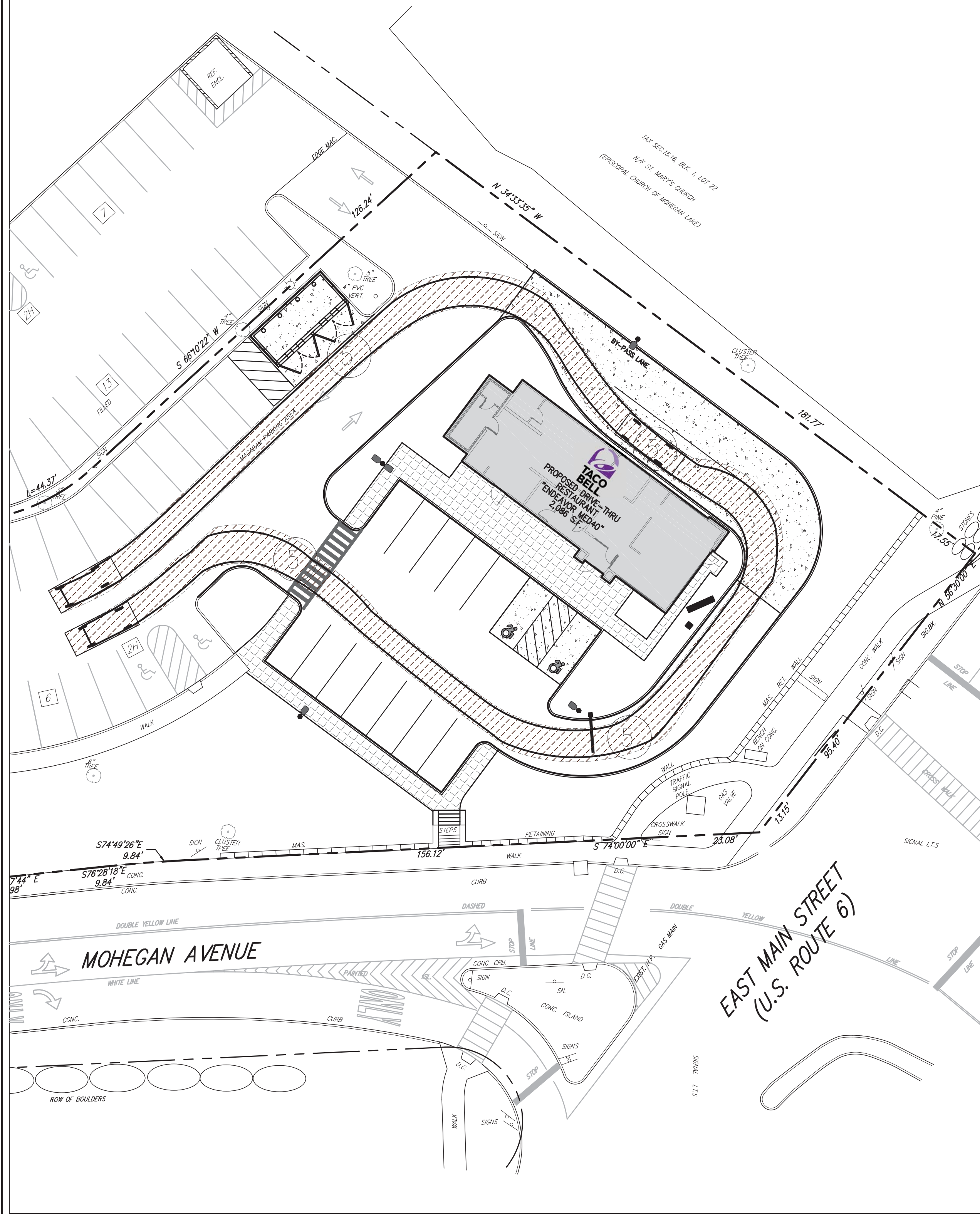
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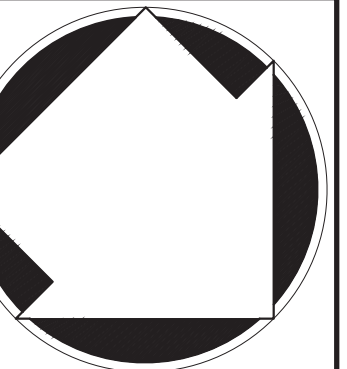
P - Passenger Car	19.000ft
Overall Length	7.000ft
Overall Width	4.300ft
Min Body Ground Clearance	1.115ft
Track Width	6.000ft
Lock-to-lock time	4.00s
Max Steering Angle (Virtual)	31.60°

PASSENGER VEHICLE PROFILE
SCALE: N.T.S.

APPLICANT: **KEYSTONE MOHEGAN LAKE LLC**
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PASSENGER VEHICLE TURNING ANALYSES

PROPOSED TACO BELL RESTAURANT
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

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.

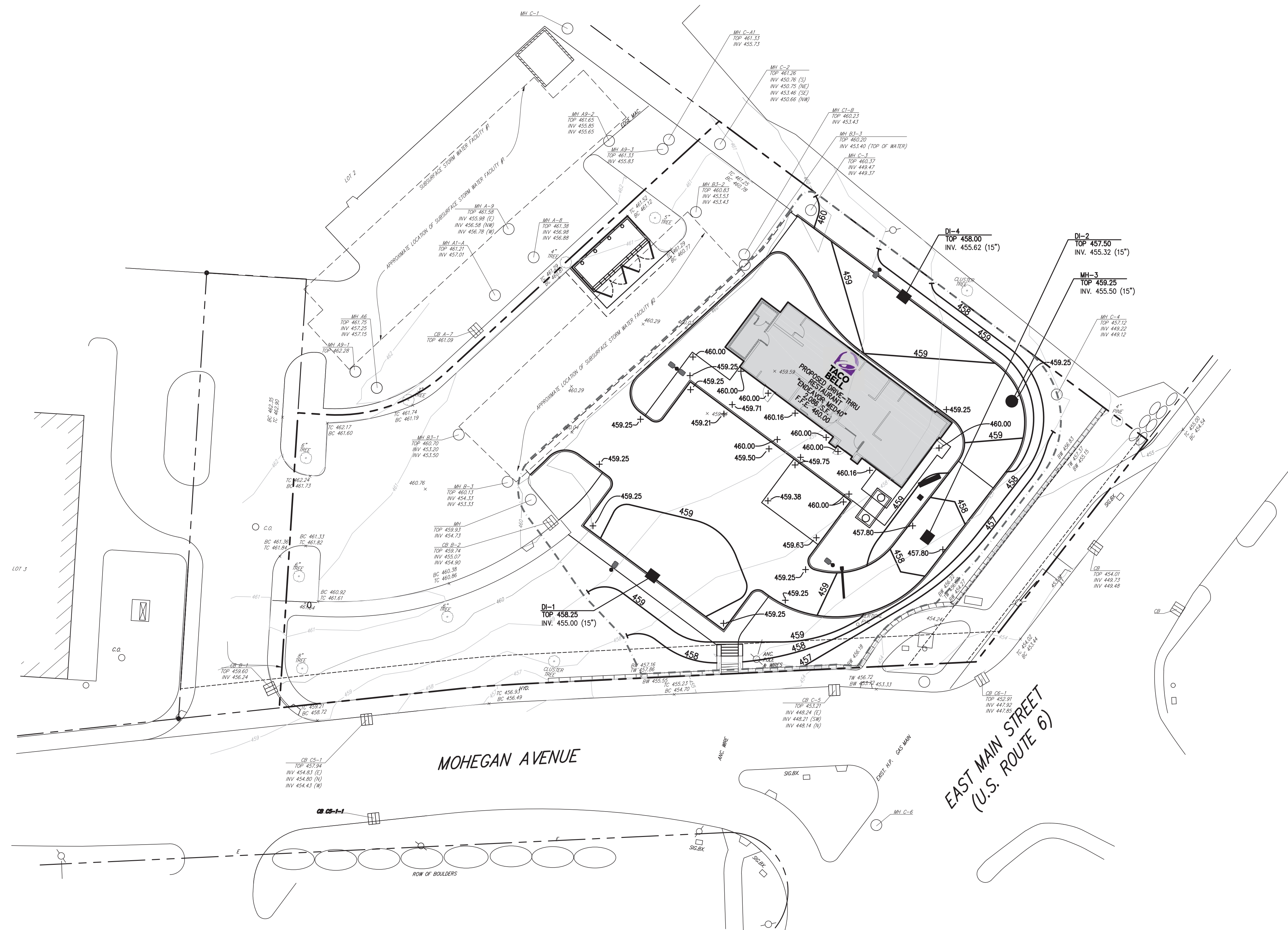
No.	Revision	Date	By
1.	ISSUED FOR PUBLIC NOTICING	10/06/2020	PD
2.	REVISED PER TOWN COMMENTS	03/12/2021	PD

Drawn: PD	Approved: JAR
Scale: 1" = 20'	
Date: 08/21/2020	
Project No: 20045	
2046-0E	PASSENGER TRUCK.scr
Drawing No:	
C-130	

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LEGEND

- EXISTING PROPERTY LINE
- - - ADJACENT PROPERTY LINE
- - - EXISTING EASEMENT LINE
- EXISTING PAVEMENT EDGE
- EXISTING CURB LINE
- EXISTING CONTOUR
- EXISTING INDEX CONTOUR
- EXISTING SPOT GRADE
- EXISTING STONE WALL
- EXISTING RETAINING WALL
- EXISTING FENCE
- EXISTING DRAIN INLET
- EXISTING MANHOLE
- EXISTING UTILITY POLE
- PROPOSED BUILDING LINE
- PROPOSED CONCRETE CURB
- PROPOSED CONCRETE SIDEWALK
- PROPOSED DROP CURB AND RAMP
- PROPOSED FINISHED GRADE
- PROPOSED SPOT GRADE
- MH EXISTING STORM DRAIN MANHOLE
- DI PROPOSED TYPE CI DRAIN INLET
- DI PROPOSED TYPE DI DRAIN INLET
- PROPOSED GREASE TRAP
- PROPOSED POLE LIGHT FIXTURE (DESIGN BY CREE LIGHTING)

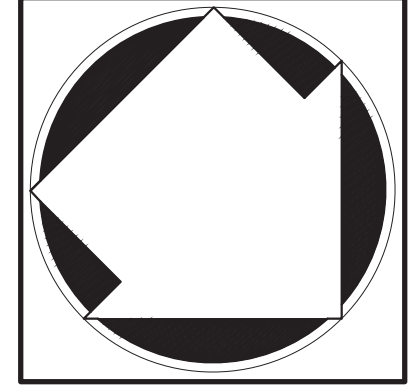
- NOTES:**
- EXISTING CONDITIONS DEPICTED ON THIS PLAN HAVE BEEN TAKEN FROM SURVEY TITLED, "AS-BUILT & TOPOGRAPHIC SURVEY OF PROPERTY," PREPARED BY WARD CARPENTER ENGINEERS, INC., DATED 04/27/2020, AND LAST REVISED 05/19/2020.
 - ALL STORMWATER MANAGEMENT PRACTICES SHALL REMAIN UNDISTURBED AND BE PROTECTED FROM HEAVY MACHINERY TRAFFIC DURING CONSTRUCTION. HOWEVER DURING CONSTRUCTION OF THE PRACTICE THE CONTRACTOR SHALL MINIMIZE AND AVOID HEAVY MACHINERY TRAFFIC TO THE MAXIMUM EXTENT PRACTICABLE. THERE SHALL BE NO STORAGE OF MATERIALS WITHIN AREAS TO BE USED FOR STORMWATER MANAGEMENT PRACTICES. THE CONTRACTOR SHALL INSTALL CONSTRUCTION FENCE AROUND THE PRACTICE TO DISCOURAGE VEHICLE TRAFFIC.
 - ALL FILLS SHALL BE COMPACTED TO PROVIDE STABILITY OF MATERIAL AND TO PREVENT SETTLEMENT.
 - EXCAVATIONS AND FILLS SHALL NOT ENDANGER ADJOINING PROPERTIES, NOR DIVERT WATER ONTO THE PROPERTY OF OTHERS AT ANY TIME DURING THE COURSE OF CONSTRUCTION.
 - CONTRACTOR SHALL REFER TO EROSION AND SEDIMENT CONTROL PLAN FOR FURTHER DIRECTION REGARDING SITE STABILIZATION THROUGHOUT THE COURSE OF CONSTRUCTION.

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

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GRADING PLAN

PROPOSED TACO BELL RESTAURANT
 3571 MOHEGAN AVENUE
 TOWN OF YORKTOWN, NY

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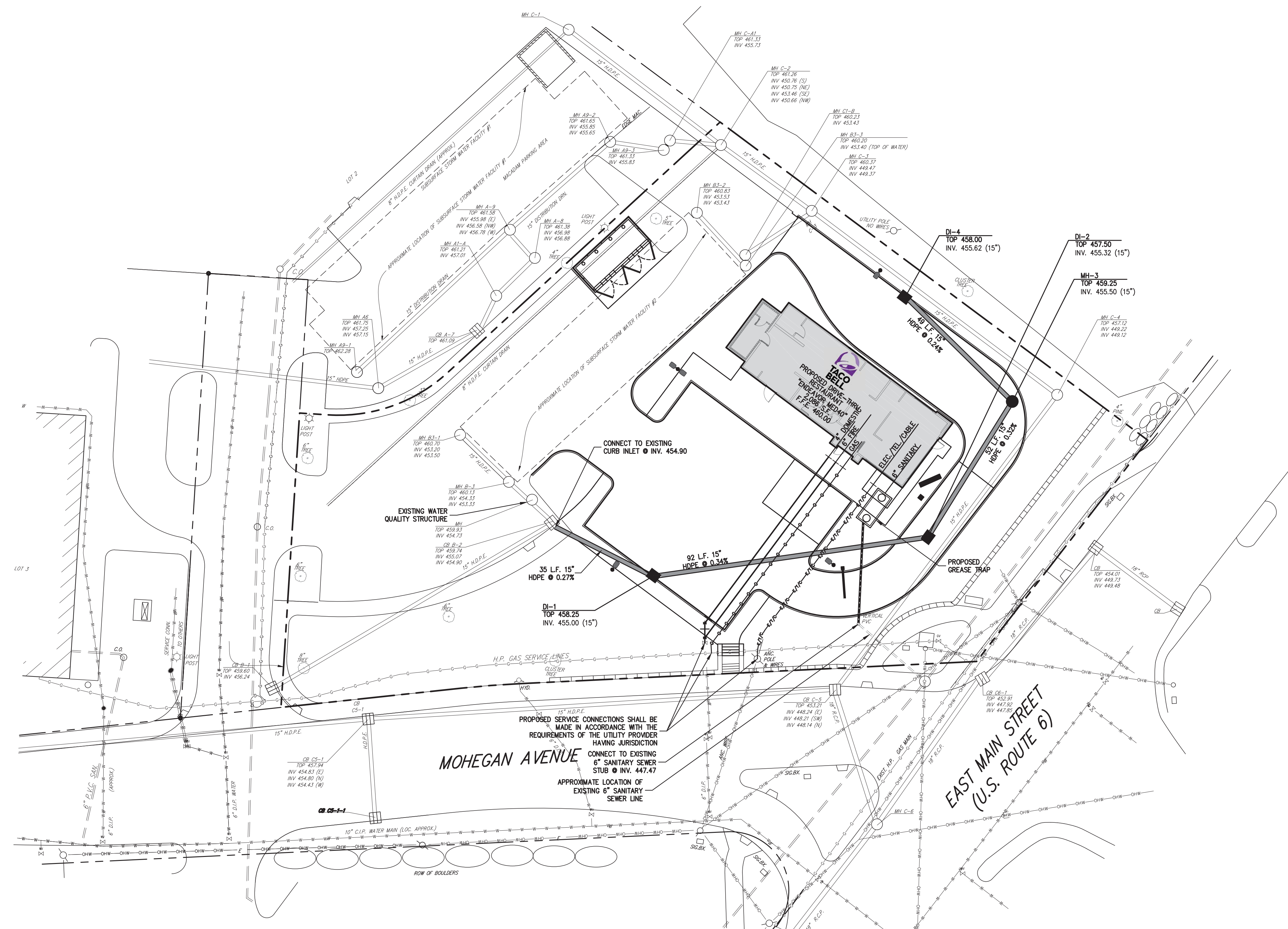
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Drawing No: C-200	

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LEGEND

- EXISTING PROPERTY LINE
- - - ADJACENT PROPERTY LINE
- ▨ EXISTING BUILDING LINE
- ===== EXISTING PAVEMENT EDGE
- ===== EXISTING CURB LINE
- ===== EXISTING STONE WALL
- ===== EXISTING RETAINING WALL
- EXISTING GUIDE RAIL
- EXISTING FENCE
- 36" RCP EXISTING STORM DRAIN LINE AND SIZE
- 6" SAN EXISTING SANITARY LINE AND SIZE
- EXISTING WATER LINE
- EXISTING GAS LINE
- EXISTING OVERHEAD WIRES
- EXISTING DRAIN INLET
- EXISTING MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING GAS VALVE
- EXISTING WATER VALVE
- EXISTING UTILITY POLE
- EXISTING LIGHT POLE
- EXISTING SIGN
- ▭ PROPOSED BUILDING LINE
- ▭ PROPOSED CONCRETE CURB
- ▭ PROPOSED CONCRETE SIDEWALK
- ▭ PROPOSED DROP CURB AND RAMP
- MH PROPOSED STORM DRAIN MANHOLE
- CI PROPOSED TYPE CI DRAIN INLET
- DI PROPOSED TYPE DI DRAIN INLET
- 15" HDPE PROPOSED STORM DRAIN LINE & SIZE
- 6" PVC PROPOSED SANITARY SEWER LINE & SIZE
- 2" WATER PROPOSED WATER LINE & SIZE
- PROPOSED GAS LINE
- PROPOSED ELECTRIC/TELEPHONE/CABLE

- NOTES:**
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 - ALL STORMWATER MANAGEMENT PRACTICES SHALL REMAIN UNDISTURBED AND BE PROTECTED FROM HEAVY MACHINERY TRAFFIC DURING CONSTRUCTION. HOWEVER DURING CONSTRUCTION OF THE PROJECT THE CONTRACTOR SHALL MINIMIZE AND AVOID HEAVY MACHINERY TRAFFIC TO THE MAXIMUM EXTENT PRACTICABLE. THERE SHALL BE NO STORAGE OF MATERIALS WITHIN AREAS TO BE USED FOR STORMWATER MANAGEMENT PRACTICES. THE CONTRACTOR SHALL INSTALL CONSTRUCTION FENCE AROUND THE PRACTICE TO DISCOURAGE VEHICLE TRAFFIC.
 - UNLESS OTHERWISE SPECIFIED, PIPE FOR STORM DRAINS SHALL BE HIGH DENSITY POLYETHYLENE PIPE (HDPE) WITH A SMOOTH INTERIOR AND ANNUAL EXTERIOR CORRUGATIONS IN ACCORDANCE WITH ASTM F-2648. JOINTS SHALL BE WATERTIGHT IN ACCORDANCE WITH ASTM D-3212.
 - UNLESS OTHERWISE SPECIFIED, PIPE FOR SANITARY SEWER GRAVITY LINES SHALL BE POLYVINYL CHLORIDE PIPE (PVC), SDR-35, WITH PUSH-ON JOINTS IN ACCORDANCE WITH ASTM D-3034 AND D-3212.
 - UNLESS OTHERWISE SPECIFIED, PIPE FOR WATER LINES SHALL BE DOUBLE CEMENT-LINED DUCTILE IRON PIPE (DIP), CLASS 52, WITH PUSH-ON JOINTS IN ACCORDANCE WITH AWWA C-150, C-151, C-104 AND C-111.
 - ELECTRIC, TELEPHONE, FIRE ALARM AND CABLE TELEVISION LINES SHALL BE INSTALLED UNDERGROUND IN CONDUIT IN ACCORDANCE WITH THE REQUIREMENTS OF THE UTILITY COMPANY HAVING JURISDICTION.

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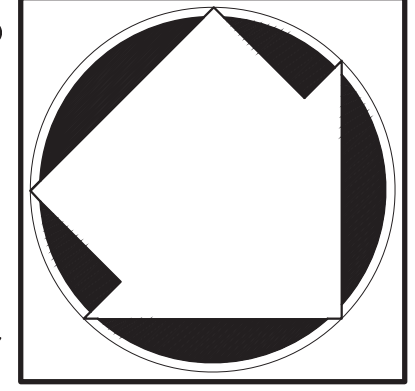
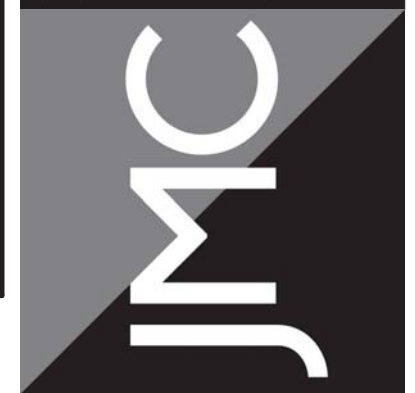
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C-300	

APPLICANT: **KEYSTONE MOHEGAN LAKE LLC**
25 ROUTE 59
NYACK, NY 10960

ARCHITECT: **WIENER ARCHITECTURE GROUP, LLC**
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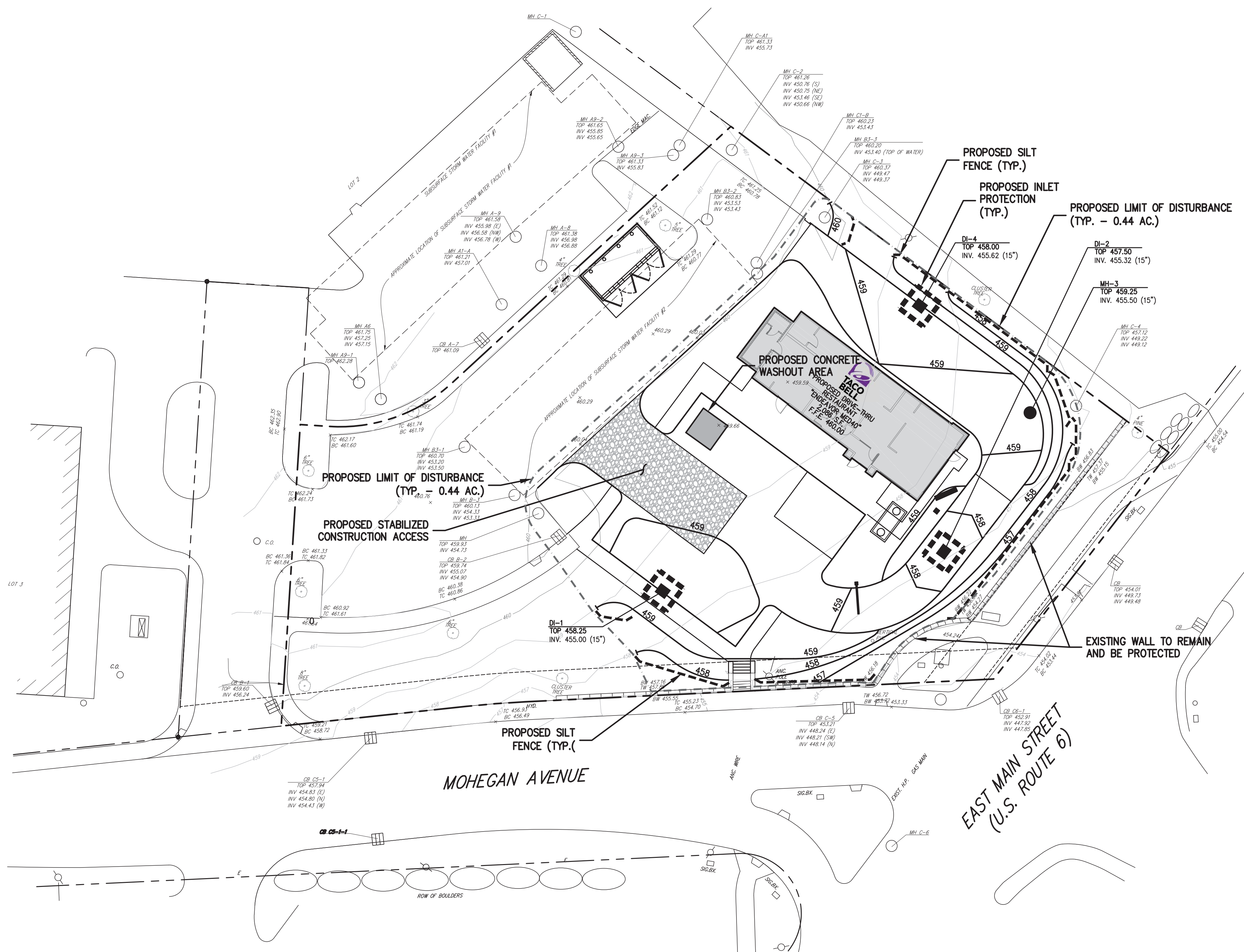
UTILITIES PLAN

PROPOSED TACO BELL RESTAURANT
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

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LEGEND	
	PROPOSED INLET PROTECTION
	PROPOSED SILT FENCE
	PROPOSED LIMIT OF DISTURBANCE
	PROPOSED STABILIZED CONSTRUCTION ENTRANCE
	PROPOSED CONCRETE WASHOUT AREA

- NOTES:**
- EXISTING CONDITIONS DEPICTED ON THIS PLAN HAVE BEEN TAKEN FROM SURVEY TITLED, "AS-BUILT & TOPOGRAPHIC SURVEY OF PROPERTY," PREPARED BY WARD CARPENTER ENGINEERS, INC., DATED 04/27/2020, AND LAST REVISED 05/19/2020.
 - THIS PLAN IS FOR TEMPORARY EROSION AND SEDIMENT CONTROL INFORMATION ONLY.
 - PRIOR TO BEGINNING ANY CLEARING, GRUBBING OR EXCAVATION, ALL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH ALL THE PLANS AND SPECIFICATIONS. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE MAINTAINED UNTIL THE SITE IS STABILIZED. FINAL STABILIZATION OF LANDSCAPED AREAS SHALL BE IN ACCORDANCE WITH THE LANDSCAPE PLAN.
 - THE CONTRACTOR SHALL INSPECT AND MAINTAIN ON-SITE EROSION AND SEDIMENT CONTROL MEASURES ON A DAILY BASIS. ALL COLLECTED SEDIMENT WITHIN SEDIMENT BARRIERS SHALL BE REMOVED PERIODICALLY AS REQUIRED TO MAINTAIN THE FUNCTION OF THE SEDIMENT BARRIERS. ALL SEDIMENT COLLECTED SHALL BE SPREAD ON-SITE WITHIN STABILIZED AREAS AS DIRECTED BY THE OWNERS REPRESENTATIVE.
 - THE CONTRACTOR SHALL INSPECT DOWNSTREAM CONDITIONS FOR EVIDENCE OF SEDIMENTATION ON A WEEKLY BASIS, AFTER EACH RAINSTORM, AND AS MAY BE REQUIRED OR DIRECTED BY ALL APPLICABLE APPROVALS AND PERMITS. THE CONTRACTOR SHALL IMMEDIATELY PROVIDE A WRITTEN REPORT ON FINDINGS OF SEDIMENT IN DOWNSTREAM AREAS TO ALL AUTHORITIES HAVING JURISDICTION AND MAKE REPAIRS AS REQUIRED OR DIRECTED.
 - ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED BY THE CONTRACTOR AS REQUIRED/WARRANTED BY FIELD CONDITIONS AND AS DIRECTED BY THE OWNERS REPRESENTATIVE, JMC, AND/OR ANY AUTHORITY HAVING JURISDICTION.
 - STOCKPIILING OF CONSTRUCTION MATERIAL SHALL BE PLACED ON-SITE IN THE AREA DESIGNATED ON THIS PLAN OR AS APPROVED BY THE OWNERS REPRESENTATIVE. STOCKPILED EXCAVATED MATERIAL SHALL HAVE TWO ROWS OF SILT FENCE LOCATED AROUND ITS PERMETER. ALL STOCKPILED MATERIAL SHALL BE MAINTAINED IN AN ORDERLY MANNER SO AS NOT TO IMPEDE ON PEDESTRIAN AND/OR VEHICULAR TRAFFIC CIRCULATION ROUTES.
 - DUST SHALL BE CONTROLLED BY SPRINKLING OR OTHER APPROVED METHODS AS NECESSARY, OR AS DIRECTED BY THE OWNERS REPRESENTATIVE.
 - ALL STORMWATER MANAGEMENT PRACTICES SHALL REMAIN UNDISTURBED AND BE PROTECTED FROM HEAVY MACHINERY TRAFFIC DURING CONSTRUCTION. HOWEVER DURING CONSTRUCTION OF THE PRACTICE THE CONTRACTOR SHALL MINIMIZE AND AVOID HEAVY MACHINERY TRAFFIC TO THE MAXIMUM EXTENT PRACTICABLE. THERE SHALL BE NO STORAGE OF MATERIALS WITHIN AREAS TO BE USED FOR STORMWATER MANAGEMENT PRACTICES. THE CONTRACTOR SHALL INSTALL CONSTRUCTION FENCE AROUND THE PRACTICE TO DISCOURAGE VEHICLE TRAFFIC.
 - ALL EXPOSED SLOPES AND GRADED/DISTURBED AREAS, THAT WILL NOT BE FURTHER DISTURBED WITHIN 14 CALENDAR DAYS (7 DAYS FOR CONSTRUCTION SITES THAT EITHER DIRECTLY DISCHARGE TO ONE OF THE 303(d) SEGMENTS LISTED IN APPENDIX E OF THE GENERAL PERMIT OR ARE LOCATED WITHIN ONE OF THE WATERSHEDS LISTED IN APPENDIX C OF THE GENERAL PERMIT), SHALL BE TEMPORARILY SEEDED WITHIN 24 HOURS OF DISTURBANCE, IN ACCORDANCE WITH THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC) "EROSION AND SEDIMENT CONTROL GUIDELINES" AND THE ANSI A300 "BEST MANAGEMENT PRACTICES FOR TREE AND SHRUB PLANTING, TRANSPLANTING, MAINTENANCE AND CARE," PREPARED BY THE INTERNATIONAL SOCIETY OF ARBORICULTURE (ISA), LATEST EDITIONS, AS FOLLOWS:
 - SEED MIXTURE AND RATE OF APPLICATION:
 - IN SPRING, SUMMER OR EARLY FALL, SEED THE AREA WITH RYEGRASS (ANNUAL OR PERENNIAL) AT 30 POUNDS PER ACRE (APPROXIMATELY 0.7 POUNDS/1000 SQUARE FEET OR USE 1 POUND/1000 SQUARE FEET).
 - IN LATE FALL OR EARLY WINTER, SEED THE AREA WITH CERTIFIED "ARROSTOCK" WINTER RYE (CERIAL RYE) AT 100 POUNDS PER ACRE (2.5 POUNDS/1000 SQUARE FEET).
 - APPLICATION SHALL BE UNIFORM BY MECHANICAL OR HYDROSEED METHODS.
 - MULCH ALL SEEDED AREAS WITH STRAW AT A RATE OF 2 TONS PER ACRE (90 POUNDS PER 1000 SQUARE FEET) SUCH THAT THE MULCH FORMS A CONTINUOUS BLANKET.
 - ALL SEEDED AREAS SHALL BE FERTILIZED, RESEEDED, AND MULCHED AS NECESSARY TO MAINTAIN MOOROUS, DENSE VEGETATIVE COVER.
 - TEMPORARY SEED MIXTURES SHALL NOT BE PLACED ON AREAS WHERE FINAL GRADE HAS BEEN ESTABLISHED AND TOPSOIL HAS BEEN PLACED UNLESS OTHERWISE DIRECTED BY THE PROJECT LANDSCAPE ARCHITECT.

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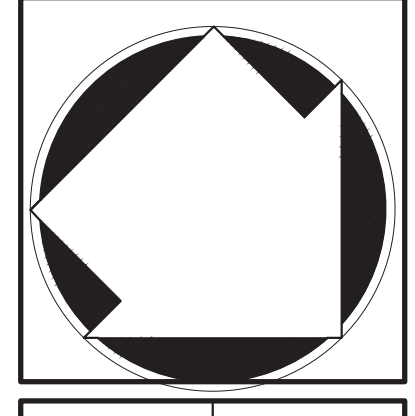
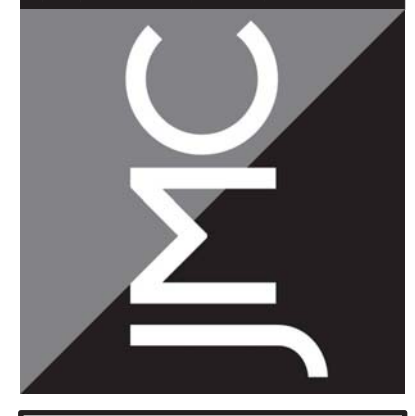
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APPLICANT: **KEYSTONE MOHEGAN LAKE LLC**
25 ROUTE 59
NYACK, NY 10960

ARCHITECT: **WIENER ARCHITECTURE GROUP, LLC**
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NEWARK, NEW JERSEY 07103

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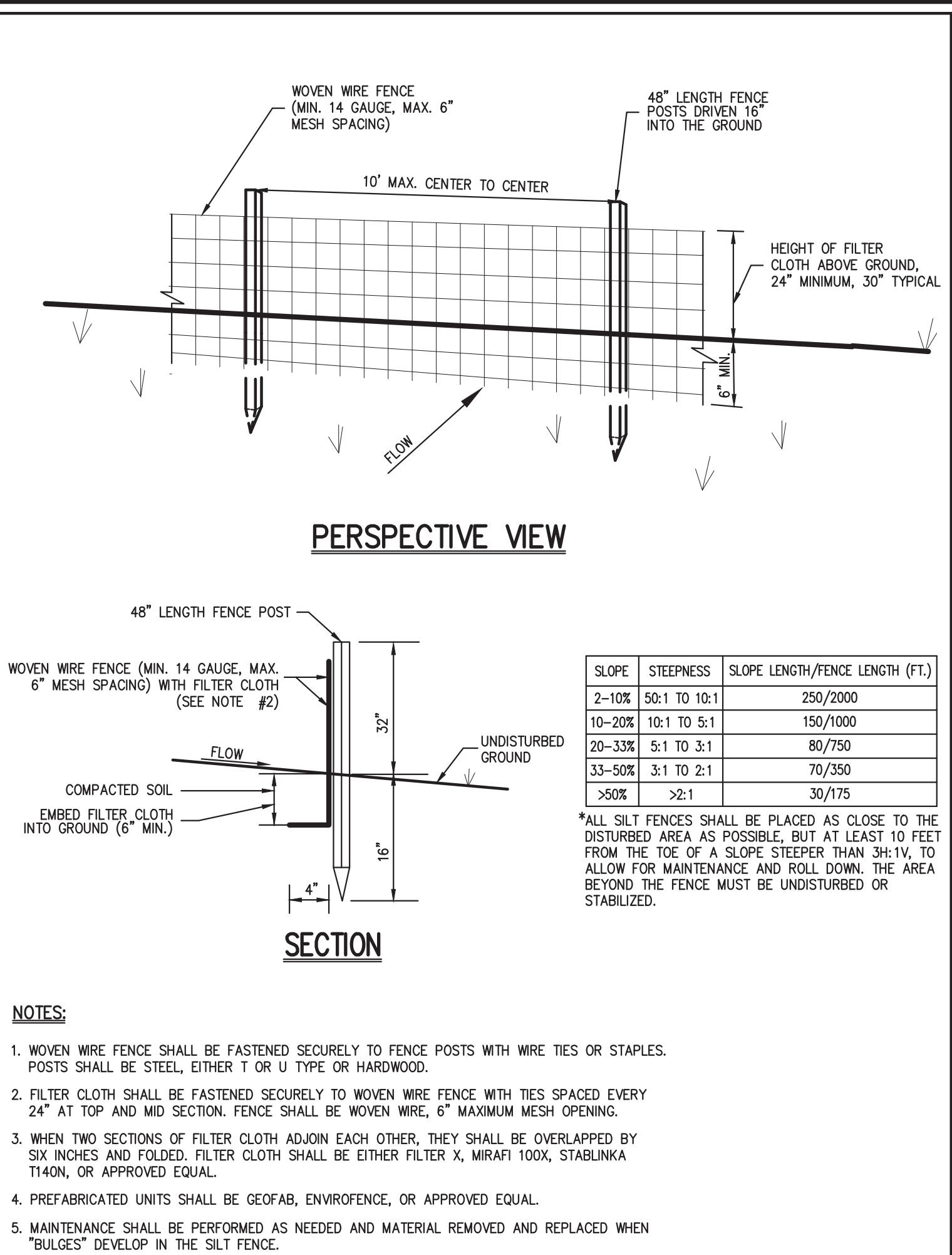


EROSION AND SEDIMENT CONTROL PLAN

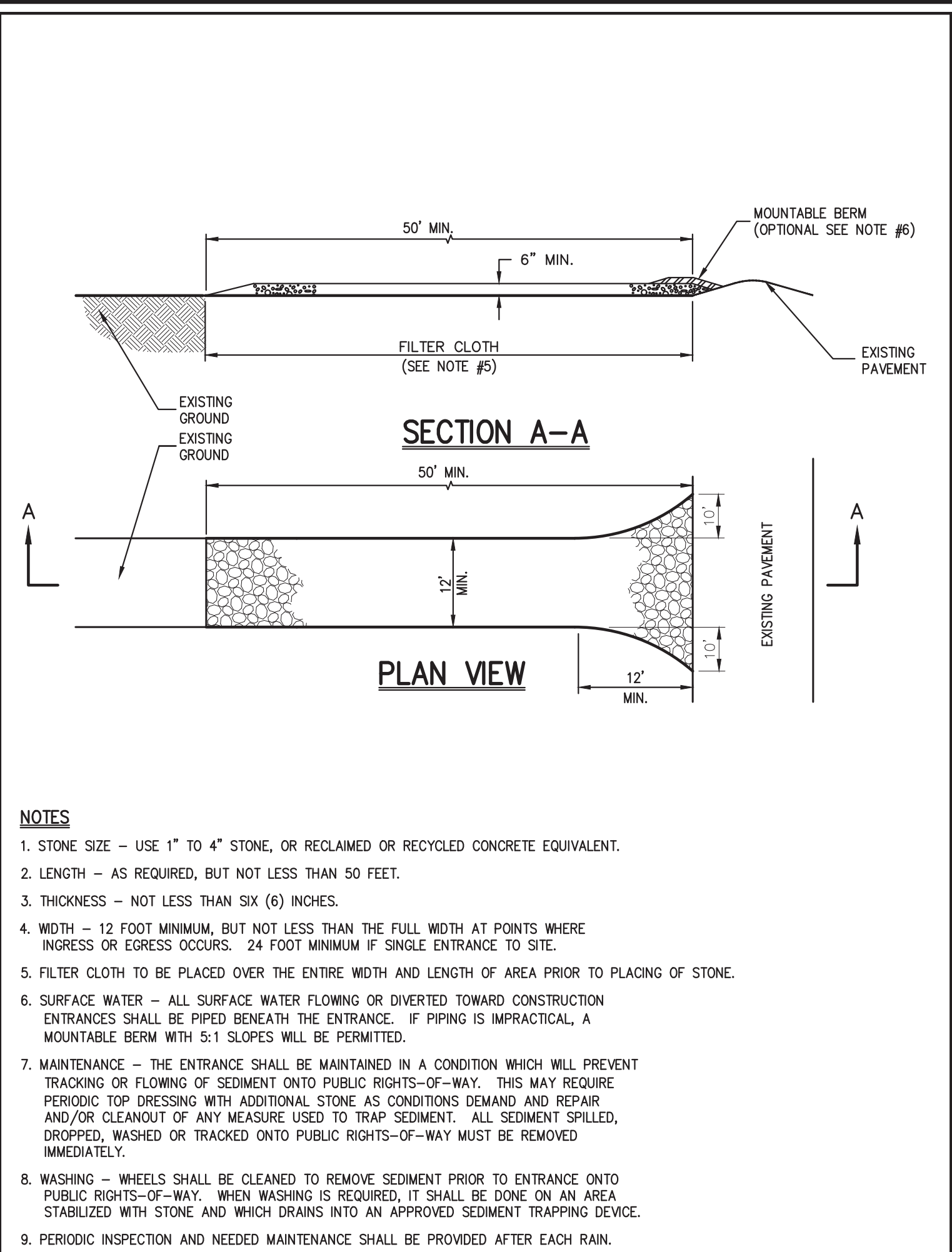
PROPOSED TACO BELL RESTAURANT
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

Drawn: PD	Approved: JAR
Scale: 1" = 20'	Date: 08/21/2020
Project No: 20045	SE
Drawing No: C-400	SE

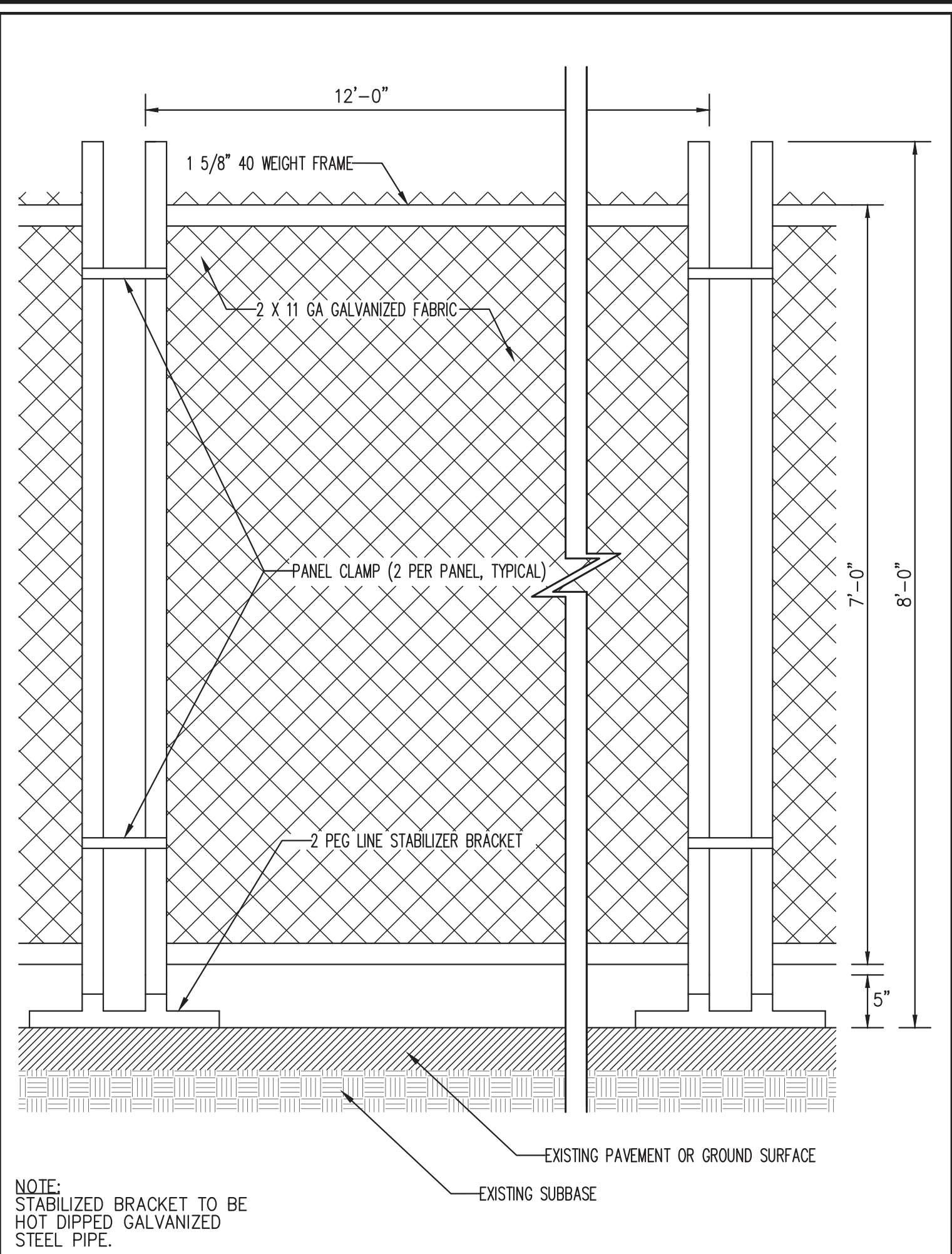
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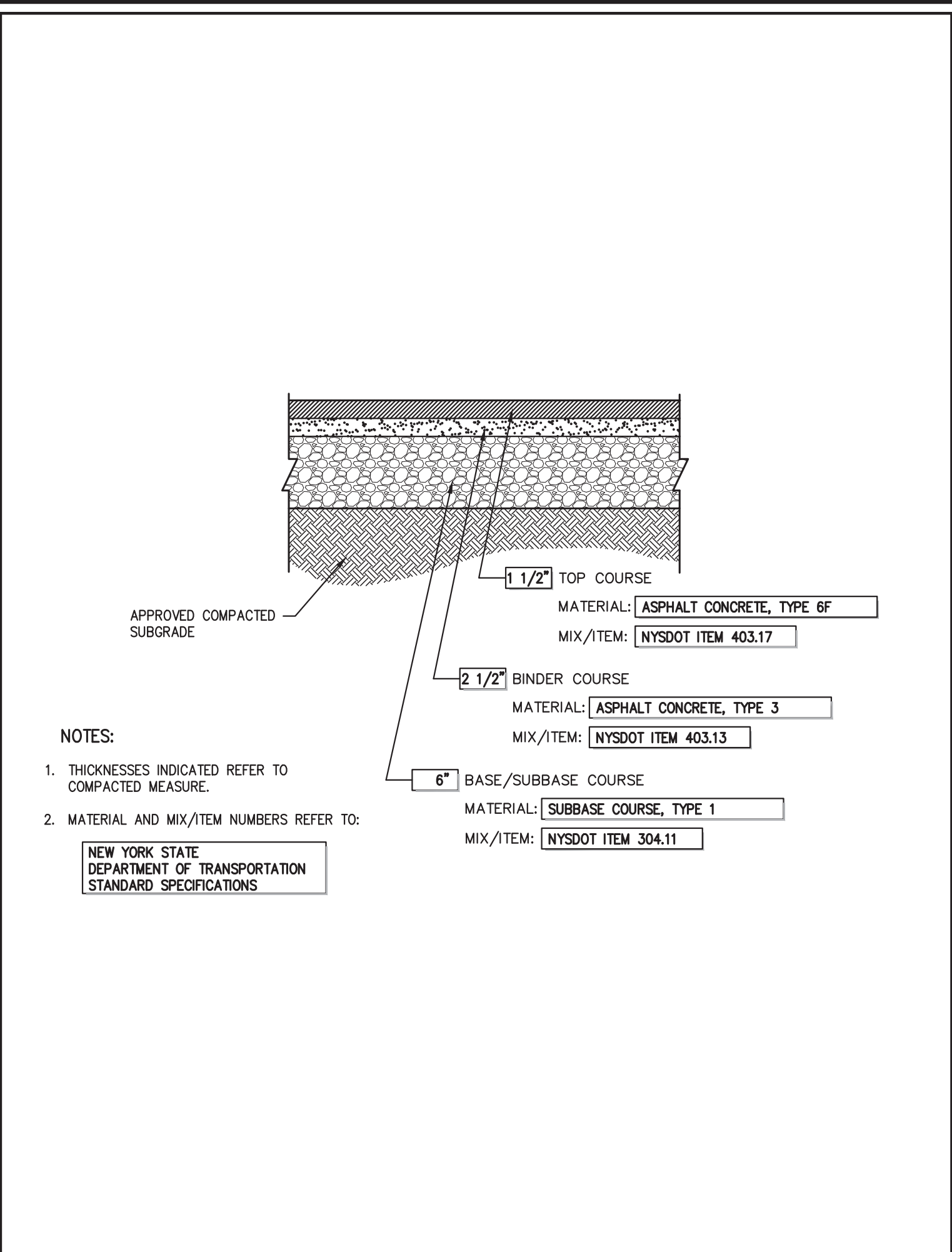
SILT FENCE **1**



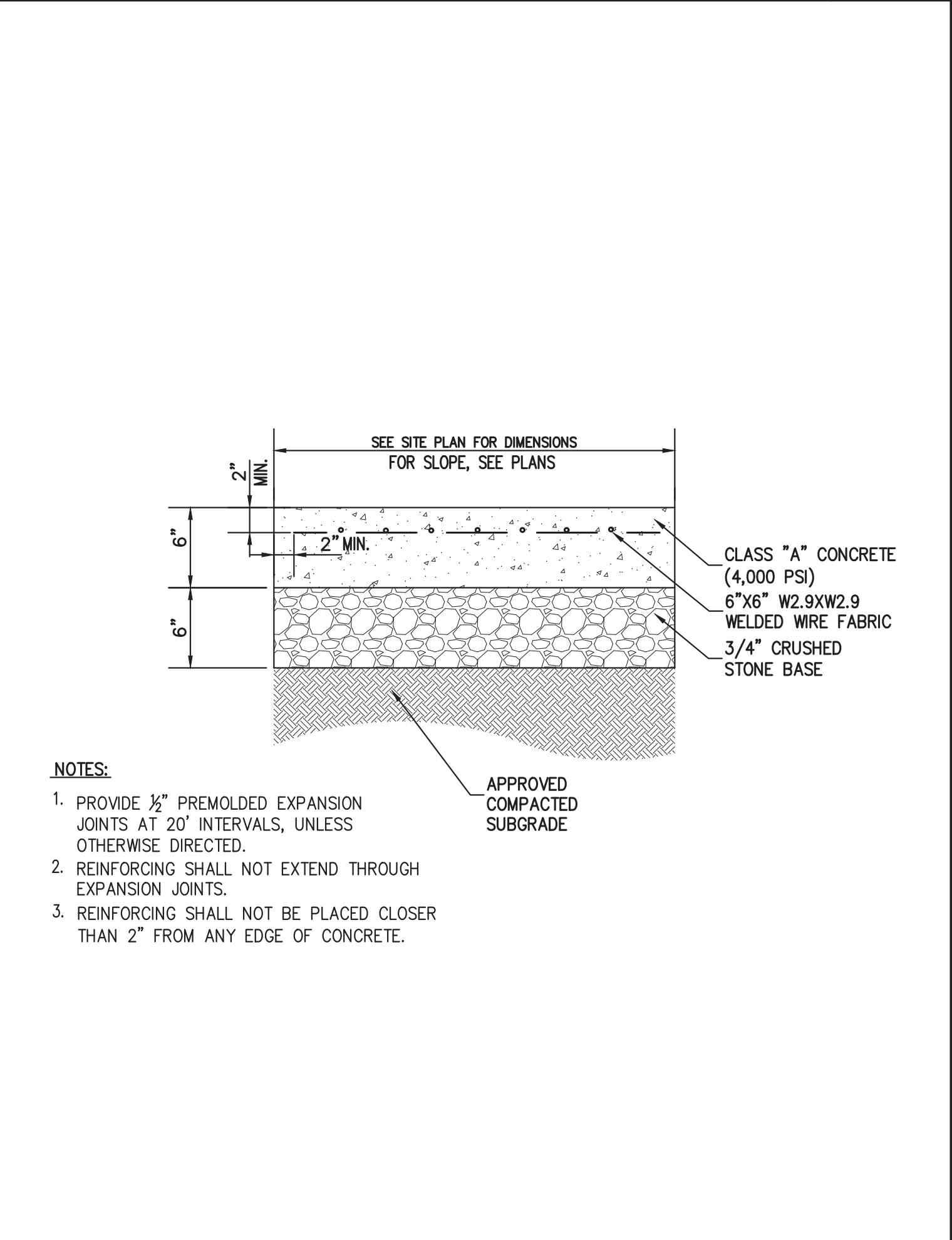
STABILIZED CONSTRUCTION ACCESS **2**



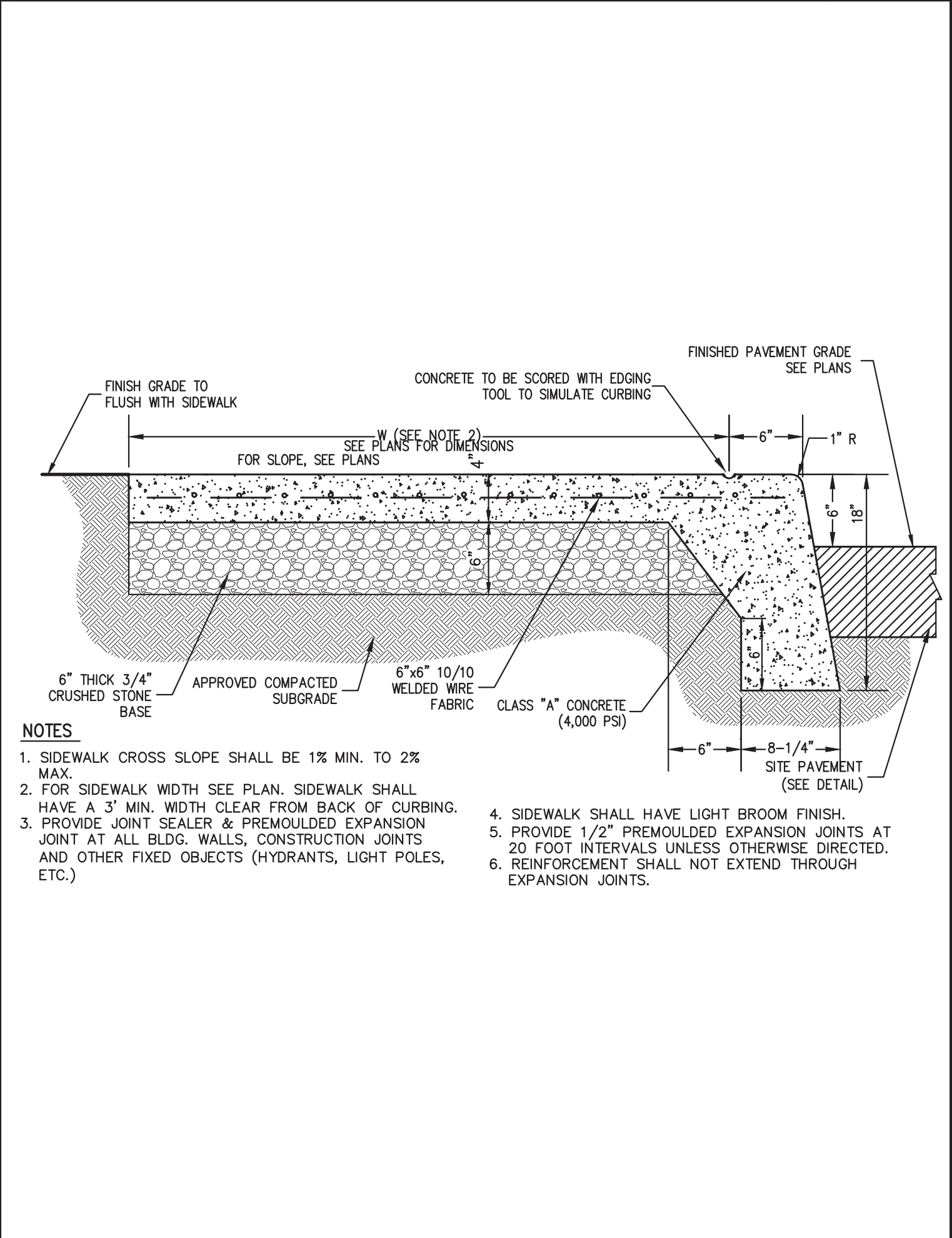
TEMPORARY CHAIN LINK CONSTRUCTION FENCE **3**



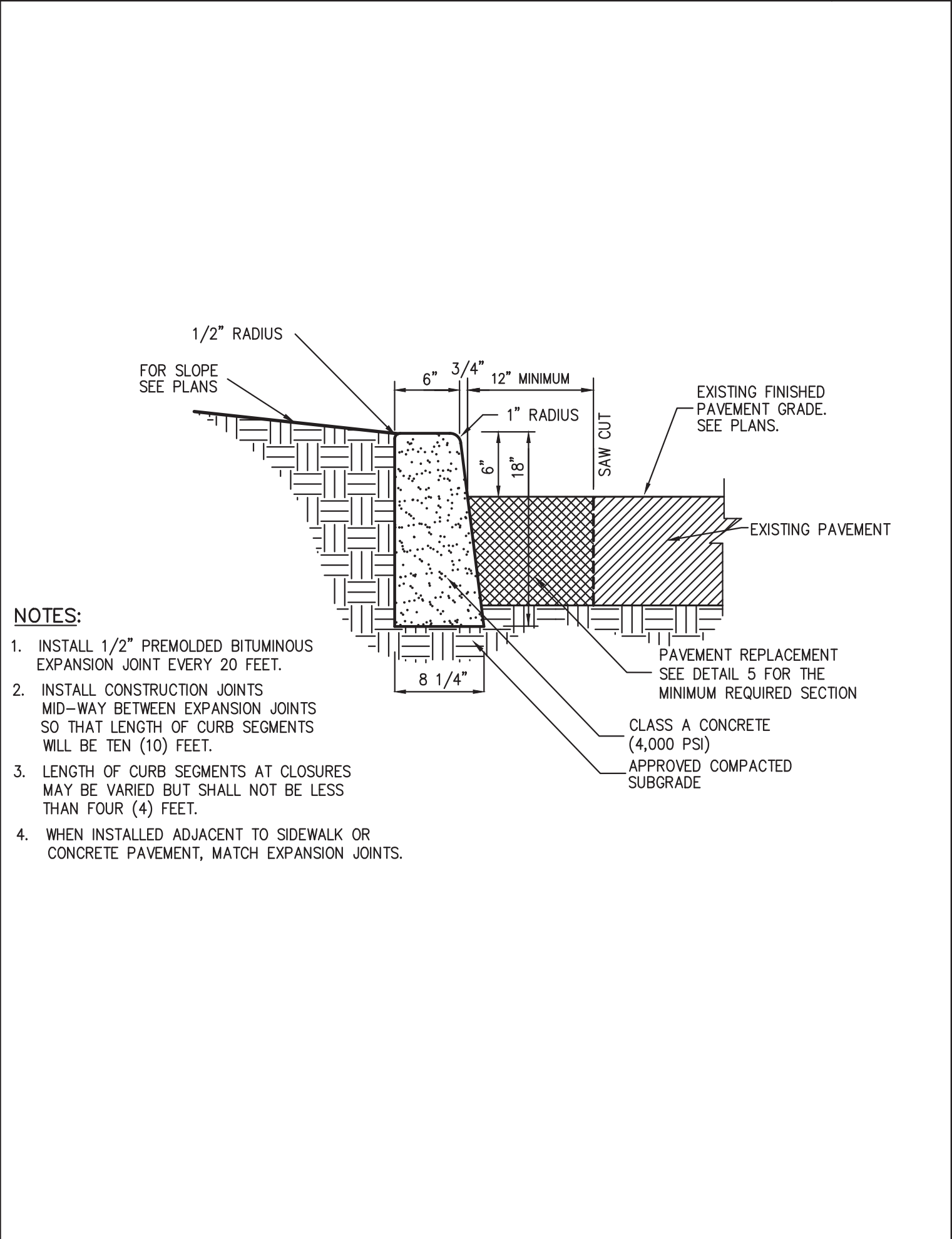
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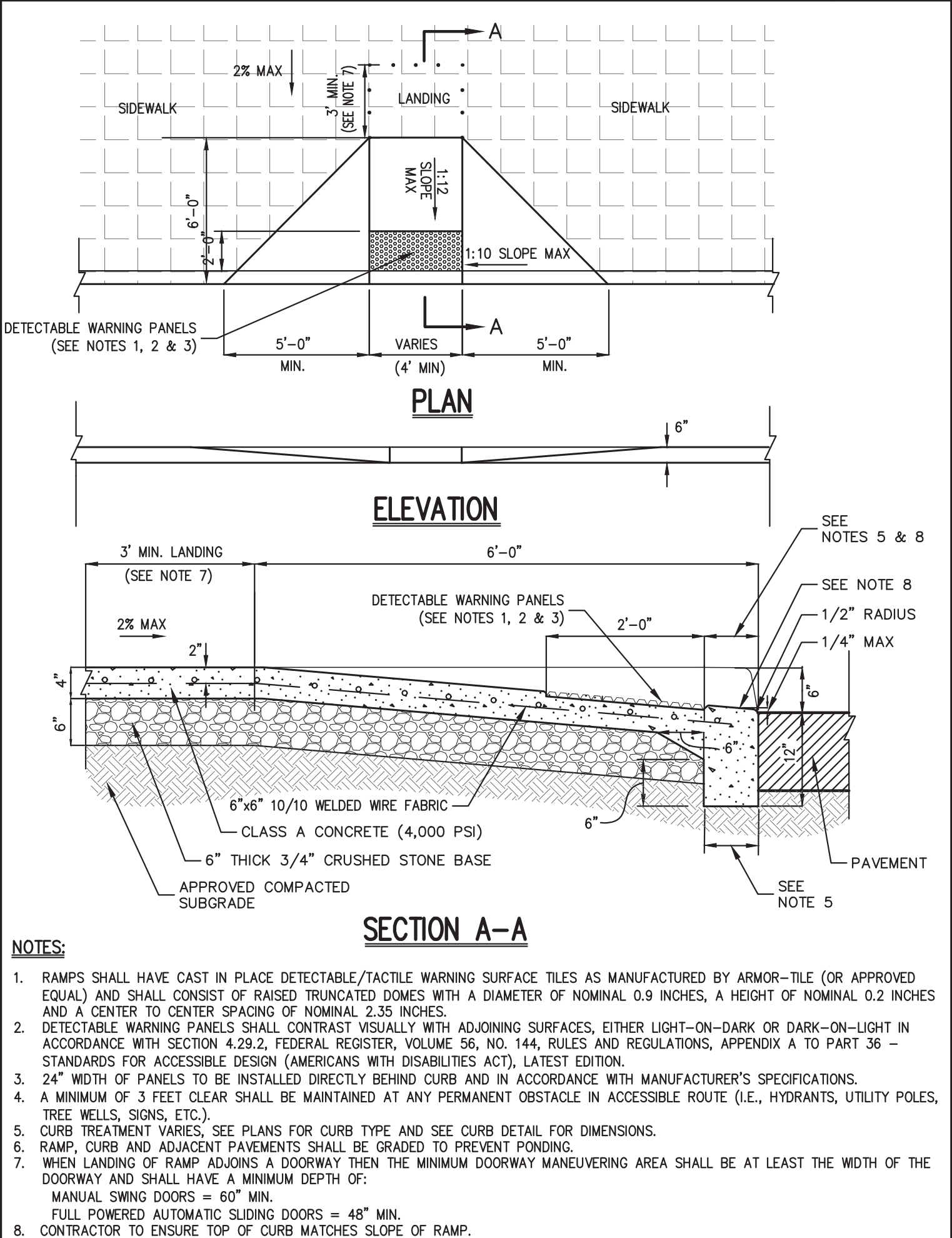
CONCRETE PAVEMENT **5**



MONOLITHIC CONCRETE CURB AND SIDEWALK **6**



CAST-IN-PLACE CONCRETE CURB **7**



DROP CURB & RAMP **8**

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CONSTRUCTION DETAILS

PROPOSED TACO BELL RESTAURANT
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

C-900

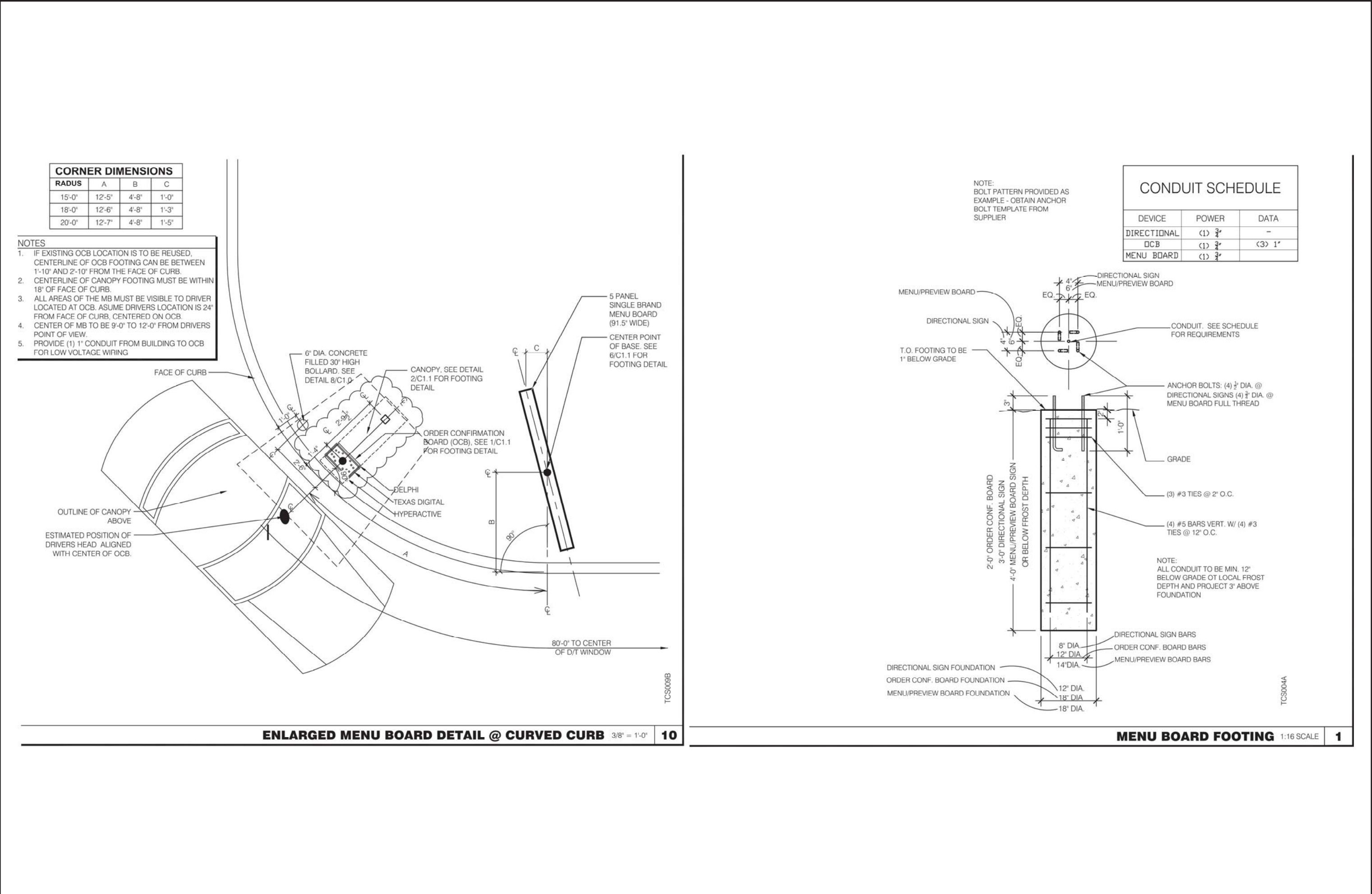
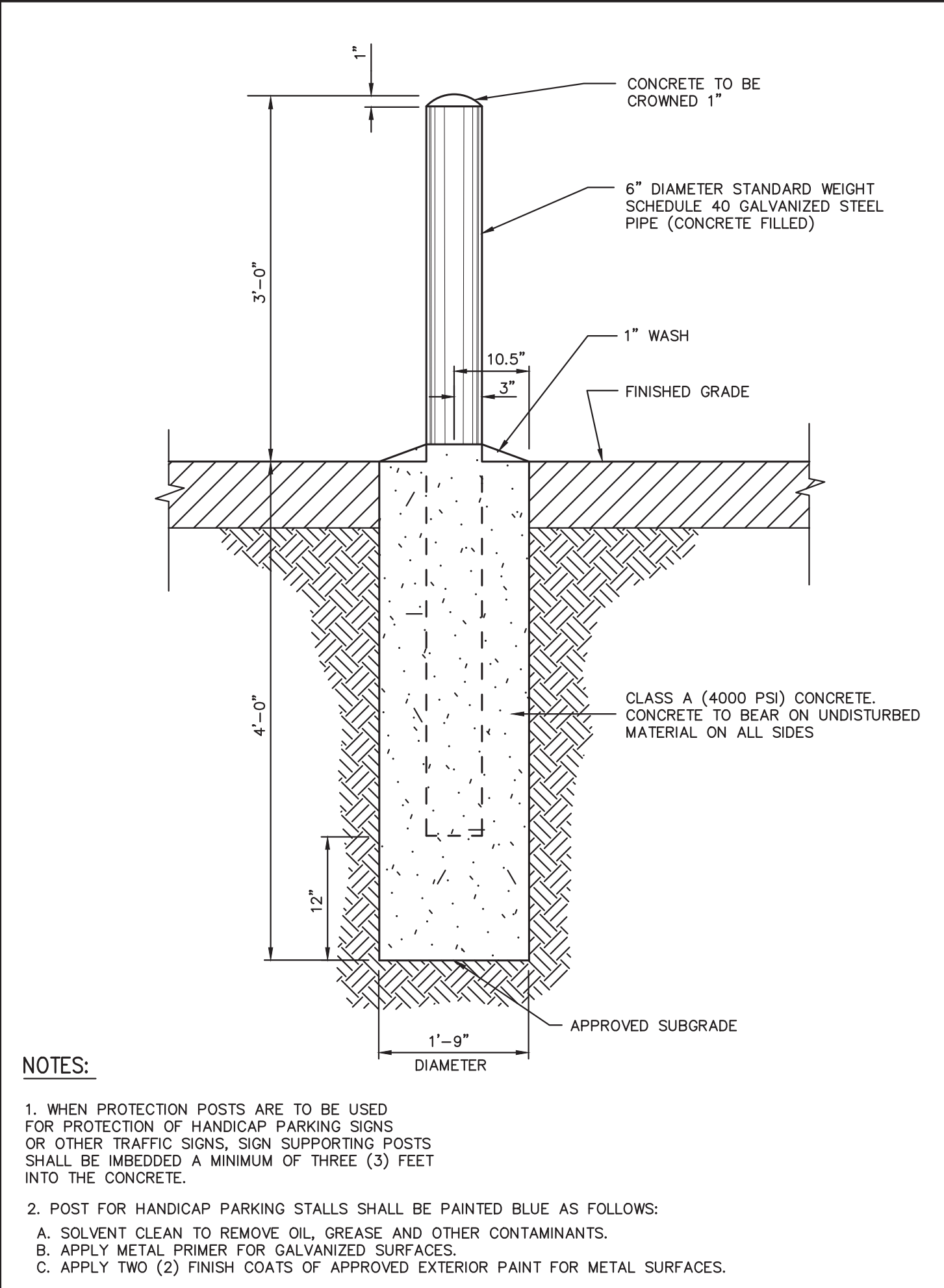
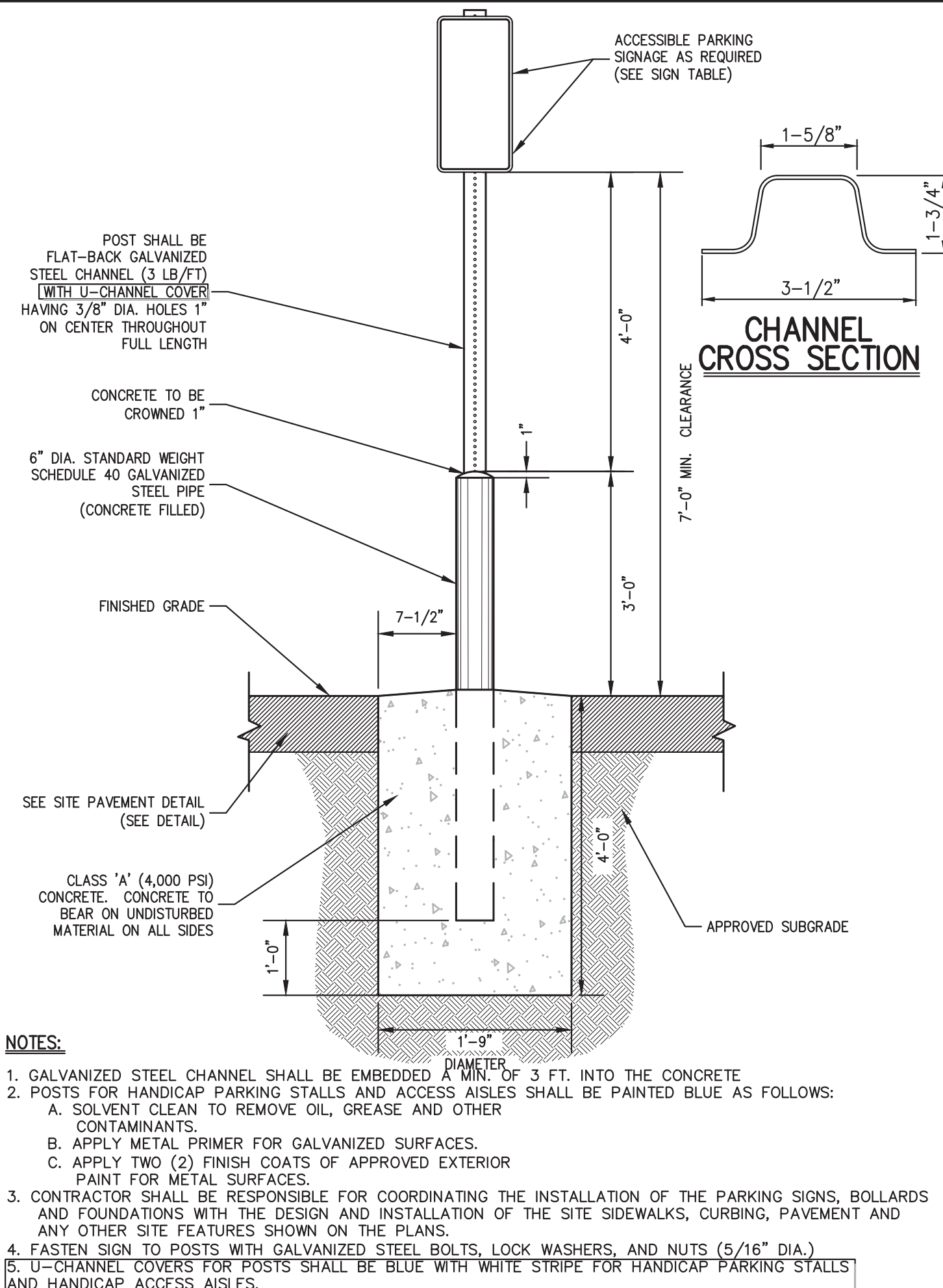
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Scale: NOT TO SCALE
Date: 08/21/2020
Project No: 20045
2005-REIMS C-900
Drawing No:

Revision: 10/06/2020
1. ISSUED FOR PUBLIC NOTICING
2. REVISED PER TOWN COMMENTS

Date: 03/12/2021

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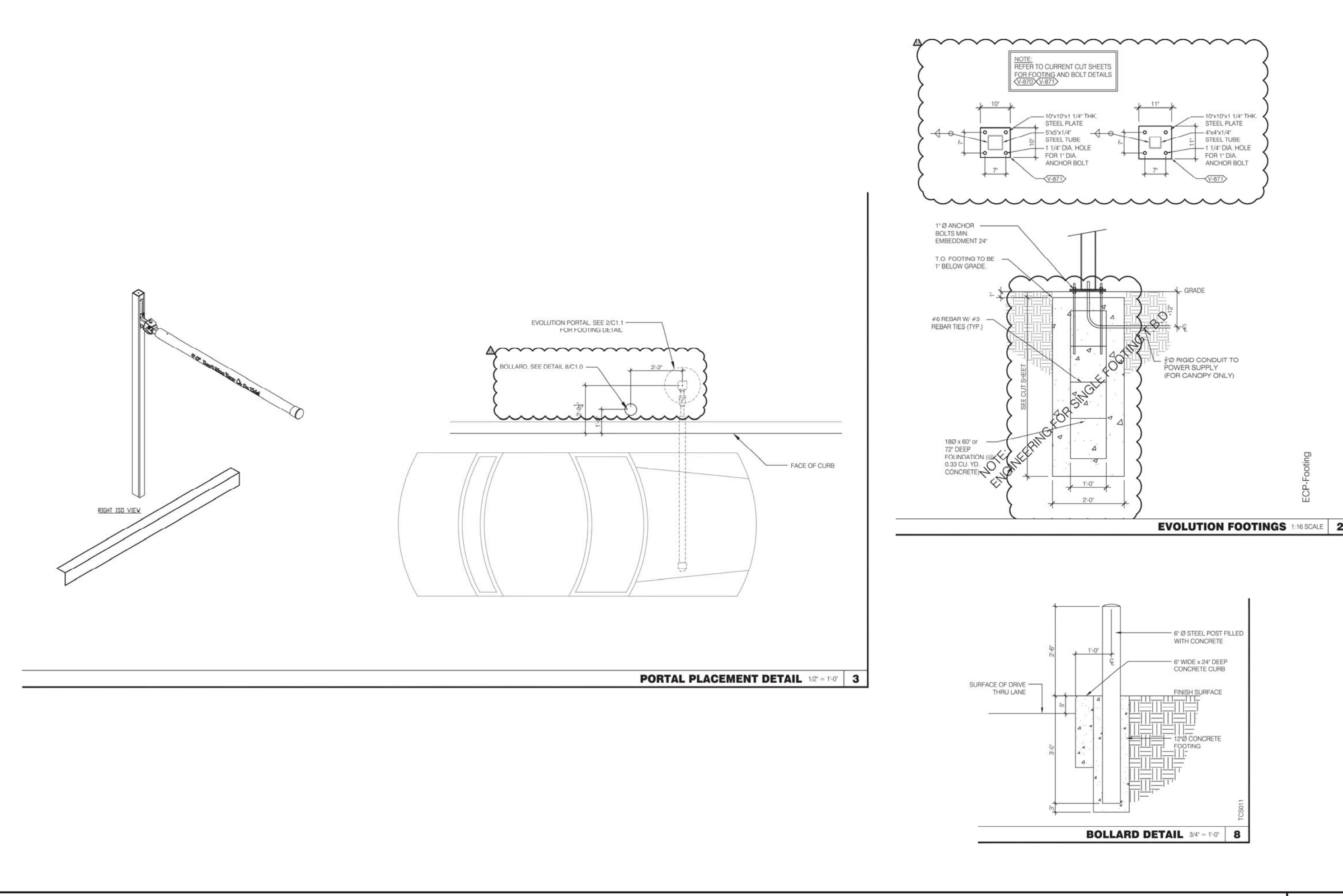
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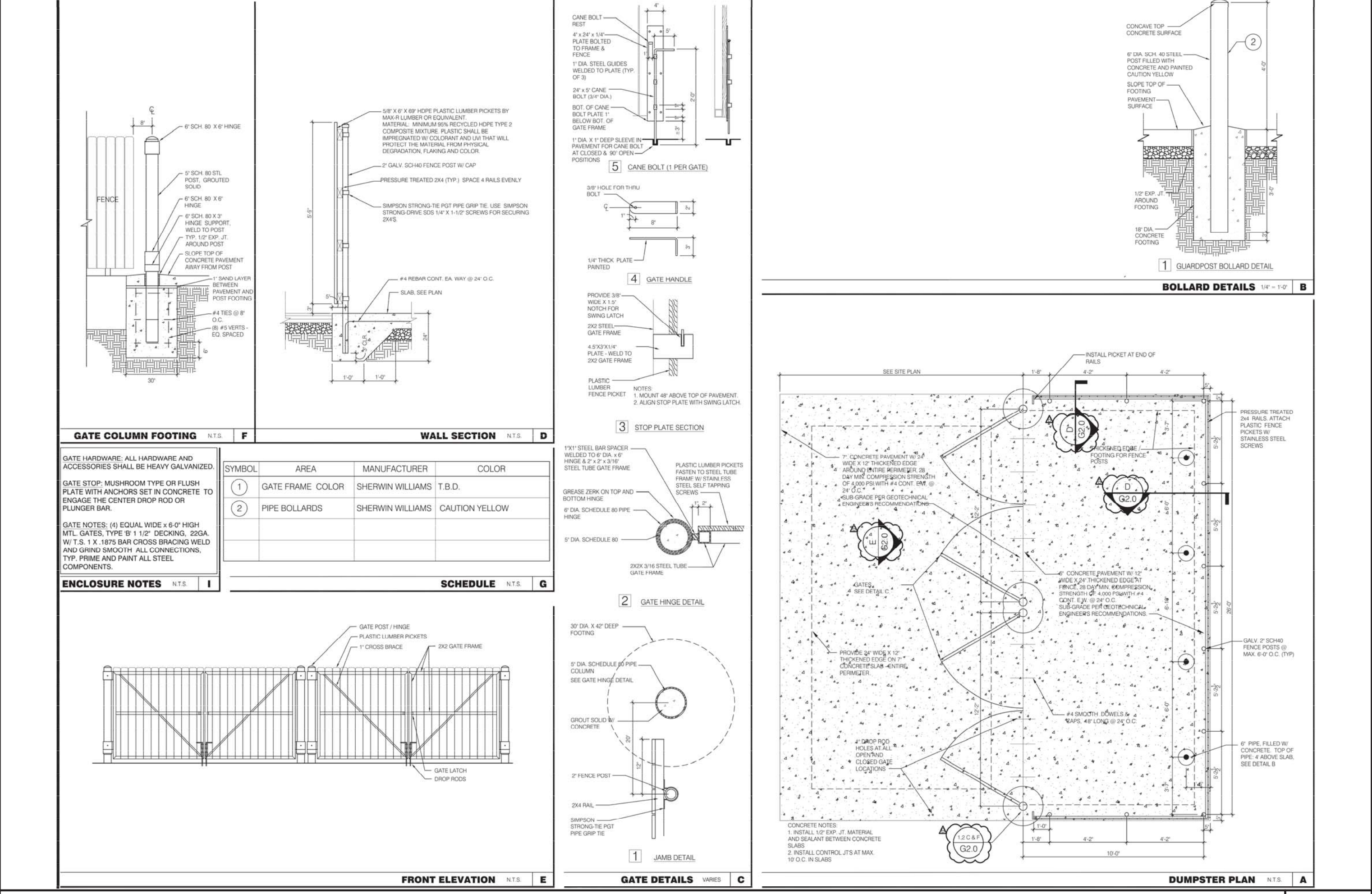
ACCESSIBLE PARKING SIGN DETAIL 9

STEEL PIPE PROTECTION POST 10

TACO BELL MENU BOARD (FOR INFORMATION ONLY - TO BE DETAILED AND SPECIFIED BY OTHERS) 11



TACO BELL CLEARANCE BAR (FOR INFORMATION ONLY - TO BE DETAILED AND SPECIFIED BY OTHERS) 12



TACO BELL TRASH ENCLOSURE 13

NOT FOR CONSTRUCTION

Date: 10/06/2020
 Revision: 03/12/2021
 Issued for Public Noticing
 Revised per Town Comments

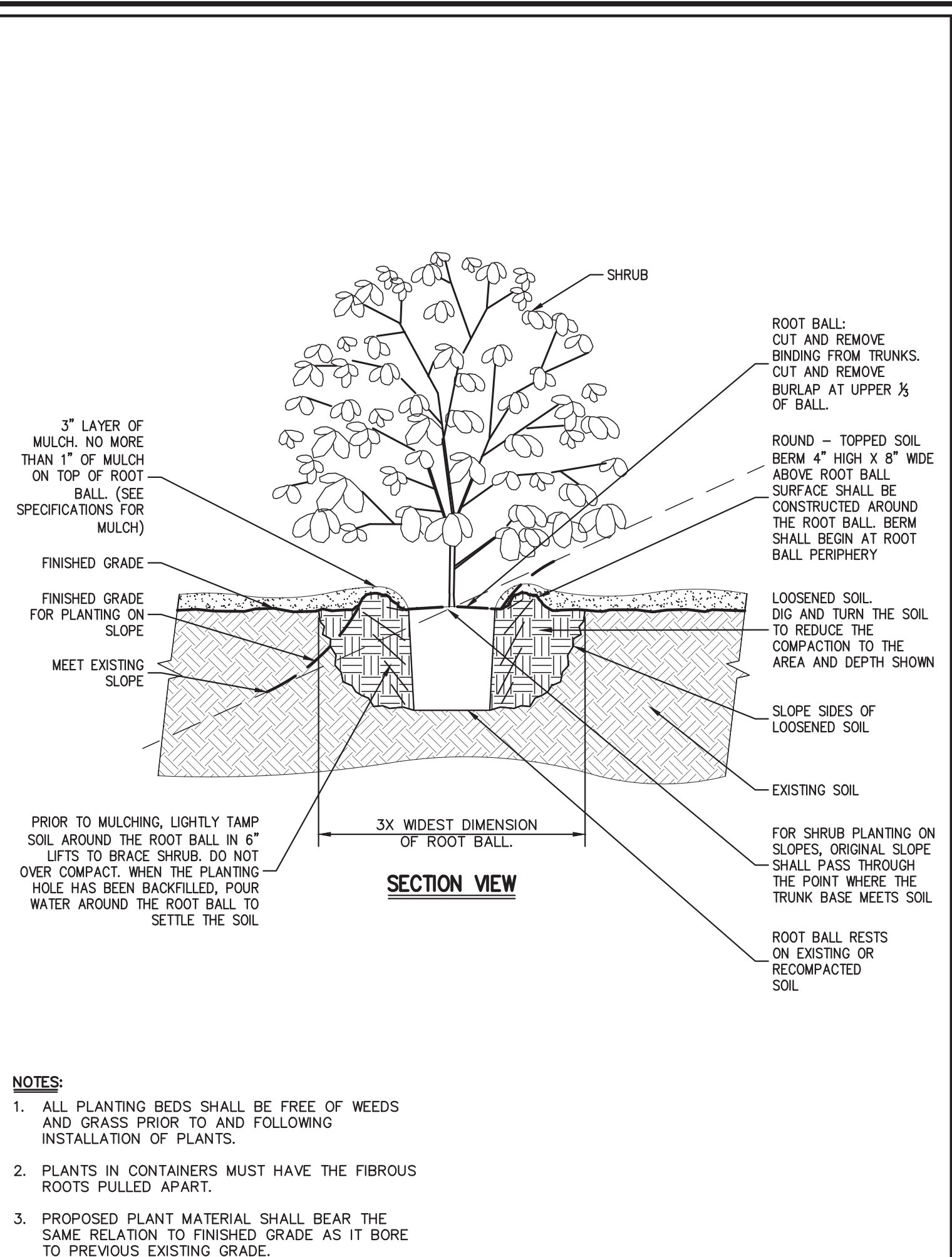
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CONSTRUCTION DETAILS

PROPOSED TACO BELL RESTAURANT
 3571 MCHIGAN AVENUE
 TOWN OF YORKTOWN, NY

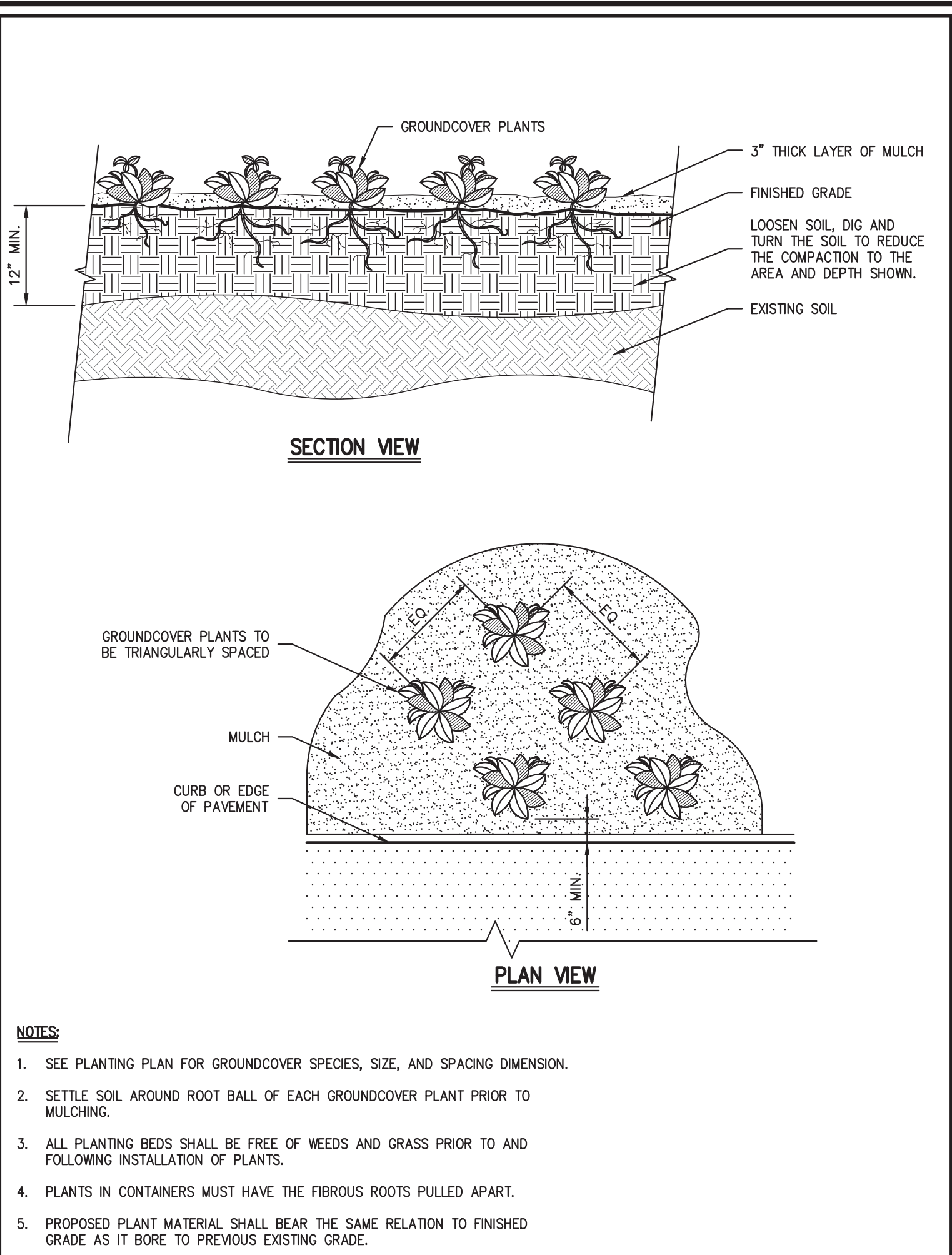
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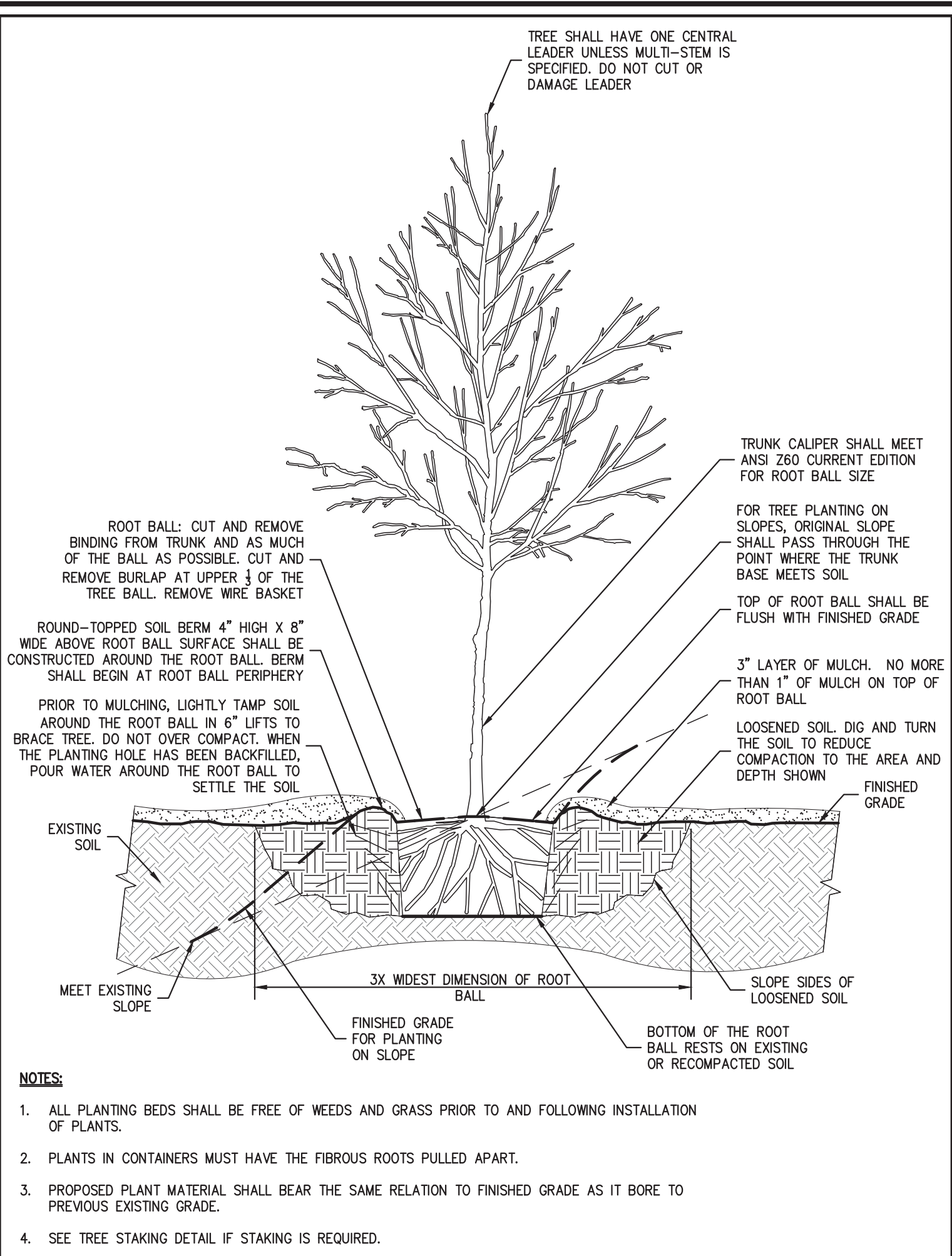
- NOTES:**
1. ALL PLANTING BEDS SHALL BE FREE OF WEEDS AND GRASS PRIOR TO AND FOLLOWING INSTALLATION OF PLANTS.
 2. PLANTS IN CONTAINERS MUST HAVE THE FIBROUS ROOTS PULLED APART.
 3. PROPOSED PLANT MATERIAL SHALL BEAR THE SAME RELATION TO FINISHED GRADE AS IT BORE TO PREVIOUS EXISTING GRADE.

SHRUB PLANTING 14



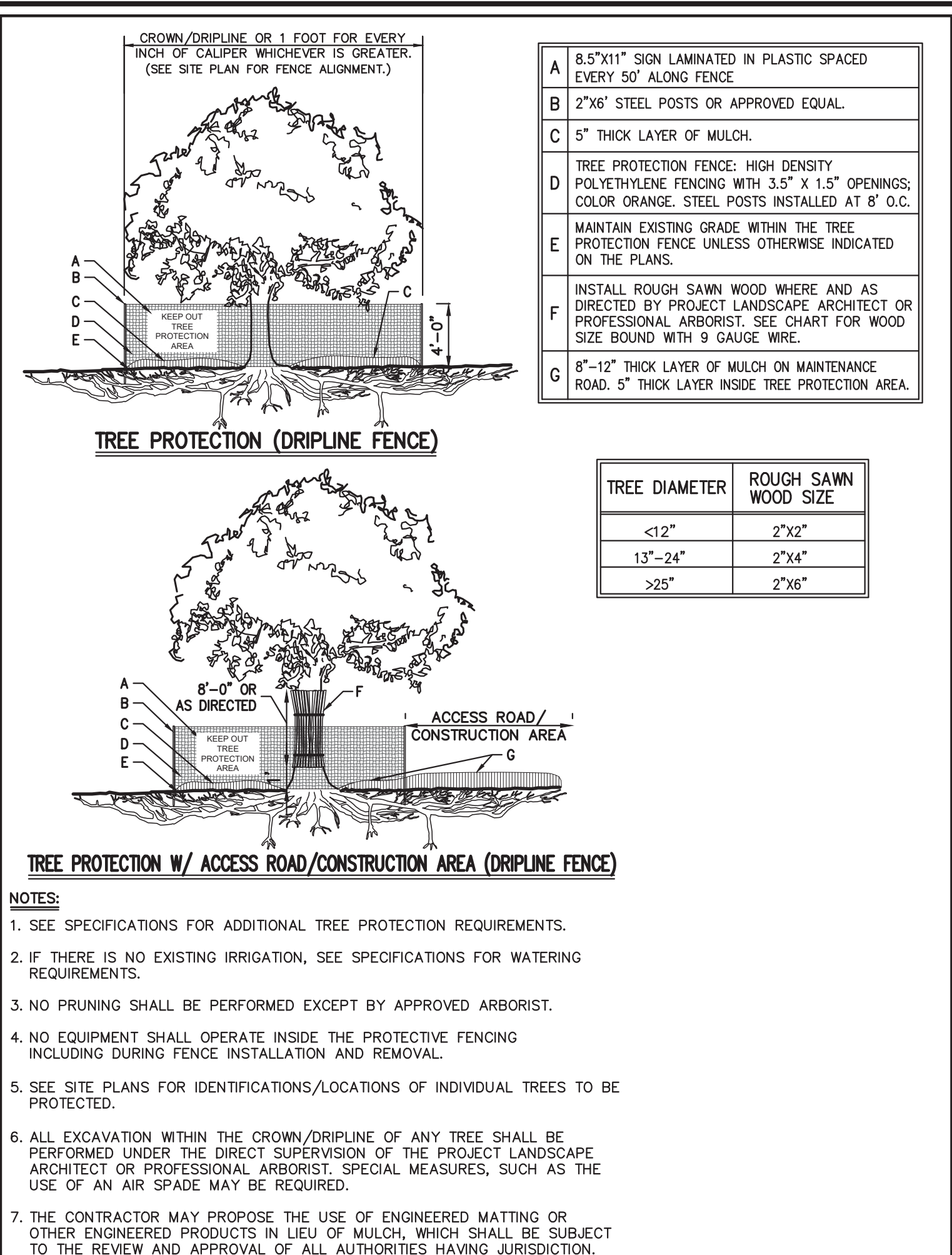
- NOTES:**
1. SEE PLANTING PLAN FOR GROUNDCOVER SPECIES, SIZE, AND SPACING DIMENSION.
 2. SETTLE SOIL AROUND ROOT BALL OF EACH GROUNDCOVER PLANT PRIOR TO MULCHING.
 3. ALL PLANTING BEDS SHALL BE FREE OF WEEDS AND GRASS PRIOR TO AND FOLLOWING INSTALLATION OF PLANTS.
 4. PLANTS IN CONTAINERS MUST HAVE THE FIBROUS ROOTS PULLED APART.
 5. PROPOSED PLANT MATERIAL SHALL BEAR THE SAME RELATION TO FINISHED GRADE AS IT BORE TO PREVIOUS EXISTING GRADE.

GROUNDCOVER PLANTING 15



- NOTES:**
1. ALL PLANTING BEDS SHALL BE FREE OF WEEDS AND GRASS PRIOR TO AND FOLLOWING INSTALLATION OF PLANTS.
 2. PLANTS IN CONTAINERS MUST HAVE THE FIBROUS ROOTS PULLED APART.
 3. PROPOSED PLANT MATERIAL SHALL BEAR THE SAME RELATION TO FINISHED GRADE AS IT BORE TO PREVIOUS EXISTING GRADE.
 4. SEE TREE STAKING DETAIL IF STAKING IS REQUIRED.

TREE PLANTING 16



- NOTES:**
1. SEE SPECIFICATIONS FOR ADDITIONAL TREE PROTECTION REQUIREMENTS.
 2. IF THERE IS NO EXISTING IRRIGATION, SEE SPECIFICATIONS FOR WATERING REQUIREMENTS.
 3. NO PRUNING SHALL BE PERFORMED EXCEPT BY APPROVED ARBORIST.
 4. NO EQUIPMENT SHALL OPERATE INSIDE THE PROTECTIVE FENCING INCLUDING DURING FENCE INSTALLATION AND REMOVAL.
 5. SEE SITE PLANS FOR IDENTIFICATIONS/LOCATIONS OF INDIVIDUAL TREES TO BE PROTECTED.
 6. ALL EXCAVATION WITHIN THE CROWN/DRIPLINE OF ANY TREE SHALL BE PERFORMED UNDER THE DIRECT SUPERVISION OF THE PROJECT LANDSCAPE ARCHITECT OR PROFESSIONAL ARBORIST. SPECIAL MEASURES, SUCH AS THE USE OF AN AIR SPADE MAY BE REQUIRED.
 7. THE CONTRACTOR MAY PROPOSE THE USE OF ENGINEERED MATTING OR OTHER ENGINEERED PRODUCTS IN LIEU OF MULCH, WHICH SHALL BE SUBJECT TO THE REVIEW AND APPROVAL OF ALL AUTHORITIES HAVING JURISDICTION.

TREE PROTECTION 17

X

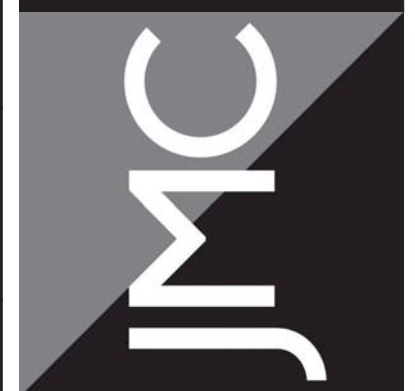
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Date	10/06/2020
Revision	03/12/2021
1. ISSUED FOR PUBLIC NOTICING	
2. REVISED PER TOWN COMMENTS	

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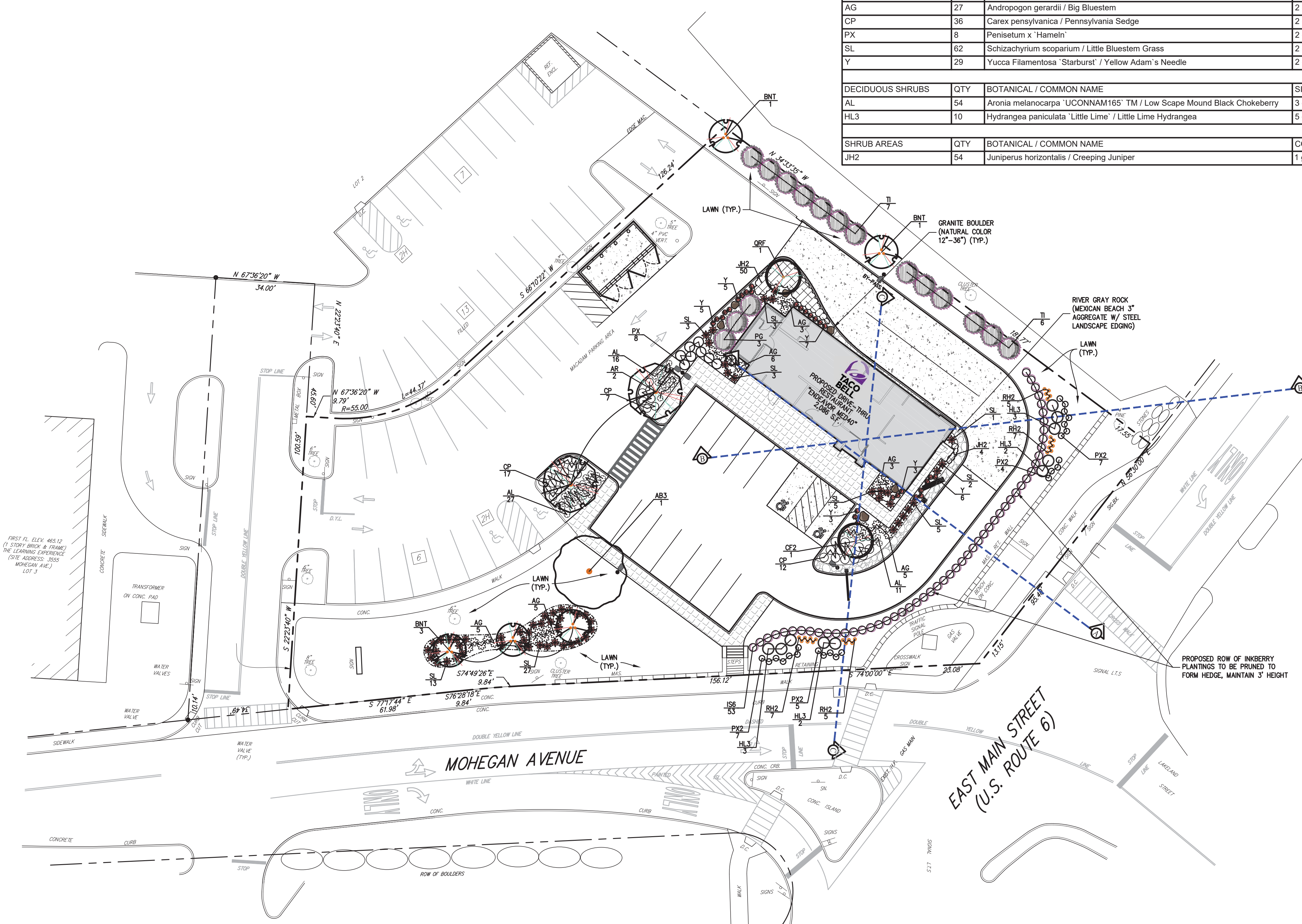
CONSTRUCTION DETAILS
 PROPOSED TACO BELL RESTAURANT
 3571 McHEGAN AVENUE
 TOWN OF YORKTOWN, NY

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.

Drawn	PD	Approved	JAR
Scale	NOT TO SCALE		
Date	08/21/2020		
Project No.	20045		
2005-REIMS	C-902		
Drawing No.	C-902		

NOT FOR CONSTRUCTION

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TREES	QTY	BOTANICAL / COMMON NAME	SIZE	ROOT COND.	REMARKS
AB3	1	Acer rubrum 'Brandywine' / Brandywine Red Maple	15 gal		
EVERGREEN TREES					
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					
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	
SHRUBS					
IS6	53	Ilex glabra 'Shamrock' / Shamrock Inkberry Holly	5 gal		
PX2	23	Pennisetum x 'Fox Trot' / Evergreen Fountain Grass	5 gal		
RH2	24	Rudbeckia hirta / Black-eyed Susan	2 gal		
PERENNIALS/GRASSES					
AG	27	Andropogon gerardii / Big Bluestem	2 gal.	Cont.	
CP	36	Carex pensylvanica / Pennsylvania Sedge	2 gal.		
PX	8	Pennisetum x 'Hamelin'	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					
AL	54	Aronia melanocarpa 'UCONNAM165' TM / Low Scape Mound Black Chokeberry	3 gal		
HL3	10	Hydrangea paniculata 'Little Lime' / Little Lime Hydrangea	5 gal		
SHRUB AREAS					
JH2	54	Juniperus horizontalis / Creeping Juniper	1 gal	Cont.	

LEGEND

- PROPOSED DECIDUOUS TREE
- PROPOSED ACCENT TREE
- PROPOSED SHRUB / PERENNIAL
- PROPOSED SHRUB MASSING
- PROPOSED BOULDER
- PROPOSED RIVER GRAY ROCK

- 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 ARCHITECTS 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 BOLLED 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.

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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
4.	REVISED PER TOWN COMMENTS	03/12/2021	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

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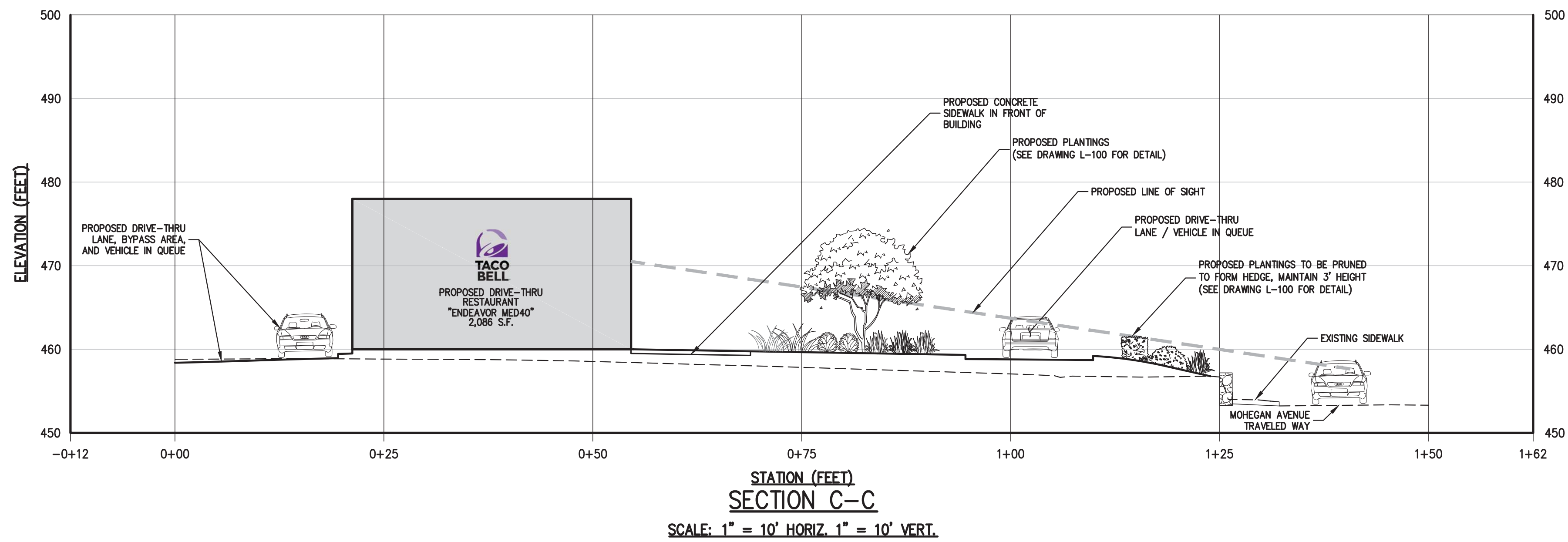
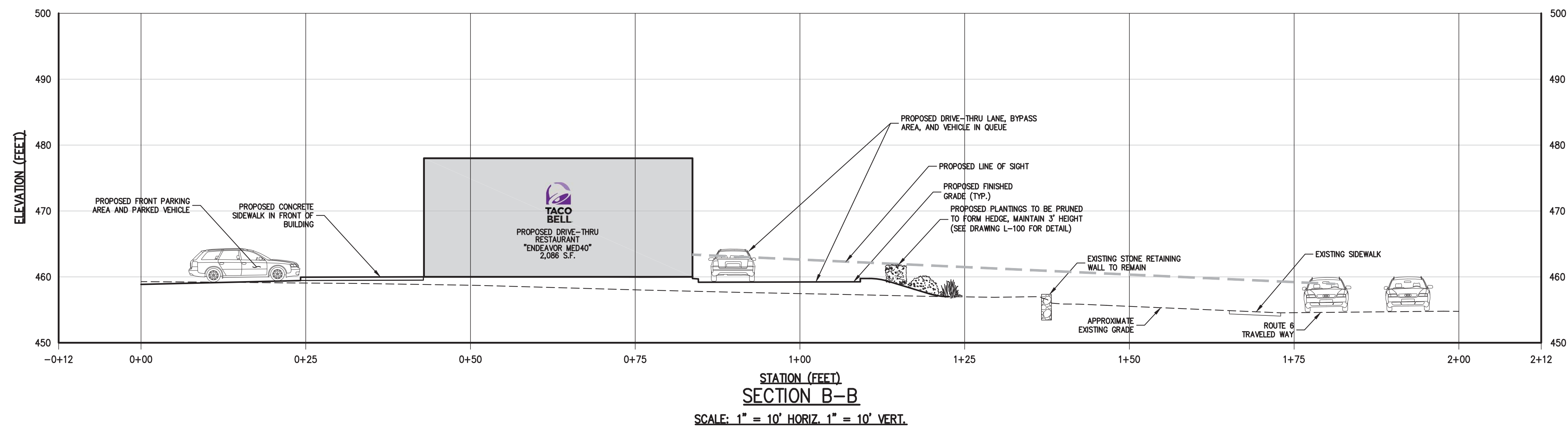
LANDSCAPING PLAN

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
1.	REVISED PER TOWN COMMENTS	03/12/2021	PD

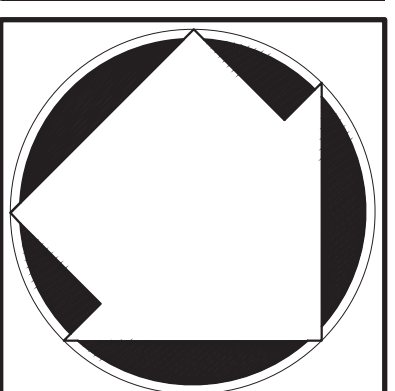
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Scale: 1" = 10'	
Date: 02/19/2021	
Project No: 20045	
2046-01E	SECTIONS SECTION User
Drawing No:	
L-110	

Previous Editions Obsolete

APPLICANT: **KEYSTONE MOHEGAN LAKE LLC**
25 ROUTE 59
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SITE SECTIONS

PROPOSED TACO BELL RESTAURANT
3571 MOHEGAN AVENUE
TOWN OF YORKTOWN, NY

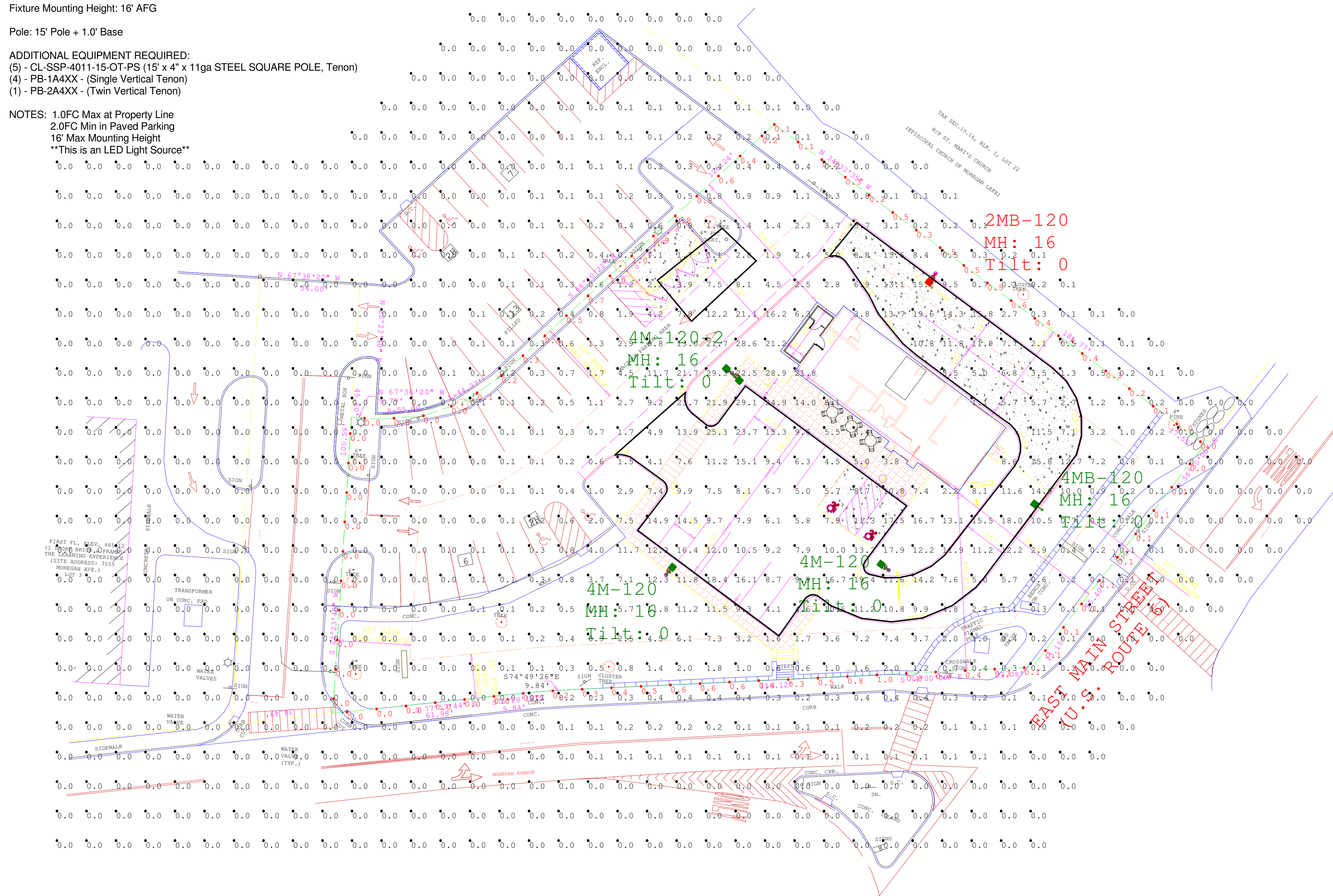
Symbol	Qty	Label	Arrangement	LMF	Lum. Lumens	Lum. Watts	Part Number
	1	2MB-120	SINGLE	1.000	26977	421	ARE-EHO-2MB-HV-12-E-UL-BZ-1000
	2	4M-120	SINGLE	1.000	35815	421	ARE-EHO-4M-HV-12-E-UL-XX-1000
	1	4MB-120	SINGLE	1.000	26977	421	ARE-EHO-4MB-HV-12-E-UL-XX-1000
	1	4M-120-2	2 @ 180°	1.000	35815	421	ARE-EHO-4M-HV-12-E-UL-XX-1000

Calculation Summary; 1.00 LLF						
Label	Units	Avg	Max	Min	Avg/Min	Max/Min
All Calc Points	Fc	1.96	29.3	0.0	N.A.	N.A.
Property Line	Fc	0.29	1.0	0.0	N.A.	N.A.
Taco Bell Paved Parking	Fc	10.65	25.3	2.7	3.94	9.37
Trash Enclosure	Fc	5.08	8.1	2.8	1.81	2.89

Fixture Mounting Height: 16' AFG
Pole: 15' Pole + 1.0' Base

ADDITIONAL EQUIPMENT REQUIRED:
(5) - CL-SSP-4011-15-OT-PS (15' x 4" x 11ga STEEL SQUARE POLE, Tenon)
(4) - PB-1A4XX - (Single Vertical Tenon)
(1) - PB-2A4XX - (Twin Vertical Tenon)

NOTES: 1.0FC Max at Property Line
2.0FC Min in Paved Parking
16' Max Mounting Height
This is an LED Light Source



The Town of Yorktown has the following code requirements with regard to site lighting:

§ 200-6 General standards for exterior lighting.
All exterior lighting fixtures installed and thereafter maintained other than those serving single-family residential dwellings, except for streetlighting provided by the Town, shall comply with the following requirements:

A. The design, character, size and scale of exterior lighting fixtures shall be consistent with the architectural character of adjacent buildings and their settings within the hamlet.

B. All exterior lighting shall use metal halide, incandescent or fluorescent light sources, except as otherwise permitted by the provisions of this section.

C. Except as otherwise provided in this section, the following light sources and lighting fixture types shall not be used (see Table 1[1]):
(1) High-pressure sodium, low-pressure sodium, mercury vapor and exterior neon light sources.
(2) Cobra-head-type lighting fixtures having dished or drop lenses or refractors which house other than incandescent sources.
(3) Searchlights.
(4) Lighting fixtures having flashing, rotating, moving, pulsing or alternating colored sources.
(5) Floodlights shall not be used on building facades and architectural features of buildings unless all of the following conditions are met:
(a) The floodlight fixture is equipped with baffles and/or shields and is located so as to limit the fixture's direct light distribution on the facade or feature being illuminated and shall not be visible above the building roofline.
(b) The configuration of the floodlight installation shall block all view to the floodlight fixture's lamp(s) from adjacent areas; and
(c) The maximum luminance of any floodlighted surface does not exceed five footlamberts or 17.131 metric candela per square meter, measured at a distance of 50 feet along the normal from the surface to a standing observer.
[1] Editor's Note: Table 1 is included at the end of this chapter.

D. All exterior illumination shall be less than 1.0 footcandles at the property line and all such lighting, other than lighting of roads, parking areas or buildings essential for safety or security purposes or as required by government regulation, shall be extinguished within 1/2 hour after the close of business. Lights that are controlled by photocells and timers are encouraged, as is the use of sensor-activated lights to replace existing lighting which may be needed for safety or emergency purposes. Illuminated signage as permitted under Article XX: Signs, is excluded from this requirement.[2]

E. All freestanding and wall-mounted luminaires shall be fully shielded light fixtures.

F. No freestanding or building-mounted area lighting fixture shall be located higher than 16 feet above finished grade level.

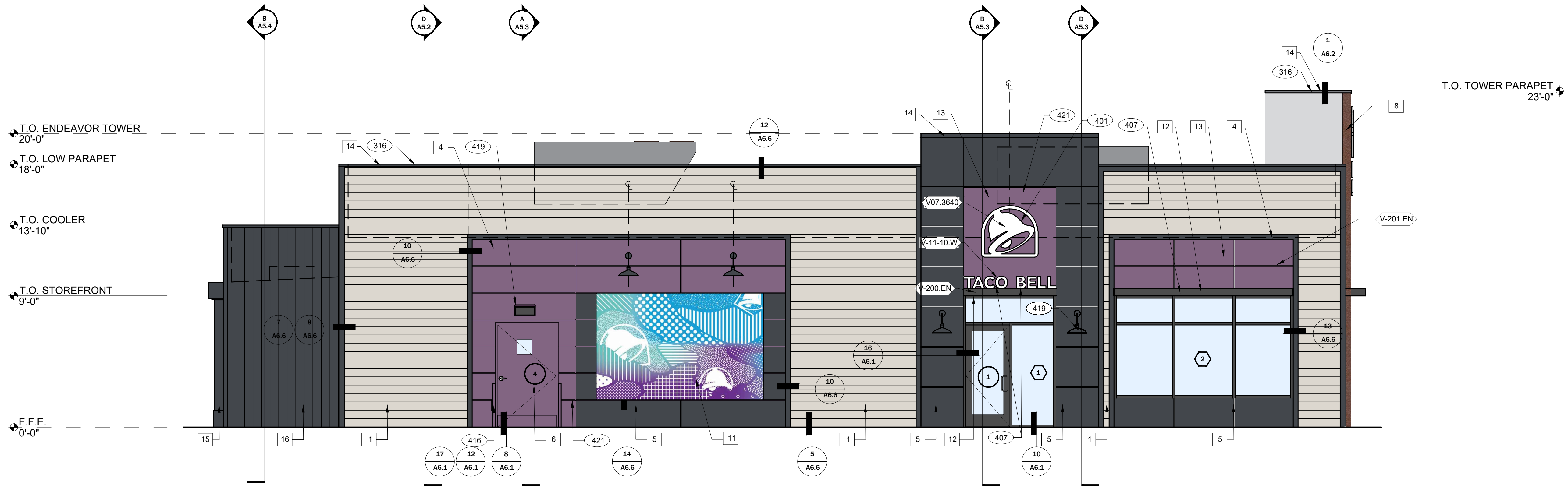
In addition, Taco Bell has requirements for site lighting as such:
The brand requires a minimum of 2 FC throughout the site with an average of 10-12 FC throughout. 5 FC at the main entrance, trash enclosure, preview and menu boards and drive-thru lane entrance.

CREE LIGHTING
A COMPANY OF IDEAL INDUSTRIES, INC.
9201 Washington Ave, Racine, WI 53406 https://creelighting.com - (800) 236-6800

Illumination results shown on this lighting design are based on project parameters provided to Cree Lighting used in conjunction with luminaire test procedures conducted under laboratory conditions. Actual project conditions differing from these design parameters may affect field results. The customer is responsible for verifying dimensional accuracy along with compliance with any applicable electrical, lighting or energy code.

Project Name: Taco Bell - 3571 Mohegan Avenue, Town of Yorktown, NY - EXT
SR-42585 || Footcandles calculated at grade || Filename: TB-200709YONJCJWR1.AGL
Date: 8/20/2020

Layout By: Collin Witherow
Scale 1" = 20'
0 40 80



EAST ELEVATION 1/4" = 1'-0" **A**

Revisions

No.	Description	Date

Approval Stamp:

TYPE MARK	QTY	ITEM DESCRIPTION	LOC
TOWER			
V-04.3640	2	LARGE SWINGING BELL PURPLE LOGO 3' 6" X 4' 0"	A4.1
V-09.16W	2	LARGE TB 16" CHANNEL LETTERS WHITE (2) STACKED (1) LINEAR	A4.1
SIDE ENTRY			
V-07.3640	1	LARGE SWINGING BELL FLAT CUT OUT WALL MOUNTED 3' 6" X 4' 0" WHITE	A4.0
V-11.10W	1	TB 10" LETTER - FLAT CUT OUT - LINEAR - AWNING MOUNTED - UP LIT - WHITE	A4.0
V-200.EN	1	SIDE ENTRY AWNING 6' 4" X 6' 3" BLACK	A4.0
DRIVE THRU			
V-101.DT	1	DT AWNING (OVER DT) 9' 0" X 4' 0" BLACK	A4.1
V-102.DT	1	DT AWNING (OVER DT) 4' 0" X 4' 0" BLACK	A4.1
EYEBROW AWNINGS			
V-202.EN	1	FRONT EYEBROW (WINDOW) 16' 7" X 6" H X 1' 4" D BLACK	A4.1
V-203.EN	1	DT EYEBROW (WINDOW) 7' 8" L X 6" H X 1' 4" D BLACK	A4.1
V-201.EN	1	SIDE ENTRY EYEBROW (WINDOW) 12' L 6" H X 1' 4" D BLACK	A4.0

SIGNAGE **E**

SYMBOL	ITEM/MATERIAL	MANUFACTURER	MATERIAL SPEC	COLOR	CONTACT INFORMATION
1	SIDING	JAMES HARDIE	ARTISAN V-GROOVE RUSTIC 144" L X 8.25" W; 7" EXPOSURE COMES PRIMED FOR PAINT	WORLDLY GRAY (SW7043), SEMI-GLOSS	SEE D / A 7.2
2	SCUPPERS	-	-	WORLDLY GRAY (SW7043), SEMI-GLOSS	SEE D / A 7.2
3	DOWN SPOUTS	-	-	WORLDLY GRAY (SW7043), SEMI-GLOSS	SEE D / A 7.2
4	HARDIE TRIM	JAMES HARDIE	HARDIE TRIM 5/4 SMOOTH 1"x5.5"	CYBERSPACE (SW7076), SEMI-GLOSS	SEE D / A 7.2
5	HARDIE REVEAL PANEL	JAMES HARDIE	REVEAL PANEL SYSTEM	CYBERSPACE (SW7076), SEMI-GLOSS	SEE D / A 7.2
6	HOLLOW METAL DOOR	-	-	PURPLE TB2603C & FRAME, SEMI-GLOSS	SEE D / A 7.2
7	AWNINGS	-	-	CYBERSPACE (SW7076), SEMI-GLOSS	SEE D / A 7.2
8	CORNER TOWER	-	-	WEATHERED RUSTIC- WESTERN STATES	SEE D / A 7.2
9	RECESS OF SIDE ENTRY PORTAL	-	-	PURPLE (ST2603C)	SEE D / A 7.2
10	EXTERIOR ARTWORK PANELS (OPTIONAL)	JAMES HARDIE	REVEAL PANEL SYSTEM	PURPLE STB2603C RUSTIC	SEE D / A 7.2
11	EXTERIOR MURAL	-	-	-	SEE D / A 7.2
12	METAL CANOPIES	SIGNAGE VENDOR	-	-	SEE D / A 7.2
13	HARDIE REVEAL PANEL	JAMES HARDIE	REVEAL PANEL SYSTEM	PURPLE (SW/TB2603C)	SEE D / A 7.2
14	METAL PARAPET CAP	-	-	CYBERSPACE (SW7076)	SEE D / A 7.2
15	DOWN SPOUTS	-	-	CYBERSPACE (SW7076), SEMI-GLOSS	SEE D / A 7.2
16	SIDING	JAMES HARDIE	ARTISAN V-GROOVE RUSTIC 144" L X 8.25" W; 7" EXPOSURE COMES PRIMED FOR PAINT	CYBERSPACE (SW7076), SEMI-GLOSS	SEE D / A 7.2

EXTERIOR FINISH SCHEDULE **B**

- 316 METAL PARAPET CAP.
- 401 BUILDING SIGN BY VENDOR. REQUIRES ELECTRICAL, SEE ELECTRICAL PLANS.
- 407 METAL CANOPIES BY SIGNAGE VENDOR. SEE SCHEDULE FOR FINISH.
- 408 CO2 FILLER VALVE & COVER.
- 416 HOSE BIB BOX AT 18" A.F.F.
- 419 EXTERIOR LIGHT FIXTURE. COORDINATE WITH ELECTRICAL DRAWINGS.
- 421 MURAL.

KEY NOTES **E**

- MISCELLANEOUS**
- A. SEE SHEET A1.1 "WINDOW TYPES" FOR WINDOW ELEVATIONS.
- SEALERS (REFER TO SPECS)**
- A. SEALANT AT ALL WALL AND ROOF PENETRATIONS.
 B. SEALANT AT ALL WINDOW AND DOOR FRAMES AND JAMB. DO NOT SEAL SILL @ WINDOWS.
 C. APPLY NEOPRENE GASKET (CONT.) BETWEEN BUILDING AND CANOPY.
- CRITICAL DIMENSIONS**
- A. REQUIRED CLEAR OPENING WIDTH TO ENSURE COORDINATION WITH STANDARD SIGNAGE/BUILDING ELEMENTS DIMENSIONS.

GENERAL NOTES **D**

NOTE: NO EXTERIOR SIGNS ARE WITHIN THE SCOPE OF WORK COVERED BY THE BUILDING PERMIT APPLICATION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING THE INSTALLATION OF ALL EXTERIOR SIGNS AND INSTALLATION OF REQUIRED BLOCKING AND ELECTRICAL CONNECTIONS FOR FINAL APPROVED SIGNS.

PAINING

APPLICATOR MUST DO THEIR DUE DILIGENCE WITH PREPARATION.
 PRIMER: 1 COAT SW A24W8300
 FINISH: 2 COATS SW A82-100 SERIES, MATCH COLORS FROM MATERIAL SCHEDULE.
 A-100 EXTERIOR LATEX SATIN.

PAINT NOTES **C**



Taco Bell

3571 Mohegan Avenue
 Yorktown, New York 10547

Medium 40

Exterior Elevations

Project No. W061-20

Date: 07/17/2020

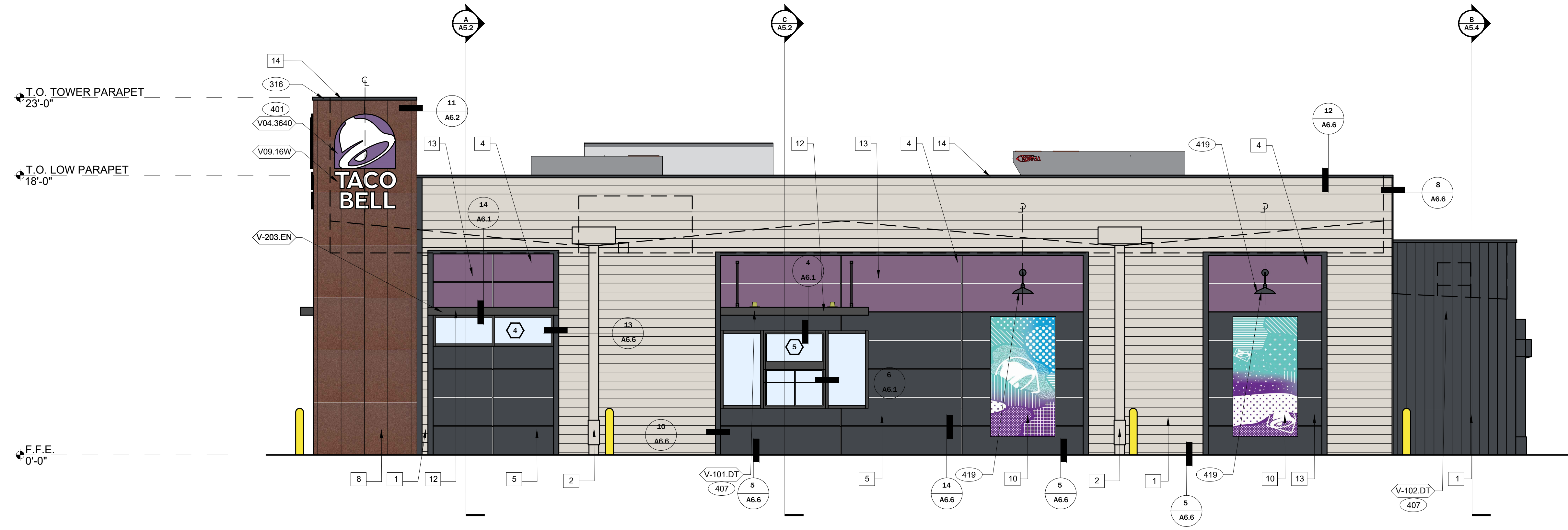
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Scale: As Noted

NY License No. 029493



A4.0

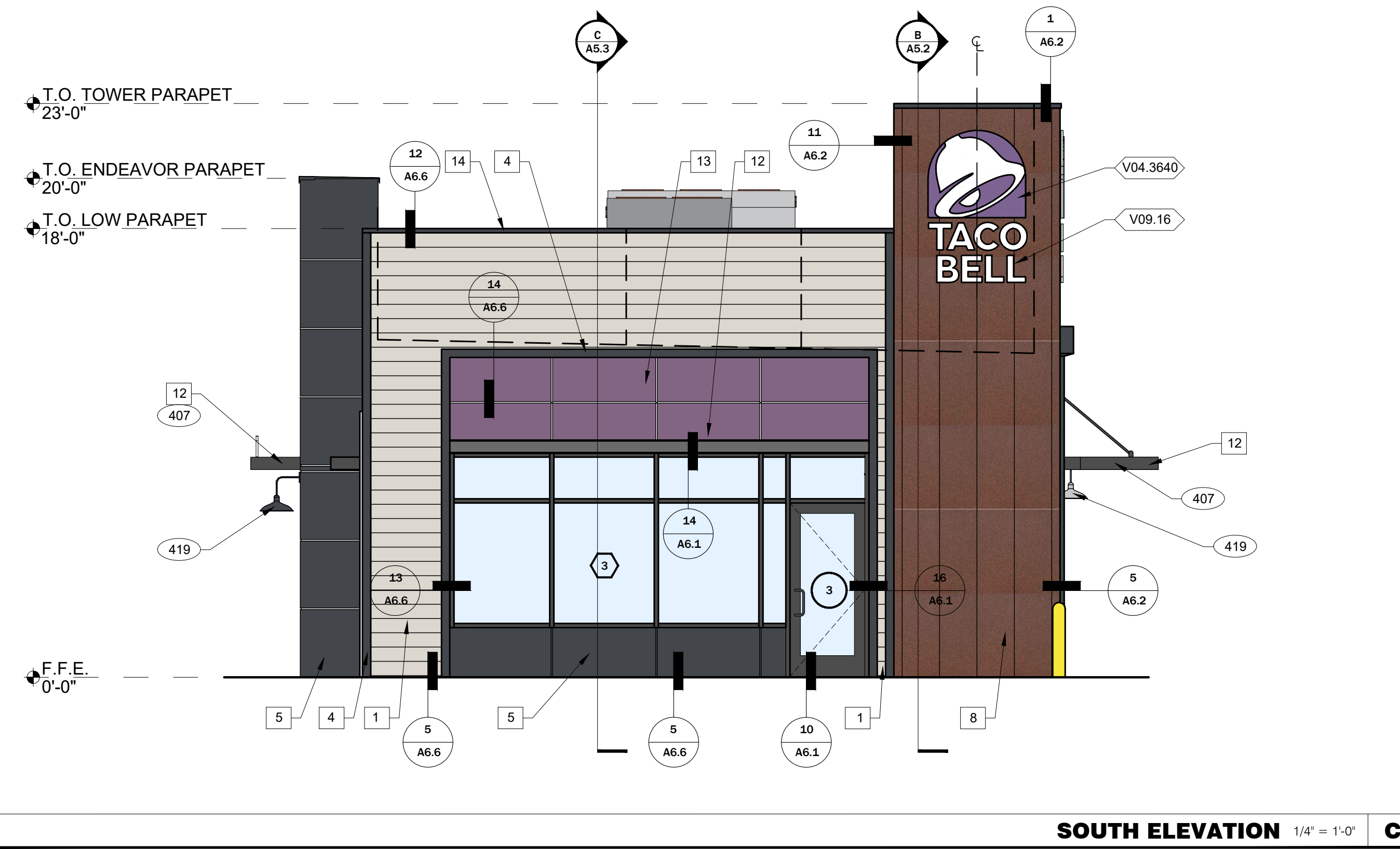


WEST ELEVATION 1/4" = 1'-0" **A**

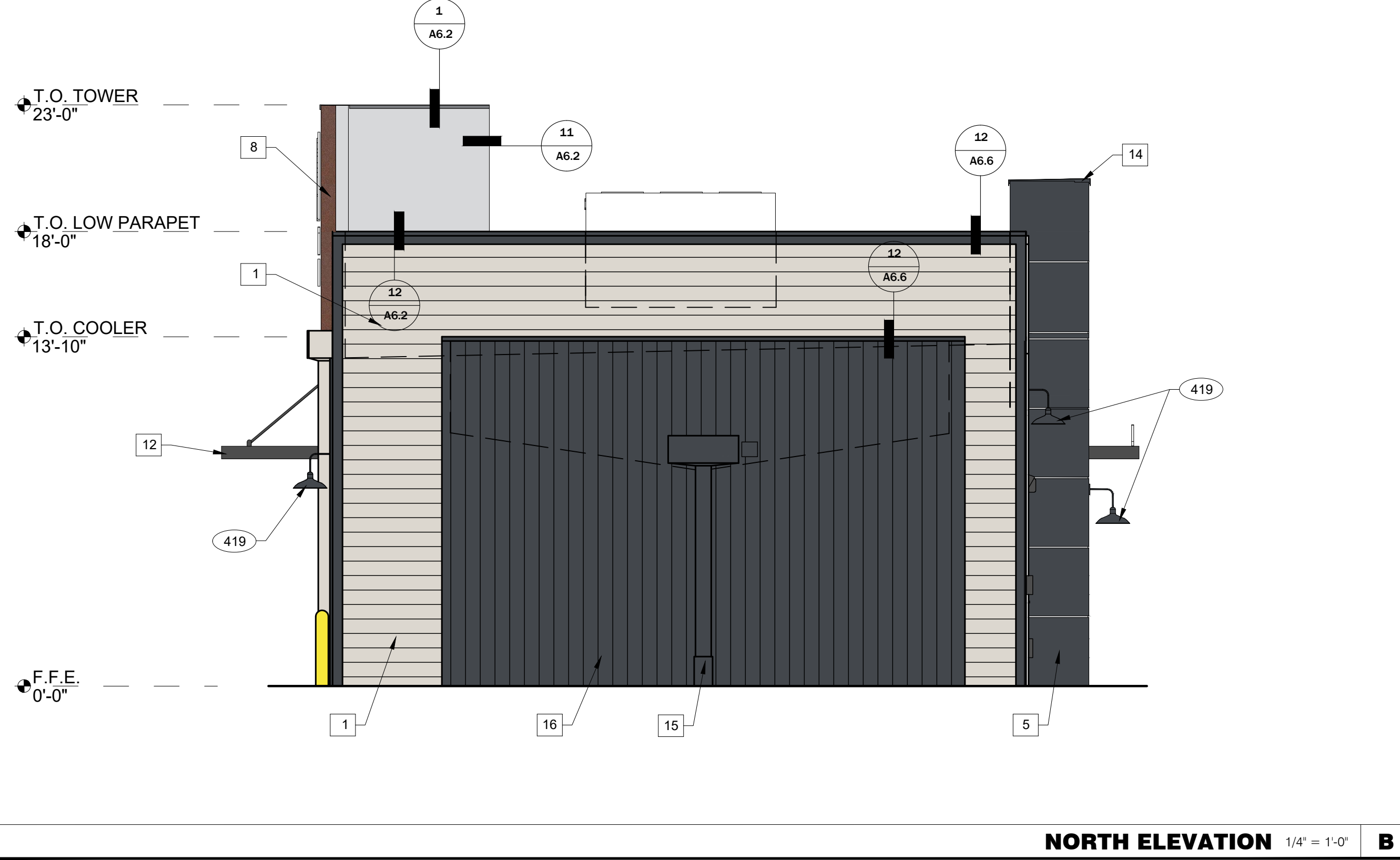
Revisions

No.	Description	Date

Approval Stamp:



SOUTH ELEVATION 1/4" = 1'-0" **C**



NORTH ELEVATION 1/4" = 1'-0" **B**

NOT USED **E**

- (316) METAL PARAPET CAP.
- (401) BUILDING SIGN BY VENDOR. REQUIRES ELECTRICAL. SEE ELECTRICAL PLANS.
- (407) METAL CANOPIES BY SIGNAGE VENDOR. SEE SCHEDULE FOR FINISH.
- (408) CO2 FILLER VALVE & COVER.
- (418) HOSE BIB BOX AT 18" A.F.F.
- (419) EXTERIOR LIGHT FIXTURE. COORDINATE WITH ELECTRICAL DRAWINGS.
- (421) MURAL.

NOTE: REFERENCE TO SHEET A4.0 FOR COLOR LEGEND

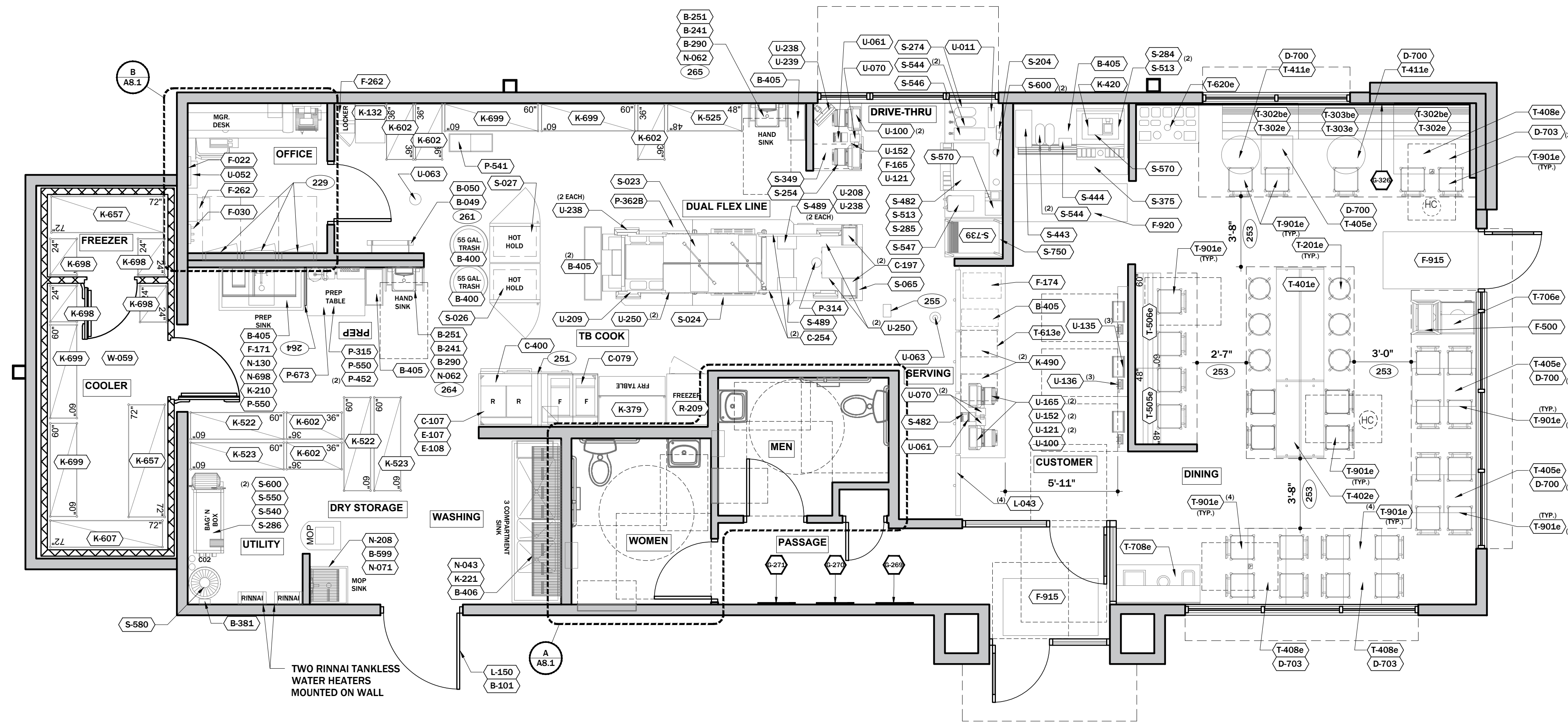
Project No. W061-20
Date: 07/17/2020
Drawn By: SM
Scale: As Noted

NY License No. 029493

Exterior Elevations

A4.1

KEY NOTES **D**



EQUIPMENT & SEATING PLAN 1/4" = 1'-0" **A**

QTY.	NAME	FAMILY	FRAME OR MURAL	SIZE	LOCATION
1	HIPNOTIZE ME BELL	D	M01	CUSTOM	SEE A8.0
1	CAMO PATTERN	D	F01	28x40	SEE A8.0
1	CAMO PATTERN	D	F02	28x40	SEE A8.0
1	CAMO PATTERN	D	F01	28x40	SEE A8.0

ARTWORK SCHEDULE 3/8" = 1'-0" **E**

TAG	QTY	ITEM DESCRIPTION
D-700	7	22" X 22" X 28.5" H FREE STANDING TABLE BASE
D-703	6	22" X 5.5" X 28.5" H FREE STANDING TABLE BASE
T-201e	6	BARREL BARSTOOL - 29 PURPLE WOOD SEAT
T-302be	2	BENCH BACK REST - 48"
T-302e	2	BENCH SEAT - 48"
T-303be	1	BENCH BACK REST - 60"
T-303e	1	BENCH SEAT - 60"
T-401e	1	HUB TABLE - 72" - HIGH TOP
T-402e	1	HUB TABLE - 48" - HIGH TOP
T-405e	5	LAMINATE TABLE - 24 X 20 X 30 - 2 TOP
T-408e	3	LAMINATE TABLE ADA - 24 X 48 X 30 - 4 TOP
T-411e	2	SS TABLE - 24 DIA X 30 - 2 TOP
T-505e	1	COUNTER TOP - 48" X 20" X 30"
T-506e	1	COUNTER TOP - 60" X 20" X 30"
T-613e	1	POS COUNTER 121 - 2 POS - 13'-0" X 2'-6"

SEATING PACKAGE - SEATING VENDOR U.O.N. **D**

TAG	QTY	ITEM DESCRIPTION
T-620e	1	CONDIMENT COUNTER - RECTANGLE
T-706e	1	WASTE ENCLOSURE - SINGLE
T-708e	1	WASTE ENCLOSURE - 3 STREAM
T-901e	29	CHAIR - LAMINATE SEAT

- DECOR**
- REFER TO SC SHEETS FOR SCOPE OF WORK RESPONSIBILITIES.
 - (H) - SYMBOL DENOTES A HIGH TABLE OR DINING COUNTER WITH STOOLS.
 - (HC) - SYMBOL DENOTES A HANDICAP ACCESSIBLE TABLE.
 - (FE) - SYMBOL DENOTES FIRE EXTINGUISHER LOCATION

GENERAL NOTES **C1**

SQUARE FOOTAGES:		SEATING:	
FOH	852 SF	INTERIOR DINING	40
BOH	1,034 SF	EXTERIOR	-
TOTAL	2,086 SF	TOTAL	40

SHELVING QUANTITIES:		
STORAGE TYPE	REQUIRED	PROVIDED
DRY	36LF	64LF
COLD	16LF	36LF
FROZEN	8LF	16LF

GENERAL INFORMATION **C**

- 229 ELECTRICAL PANELS
- 251 HOOD FIRE SUPPRESSION SYSTEM (ANSUL R-102 OR EQUAL)
- 253 MAINTAIN 36" MINIMUM CLEAR ACCESSIBLE AISLE EGRESS PATHS TO EXIT DOORS. 32" AT DOORWAYS AND CASSED OPENINGS. (42" AISLE REQUIRED WHEN AISLE SERVES MORE THAN 50 SEATS)
- 255 ALERT LIGHT BOX FOR 3-COMPARTMENT POWER SOAK
- 256 PULL STATION @ 3'-8" A.F.F.
- 258 COORDINATE LOCATION OF HORIZONTAL PVC SYRUP CHASE THRU WALL TO COUNTER
- 259 6" HIGH WATER HEATER PLATFORM
- 261 ROOF LADDER WITH BILCO LADDER UP SAFETY POST
- 264 SPLASH GUARD
- 265 AUTOMATIC HAND SOAP AND SANITIZER DISPENSERS PROVIDED BY ECOLAB

KEY NOTES **B**



Taco Bell

3571 Mohegan Avenue
 Yorktown, New York 10547

Medium 40

Equipment and Seating Plan

Project No. W061-20
 Date: 07/17/2020
 Drawn By: EL
 Scale: As Noted
 NY License No. 029493



A2.0

Par 3 Golf

From: PAUL REVANS [<mailto:rdpepc@gmail.com>]

Sent: Wednesday, April 07, 2021 9:01 PM

To: John Tegeder <jtegeder@yorktownny.org>; Frank DiPeri <finaltouch845@hotmail.com>; sean murphy <smurphy1001@gmail.com>

Cc: James Martorano <jmartorano@yorktownny.org>

Subject: Re: PARKING LAYOUT

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.

Mr Tegeder;

Copied on this email is also Frank DiPeri and Sean Murphy. I am attaching 2 revised drawings for the parking plan layout. I think some of the dimensions on the previous renderings were off, particularly the planter in the middle of the parking lot. The correct scale should now be 1/8" = 1'. The plan should be printed on 22"x34" paper.

Version A has 48 spots in the parking lot + 2 in the garage which gives us the required 50 parking spaces. However, I developed version B which deletes 1 parking spot from the middle planter. The reason is I felt that a delivery truck may need a greater turning circle to navigate to the parking lot. I think it's pretty self explanatory.

Let me know what you think.

Thank you.

Respectfully,

Paul Revans, PE

m: 914-222-0397

email: rdpepc@gmail.com

NYS PE 091827

CT PE 0030989

PA PE 84664

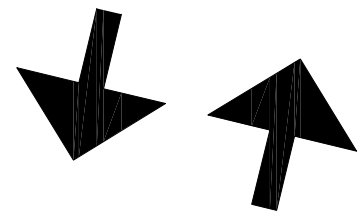
NYC SPECIAL INSPECTION AGENCY 4617

NYS ASBESTOS INVESTIGATOR LIC# 02-09146

NYC DEP CERTIFIED ASBESTOS INVESTIGATOR LIC # 120503

NYS DOL ASBESTOS CERTIFICATE # 02-09146

NOTARY PUBLIC QUALIFIED IN WESTCHESTER COUNTY



ONE WAY

ONE WAY

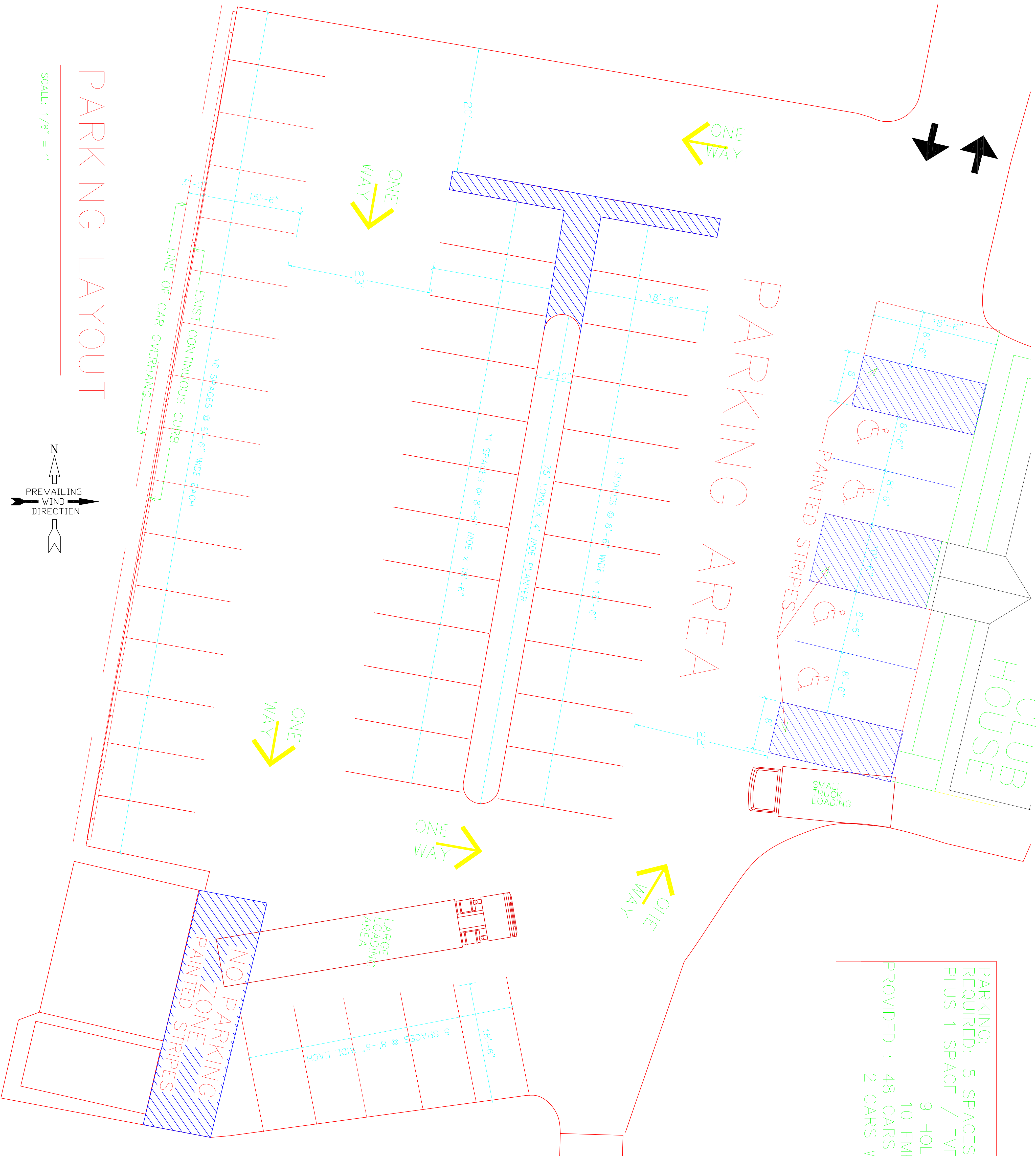
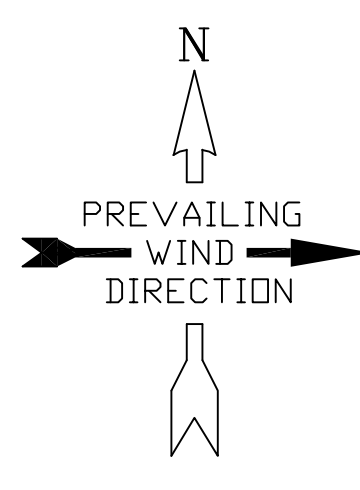
ONE WAY

ONE WAY

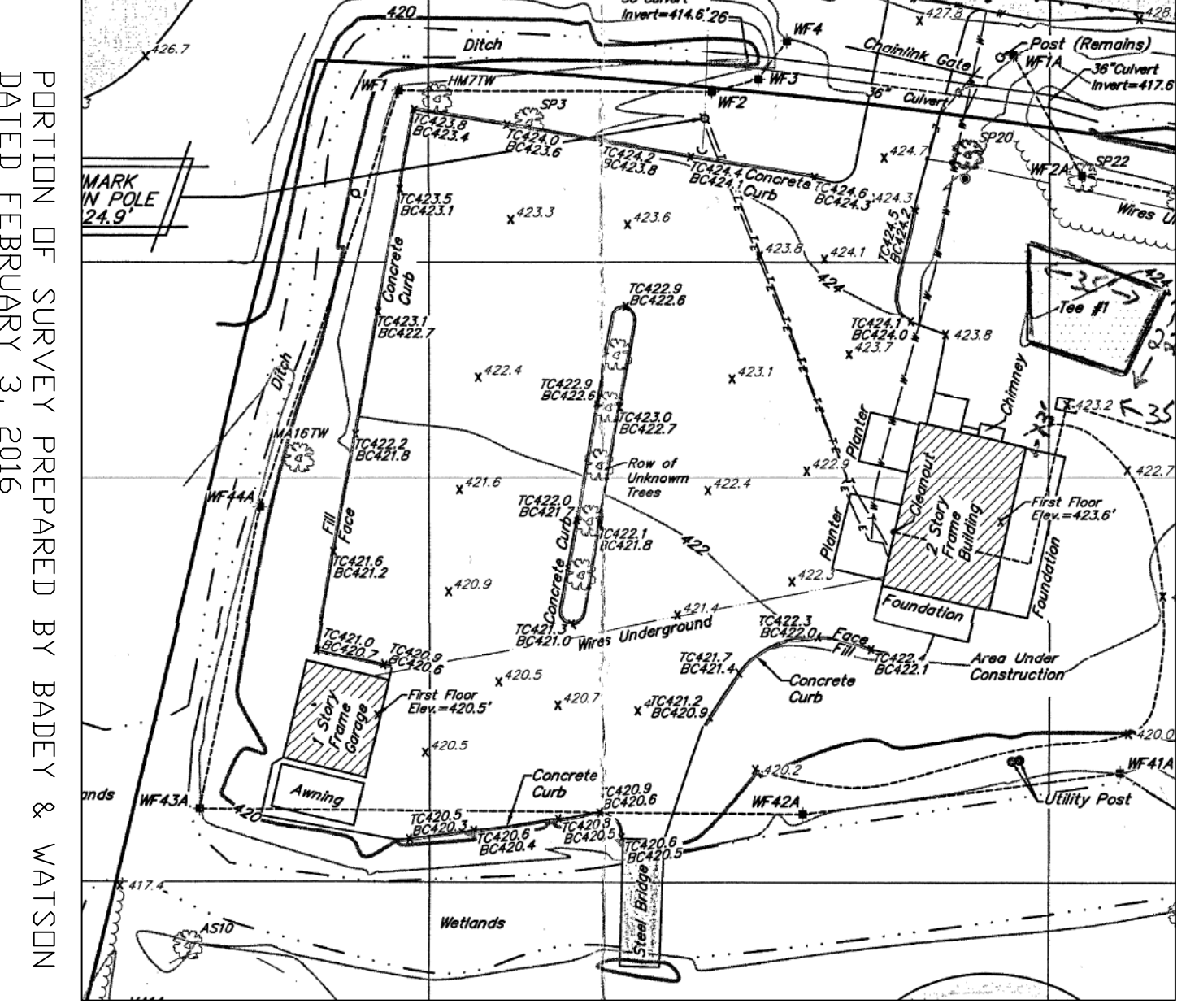
ONE WAY

PARKING LAYOUT

SCALE: 1/8" = 1'



PARKING:
 REQUIRED: 5 SPACES / HOLE
 PLUS 1 SPACE / EVERY 2 EMPLOYEES
 9 HOLES x 5 = 45 CARS
 10 EMPLOYEES = 5 CARS
 PROVIDED : 48 CARS WITHIN EXISTING PARKING LOT
 2 CARS WITHIN EXISTING GARAGE



PORTION OF SURVEY PREPARED BY BAILEY & WATSON
DATED FEBRUARY 3, 2016

NO.	ISSUED FOR	DATE
1	PARKING PLAN	04/07/2021

DESCRIPTION:
PARKING PLAN

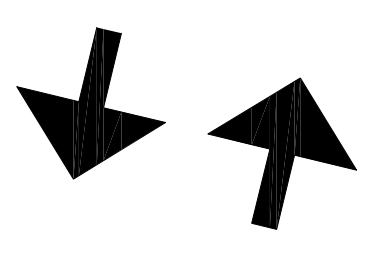
PROJECT LOCATION:
 VALLEY FIELDS - GOLF COURSE
 795 ROUTE 6
 YORKTOWN HTS, NY
 SECTION : 16.07
 BLOCK : 1
 LOT : 38

OWNER:
 RC ENTERTAINMENT
 BOX 346
 SHRUB OAK, NY 10588

REVANS DESIGN, PE PC
 60 SIDERSTON RD
 YORKTOWN, NY 10598
 914-222-0397

DATE : 04-07-2021
 PROJECT REF # YTGC
 DRAWN BY: P.R.
 CHECKED BY: RFG
 N - 001 . 0 0

SHEET 1 OF 1
 APPROVAL STAMPS



ONE WAY

ONE WAY

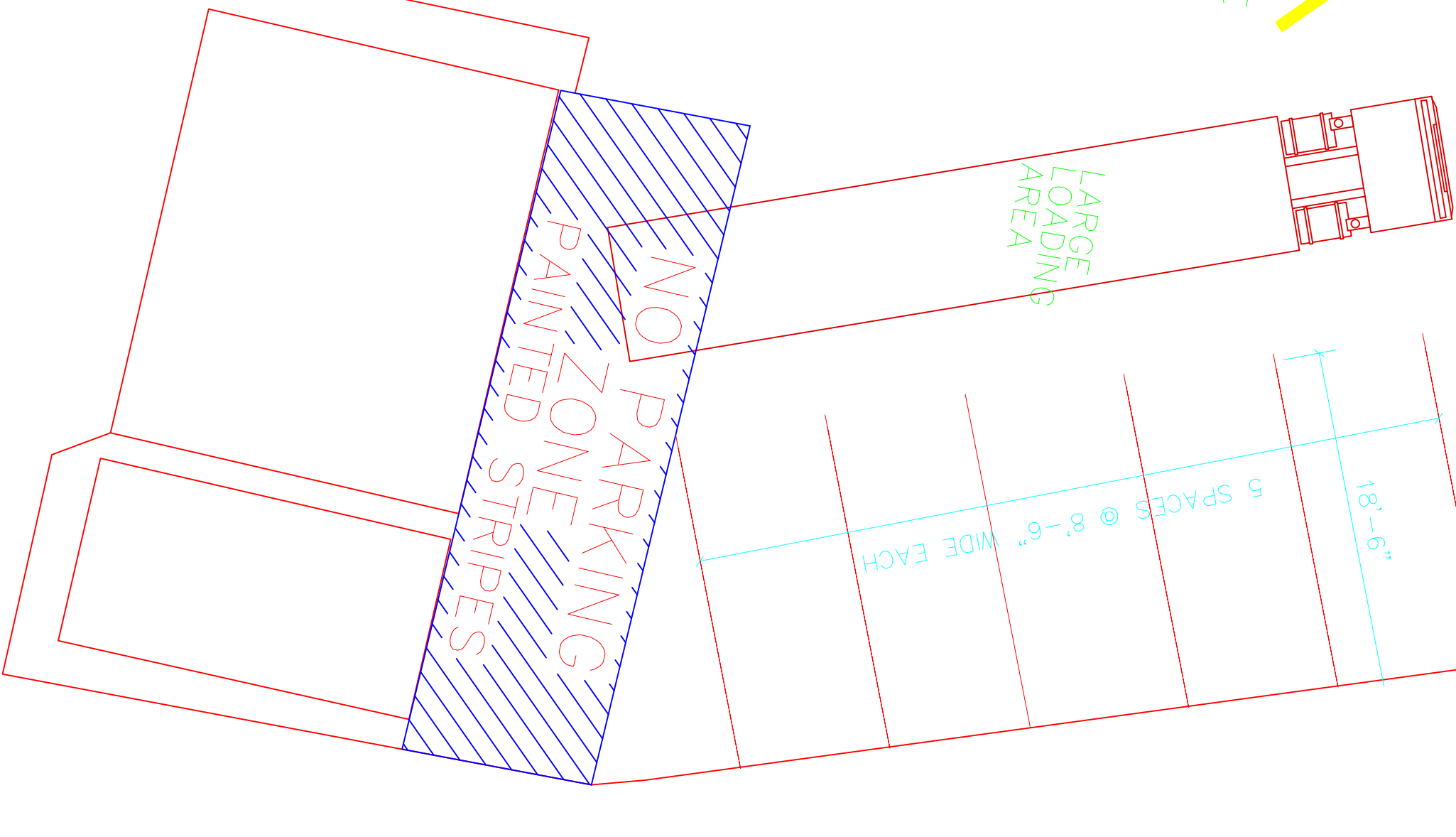
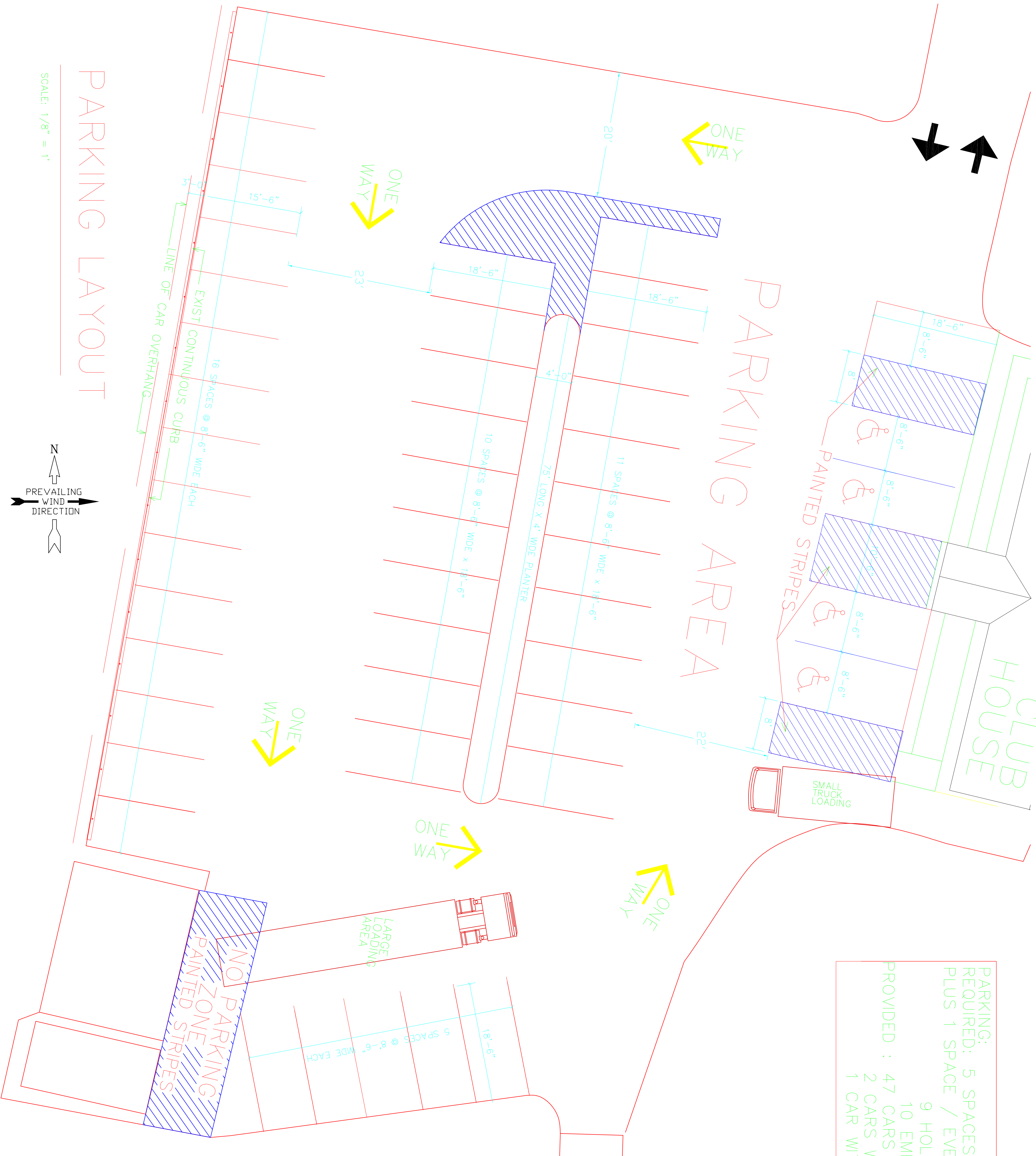
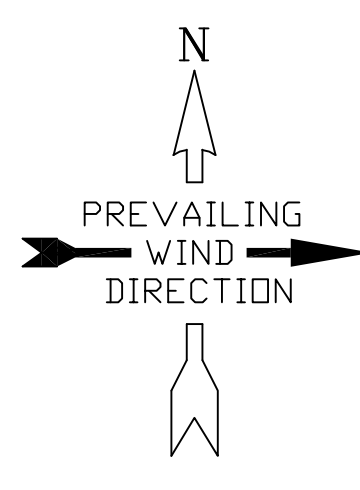
ONE WAY

ONE WAY

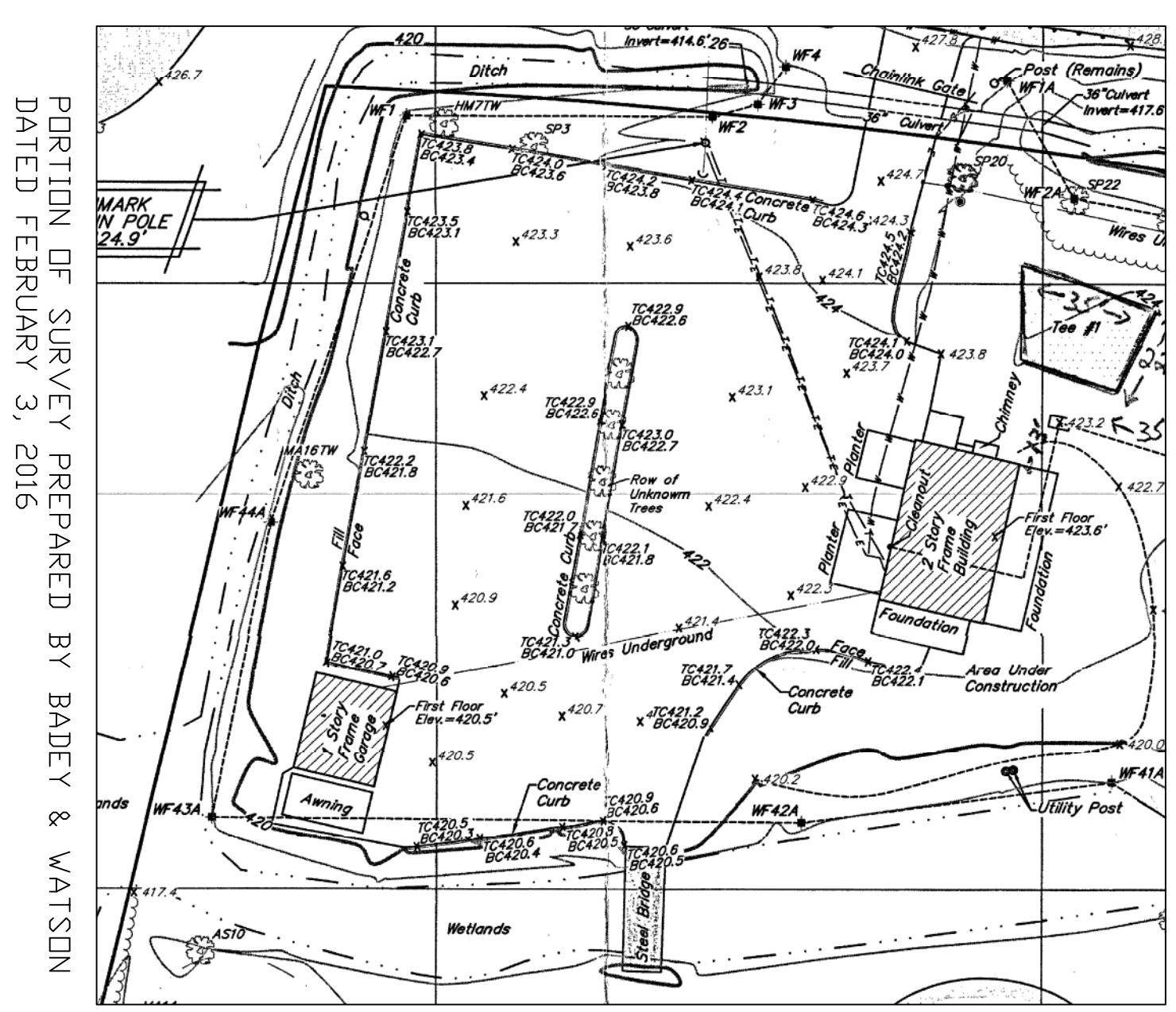
ONE WAY

PARKING LAYOUT

SCALE: 1/8" = 1'



PARKING:
 REQUIRED: 5 SPACES / HOLE
 PLUS 1 SPACE / EVERY 2 EMPLOYEES
 9 HOLES x 5 = 45 CARS
 10 EMPLOYEES = 5 CARS
 PROVIDED : 47 CARS WITHIN EXISTING PARKING LOT
 2 CARS WITHIN EXISTING GARAGE
 1 CAR WITHIN AUXILIARY RD/PARK & RIDE



PORTION OF SURVEY PREPARED BY BAILEY & WATSON
 DATED FEBRUARY 3, 2016

NO. 1	ISSUED FOR	DATE
1	PARKING PLAN	04/07/2021
PROJECT LOCATION: VALLEY FIELDS - GOLF COURSE 795 ROUTE 6 YORKTOWN HTS, NY SECTION : 16.07 BLOCK : 1 LOT : 38		
DESCRIPTION: PARKING PLAN		
OWNER: RC ENTERTAINMENT BOX 346 SHRUB OAK, NY 10588		
REVANS DESIGN, PE PC 60 SIDERSTON RD YORKTOWN, NY 10598 914-222-0397		
DATE :	04-07-2021	
PROJECT REF #	YTGC	
DRAWN BY:	PR	
CHECKED BY:	RFG	
N	- 001 . 0 0	
SHEET 1 OF 1		
APPROVAL STAMPS		

From: James Martorano
Sent: Monday, April 12, 2021 11:40 AM
To: John Tegeder <jtegeder@yorktownny.org>
Cc: sean murphy <smurphy1001@gmail.com>
Subject: Planning Board Meeting Agenda - Monday, April 12, 2021

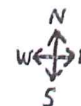
John,

Please see the attached Tree Mitigation Plan for Friends of Valley Fields Golf Course.

Sincerely,

James J. Martorano Jr.
Yorktown Parks & Recreation
Superintendent
Cell: 845-803-2875
Office: 914-245-4650
Fax: 914-245-1608

Existing Shallow Creek Golf Learning Center



COMPUTER PARKING

Parking

Clubhouse

PATIO

NEW TREES

Rt 6

Legend

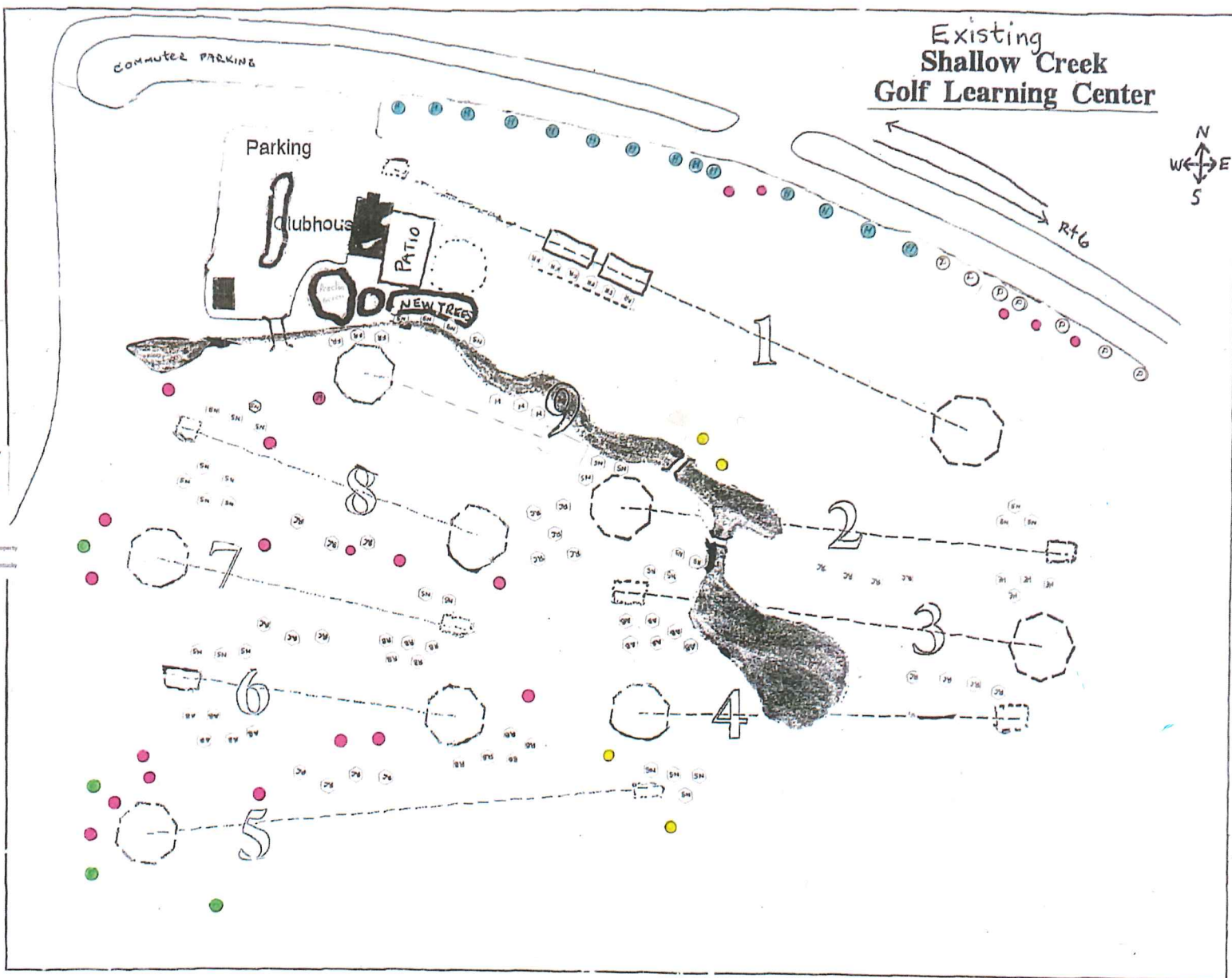
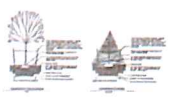
PROPOSED PLANTING SCHEDULES

Item	Estimated Price	Quantity	Subtotal	Per Unit	Notes
1. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
2. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
3. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
4. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
5. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
6. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
7. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
8. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
9. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	
10. 10' x 10' x 10' (10' x 10' x 10')	\$100	10	\$1,000	\$100	

In the proposed planting schedule there will be no construction of plants and/or trees that will be planted that will bring heavy and safety to the golf course. This design is intended to make the golf course beautiful but also designed for the safety of the player. There will be additional planting to come as we get it. For the most part the amount of trees for the safety of the player. The list shows plantings we have in mind for the safety of the player. If there are additional plantings needed we will contact that to New Construction. There will be no invasive species planted on the property and the soil will be used for planting and be used from the property.

- Additional Tree Details:**
- All data for the plantings will be extracted from current property. This will ensure us of clean soil and no invasive weeds.
 - We will be using soil for the fairways and that will be a Kentucky loam. This is a tough material and soil used for 100 years.
 - The grasses and Tree Issues will be a 100% Perennial.
 - Irrigation water will come from the property itself.

- Additional Tree Codes**
- The trees that are on the existing property will be color coded.
- Maple "Acer" #22
 - Oak "Quercus" #_1
 - Ash "Fraxinus" #_1
 - Hemlock "Tsuga" #_1
 - Pine "Pinus" #_7



Tree & Shrub
PLANTING PLANS

for the

“OLD SHALLOW CREEK”

GOLF COURSE

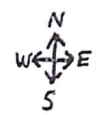
“2021”

Tree Key Notes:

- ◻ Indicates New Trees that will be planted.
- Indicates all existing trees on property.

All trees on site plan are marked. Notes will be in the paper work booklet indicating what trees and types will be planted. Trees that are still existing on property have been identified by mark and are identified in booklet. Trees marked with this sign will indicate those trees to be planted. All Existing Trees will be color coded .

Existing Shallow Creek Golf Learning Center



COMPUTER PARKING

Parking

Clubhouse

PATIO

NEW TREES

RT-6

Legend

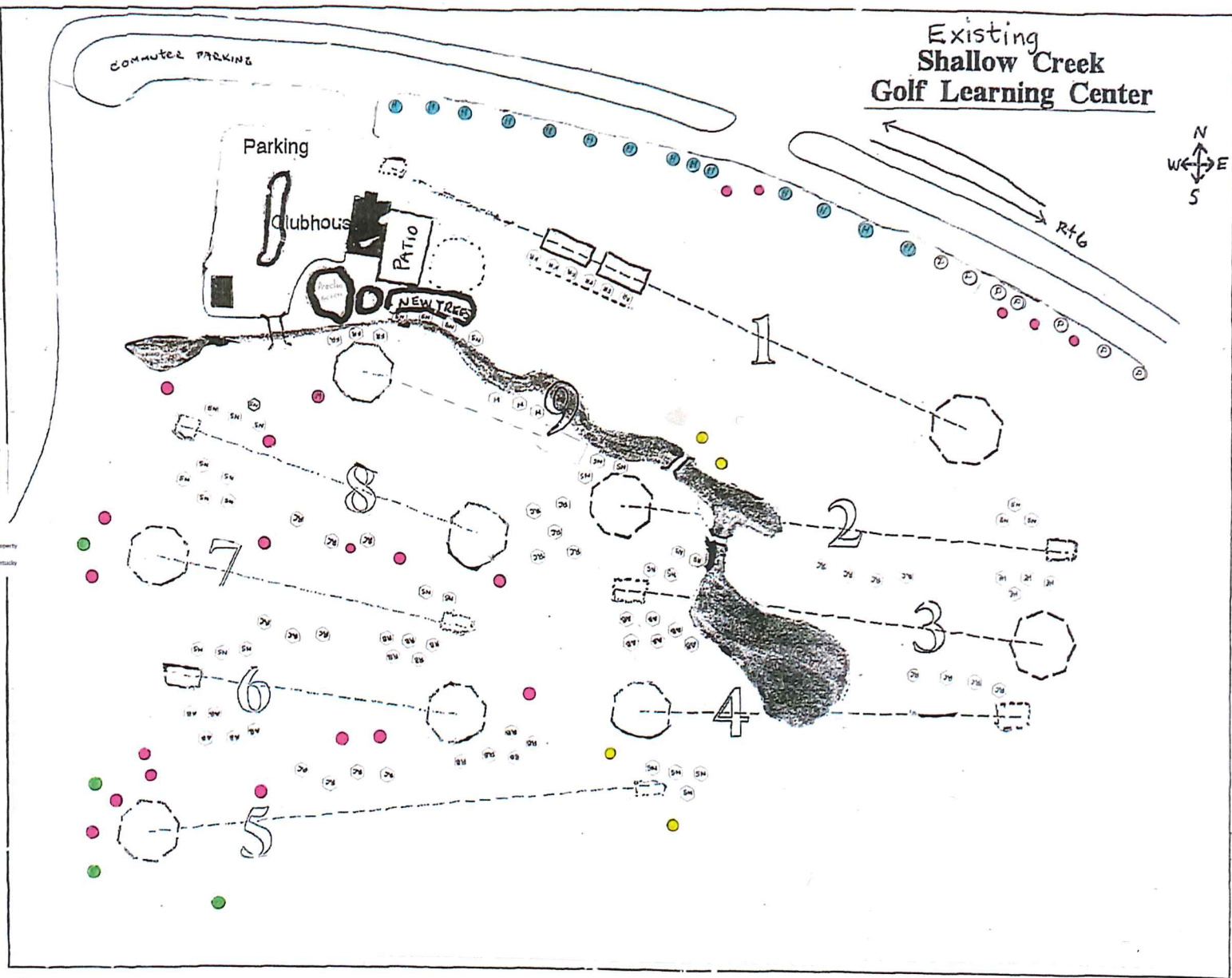
PROPOSED PLANTING SCHEDULE

Item	Botanical Name	Quantity	Size	Plant Date
1	Blackberry	100	12"	1/20
2	Blackberry	100	12"	1/20
3	Blackberry	100	12"	1/20
4	Blackberry	100	12"	1/20
5	Blackberry	100	12"	1/20
6	Blackberry	100	12"	1/20
7	Blackberry	100	12"	1/20
8	Blackberry	100	12"	1/20
9	Blackberry	100	12"	1/20
10	Blackberry	100	12"	1/20

In the proposed planting schedule there will also be ornamental plants and shrubs that will be planted that will bring beauty and color to the golf course. This design is intended to make the golf course beautiful and also enjoyable for the players of this course. There will be additional planting to occur as we get a bid for the project and we will be able to start with and if there are additional plants needed we will contact the contractor. There will be no irrigation system planned on this property and the soil will be used for planting will be used from the property.

- Soil and Seed Notes:**
1. All soils for the plantings will be extracted from current property. This will ensure us of clean soil and no invasive seeds.
 2. We will be using soil for the fairways and that will be Kentucky Blue. This is a tough rooted soil and best for this use.
 3. The Grasses and Tree Soils will be a 10/20 Perennial.
 4. Irrigation water will come from the property pond.

- Existing Tree Codes**
- The trees that are on the existing property will be color coded.
- Maple "Acer" #22
 - Oak "Quercus" #11
 - Ash "Fraxinus" #11
 - Hemlock "Tsuga" #11
 - Pine "Pinus" #11

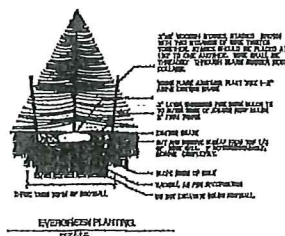
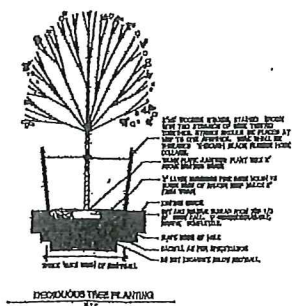


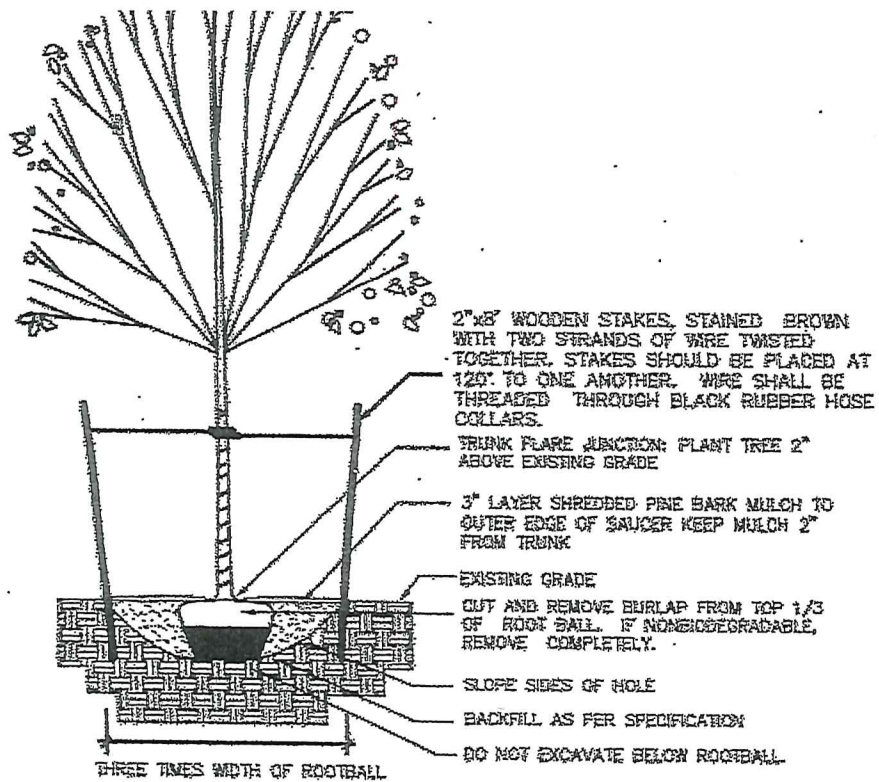
Planting Plans for "Shallow Creek" Golf Course

Enclosed is the design for the new planting for the "Shallow creek golf course. During the restoration of this golf course trees that were unsafe need to be removed. This plan will enable you to see were and what type of trees that will be replaced. The vast amount of trees taken down were dangerous and diseased. These trees will be replaced with young vibrant trees that will be receptive to the conditions of the area with considerations of the golf course.

GENERAL PLANTING NOTES :

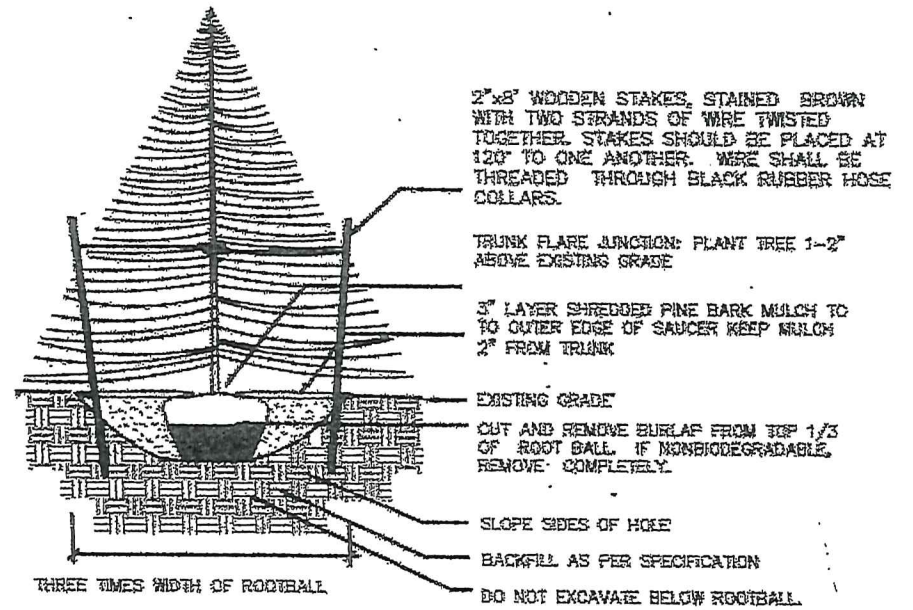
1. All Planting materials will be nursery grown stock
2. All Plantings will be applicable to all present standards.
3. Percise locations of all trees to be planted are marked on site plan.
4. All plantings of trees and shrubs will be done between April & June or late August & October.
5. The types of trees and shrubs we have selected are ones that will flourish in this environment. We will work with the Tree Committee to see if they want to have any input to improve or enhance our Planting Plans.
6. Were a size range is given in plant schedule at least 50% of the plants provided shall be of the greater size.
7. Topsoil that will used will be from existing property.
8. All rules and regulations will be followed as per planting.





DECIDUOUS TREE PLANTING

N.T.S.



EVERGREEN PLANTING

N.T.S.

NOTES:

1. BASE INFORMATION TAKEN FROM CAD FILE PROVIDED BY SHE DESIGN CONSULTANTS, LLC.
2. CONTRACTOR TO VERIFY ALL SITE CONDITIONS IN FIELD PRIOR TO THE START OF CONSTRUCTION.
3. MINOR FIELD REVISIONS TO PLANT MATERIAL LOCATION WILL BE PERMITTED IF CONFLICTS ARISE. OK TO NOTIFY LANDSCAPE ARCHITECT IF CHANGE IS REQUIRED.

PROPOSED PLANTING SCHEDULE:

<u>Sym</u>	<u>Botanical Name</u>	<u>Common Name</u>	<u>Size</u>	<u>Root</u>	<u>Qty.</u>	<u>Size</u>
RC	Quercus rubra	Red Cedar	B&B		23	4'-6'
RB	Betula nigra	River Birch	B&B		10	4'-6'
HE	Tsuga	Hemlock	B&B		4	4'-6'
NS	Picea abies	Norway Spruce	B&B		30	4'-6'
ARB	Thuja	Giant Green Arborvitae	B&B		11	4'-6'
H	Ilex	Holly	B&B		4	3'-6'
FR	Wolfram Alpha	Forsythia	B&B		9	3'-6'

In this proposed planting schedule there will also be ornamental plants and shrubs that will be planted that will bring beauty and safety to the golf course. This design is designed to making this golf course beautiful but also designed for the safety of the player. There will be additional planting as soon as we get a feel for what the course needs and for the safety of the players. The list above plantings are what we are going to start with and if there are additional plantings needed we will convey that to Tree Committee. There will be no invasive species planted on this property and the soil that will be used for planting will be soil from the property.

Soil and Seed Notes:

1. All Soils for the plantings will be extracted from current property. This will assure us of clean soil and no invasive seeds.
2. We will be using sod for the Fairways and that will be a Kentucky Blue. This is a tough rooted sod and ideal for this use.
3. The Greens and Tee Boxes will be a 80/20 Perennial
4. Irrigation water will come from the property itself.

Overlay Districts TB Referral

Nancy Calicchia

From: Maura Weissleder
Sent: Tuesday, March 16, 2021 2:47 PM
To: 'archipose@aol.com'; John Landi; 'Ken Belfer'; 'pbock@teatown.org'; 'dianedri@aol.com'; lbarbieri@LMFD.net; 'Yorktownfire'; David Paganelli; 'wdhikes@gmail.com'; 'wealthmaker10598@yahoo.com'; 'richfon@aol.com'; Robert Noble; John Delulio; 'rrohr@yorktownpd.org'; 'jfalco1057@yahoo.com'; 'jff9@westchestergov.com'; 'rhattar@yorktown.org'; 'blyons@lakelandschools.org'; 'lcosenza@lakelandschools.org'; 'dan@ciarcia.com'; 'Sharon Robinson'; Kenny Rundle; 'com'; 'jes24york@aol.com'; 'Lynn Briggs'; 'Herbert, Lukas'; g.finelaw@verizon.net; 'hjj7@westchestergov.com'; 'kelly.turturro@dec.ny.gov'; 'dec.sm.DEP.R3'; 'cgarcia@dep.nyc.gov'; 'akhter.shareef@dot.ny.gov'; 'cenan.publicnotices@usace.army.mil'; 'laroues@townofcortlandt.com'; 'townclerk@somersny.com'; 'sdonnelly@townofossining.com'; 'showard@putnamvalley.com'; showard13@aol.com; 'info@yorktownchamber.org'; Adam Rodriguez; Adam Rodriguez; Alice Roker; Alice Roker; Ed Lachterman; Ed Lachterman (edlachterman@gmail.com); Matthew Slater; Thomas Diana; Vishnu Patel
Cc: Nancy Calicchia; Kim Hughes; Louise Kobiliak; Diana Quast
Subject: Referral: Amendment to Local Law No. 13 of 2020 (Chapter 300, New Article XXXI - Planned District Overlay Zones)
Attachments: Overlay District LL.pdf; Overlay Districts_EAF (Signed).pdf; Yorktown Heights - Map.pdf; Lake Osceola - Map.pdf

Attached please find documents regarding the above-referenced referral. We respectfully request that you review the attached and send any comment/recommendations to Town Clerk Diana Quast, dquast@yorktownny.org, by April 15, 2021.

Thank you for your review.

Regards,

Maura Weissleder

Deputy Town Clerk
Town of Yorktown
363 Underhill Avenue
Yorktown Heights, NY 10598
Ph: (914)962-5722, ext. 210
Fax: (914)962-6591

Note: This e-mail message is intended only for the use of the individual or entity to whom it is addressed, and may contain information that is privileged or confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering this message to the identified addressee, you are hereby notified that any unauthorized use, disclosure, reproduction, dissemination or disruption of this communication is strictly prohibited. Please note that it is your responsibility to scan this e-mail for viruses. If you receive this e-mail message in error, please delete all copies of this message and notify the sender immediately by telephone at (914) 962-5722 x210. Thank you.

A LOCAL LAW to amend Chapter 300 of the Code of the Town of Yorktown entitled "ZONING"

Be it enacted by the Town Board of the Town of Yorktown as follows:

Section I. Statement of Authority.

This local law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Yorktown and the general police power vested with the Town of Yorktown to promote the health, safety and welfare of all residents and property owners in the Town.

Section II. Article XXXI of Section 300 of the Code of the Town of Yorktown, entitled Planned Design District Overlay Zones. is hereby replaced in its entirety with the following:

§ 300-248 Purpose and Intent.

- A. It is found and determined that there is a need throughout the Town of Yorktown to encourage and establish further economic development. To stimulate that growth and provide for revitalization, the Town requires the use of smart-growth techniques capable of creating smarter, less wasteful, and more economically efficient development patterns. Specifically, the Town needs flexibility in land uses which bolster economic development by providing not only a diverse array of commercial businesses, but mixed-use residential and commercial parcels to both provide abundant job opportunities and contribute to the local tax base.
- B. This Article regulates the location, design, occupancy, and use of structures and the use of land within the areas known as the "Planned Design District Overlay Zones" (hereinafter "PDDOZ") within the Town of Yorktown. The primary purpose of this Article is to institute a legally enforceable zoning code for each unique Planned Design District ("PDD") adopted herein or prospectively, based upon and in furtherance of the goals established Chapter 4 of the Town of Yorktown Comprehensive Plan adopted on July 15, 2010 (hereinafter "the Comprehensive Plan") and as hereinafter amended. The applicability of the provisions of this Article shall only apply to the specific overlay zones duly adopted and set forth herein and to those properties within said zones that the Town Board has determined granting the flexibility allowed by the Planned Design District will result in a significantly better site plan that still protects the health, safety, and welfare of Yorktown's businesses and residents.
- C. This Article is intended to promote the health, safety and general welfare of the Town by creating a holistic and comprehensive economic development strategy that utilizes the principles of social, economic, and environmental responsibility to encourage the

economic development within a mixed-use setting. This Article is intended to create an opportunity for a more economically successful and environmentally responsible Town by enabling a hamlet with a more harmonious and pedestrian-oriented public realm than can be achieved under the regulations in the underlying zoning in effect at the time of adoption of this Article. Specifically, this Article will promote Complete Streets approach and practices as one of many mechanisms to fulfill the purpose and intention herein.

- D. It is also the intent of this legislation to further the economic development goals of the town's Comprehensive Plan to invigorate the hamlet business centers as hubs of civic life and community identity, and promote a mix of retail, professional office, park/civic uses, and compatible residential uses that create a special sense of place. The intent of the overlay zones is to promote flexibility in design, allowed uses, and bulk requirements to make infill and redevelopment of the hamlets both desirable for residents and economically feasible for investors. It is also the intent of this legislation to provide for suitable mixed-use developments within the PDDs, blending the surrounding commercial and residential zones.
- E. This Article will assist in achieving preservation and retention of the remaining historic and architecturally significant buildings and encourage the renovation and construction of other buildings consistent with architectural designs of buildings constructed during the early history of the Town.

§ 300-249 Definitions.

As used in this article, the following terms shall have the meanings indicated:

FAR (Floor Area Ratio)

Floor Area Ratio as defined in §300-3, "Definitions; word usage."

INCENTIVE

A zoning benefit that is granted, pursuant to §261-b of the Town Law, to adjust provisions of Chapter 300, Zoning, of the Town Code of the Town of Yorktown for the purpose of bringing about revitalization in a Planned Design District.

LIVE-WORK UNIT/SPACE

Live-work unit or Live-work space. A building or space within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work. The residential space must be occupied by the owner of the commercial business to which it is accessory.

MIXED-USE BUILDING

A building that houses varied uses normally segregated from one another by zoning classification within the Yorktown Zoning Code such as residential uses and retail uses, but not limited thereto.

PLANNED DESIGN DISTRICT

For the purposes of this chapter, an independent zoning district identified by the Town Board as ideal to promote development in accordance with the Comprehensive Plan, wherein the zoning regulations need not be uniform for each class or type of land use, but where the use of land shall be in accordance with a set of criteria and smart growth techniques as established by the Town Board herein.

UNIQUE BUILDINGS

Existing buildings that should be retained because of their distinctive cultural, architectural, or historical references to the Town’s history as decided by the Town Board and listed herein

§ 300-250 Applicability.

The provisions of this Article XXI shall apply to all parcels, lots or properties lying within each Planned Design Districts and may be applied to new development, redevelopment, exterior alterations, changes of use, site plan alteration, commercial signs and exterior lighting within the Planned Design District Overlay Zones.

When the provisions of this Chapter are applied by the Planning Board, in any Planned Design District, no buildings or premises shall be used, and no buildings or part of a building or structure shall be erected, constructed, enlarged, altered, arranged or designed to be used, in whole or in part, except for one or more of the uses herein cited in §300-255 through §300-259, or the underlying zoning, provided that a site plan of development in accordance with Chapter 195 of the Yorktown Town Code is approved by the Planning Board, after public notice and hearing, as being in conformity with this Chapter.

§ 300-251 Authorization to approve plans; Procedures.

- A. Authorization is hereby granted to the Planning Board of the Town of Yorktown, as herein set forth, to simultaneously with the approval of a site plan or subdivision map, pursuant with this article, modify applicable provisions of Chapter 300 subject to the conditions set forth in this article and such other reasonable conditions as the Town Board of the Town of Yorktown may, in its discretion, add thereto.

- B. An applicant desiring to use the standards set forth in this article shall file with the Town Board a written request for authorization for consideration and review under the overlay district, which shall include a detailed statement setting forth the nature of modifications, changes or supplementation of existing underlying zoning provisions and the reasons in support of those changes or modifications. Said statement shall include the manner in which such modifications, changes or supplementations of existing zoning provisions will benefit the Town and will further the economic development, public health, safety, or welfare of the community. The applicant shall also file plans and other drawings, sketches, or renderings necessary to understand and consider the proposed project. The town board shall consider the request and evaluate the project for such authorization. The Town Board, at its discretion, may refer the request, plans, and other documentation to other Boards,

departments or agencies for comment and recommendation. The Town Board may hold a public hearing in accordance with Chapter 205 of the Town Code.

The Town Board shall make a determination whether to authorize the project for consideration under the overlay district after making the following determinations:

- 1) That the project is consistent with the general goals of the Comprehensive Plan;
- 2) That the project will not likely be detrimental to the character of its immediate neighboring properties, or the district and town at large;
- 3) That the scope of the project will not likely cause operational difficulties on the site that have potential to negatively affect the health, safety, and welfare of the public;
- 4) That the town's infrastructure is capable of servicing the project or that the impacts or deficiencies of the infrastructure can be appropriately mitigated;
- 5) That the project will eliminate a blight or potential blight within the district;
- 6) That the project is consistent with the goals and intent of the overlay district;
- 7) That the project is consistent with the requirements of the overlay district and does not exceed the limitations or requirements set forth therein;
- 8) That the project is likely to contribute to the economic development of the district and the town at large.

The Town Board need not find all of the foregoing to authorize the project, provided it sets forth a reasoned elaboration of its findings respecting each of the listed attributes. The Town Board shall adopt a resolution authorizing or denying the project to be considered under the overlay district, and shall attach thereto any conditions it finds necessary to maintain the highest standards that are represented by the intent and goals of the overlay district regulations. Projects that are authorized by the Town Board shall be referred, together with the authorizing resolution, to the Planning Board for site plan review and approval.

- C. Once a project has been authorized for review and approval under this Article by the Town Board, the applicant shall file with the Planning Board the application and plans required for site plan or subdivision review and approval as set forth in Chapter 195, Land Development. The Town of Yorktown Signage ordinance manual shall govern all matters relating to signs within each overlay zone. Such application and plans shall have clearly marked upon their face that said plan is for development in accordance with the standards or this Article. The applicant may be required, at various stages of the planning process, to further justify his request to use the standards and procedures set forth herein.
- D. The Recreation Requirements as set forth within this Chapter and the Town of Yorktown Town Code shall remain applicable to the provisions of this Article.

§ 300-252 Conflicting provisions.

In the event that any provisions of this article shall be inconsistent or in conflict with the other provisions of this Chapter, then the provisions of this article shall prevail and be complied with.

§ 300-253 Development Incentives.

The following list of Development Incentives may be applied by the Planning Board to any project filed under this Article. In the event the Applicant includes “green-building” standards as recognized by the United States Green Building Council (“USGBC”) and the recognized Leadership in Energy and Environmental Design (“LEED”) standards, the Applicant will be granted priority in approval and shall not be limited in its requests for any and all of the incentives set forth below. In addition, an Applicant bringing forth a proposal that would qualify for LEED certification (though no certification is required) shall be entitled to propose additional incentives, not listed below, to be considered as part of the site plan approval process under this Article. The incentives adopted herein are as follows:

1. Priority of application review and agenda placement.
2. Enhanced staff guidance, including additional staff meetings, throughout the approval process.
3. Relief from area and bulk requirements, parking requirements upon demonstration of proximity to downtown pedestrian access and public transportation, or a social, cultural or economic need or benefit.
4. In the event an Applicant agrees to make infrastructure improvements that benefit the Town to an extent greater than what is required by the conditions of this Article, the Planning Board may grant incentives in relation to density, area and bulk requirements and including parking relief.
5. In the event an Applicant provides real-property or rentable square footage to the Town, the Planning Board may grant incentives in relation to density, area and bulk requirements and including parking relief.

§ 300-254 Flexibility Standards; Area and Bulk Requirements

1. The Planning Board, in considering an application for site plan or subdivision approval within any Planned Design District Overlay Zone, shall be guided by but shall not be strictly bound by the considerations and standards within the underlying zone in which a proposed project exists, as amended, and as applicable to each Planned Design District, upon which the Planning Board shall be the approval authority as set forth herein. In general, these standards shall be deemed to be the minimum requirements for the convenience, economic benefit, health, safety and welfare of the Town and in compliance with the Comprehensive Plan.
2. In the course of project site plan review, as required by this article and SEQRA, the Planning Board may, pursuant to its stated purposes, vary the zoning requirements as to open space requirements, lot area, lot frontage, side yard requirements, front and rear yard requirements, maximum allowable coverage, parking regulations, building heights, floor area ratios, unit density per acre, off-street parking and loading spaces, and all bulk regulations in connection with a specific plan of development on a specific parcel of land in any Planned Design District, and other matters related to the siting and construction of

improvements listed in the Schedule of Regulations, provided that the Planning Board shall determine that such variations are in the public interest and necessary in order to foster high-quality development and redevelopment, are in compliance with the general purpose and intent of this Chapter, and will ensure compatibility with uses on adjoining properties. In no case shall the variation of any requirement be greater than 60% of said requirement, unless otherwise stated in §300-255 through §300-259. Such variations shall apply only to the particular site plan and proposals thereon which are under review and shall not apply to the maximum FAR.

3. The Planning Board may adjust the regulations and reduce the procedural requirements in accordance with this Section to implement the Intent and Purpose of this Article so that the public interest is secured, provided that any such adjustment or procedural modification will not have the effect of nullifying the spirit and intent of this Article.

§ 300-255 Yorktown Heights Planned Design District Overlay Zone

Purpose and intent. The Yorktown Heights Planned Design District consists of the parcels and rights-of-way within the boundary shown on as shown on the zoning map of the Town of Yorktown. This area was once the center of commerce in the town, was redeveloped during urban renewal to accommodate automobile centered life with many large commercial buildings and large paved parking areas. Many of these buildings are now vacant as lifestyles and buying habits transition to digital consumerism making this area ripe for other types of redevelopment. The intent of this overlay zone is to encourage a walkable hamlet-style development that is both a commercial and community center that better serves the needs of its residents and surrounding neighborhoods. Further, the Town Board notes that the Yorktown Heights hamlet supports several developments such as the Underhill Apartments the Kear Street Apartments and the Beaver Ridge Apartments, which were built with densities exceeding the multi-family R-3 zoning district regulations, and these developments do not exhibit adverse impacts related to their density. The Yorktown Heights hamlet business center is able to support appropriate density above that shown in the R-3 zone. It is the intent of this legislation to promote development of appropriate densities that will support the downtown, promote economic development, and increase housing types within town, while also improving the walkability and quality of open spaces. Specifically, the following objectives are encouraged:

1. Phase out of incompatible, nonconforming uses and signs.
2. Construction of attractive building facades along Commerce Street, Downing Drive, Veterans Road, Kear Street, and Underhill Avenue with off-street rear parking lots.
3. Transportation design that emphasizes Complete Street design methods and practices and that includes the pedestrian and bicycle experience to encourage users of the North County Trailway, connected town trailways, and the disabled to be able to move through the overlay zone safely.
4. Creation of off-street parking lots for shared parking between adjoining and neighboring principal uses.

5. Application of enhanced street access, building design, off-street parking, landscaping and buffering controls by the Planning Board to enhance the physical appearance of properties in the Yorktown Heights Planned Design District Overlay Zone.
6. Development of multi-family residential uses not to exceed three stories, unless otherwise stated herein.
7. Creation of mixed-use space that includes live-work space or professional office use in a residence pursuant to §300-76.

A. Permitted Main Uses.

1. The same main uses permitted in the underlying zone in which the subject property lies.
2. Mixed-use development.
3. Multi-family and town-house style residential development.
4. Live-work unit developments
5. Stores or shops for the conduct of retail business, bank, post office, restaurant and other places serving food and beverages, professional and business offices, and personal service establishments, including the grooming of house pets, except that no use shall be permitted where any part of the service is conducted outside the premises unless a special use permit has been issued by the Planning Board after due notice and public hearing.
6. Government buildings and uses.
7. Community based uses for senior citizens.

B. Permitted Uses by Special Permit

1. The same Special uses permitted by the underlying zone in which the subject property lies.
2. Boutique hotels in accordance with the regulations set forth in §300-52

C. Permitted Accessory Uses.

1. The same permitted accessory uses allowed in the underlying zone in which the subject property lies.
2. Signs as approved on the site plan.
3. Outdoor public gathering places.

D. Permitted Accessory Uses by Special Permit.

1. The same permitted accessory uses by special permit allowed in the underlying zone in which the subject property lies.
2. Outdoor dining and sidewalk cafés pursuant to §300-80.

E. Area and Bulk Requirements.

The area and bulk regulations for the Yorktown Heights Planned Design District Overlay Zone shall comply as follows:

1. Any project within a planned design district overlay zone and authorized by the Town Board to be considered under the regulations set forth herein shall remain subject to the discretion of the Planning Board set forth in §300-253 and §300-254 to modify the requirements due to the special circumstances of a particular project. The discretion granted in §300-253 and §300-254 is subject to the following requirements:
 - a. Area and Bulk requirements shall be as set forth in the underlying zone and subject to variations and limitations as set forth herein. For residential or mixed use residential projects the Planning Board may be guided by the area and bulk requirements of the R-3 multi-family zone and may apply variations to those requirements within the limitations set forth herein.
 - b. FAR shall be allowed up to, but may not exceed, 0.55;
 - c. Maximum height of building shall be as set forth in the underlying zone subject to variation of up to 25% and may not exceed three stories. Enclosed space may be allowed at roof level which may not exceed 50% of the area of the area of the roof.
 - d. Maximum height may be increased to 52 feet and a maximum of 4 stories provided that the lot on which a project is proposed is a single contiguous lot that is a minimum of 10 acres in size.
2. [Reserved]
3. [Reserved]

F. Design Requirements.

In addition to any other design regulations provided in this Code, the following design guidelines shall apply to mixed-use buildings in the Yorktown Heights Planned Design District Overlay Zone:

1. Architectural Designs. All applicants shall adhere to the following guidelines for design standards of any renovation or new construction on a property within the Yorktown Heights Planned Design District:
 - a. Exterior renovations or additions to historic buildings shall make every effort to restore the original appearance to the exterior of the building, with modifications only as approved.
 - b. Acceptable architectural forms will include Colonial, Federal, Georgian, and Victorian styles. Exact duplicates of historic buildings are not required; however, designs should reflect a sense of historical styles at an appropriate scale.
 - c. Appropriate use of sheathing (exterior covering) and decorative details. All new construction will be in brick or wood, unless it is demonstrated to the Advisory Board on Architecture & Community Appearance that some other material may be more appropriate given extenuating circumstances of the project, such as an addition on an existing building. Modern sheathing techniques may be used as long as the overall appearance conveys use of traditional building materials.
 - d. The following materials are not preferred for use in the Yorktown Heights Planned Design District:
 - i. Prefabricated metal siding, typical of manufactured commercial buildings.
 - ii. Dryvit-faced buildings or similar stucco-type surfaces.

- iii. Prefabricated rock aggregate faced buildings.
 - iv. Concrete block faced buildings.
 - v. Tilt-up concrete panels.
 - vi. Ribbon glass, tinted glass panels as sheathing, or tinted glass windows, windows that appear to be frameless.
- e. Unique Buildings. All applicants for renovation of a unique building or new construction on a property on which exists a unique building within the Yorktown Heights Planned Design District shall be required to submit plans that respect the precedents and styles that relate to the early history of the Town. All plans must be in keeping with these guidelines for:
- i. Existing unique buildings. For any proposal that includes an existing unique building whether to be modified or not, the applicant shall provide information concerning the original design of the building and the modifications that have taken place to the building. Every effort shall be made to restore the original appearance of the exterior of the building, with modifications only as considered appropriate by the Advisory Board on Architecture and Community Appearance and the Heritage Preservation Commission, should the unique building be a Designated Landmark.
 - ii. Design elements. All proposed improvements to buildings shall be evaluated by the Advisory Board on Architecture and Community Appearance for the appropriateness of the improvement in terms of the following design elements:
 - (a) Overall design and cohesiveness;
 - (b) Appropriate use of exterior sheathing and decorative details;
 - (c) Window and door configuration; and
 - (d) Setbacks and parking areas and site plan considerations.
2. Signage. The following types of signs shall be preferred in the Yorktown Heights Planned Design District Overlay Zone as outlined in the Town of Yorktown Signage ordinance Manual.
- a. Sign designs should utilize historically-referenced styles, colors, and materials to create attractive, functional, legible signs that can further enhance the town's character.
 - b. Freestanding signs should be monument signs. Using brick piers or bases with uplighting is encouraged.
 - c. Building sign designs should enhance and accent the architecture and character of the building. Signs should not block or dominate the building façade.
 - d. Building signs, painted wood signs or awning signs that are coordinated with the style, shape, color, and scale of the building are preferable to internally lit 'box signs'.
3. Site Planning and Design. Every effort shall be made to maintain and encourage designs and layouts that enhance the pedestrian experience of the Town within the Yorktown Heights Planned Design District Overlay Zone:

- a. Loading docks, overhead doors, and other service entries shall be screened and not be located facing primary street facades.
- b. Applicants shall be encouraged to contribute to the public spaces Lighting fixtures and street furniture installed along public rights-of-way shall match the Yorktown Heights streetscape design plan to visually link the overlay zone.
- c. Landscaping. Landscaping shall be provided to create attractive facades and screen views of parking, loading, and refuse areas from the property frontage and from residential uses.
- d. Parking shall not be located in the front yard unless this requirement is waived by the Planning Board due to the special circumstances of a particular site.
- e. Shared parking and conservation parking spaces shall be encouraged wherever possible to reduce unnecessary underutilized parking areas.
- f. Sidewalks. All sidewalks shall be properly maintained in accordance with Town regulations. All new property developments and redevelopments must provide sidewalks along any property lines that front on public streets, unless this requirement is waived by the Planning Board due to the special circumstances of a particular site. Internal sidewalks will be provided as deemed appropriate by the Planning Board.

G. Access to Site; Off-Street Parking.

- 1. The required parking for residential units is 1.5 parking spaces per dwelling unless modified by the Planning Board.
- 2. The required parking for commercial uses shall be as required by §300-182 unless modified by the Planning Board due to special circumstances of a particular site including, but not limited to:
 - a. The use of shared parking between different uses on the same site and/or shared parking between adjacent properties.
 - b. The use of conservation parking spaces.
 - c. The availability of on-street parking or public parking within close proximity to the site.
 - d. Variation in the probable time of maximum use of differing uses on the same site.

H. Recreation.

The required recreation for multi-family units built within mixed use development projects shall be as required in the R-3 zone except that the Planning Board may modify this requirement due to special circumstances of a particular site and the proximity of the site to nearby public recreation.

I. Plan of Development.

No building permit or certificate of occupancy for any building designed for multi-family mixed-use residential developments, town-house style residential developments, stores or shops for the conduct of retail business, or professional and business office developments within the Yorktown Heights Planned Design District Overlay Zone shall be issued, except in accordance with a plan of development or amendment thereof approved by the Planning Board, and after said approved plan of development, signed and certified by the Chairperson of the Planning Board is issued and filed in the records of the Town.

J. Official submission and review of plan.

The Planning Board shall take action within 62 days of the submission to it of the plan of development. The site plan shall be considered officially submitted only when all the required surveys, plans and data in accordance with the requirements of Chapter 195, Land Development described in the above sections have been checked for completeness by the Town Engineer and Director of Planning and filed with the Planning Board.

K. Unique buildings.

The Town Board acknowledges that there are unique buildings holding historical value within the Town and the Board may, in its discretion, designate a building as a unique building upon under its own incentive or referral by the Advisory Board on Architecture and Community Appearance. Modifications necessary to accommodate a new use will be permitted; however, it is the intention to require that all project plans retain original features of the buildings, including window type and configuration, front entries, storefronts (if applicable), and identifying decorative details, including those that provide a historical reference to the original use of the building. This provision shall be in addition to the the requirements of Chapter 198: Heritage Preservation, should a unique building be a Designated Landmark.

The Town Board hereby designates the following buildings in this Yorktown Heights Planned Design District as unique buildings:

322 UNDERHILL AVENUE (Spadaccia Insurance building now Westchester Health)

c. 1890. Wood shingle residence converted to offices. Large center chimney (parged); projecting pedimented gable over 2nd floor bay window; rear 1-story ell; 3 front gable dormers.

360 UNDERHILL AVENUE - Former home of Edward Kear aka The Grace Building
c. 1890. This onetime home of Edward Kear, who served as Town Supervisor for thirteen years, is one of the last of the grand Victorian homes that were built around the town center that the railroad established in the late 19th century, and in January of 2017 was named a Home of Historic Distinction by the Yorktown Landmarks Preservation Commission.

363 UNDERHILL AVENUE – Town Hall

Yorktown's town hall was built in 1935 at the corner of Underhill Avenue and Saw Mill River Road (Route 118) during the administration of Supervisor Theodore Hill. The police department and the town court, once housed here, were moved at different times to other facilities. Additional

wings were built on either side of the original building in [insert date]. The building is colonial revival style with brick faced concrete walls and a slate roof.

366 UNDERHILL AVENUE - Coldwell Banker building

c. 1890. Gothic Revival. Brick center chimney; gabled side ell; Doric columns on front porch; bay window on 1st floor front facade; one-story hipped extension front on left rear corner.

370 UNDERHILL AVENUE - Captain Underhill House

Completed in 1881, the Captain Underhill Manor & Estate. The estate was most recently used by the Soundview Preparatory private school. Prior to the school the farmhouse was used by the Gilbert Beaver conference center.

1803 COMMERCE STREET (Dubovsky)

c. 1870. 2-bay storefront (4 bays deep) addition w/2 sets of triple windows, flat roof (now vacant); house resided w/metal

1807 COMMERCE STREET (Trailside Café)

c.1870. Colonial Revival storefront addition c. 1950; stucco; parapet wall has been covered w/vinyl; upper windows on storefront replaced.

1811 COMMERCE STREET (Wishes)

c. 1930. Tudor Revival. ½ timbering w/half circle design on front attic level; wood shingle pent over store front windows; side ell for stairway to 2nd floor apts.; fully exposed brick side wall chimney; 1-story rear ell; sunburst pattern in side gable peak & on front of side ell stairwell.

1826 COMMERCE STREET – Yorktown Heights Railroad Station

The Yorktown Heights Railroad Station was built around 1878 as part of the Old Putnam Line of the New York & Northern Railroad. By 1914, the New York Central Railroad and its Putnam Division operated the line from High Bridge to Brewster. The last passenger train ran on the Old Put line on Thursday, May 29, 1958 and the last freight movement picked up an empty box car at Creed Brothers lumber yard in Yorktown Heights on September 17, 1962. By spring of 1963, the rails were removed. Since that time, the abandoned railroad bed was sold to New York State and the station building was acquired by the town's urban renewal agency. The station building has been designated a Local (1976), State (1981), and Federal (1981) Landmark. The station became the center of Railroad Park and has gone through several refurbishment attempts. A complete restoration of the building was finally completed in July of 2020. The station building is the last remaining building of its unique design on the Old Putnam Line.

1932 COMMERCE STREET – Conciatori Building/Emilio's Castle aka Starbucks Coffee
c. 1920. Small side ell, left c.2000. False brick endwall chimneys; granite block door & window surrounds; rear extension that once housed service station stalls.

1952 COMMERCE STREET (former Mulvey Realty, corner of Commerce & Veterans) c. 1920. Last remaining wood Victorian era home along Commerce Street.

1974 COMMERCE STREET – Albert A. Capellini Community & Cultural Center
Although not within the planned design district boundaries, the former Central School District #2 building is a Town Designated Landmark that is a significant part of the fabric of Yorktown Heights. Originally built in 1923, the school district added a north wing in 1927 and a south wing and gymnasium was added in 1935. The auditorium/theater was completed in the rear of the school between 1954 and 1955. In 1975 the school was closed due to declining enrollments and new schools built in other parts of the community. In July of 1980, the town acquired the old school building to use for several town offices and a community center. In 2019, the town designated the building as a Local Landmark. The structure has exterior walls of masonry, terracotta block and brick facing, with plaster interior finish.

§ 300-256 Lake Osceola Development Overlay Zone

Purpose and Intent. The Lake Osceola Development Design District shall consist of the parcels and rights-of-way within the boundary shown on the map set forth here as Attachment [TBD]. The purpose of this section shall be to implement the goals of this Article and to promote and ensure that the Jefferson Valley Mall remains a viable economic engine and center of retail and restaurant activity while enhancing the recreational and tourism activities and opportunities provided by the lakefront. The Jefferson Valley Mall has been major regional shopping destination and this Article and specifically this overlay-zone will facilitate the region’s continued success. Additionally, while providing for the continued health of the Mall, this section shall also offer incentives for the transformation of Hill Boulevard into a walkable “main-street” attraction by expanding public transportation options and opening increased access to the recreational and tourism opportunities offered by the lakefront. The consistent goals of this Article are to strengthen the economic health of the hamlets within the Town.

A. Permitted Main Uses.

1. The same main uses permitted in the underlying zone in which the subject property lies.
2. The same main uses permitted in the CR (Commercial Recreation) zone.
3. Mixed-use development.
4. Multi-family residential development.
5. Live-work unit developments
6. Stores or shops for the conduct of retail business, bank, post office, restaurant and other places serving food and beverages, professional and business offices, and personal service establishments, including the grooming of house pets, except that no use shall be permitted where any part of the service is conducted outside the premises unless a special use permit has been issued by the Planning Board after due notice and public hearing.

B. Permitted Main Uses by Special Permit

1. The same Special uses permitted by the underlying zone in which the subject property lies.
- 2.

C. Permitted Accessory Uses.

1. The same permitted accessory uses allowed in the underlying zone in which the subject property lies.
2. Signs as approved on the site plan.
3. Outdoor public gathering places.

D. Permitted Accessory Uses by Special Permit.

1. The same permitted accessory uses by special permit allowed in the underlying zone in which the subject property lies.
- 2.

E. Area and Bulk Requirements.

The area and bulk regulations for the Lake Osceola Planned Design District Overlay Zone shall comply as follows:

1. Any project within a planned design district overlay zone and authorized by the Town Board to be considered under the regulations set forth herein shall remain subject to the discretion of the Planning Board set forth in §300-253 and §300-254 to modify the requirements due to the special circumstances of a particular project. The discretion granted in §300-253 and §300-254 is subject to the following requirements:
 - a. Area and Bulk requirements shall be as set forth in the underlying zone and subject to variations and limitations as set forth herein. For multi-family residential or mixed-use residential projects the Planning Board may be guided by the area and bulk requirements of the R-3 multi-family zone and may apply variations to those requirements within the limitations set forth herein.
 - b. FAR. shall be allowed up to, but may not exceed, 0.55;
 - c. Maximum height of building shall be as set forth in the underlying zone subject to variation of up to 25% and may not exceed three stories.

F. Design Requirements.

In addition to any other design regulations provided in this Code, the following design guidelines shall apply to mixed-use buildings in the Lake Osceola Planned Design District Overlay Zone:

1. Architectural Designs. All applicants shall adhere to the following guidelines for design standards of any renovation or new construction on a property within the Lake Osceola Planned Design District:

- a. Exterior renovations or additions to historic buildings shall make every effort to restore the original appearance to the exterior of the building, with modifications only as approved.
- b. Acceptable architectural forms will include Colonial, Federal, Georgian, and Victorian styles. Exact duplicates of historic buildings are not required; however, designs should reflect a sense of historical styles at an appropriate scale.
- c. Appropriate use of sheathing (exterior covering) and decorative details. All new construction will be in brick or wood, unless it is demonstrated to the Advisory Board on Architecture & Community Appearance that some other material may be more appropriate given extenuating circumstances of the project, such as an addition on an existing building. Modern sheathing techniques may be used as long as the overall appearance conveys use of traditional building materials.
- d. The following materials are not preferred for use in the Lake Osceola Planned Design District:
 - i. Prefabricated metal siding, typical of manufactured commercial buildings.
 - ii. Dryvit-faced buildings or similar stucco-type surfaces.
 - iii. Prefabricated rock aggregate faced buildings.
 - iv. Concrete block faced buildings.
 - v. Tilt-up concrete panels.
 - vi. Ribbon glass, tinted glass panels as sheathing, or tinted glass windows, windows that appear to be frameless.
- e. Unique Buildings. All applicants for renovation of a unique building or new construction on a property on which exists a unique building within the Jefferson Valley Planned Design District shall be required to submit plans that respect the precedents and styles that relate to the early history of the Town. All plans must be in keeping with these guidelines for:
 - iii. Existing unique buildings. For any proposal that includes an existing unique building whether to be modified or not, the applicant shall provide information concerning the original design of the building and the modifications that have taken place to the building. Every effort shall be made to restore the original appearance of the exterior of the building, with modifications only as considered appropriate by the Advisory Board on Architecture and Community Appearance and the Heritage Preservation Commission, should the unique building be a Designated Landmark.
 - iv. Design elements. All proposed improvements to buildings shall be evaluated by the Advisory Board on Architecture and Community Appearance for the appropriateness of the improvement in terms of the following design elements:
 - (a) Overall design and cohesiveness;
 - (b) Appropriate use of exterior sheathing and decorative details;
 - (c) Window and door configuration; and
 - (d) Setbacks and parking areas and site plan considerations.

4. Signage. Sign requirements shall be as required by the underlying zone. The following types of signs shall be preferred in the Lake Osceola Planned Design District Overlay Zone as outlined in the Town of Yorktown Signage ordinance Manual.
 - a. Sign designs should utilize historically-referenced styles, colors, and materials to create attractive, functional, legible signs that can further enhance the town's character.
 - b. Freestanding signs should be monument signs. Using brick piers or bases with uplighting is encouraged.
 - c. Building sign designs should enhance and accent the architecture and character of the building. Signs should not block or dominate the building façade.
 - d. Building signs, painted wood signs or awning signs that are coordinated with the style, shape, color, and scale of the building are preferable to internally lit 'box signs'.

5. Site Planning and Design. Every effort shall be made to maintain and encourage designs and layouts that enhance the pedestrian experience and experience of Lake Osceola, including enhancing views, providing public gathering spaces, and public use of the lake:
 - a. Development shall attempt to offer amenities that include use of or enhanced views of the lake. Lakefront properties should be encouraged to participate in a boardwalk or pedestrian walkway system when feasible.
 - b. Loading docks, overhead doors, and other service entries shall be screened and not be located facing primary street facades.
 - c. Applicants shall be encouraged to contribute to the public spaces. Lighting fixtures and street furniture installed along public rights-of-way shall match to visually link the overlay zone.
 - d. Landscaping. Landscaping shall be provided to create attractive facades and screen views of parking, loading, and refuse areas from the property frontage and from residential uses.
 - e. Parking shall not be located in the front yard unless this requirement is waived by the Planning Board due to the special circumstances of a particular site.
 - f. Shared parking and conservation parking spaces shall be encouraged wherever possible to reduce unnecessary underutilized parking areas.
 - g. Sidewalks. All sidewalks shall be properly maintained in accordance with Town regulations. All new property developments and redevelopments must provide sidewalks along any property lines that front on public streets, unless this requirement is waived by the Planning Board due to the special circumstances of a particular site. Internal sidewalks will be provided as deemed appropriate by the Planning Board.

G. Access to Site; Off-Street Parking.

1. The required parking for residential units is 1.5 parking spaces per dwelling unless modified by the Planning Board.
2. The required parking for commercial uses shall be as required by §300-182 unless modified by the Planning Board due to special circumstances of a particular site including, but not limited to:

- a. The use of shared parking between different uses on the same site and/or shared parking between adjacent properties.
- b. The use of conservation parking spaces.
- c. The availability of on-street parking or public parking within close proximity to the site.
- d. Variation in the probable time of maximum use of differing uses on the same site.

H. Recreation.

The required recreation for multi-family units built within mixed use development projects shall be as required in the R-3 zone except that the Planning Board may modify this requirement due to special circumstances of a particular site and the proximity of the site to nearby public recreation.

I. Plan of Development.

No building permit or certificate of occupancy for any building designed for multi-family mixed-use residential developments, town-house style residential developments, stores or shops for the conduct of retail business, or professional and business office developments within the Jefferson Valley Planned Design District Overlay Zone shall be issued, except in accordance with a plan of development or amendment thereof approved by the Planning Board, and after said approved plan of development, signed and certified by the Chairperson of the Planning Board is issued and filed with the Town Clerk in the records of the Town.

J. Official submission and review of plan.

The Planning Board shall take action within 62 days of the submission to it of the plan of development. The site plan shall be considered officially submitted only when all the required surveys, plans and data in accordance with the requirements of Chapter 195, Land Development described in the above sections have been checked for completeness by the Town Engineer and Director of Planning and filed with the Planning Board.

K. Unique buildings.

The Town Board acknowledges that there are unique buildings holding historical value within the Town and the Town Board may, in its discretion, designate a building as a unique building under its own incentive or upon referral by the Advisory Board on Architecture and Community Appearance. Modifications necessary to accommodate a new use will be permitted; however, it is the intention to require that all project plans retain original features of the buildings, including window type and configuration, front entries, storefronts (if applicable), and identifying decorative details, including those that provide a historical reference to the original use of the building. This provision shall be in addition to the the requirements of Chapter 198: Heritage Preservation, should a unique building be a Designated Landmark.

The Town Board hereby designates the following buildings in this Jefferson Valley Planned Design District as unique buildings:

466 EAST MAIN STREET

A gothic revival style wood frame structure built in 1861 and once known as Bailey’s Lodge.

3642 HILL BOULEVARD – LOURDES BUILDING

Built in 1975, the shopping center with large mansard roof is part of the unique character of the Jefferson Valley hamlet.

§ 300-257 [Reserved]

§ 300-258 [Reserved]

§ 300-259 [Reserved]

§ 300-260 [Reserved]

§ 300-261 [Reserved]

Section III. Severability.

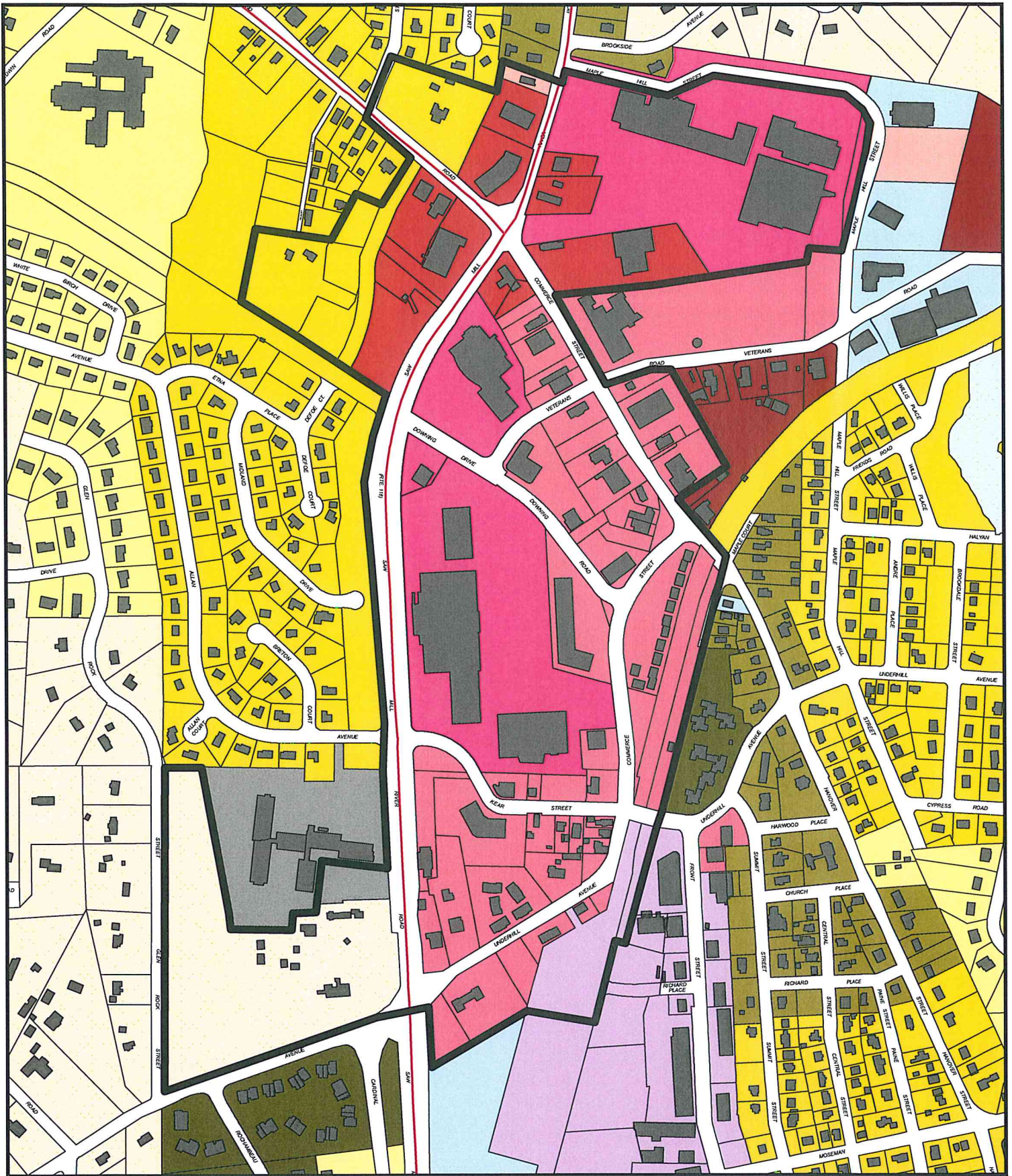
If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section IV. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed to the extent of such inconsistency.

Section V. Effective Date.

This local law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.



TOWN OF YORKTOWN PLANNING DEPARTMENT
 Albert A. Capellini Community & Cultural Center
 1974 Commerce Street, Yorktown Heights, NY 10598
 (914) 962-6565, www.yorktownny.org/planning



0 250 500 Feet



1 inch = 500 feet

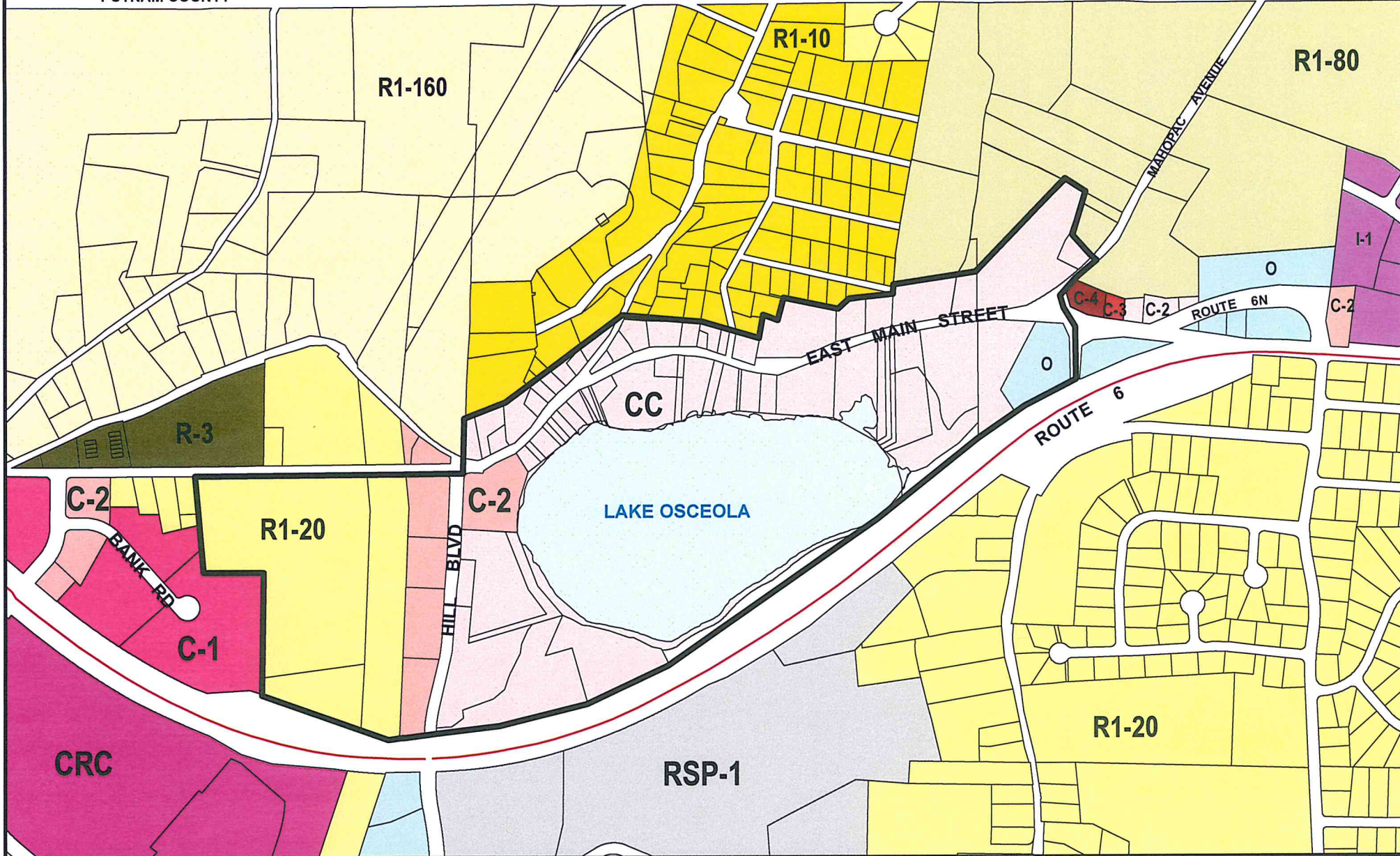
TITLE: Yorktown Heights Planned Design District
 DATE: March 4, 2021

FILE: F:\ArcGIS\PROJECTS\Overlay Districts\Yorktown Heights.mxd
 BY: RAS

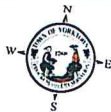


Yorktown Heights Planned Design District Boundary

Source: Town of Yorktown GIS 2020.



TOWN OF YORKTOWN PLANNING DEPARTMENT
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 (914) 962-6565, www.yorktownny.org/planning



0 350 700 1,400 Feet



1 inch = 700 feet

TITLE: Lake Osceola Development Overlay Zone
 DATE: March 4, 2021

FILE: F:\ArcGIS\PROJECTS\Overlay Districts\Lake Osceola.mxd
 BY: RAS

Sources: Town of Yorktown GIS.

*Full Environmental Assessment Form
Part 1 - Project and Setting*

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. 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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Proposed Planned Design District Overlay Zones		
Project Location (describe, and attach a general location map): Areas as designated by the Town Board in the Town of Yorktown		
Brief Description of Proposed Action (include purpose or need): The Town Board has determined that there is a need throughout the Town of Yorktown to encourage and establish further economic development. To stimulate that growth and provide for revitalization, the Town requires the use of smart-growth techniques capable of creating smarter, less wasteful, and more economically efficient development patterns. Specifically, the Town needs flexibility in land uses which bolster economic development by providing not only a diverse array of commercial businesses, but mixed-use residential and commercial parcels to both provide abundant job opportunities and contribute to the local tax base. The Proposed Action is to create a new Article XXXI in the Town of Yorktown Town Code entitled Planned Design District Overlay Zones giving the Town Board the authority to designate areas within the Town of Yorktown as Planned Design District Overlay Zones. This article would allow the Town Board to adopt subsequent subsections to regulate the location, design, occupancy, and use of the structures and the use of land within each of the designated districts.		
Name of Applicant/Sponsor: Town of Yorktown Town Board		Telephone: 914-962-5722 x200 E-Mail: supervisor@yorktownny.org
Address: 363 Underhill Avenue		
City/PO: Yorktown Heights	State: NY	Zip Code: 10598
Project Contact (if not same as sponsor; give name and title/role): John Tegeder, Director of Planning		Telephone: 914-962-6565 x326 E-Mail: jtegeder@yorktownny.org
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):		Telephone: E-Mail:
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)		
Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	Town Board	
b. City, Town or Village Planning Board or Commission <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<ul style="list-style-type: none"> • If Yes, complete sections C, F and G. • If No, proceed to question C.2 and complete all remaining sections and questions in Part 1 	
C.2. Adopted land use plans.	
a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes, identify the plan(s):	

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?
various

b. Is the use permitted or allowed by a special or conditional use permit? Yes No

c. Is a zoning change requested as part of the proposed action? Yes No
If Yes,
i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

a. In what school district is the project site located? Yorktown, Lakeland

b. What police or other public protection forces serve the project site?
Yorktown

c. Which fire protection and emergency medical services serve the project site?
Mohegan Lake, Yorktown

d. What parks serve the project site?

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Mixed use

b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ acres

c. Is the proposed action an expansion of an existing project or use? Yes No
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? Yes No
If Yes,
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? Yes No

iii. Number of lots proposed? _____
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? Yes No

i. If No, anticipated period of construction: _____ months

- ii. If Yes:
- Total number of phases anticipated _____
 - Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
 - Anticipated completion date of final phase _____ month _____ year
 - Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

f. Does the project include new residential uses? Yes No
 If Yes, show numbers of units proposed.

	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No
 If Yes,

i. Total number of structures _____
 ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length
 iii. Approximate extent of building space to be heated or cooled: _____ square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? Yes No
 If Yes,

i. Purpose of the impoundment: _____
 ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: _____
 iii. If other than water, identify the type of impounded/contained liquids and their source. _____
 iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres
 v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
 (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)
 If Yes:

i. What is the purpose of the excavation or dredging? _____
 ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?
 • Volume (specify tons or cubic yards): _____
 • Over what duration of time? _____
 iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____

 iv. Will there be onsite dewatering or processing of excavated materials? Yes No
 If yes, describe. _____

 v. What is the total area to be dredged or excavated? _____ acres
 vi. What is the maximum area to be worked at any one time? _____ acres
 vii. What would be the maximum depth of excavation or dredging? _____ feet
 viii. Will the excavation require blasting? Yes No
 ix. Summarize site reclamation goals and plan: _____

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? Yes No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance: _____

c. Will the proposed action use, or create a new demand for water? Yes No
If Yes:

i. Total anticipated water usage/demand per day: _____ gallons/day

ii. Will the proposed action obtain water from an existing public water supply? Yes No
If Yes:

- Name of district or service area: _____
- Does the existing public water supply have capacity to serve the proposal? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No
- Do existing lines serve the project site? Yes No

iii. Will line extension within an existing district be necessary to supply the project? Yes No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: _____

iv. Is a new water supply district or service area proposed to be formed to serve the project site? Yes No
If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? Yes No
If Yes:

i. Total anticipated liquid waste generation per day: _____ gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): _____

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? Yes No
- Is the project site in the existing district? Yes No
- Is expansion of the district needed? Yes No

Yes No
 Yes No
 If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
- ii. Describe types of new point sources. _____
- iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

 - If to surface waters, identify receiving water bodies or wetlands: _____
 - Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
- ii. In addition to emissions as calculated in the application, the project will generate:
 - _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 - _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 - _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 - _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 - _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)
 - _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>		
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>		
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>		
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table>	<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____
<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ 	

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ 	

s. Does the proposed action include construction or modification of a solid waste management facility? Yes No

If Yes:

- i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____
- ii. Anticipated rate of disposal/processing:
 - _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
 - _____ Tons/hour, if combustion or thermal treatment
- iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? Yes No

If Yes:

- i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____
- ii. Generally describe processes or activities involving hazardous wastes or constituents: _____
- iii. Specify amount to be handled or generated _____ tons/month
- iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____
- v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: _____

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

- Urban Industrial Commercial Residential (suburban) Rural (non-farm)
- Forest Agriculture Aquatic Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces			
• Forested			
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)			
• Agricultural (includes active orchards, field, greenhouse etc.)			
• Surface water features (lakes, ponds, streams, rivers, etc.)			
• Wetlands (freshwater or tidal)			
• Non-vegetated (bare rock, earth or fill)			
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____
iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): _____
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No <ul style="list-style-type: none"> • If yes, DEC site ID number: _____ • Describe the type of institutional control (e.g., deed restriction or easement): _____ • Describe any use limitations: _____ • Describe any engineering controls: _____ • Will the project affect the institutional or engineering controls in place? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ 	
E.2. Natural Resources On or Near Project Site	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, describe: _____	
h. Surface water features.	
i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <input type="checkbox"/> Yes <input type="checkbox"/> No	
ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i.	
iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <input type="checkbox"/> Yes <input type="checkbox"/> No	
iv. For each identified regulated wetland and waterbody on the project site, provide the following information:	
• Streams: Name _____ Classification _____	
• Lakes or Ponds: Name _____ Classification _____	
• Wetlands: Name _____ Approximate Size _____	
• Wetland No. (if regulated by DEC) _____	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If yes, name of impaired water body/bodies and basis for listing as impaired: _____	
i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input type="checkbox"/> No	
j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input type="checkbox"/> No	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input type="checkbox"/> Yes <input type="checkbox"/> No	
If Yes:	
i. Name of aquifer: _____	

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres 	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
E.3. Designated Public Resources On or Near Project Site	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. 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? Yes No
 If Yes:
 i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District
 ii. Name: _____
 iii. Brief description of attributes on which listing is based: _____

f. 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? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No
 If Yes:
 i. Describe possible resource(s): _____
 ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No
 If Yes:
 i. Identify resource: _____
 ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____
 iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No
 If Yes:
 i. Identify the name of the river and its designation: _____
 ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

F. Additional Information

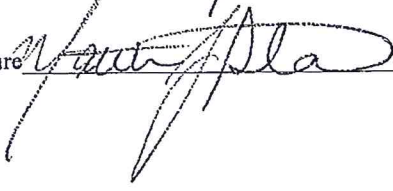
Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name MATHEW J. SLATER Date 9/25/2020

Signature  Title TOWN SUPERVISOR

April 11, 2021

Mr. Richard Fon, Chairman
Planning Board
Town of Yorktown
Yorktown, New York 10598

Dear Rich,

I am writing with regard to the proposed amendment to adjust provisions of Chapter 300 of the Town Code, by adding a new Article XXXI, "Planned Design District Overlay Zones."

I will address only planning concerns related to the overlay law, since this is the issue before your Board at this time. While I have some reservations about whether the density bonuses and other developer-friendly incentives in the overlay law will serve to promote economic development, my primary concern is the presence of the former Underhill estate/Soundview School property in the proposed Yorktown Heights Overlay Zone (YHOZ).

As you know, I am not opposed to high-density development in the Yorktown Heights business district or "hamlet". In the recent past, I was one of only three Planning Board members voting in favor of the building at 322 Kear Street. However, I do have the following planning objections to attaching the Underhill/Soundview property to the YHOZ.

First, Yorktown's 2010 Comprehensive Plan never suggested an overlay or design district for the Yorktown Heights Hamlet. The 2010 Plan discusses three types of overlay zones:

1. A Conservation Overlay zone to protect unique natural resources.
2. A Farmland Preservation overlay district to promote conservation of farms.
3. A Planned Design District overlay.¹

As the names of the first two overlays suggest unmistakably, planners did not draft them with the Heights in mind. While the Planned Design District sounds like it might match up with the YHOZ, consider the 2010 Plan's specifications for these districts:

- "Significant open space requirement (e.g., not less than 35 percent)..."
- "All residential development would not be allowed to exceed the yield permitted by the underlying zone."
- The only permitted residential use is "senior housing."

¹ Town of Yorktown Comprehensive Plan, p. 2-5

The 2010 Plan's chapter on economic development mentions overlay districts twice – once in connection with “Crompond-Route 202” and once in the chapter on Shrub Oak.² The Plan's chapter on Yorktown Heights makes no mention of overlay zones or design districts.³

Second, the Comprehensive Plan never considered the Underhill/Soundview property to be part of the Yorktown Heights Hamlet The proposed YHOZ and the 2010 Plan are very different in their concept of what areas are included in the Heights hamlet itself. In Figure 4-1 – “Yorktown Heights Conceptual Design”, the 2010 Plan maps the Heights as the area between Rt. 118 and the North County Trailway – from the Triangle Center to the Town Hall – and all property along Front St. In addition, properties on both sides of Rt. 202 from Ridge Street into town and on the Southern side out to the French Hill School are included.⁴ Figure 4-1, as well as the zoning map in Chapter 2 of the Plan, shows the Underhill/Soundview property as part of a single-family zone.⁵

The above two points are important because:

- It is widely accepted by planning professionals that a town's comprehensive plan “is the basis for future zoning code amendments; and a legal justification for regulations.”⁶
- The Westchester County Planning Board's long-range planning policies call for redevelopment of “*existing* hamlet centers” – not areas outside these centers.⁷

Third, using the Underhill/Soundview property to learn how new legislation works is bad public policy. One thing liberal and conservative think tanks find agreement on is this: any new public policy will have unintended consequences. I believe this is even truer of the proposed overlay law because it requires the Planning Board to take on tasks you have never performed in the past. Where Yorktown's current zoning districts set basic requirements for allowable land uses, lot areas, unit density per acre, etc. as a starting point in the Board's review of site plans, the overlay law would require you to work without these guidelines. Thus, this legislation is an experiment to see how well you can decide which regulations to apply to a particular site.

² Town of Yorktown Comprehensive Plan, p. 4-1

³ Town of Yorktown Comprehensive Plan, p. 4-6

⁴ Town of Yorktown Comprehensive Plan, p. 4-7

⁵ Town of Yorktown Comprehensive Plan, p. 2-4

⁶ *Everything You've Ever Wanted to Know About Preparing a Comprehensive Plan*, NY Planning Federation, March 3, 2021

⁷ *Westchester 2025-Context for County and Municipal Planning and Policies to Guide County Planning*, Westchester County Planning Board, May 2008.

The big problem here is timing. A historic building and property, majestically overlooking the Heights district will likely be the first “lab mouse” to participate in your experiment. I have no doubt the Board, working with the Planning Department, will in time climb the learning curve and make good use of the overlay law. At the same time, I do not believe anyone wants to see mistakes or unintended consequences, such as the recent Popeye Chicken debacle, damage the Underhill/Soundview property. Planning mistakes at historical sites are irreversible.

Therefore, I recommend you advise the Town Board to remove the Underhill/Soundview property from the YHOZ due to planning concerns.

Best Regards,

John Flynn

Cc: A. Bock
J. Kincart
W. LaScala
R. Steinberg
J. Tegeder

Memo

TO: Planning Board
FROM: Susan Siegel
RE: Proposed Overlay Law
DATE: April 8, 2021

The proposed Overlay Law includes

1. Some major changes to the “framework” law that was adopted in November, 2020
2. Specific language and boundary maps for two overlay districts: Yorktown Heights and Lake Osceola/Jefferson Valley.

This memo and two attachments, a red lined version of the law and excerpts of a Town of Poughkeepsie overlay law, highlight some general issues you might find helpful as you review the proposed law. The memo is coming from me personally.

Framework portion of the law

The proposed law changes the process by which a specific application can be considered for overlay status.

The November law gave the Planning Board the authority to apply the overlay standards to specific applications for properties within a designated overlay district. The proposed law sets up a different, multi-step process. (See comment in redlined version.)

- The Town Board adopts an overlay district with specific boundaries.
- A property owner within the district submits a conceptual plan to the Town Board and requests Town Board authorization to apply overlay standards.
- If Town Board grants overlay designation, application moves to Planning Board for site review and approval.

Issues to consider

- By adopting a district overlay map that includes properties in an overlay district without the need for a specific development plan, the Town Board has effectively already made the decision that overlay status is warranted for those properties. So why is this second “authorization” step needed?
- Under the proposed law, when the Town Board considers authorizing the use of overlay standards,
 - It does not require referral of the conceptual plan to the Planning Board or other advisory boards for review and recommendations.
 - It does not require the Town Board to hold a public hearing before authorizing overlay status
 - The language on what documents/information the Town Board will rely on to make its decision is vague; basically whatever the Town Board says it wants.
- There are other, cleaner approaches, to creating and approving overlay laws, options the Town Board appears never to have considered. Has the train already left the station? Is it too late for the Planning Board to suggest the Town Board consider a simpler approach, e.g., like the Town of Poughkeepsie. See attached.

Overlay or rezoning

- When does an overlay designation become a de facto rezoning? The Planning Director has publicly stated that the overlay designation does constitute a rezoning.
- When the density and uses on a parcel so greatly vary from the underlying zone, does a law that says the underlying zone remains in place make sense?
 - For example, the Soundview property: When 165 residential units and 20,000 sf of commercial space are allowed on a 13.8 acre parcel zoned R1-40, how can the parcel still be considered a R1-40 zone?

SEQRA

- When should there be an initial SEQRA review, e.g., a Full EAF: before or after the Town Board makes a decision based on a conceptual plan, that a property is appropriate for a higher density and/or mixed use?
 - The proposed law would have the Town Board make the density/mixed use decision without a SEQRA review.
- The EAF submitted with the referral was prepared 9/25/2020 for the “framework” overlay law. It does not address the cumulative impacts of probable developments in the Yorktown Heights overlay district, e.g., Soundview, Yorktown Green, Gardena Hotel, Roma Building, and possible changes at the Triangle Shopping Center

PB constraints/flexibility during site plan review

- Although the proposed law gives the Town Board the authority to put conditions on its overlay authorization, (the nature of those conditions is not spelled out in the law), as written, the law still gives the Planning Board the ability to waive zoning regulations in accordance with the parameters of the overlay law.
 - Is this dual responsibility inconsistent and possibly confusing?
 - See §300-251 (Town Board Authority); §300-254 (Planning Board flexibility); §300-255 E (Yorktown Heights section: Planning Board flexibility on area and bulk regs.)
 - Could Town Board conditions limit the Planning Boards flexibility when reviewing the site plan – especially if the Planning Board had no early input on the appropriateness of the conceptual plan?
 - If no Town Board conditions, then what’s the value of having a Town Board review the conceptual plan? Window dressing?

Mixed use

- What exactly does mixed use mean in the context of the law?
 - The definition in the law is basically any non-residential use.
- Where is mixed use appropriate?
 - As used in the Comp Plan, mixed use refers to apartments above stores in the hamlets.
 - Does it mean allowing commercial uses in developments outside the business hamlet that are overwhelming residential?
 - And if so, what mixed uses would be appropriate? Should any be prohibited?

§ 300-255 Yorktown Heights Planned Design District Overlay Zone

Compliance with Comprehensive Plan

- Chapter 4: Economic Development of Comprehensive Plan does not recommend overlay district for the Yorktown Heights hamlet

- Overlay districts were considered for not already developed areas like Bear Mountain Triangle – which has seen several developments already built or approved since the Comp Plan was adopted.
- Map of proposed Yorktown Heights overlay district is inconsistent with Comp Plan map of Yorktown Heights business hamlet (Chapter 4.7)
 - Several boundary decisions appear to be arbitrary and capricious, e.g., why not include Veterans Road to Maple Hill? If promoting mixed use in hamlet, why not include older abutting residential properties north of Brookside or opposite The Weyant?
 - Soundview parcel WAS NOT included in the Plan’s Yorktown Heights business hamlet map.
 - Comp Plan Land Use Chapter 2 keeps Soundview property as R1-40.
 - The proposed area and bulk regulations are inconsistent with Comp Plan recommendations for mixed use PDDO districts (Table 2-18/Mixed Use)

Density

- Table 2-18 of Comp Plan states that in the PDDO-Mixed Use district, “All residential development would not be allowed to exceed the yield permitted by the underlying zone.” But the overlay law sets an FAR of 0.55 which is more than double existing FAR for R-3
- Current R-3 zoning has maximum of 12 units/acre. When was last time Planning Board or Town Board approved 12 units/acre in a non RSP zone?
- What was density in most recent multi-family rezonings: The Weyant, Crompond Terraces, Croton Overlook
- As there’s no FAR in current zoning code for commercially zoned properties, how does 0.55 FAR compare with current bulk regulations for commercial zones?

Mixed use

- With existing vacancies in Yorktown Heights hamlet, as well as the town’s other hamlets, and with changing economic patterns, does Yorktown Heights need 20,000 sf of additional commercial space – and an expansion of the boundaries of the business hamlet?
- Table 2-18 of Comp Plan states that the PDDO-Mixed Use district, “Must have a commercial core with a mix of small-scale shops and professional offices in a "Main Street" or "village center" environment. If present, this commercial core should build off of existing adjacent commercial areas.”
 - The Soundview plan does not meet these criteria.
- To what extent can Town Board or Planning Board limit and/or prohibit certain non-residential uses?

Open Space

- There are no provisions in the law requiring a set aside for open space.
- Should there be one?

Design requirements

- Sections dealing with specific materials and building styles are too specific and should be left to ABACA and eliminated from the law.

Recreation

- There is no requirement for recreation in mixed use plans, e.g., in C2-R zones like the proposed Nantucket Sound plan.

Treatment of historic/unique properties

- In general, this entire section is confusing and inconsistent with town's Landmark Preservation Law (Chapter 198).
- Specific buildings should be eliminated and dealt with under Chapter 198.
- See more detailed concerns from the Heritage Planning Commission.

§ 300-256 Lake Osceola Development Overlay Zone

Note. This section of the law has not been reviewed in detail, but many of the issues raised in the Yorktown Heights section would apply for this overlay district.

Boundary map

Although the initial district was limited to the area around Lake Osceola, the Town Board decided to extend the district boundary to include the "Hill" property that was recently the subject of a rezoning request to multi-family. The Town Board's decision was based on the conclusion that the Hill property and the Soundview property in the proposed Yorktown Heights overlay district should be treated the same way.

As noted in the Yorktown Heights comments above, the Soundview property should not be considered part of the Yorktown Heights overlay district. If the developer wants to develop the site for multi-family, he should file an application to rezone the property to R-3. The Hill property should be treated the same way.

But, if the Town Board wants to keep the Hill property in the overlay zone, then why not also include the 6+ acre parcel to the east of Coach and Four and across the road from the Hill parcel. Wouldn't that be a neater, cleaner boundary line?

If the goal of the overlay law is to strengthen the existing business hamlet, does it make sense to include more competing commercial space on the Hill property which lies between commercially zoned property on Hill and Lee Boulevards?

Note also that the current Town Board rejected the request to rezone the Hill property at a density of about 8 units/per acre. But the 0.55 FAR in the overlay law would allow for a far greater density. And allowing commercial development on the Hill property would compete with the existing businesses on Lee and Hill Boulevards. Does that make sense?

A LOCAL LAW to amend Chapter 300 of the Code of the Town of Yorktown entitled "ZONING"

Be it enacted by the Town Board of the Town of Yorktown as follows:

Section I. Statement of Authority.

This local law is authorized by the New York State Constitution, the provisions of the New York Municipal Home Rule Law, the relevant provisions of the Town Law of the State of New York, the laws of the Town of Yorktown and the general police power vested with the Town of Yorktown to promote the health, safety and welfare of all residents and property owners in the Town.

Section II. Article XXXI of Section 300 of the Code of the Town of Yorktown, entitled Planned Design District Overlay Zones. is hereby replaced in its entirety with the following:

§ 300-248 Purpose and Intent.

- A. It is found and determined that there is a need throughout the Town of Yorktown to encourage and establish further economic development. To stimulate that growth and provide for revitalization, the Town requires the use of smart-growth techniques capable of creating smarter, less wasteful, and more economically efficient development patterns. Specifically, the Town needs flexibility in land uses which bolster economic development by providing not only a diverse array of commercial businesses, but mixed-use residential and commercial parcels to both provide abundant job opportunities and contribute to the local tax base.

- B. This Article regulates the location, design, occupancy, and use of structures and the use of land within the areas known as the "Planned Design District Overlay Zones" (hereinafter "PDDOZ") within the Town of Yorktown. The primary purpose of this Article is to institute a legally enforceable zoning code for each unique Planned Design District ("PDD") adopted herein or prospectively, based upon and in furtherance of the goals established Chapter 4 of the Town of Yorktown Comprehensive Plan adopted on July 15, 2010 (hereinafter "the Comprehensive Plan") and as hereinafter amended. The applicability of the provisions of this Article shall only apply to the specific overlay zones duly adopted and set forth herein and to those properties within said zones that the Town Board has determined granting the flexibility allowed by the Planned Design District will result in a significantly better site plan that still protects the health, safety, and welfare of Yorktown's businesses and residents.

Commented [SS1]: Based on what NEW studies? Are studies used for 2010 comp plan – which were outdated in 2010 – still valid in 2021?

Commented [SS2]: Chapter 4 of comp plan DOES NOT recommend an overlay district for YH – and the map of the business hamlet DOES NOT include the Soundview property. In fact, the proposed YH district is very different from the hamlet map in the 2010 comp plan.

Extra comment: In overlay laws in other towns (see example of Town of Poughkeepsie) the overlay is applicable to one or more different zoning districts and the TB applies the overlay law to a specific property. However, in the Yorktown law, the TB has already designed a specific area (not a zoning class) for overlay status. So this second step of having the TB "determine" if overlay

status shall be granted is redundant. Some history: this section about TB making the determination was added to the initial draft in order to “mollify” critics who said the TB should make key land use decisions. But the key land use decision is made by including a property in the overlay district,

- C. This Article is intended to promote the health, safety and general welfare of the Town by creating a holistic and comprehensive economic development strategy that utilizes the principles of social, economic, and environmental responsibility to encourage the

Commented [SS3]: The overlay law is neither “holistic” or “comprehensive.” It’s not based on any current studies or strategies that reflect the 2021 economy.

economic development within a mixed-use setting. This Article is intended to create an opportunity for a more economically successful and environmentally responsible Town by enabling a hamlet with a more harmonious and pedestrian-oriented public realm than can be achieved under the regulations in the underlying zoning in effect at the time of adoption of this Article. Specifically, this Article will promote Complete Streets approach and practices as one of many mechanisms to fulfill the purpose and intention herein.

Commented [SS4]: No studies or documents have shown that current regulations are preventing economic development or hamlet revitalization. In YH, note approval of new Chase building, Atlantic Appliance, Greenwood Street commercial building, rezoning for The Weyant.

D. It is also the intent of this legislation to further the economic development goals of the town’s Comprehensive Plan to invigorate the hamlet business centers as hubs of civic life and community identity, and promote a mix of retail, professional office, park/civic uses, and compatible residential uses that create a special sense of place. The intent of the overlay zones is to promote flexibility in design, allowed uses, and bulk requirements to make infill and redevelopment of the hamlets both desirable for residents and economically feasible for investors. It is also the intent of this legislation to provide for suitable mixed-use developments within the PDDs, blending the surrounding commercial and residential zones.

Commented [SS5]: Note above comment about comp plan suggestion for YH hamlet. The reference to “mixed use” is for the business center – but Soundview is not in the business center.

Commented [SS6]: What does “blending” mean?

E. This Article will assist in achieving preservation and retention of the remaining historic and architecturally significant buildings and encourage the renovation and construction of other buildings consistent with architectural designs of buildings constructed during the early history of the Town.

Commented [SS7]: This “feel good” section directly conflicts with TB’s support to demolish the building at corner of Commerce & Veterans (listed in later section of law as a “unique building”) in order to make way for Gardena Hotel.

§ 300-249 Definitions.

As used in this article, the following terms shall have the meanings indicated:

FAR (Floor Area Ratio)

Floor Area Ratio as defined in §300-3, “Definitions; word usage.”

INCENTIVE

A zoning benefit that is granted, pursuant to §261-b of the Town Law, to adjust provisions of Chapter 300, Zoning, of the Town Code of the Town of Yorktown for the purpose of bringing about revitalization in a Planned Design District.

LIVE-WORK UNIT/SPACE

Live-work unit or Live-work space. A building or space within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work. The residential space must be occupied by the owner of the commercial business to which it is accessory.

MIXED-USE BUILDING

A building that houses varied uses normally segregated from one another by zoning classification within the Yorktown Zoning Code such as residential uses and retail uses, but not limited thereto.

Commented [SS8]: Too open ended. Would allow ANY non residential use. Needs to be more tightly defined.

PLANNED DESIGN DISTRICT

For the purposes of this chapter, an independent zoning district identified by the Town Board as ideal to promote development in accordance with the Comprehensive Plan, wherein the zoning regulations need not be uniform for each class or type of land use, but where the use of land shall be in accordance with a set of criteria and smart growth techniques as established by the Town Board herein.

UNIQUE BUILDINGS

Existing buildings that should be retained because of their distinctive cultural, architectural, or historical references to the Town’s history as decided by the Town Board and listed herein

Commented [SS9]: what criteria is used to designate a building unique and how does unique different from landmark status in chapter 198? Also, some development plans may call for demolition of a unique building, e.g., the building at corner of veterans and commerce.

§ 300-250 Applicability.

The provisions of this Article XXI shall apply to all parcels, lots or properties lying within each Planned Design Districts and may be applied to new development, redevelopment, exterior alterations, changes of use, site plan alteration, commercial signs and exterior lighting within the Planned Design District Overlay Zones.

When the provisions of this Chapter are applied by the Planning Board, in any Planned Design District, no buildings or premises shall be used, and no buildings or part of a building or structure shall be erected, constructed, enlarged, altered, arranged or designed to be used, in whole or in part, except for one or more of the uses herein cited in §300-255 through §300-259, or the underlying zoning, provided that a site plan of development in accordance with Chapter 195 of the Yorktown Town Code is approved by the Planning Board, after public notice and hearing, as being in conformity with this Chapter.

§ 300-251 Authorization to approve plans; Procedures.

- A. Authorization is hereby granted to the Planning Board of the Town of Yorktown, as herein set forth, to simultaneously with the approval of a site plan or subdivision map, pursuant with this article, modify applicable provisions of Chapter 300 subject to the conditions set forth in this article and such other reasonable conditions as the Town Board of the Town of Yorktown may, in its discretion, add thereto.
- B. An applicant desiring to use the standards set forth in this article shall file with the Town Board a written request for authorization for consideration and review under the overlay district, which shall include a detailed statement setting forth the nature of modifications, changes or supplementation of existing underlying zoning provisions and the reasons in support of those changes or modifications. Said statement shall include the manner in which such modifications, changes or supplementations of existing zoning provisions will benefit the Town and will further the economic development, public health, safety, or welfare of the community. The applicant shall also file plans and other drawings, sketches, or renderings necessary to understand and consider the proposed project. The town board shall consider the request and evaluate the project for such authorization. The Town Board, at its discretion, may refer the request, plans, and other documentation to other Boards,

Commented [SS10]: What about SEQRA, especially for plans that make major changes in density and/or use, like YGreen or Soundview? Shouldn't impacts be looked at BEFORE major change in density and/or uses are okayed?

Commented [SS11]: Referral should be SHALL

departments or agencies for comment and recommendation. The Town Board may hold a public hearing in accordance with Chapter 205 of the Town Code.

Commented [SS12]: Hearing should be SHALL

The Town Board shall make a determination whether to authorize the project for consideration under the overlay district after making the following determinations:

- 1) That the project is consistent with the general goals of the Comprehensive Plan;
- 2) That the project will not likely be detrimental to the character of its immediate neighboring properties, or the district and town at large;
- 3) That the scope of the project will not likely cause operational difficulties on the site that have potential to negatively affect the health, safety, and welfare of the public;
- 4) That the town's infrastructure is capable of servicing the project or that the impacts or deficiencies of the infrastructure can be appropriately mitigated;
- 5) That the project will eliminate a blight or potential blight within the district;
- 6) That the project is consistent with the goals and intent of the overlay district;
- 7) That the project is consistent with the requirements of the overlay district and does not exceed the limitations or requirements set forth therein;
- 8) That the project is likely to contribute to the economic development of the district and the town at large.

The Town Board need not find all of the foregoing to authorize the project, provided it sets forth a reasoned elaboration of its findings respecting each of the listed attributes. The Town Board shall adopt a resolution authorizing or denying the project to be considered under the overlay district, and shall attach thereto any conditions it finds necessary to maintain the highest standards that are represented by the intent and goals of the overlay district regulations. Projects that are authorized by the Town Board shall be referred, together with the authorizing resolution, to the Planning Board for site plan review and approval.

Commented [SS13]: What if project meets one criteria, e.g., # 8, but has a negative impact on #1 & 2 and TB hasn't evaluated #4?

Commented [SS14]: Could TB impose density restrictions? If so, would this conflict with PB's role as set forth in YH section?

- C. Once a project has been authorized for review and approval under this Article by the Town Board, the applicant shall file with the Planning Board the application and plans required for site plan or subdivision review and approval as set forth in Chapter 195, Land Development. The Town of Yorktown Signage ordinance manual shall govern all matters relating to signs within each overlay zone. Such application and plans shall have clearly marked upon their face that said plan is for development in accordance with the standards or this Article. The applicant may be required, at various stages of the planning process, to further justify his request to use the standards and procedures set forth herein.
- D. The Recreation Requirements as set forth within this Chapter and the Town of Yorktown Town Code shall remain applicable to the provisions of this Article.

§ 300-252 Conflicting provisions.

In the event that any provisions of this article shall be inconsistent or in conflict with the other provisions of this Chapter, then the provisions of this article shall prevail and be complied with.

§ 300-253 Development Incentives.

The following list of Development Incentives may be applied by the Planning Board to any project filed under this Article. In the event the Applicant includes “green-building” standards as recognized by the United States Green Building Council (“USGBC”) and the recognized Leadership in Energy and Environmental Design (“LEED”) standards, the Applicant will be granted priority in approval and shall not be limited in its requests for any and all of the incentives set forth below. In addition, an Applicant bringing forth a proposal that would qualify for LEED certification (though no certification is required) shall be entitled to propose additional incentives, not listed below, to be considered as part of the site plan approval process under this Article. The incentives adopted herein are as follows:

1. Priority of application review and agenda placement.
2. Enhanced staff guidance, including additional staff meetings, throughout the approval process.
3. Relief from area and bulk requirements, parking requirements upon demonstration of proximity to downtown pedestrian access and public transportation, or a social, cultural or economic need or benefit.
4. In the event an Applicant agrees to make infrastructure improvements that benefit the Town to an extent greater than what is required by the conditions of this Article, the Planning Board may grant incentives in relation to density, area and bulk requirements and including parking relief.
5. In the event an Applicant provides real-property or rentable square footage to the Town, the Planning Board may grant incentives in relation to density, area and bulk requirements and including parking relief.

§ 300-254 Flexibility Standards; Area and Bulk Requirements

1. The Planning Board, in considering an application for site plan or subdivision approval within any Planned Design District Overlay Zone, shall be guided by but shall not be strictly bound by the considerations and standards within the underlying zone in which a proposed project exists, as amended, and as applicable to each Planned Design District, upon which the Planning Board shall be the approval authority as set forth herein. In general, these standards shall be deemed to be the minimum requirements for the convenience, economic benefit, health, safety and welfare of the Town and in compliance with the Comprehensive Plan.
2. In the course of project site plan review, as required by this article and SEQRA, the Planning Board may, pursuant to its stated purposes, vary the zoning requirements as to open space requirements, lot area, lot frontage, side yard requirements, front and rear yard requirements, maximum allowable coverage, parking regulations, building heights, floor area ratios, unit density per acre, off-street parking and loading spaces, and all bulk regulations in connection with a specific plan of development on a specific parcel of land in any Planned Design District, and other matters related to the siting and construction of

improvements listed in the Schedule of Regulations, provided that the Planning Board shall determine that such variations are in the public interest and necessary in order to foster high-quality development and redevelopment, are in compliance with the general purpose and intent of this Chapter, and will ensure compatibility with uses on adjoining properties. In no case shall the variation of any requirement be greater than 60% of said requirement, unless otherwise stated in §300-255 through §300-259. Such variations shall apply only to the particular site plan and proposals thereon which are under review and shall not apply to the maximum FAR.

3. The Planning Board may adjust the regulations and reduce the procedural requirements in accordance with this Section to implement the Intent and Purpose of this Article so that the public interest is secured, provided that any such adjustment or procedural modification will not have the effect of nullifying the spirit and intent of this Article.

§ 300-255 Yorktown Heights Planned Design District Overlay Zone

Purpose and intent. The Yorktown Heights Planned Design District consists of the parcels and rights-of-way within the boundary shown on as shown on the zoning map of the Town of Yorktown. This area was once the center of commerce in the town, was redeveloped during urban renewal to accommodate automobile centered life with many large commercial buildings and large paved parking areas. Many of these buildings are now vacant as lifestyles and buying habits transition to digital consumerism making this area ripe for other types of redevelopment. The intent of this overlay zone is to encourage a walkable hamlet-style development that is both a commercial and community center that better serves the needs of its residents and surrounding neighborhoods. Further, the Town Board notes that the Yorktown Heights hamlet supports several developments such as the Underhill Apartments the Kear Street Apartments and the Beaver Ridge Apartments, which were built with densities exceeding the multi-family R-3 zoning district regulations, and these developments do not exhibit adverse impacts related to their density. The Yorktown Heights hamlet business center is able to support appropriate density above that shown in the R-3 zone. It is the intent of this legislation to promote development of appropriate densities that will support the downtown, promote economic development, and increase housing types within town, while also improving the walkability and quality of open spaces. Specifically, the following objectives are encouraged:

1. Phase out of incompatible, nonconforming uses and signs.
2. Construction of attractive building facades along Commerce Street, Downing Drive, Veterans Road, Kear Street, and Underhill Avenue with off-street rear parking lots.
3. Transportation design that emphasizes Complete Street design methods and practices and that includes the pedestrian and bicycle experience to encourage users of the North County Trailway, connected town trailways, and the disabled to be able to move through the overlay zone safely.
4. Creation of off-street parking lots for shared parking between adjoining and neighboring principal uses.

Commented [SS15]: The soundview property is not part of the business hamlet

Commented [SS16]: This listing serves merely to justify the much higher FAR for the Soundview property and are not relevant to the Soundview property.

5. Application of enhanced street access, building design, off-street parking, landscaping and buffering controls by the Planning Board to enhance the physical appearance of properties in the Yorktown Heights Planned Design District Overlay Zone.
6. Development of multi-family residential uses not to exceed three stories, unless otherwise stated herein.
7. Creation of mixed-use space that includes live-work space or professional office use in a residence pursuant to §300-76.

A. Permitted Main Uses.

1. The same main uses permitted in the underlying zone in which the subject property lies.
2. Mixed-use development.
3. Multi-family and town-house style residential development.
4. Live-work unit developments
5. Stores or shops for the conduct of retail business, bank, post office, restaurant and other places serving food and beverages, professional and business offices, and personal service establishments, including the grooming of house pets, except that no use shall be permitted where any part of the service is conducted outside the premises unless a special use permit has been issued by the Planning Board after due notice and public hearing.
6. Government buildings and uses.
7. Community based uses for senior citizens.

Commented [SS17]: As noted above, this is too broad: allows ANY non-residential use, e.g. warehouse, car dealership

Commented [SS18]: Would some uses be objectionable in a residential development, e.g. odor producing food establishments or barking dogs in a vet clinic?

B. Permitted Uses by Special Permit

1. The same Special uses permitted by the underlying zone in which the subject property lies.
2. Boutique hotels in accordance with the regulations set forth in §300-52

Commented [SS19]: 300-52 does not apply to “boutique” hotels and boutique hotels is not defined. Will TB need to adopt a law that regulates boutique hotels simultaneously with adoption of overlay law

C. Permitted Accessory Uses.

1. The same permitted accessory uses allowed in the underlying zone in which the subject property lies.
2. Signs as approved on the site plan.
3. Outdoor public gathering places.

D. Permitted Accessory Uses by Special Permit.

1. The same permitted accessory uses by special permit allowed in the underlying zone in which the subject property lies.
2. Outdoor dining and sidewalk cafés pursuant to §300-80.

E. Area and Bulk Requirements.

The area and bulk regulations for the Yorktown Heights Planned Design District Overlay Zone shall comply as follows:

1. Any project within a planned design district overlay zone and authorized by the Town Board to be considered under the regulations set forth herein shall remain subject to the discretion of the Planning Board set forth in §300-253 and §300-254 to modify the requirements due to the special circumstances of a particular project. The discretion granted in §300-253 and §300-254 is subject to the following requirements:
 - a. Area and Bulk requirements shall be as set forth in the underlying zone and subject to variations and limitations as set forth herein. For residential or mixed use residential projects the Planning Board may be guided by the area and bulk requirements of the R-3 multi-family zone and may apply variations to those requirements within the limitations set forth herein.
 - b. FAR shall be allowed up to, but may not exceed, 0.55;
 - c. Maximum height of building shall be as set forth in the underlying zone subject to variation of up to 25% and may not exceed three stories. Enclosed space may be allowed at roof level which may not exceed 50% of the area of the area of the roof.
 - d. Maximum height may be increased to 52 feet and a maximum of 4 stories provided that the lot on which a project is proposed is a single contiguous lot that is a minimum of 10 acres in size.
2. [Reserved]
3. [Reserved]

Commented [SS20]: Can PB override any conditions set by TB?

Commented [SS21]: As noted above this is more than double existing FAR of 0.20-0.23 for 9=12 units/acre. See also Comp Plan statement about not exceeding density of underlying district.

Commented [SS22]: Applies to 13.8 acre Soundview and also Triangle Shopping Center as well as Yorktown Green. Any idea with Triangle is considering?

F. Design Requirements.

Commented [SS23]: Too specific. Should be left up to ABACA

In addition to any other design regulations provided in this Code, the following design guidelines shall apply to mixed-use buildings in the Yorktown Heights Planned Design District Overlay Zone:

1. Architectural Designs. All applicants shall adhere to the following guidelines for design standards of any renovation or new construction on a property within the Yorktown Heights Planned Design District:
 - a. Exterior renovations or additions to historic buildings shall make every effort to restore the original appearance to the exterior of the building, with modifications only as approved.
 - b. Acceptable architectural forms will include Colonial, Federal, Georgian, and Victorian styles. Exact duplicates of historic buildings are not required; however, designs should reflect a sense of historical styles at an appropriate scale.
 - c. Appropriate use of sheathing (exterior covering) and decorative details. All new construction will be in brick or wood, unless it is demonstrated to the Advisory Board on Architecture & Community Appearance that some other material may be more appropriate given extenuating circumstances of the project, such as an addition on an existing building. Modern sheathing techniques may be used as long as the overall appearance conveys use of traditional building materials.
 - d. The following materials are not preferred for use in the Yorktown Heights Planned Design District:
 - i. Prefabricated metal siding, typical of manufactured commercial buildings.
 - ii. Dryvit-faced buildings or similar stucco-type surfaces.

- iii. Prefabricated rock aggregate faced buildings.
 - iv. Concrete block faced buildings.
 - v. Tilt-up concrete panels.
 - vi. Ribbon glass, tinted glass panels as sheathing, or tinted glass windows, windows that appear to be frameless.
- e. Unique Buildings. All applicants for renovation of a unique building or new construction on a property on which exists a unique building within the Yorktown Heights Planned Design District shall be required to submit plans that respect the precedents and styles that relate to the early history of the Town. All plans must be in keeping with these guidelines for:
- i. Existing unique buildings. For any proposal that includes an existing unique building whether to be modified or not, the applicant shall provide information concerning the original design of the building and the modifications that have taken place to the building. Every effort shall be made to restore the original appearance of the exterior of the building, with modifications only as considered appropriate by the Advisory Board on Architecture and Community Appearance and the Heritage Preservation Commission, should the unique building be a Designated Landmark.
 - ii. Design elements. All proposed improvements to buildings shall be evaluated by the Advisory Board on Architecture and Community Appearance for the appropriateness of the improvement in terms of the following design elements:
 - (a) Overall design and cohesiveness;
 - (b) Appropriate use of exterior sheathing and decorative details;
 - (c) Window and door configuration; and
 - (d) Setbacks and parking areas and site plan considerations.
2. Signage. The following types of signs shall be preferred in the Yorktown Heights Planned Design District Overlay Zone as outlined in the Town of Yorktown Signage ordinance Manual.
- a. Sign designs should utilize historically-referenced styles, colors, and materials to create attractive, functional, legible signs that can further enhance the town’s character.
 - b. Freestanding signs should be monument signs. Using brick piers or bases with uplighting is encouraged.
 - c. Building sign designs should enhance and accent the architecture and character of the building. Signs should not block or dominate the building façade.
 - d. Building signs, painted wood signs or awning signs that are coordinated with the style, shape, color, and scale of the building are preferable to internally lit ‘box signs’.
3. Site Planning and Design. Every effort shall be made to maintain and encourage designs and layouts that enhance the pedestrian experience of the Town within the Yorktown Heights Planned Design District Overlay Zone:

Commented [SS24]: See comment above about setting up two possibly conflicting/inconsistent procedures , one here and another in chapter 198

- a. Loading docks, overhead doors, and other service entries shall be screened and not be located facing primary street facades.
- b. Applicants shall be encouraged to contribute to the public spaces Lighting fixtures and street furniture installed along public rights-of-way shall match the Yorktown Heights streetscape design plan to visually link the overlay zone.
- c. Landscaping. Landscaping shall be provided to create attractive facades and screen views of parking, loading, and refuse areas from the property frontage and from residential uses.
- d. Parking shall not be located in the front yard unless this requirement is waived by the Planning Board due to the special circumstances of a particular site.
- e. Shared parking and conservation parking spaces shall be encouraged wherever possible to reduce unnecessary underutilized parking areas.
- f. Sidewalks. All sidewalks shall be properly maintained in accordance with Town regulations. All new property developments and redevelopments must provide sidewalks along any property lines that front on public streets, unless this requirement is waived by the Planning Board due to the special circumstances of a particular site. Internal sidewalks will be provided as deemed appropriate by the Planning Board.

G. Access to Site; Off-Street Parking.

- 1. The required parking for residential units is 1.5 parking spaces per dwelling unless modified by the Planning Board.
- 2. The required parking for commercial uses shall be as required by §300-182 unless modified by the Planning Board due to special circumstances of a particular site including, but not limited to:
 - a. The use of shared parking between different uses on the same site and/or shared parking between adjacent properties.
 - b. The use of conservation parking spaces.
 - c. The availability of on-street parking or public parking within close proximity to the site.
 - d. Variation in the probable time of maximum use of differing uses on the same site.

Commented [SS25]: Has a study been done of parking needs in town house developments with 3-4 bedrooms and allowance for guest parking?

H. Recreation.

The required recreation for multi-family units built within mixed use development projects shall be as required in the R-3 zone except that the Planning Board may modify this requirement due to special circumstances of a particular site and the proximity of the site to nearby public recreation.

Commented [SS26]: Doesn't deal with recreation for apartments in C2-R zone, e.g, Nantucket Sound. And no other R-3 plan waived recreation requirement just because it was "near" an existing recreation facility.

I. Plan of Development.

No building permit or certificate of occupancy for any building designed for multi-family mixed-use residential developments, town-house style residential developments, stores or shops for the conduct of retail business, or professional and business office developments within the Yorktown Heights Planned Design District Overlay Zone shall be issued, except in accordance with a plan of development or amendment thereof approved by the Planning Board, and after said approved plan of development, signed and certified by the Chairperson of the Planning Board is issued and filed in the records of the Town.

J. Official submission and review of plan.

The Planning Board shall take action within 62 days of the submission to it of the plan of development. The site plan shall be considered officially submitted only when all the required surveys, plans and data in accordance with the requirements of Chapter 195, Land Development described in the above sections have been checked for completeness by the Town Engineer and Director of Planning and filed with the Planning Board.

K. Unique buildings.

The Town Board acknowledges that there are unique buildings holding historical value within the Town and the Board may, in its discretion, designate a building as a unique building upon under its own incentive or referral by the Advisory Board on Architecture and Community Appearance. Modifications necessary to accommodate a new use will be permitted; however, it is the intention to require that all project plans retain original features of the buildings, including window type and configuration, front entries, storefronts (if applicable), and identifying decorative details, including those that provide a historical reference to the original use of the building. This provision shall be in addition to the the requirements of Chapter 198: Heritage Preservation, should a unique building be a Designated Landmark.

The Town Board hereby designates the following buildings in this Yorktown Heights Planned Design District as unique buildings:

322 UNDERHILL AVENUE (Spadaccia Insurance building now Westchester Health)

c. 1890. Wood shingle residence converted to offices. Large center chimney (parged); projecting pedimented gable over 2nd floor bay window; rear 1-story ell; 3 front gable dormers.

360 UNDERHILL AVENUE - Former home of Edward Kear aka The Grace Building
c. 1890. This onetime home of Edward Kear, who served as Town Supervisor for thirteen years, is one of the last of the grand Victorian homes that were built around the town center that the railroad established in the late 19th century, and in January of 2017 was named a Home of Historic Distinction by the Yorktown Landmarks Preservation Commission.

363 UNDERHILL AVENUE – Town Hall

Yorktown's town hall was built in 1935 at the corner of Underhill Avenue and Saw Mill River Road (Route 118) during the administration of Supervisor Theodore Hill. The police department and the town court, once housed here, were moved at different times to other facilities. Additional

Commented [SS27]: This section needs to be reviewed to deal with Chapter 198. As written it sets up 2 separate systems for unique or historic buildings.

Commented [SS28]: See above comments. The law should not list specific buildings – what if they are to be demolished, e.g., 1952 Commerce St to make way for the hotel

wings were built on either side of the original building in [insert date].The building is colonial revival style with brick faced concrete walls and a slate roof.

366 UNDERHILL AVENUE - Coldwell Banker building

c. 1890. Gothic Revival. Brick center chimney; gabled side ell; Doric columns on front porch; bay window on 1st floor front facade; one-story hipped extension front on left rear corner.

370 UNDERHILL AVENUE - Captain Underhill House

Completed in 1881, the Captain Underhill Manor & Estate. The estate was most recently used by the Soundview Preparatory private school. Prior to the school the farmhouse was used by the Gilbert Beaver conference center.

1803 COMMERCE STREET (Dubovsky)

c. 1870. 2-bay storefront (4 bays deep) addition w/2 sets of triple windows, flat roof (now vacant); house resided w/metal

1807 COMMERCE STREET (Trailside Café)

c.1870. Colonial Revival storefront addition c. 1950; stucco; parapet wall has been covered w/vinyl; upper windows on storefront replaced.

1811 COMMERCE STREET (Wishes)

c. 1930. Tudor Revival. ½ timbering w/half circle design on front attic level; wood shingle pent over store front windows; side ell for stairway to 2nd floor apts.; fully exposed brick side wall chimney; 1-story rear ell; sunburst pattern in side gable peak & on front of side ell stairwell.

1826 COMMERCE STREET – Yorktown Heights Railroad Station

The Yorktown Heights Railroad Station was built around 1878 as part of the Old Putnam Line of the New York & Northern Railroad. By 1914, the New York Central Railroad and its Putnam Division operated the line from High Bridge to Brewster. The last passenger train ran on the Old Put line on Thursday, May 29, 1958 and the last freight movement picked up an empty box car at Creed Brothers lumber yard in Yorktown Heights on September 17, 1962. By spring of 1963, the rails were removed. Since that time, the abandoned railroad bed was sold to New York State and the station building was acquired by the town's urban renewal agency. The station building has been designated a Local (1976), State (1981), and Federal (1981) Landmark. The station became the center of Railroad Park and has gone through several refurbishment attempts. A complete restoration of the building was finally completed in July of 2020. The station building is the last remaining building of its unique design on the Old Putnam Line.

1932 COMMERCE STREET – Conciatori Building/Emilio's Castle aka Starbucks Coffee
c. 1920. Small side ell, left c.2000. False brick endwall chimneys; granite block door & window surrounds; rear extension that once housed service station stalls.

1952 COMMERCE STREET (former Mulvey Realty, corner of Commerce & Veterans) c. 1920. Last remaining wood Victorian era home along Commerce Street.

1974 COMMERCE STREET – Albert A. Capellini Community & Cultural Center Although not within the planned design district boundaries, the former Central School District #2 building is a Town Designated Landmark that is a significant part of the fabric of Yorktown Heights. Originally built in 1923, the school district added a north wing in 1927 and a south wing and gymnasium was added in 1935. The auditorium/theater was completed in the rear of the school between 1954 and 1955. In 1975 the school was closed due to declining enrollments and new schools built in other parts of the community. In July of 1980, the town acquired the old school building to use for several town offices and a community center. In 2019, the town designated the building as a Local Landmark. The structure has exterior walls of masonry, terracotta block and brick facing, with plaster interior finish.

§ 300-256 Lake Osceola Development Overlay Zone

Purpose and Intent. The Lake Osceola Development Design District shall consist of the parcels and rights-of-way within the boundary shown on the map set forth here as Attachment [TBD]. The purpose of this section shall be to implement the goals of this Article and to promote and ensure that the Jefferson Valley Mall remains a viable economic engine and center of retail and restaurant activity while enhancing the recreational and tourism activities and opportunities provided by the lakefront. The Jefferson Valley Mall has been major regional shopping destination and this Article and specifically this overlay-zone will facilitate the region's continued success. Additionally, while providing for the continued health of the Mall, this section shall also offer incentives for the transformation of Hill Boulevard into a walkable "main-street" attraction by expanding public transportation options and opening increased access to the recreational and tourism opportunities offered by the lakefront. The consistent goals of this Article are to strengthen the economic health of the hamlets within the Town.

A. Permitted Main Uses.

1. The same main uses permitted in the underlying zone in which the subject property lies.
2. The same main uses permitted in the CR (Commercial Recreation) zone.
3. Mixed-use development.
4. Multi-family residential development.
5. Live-work unit developments
6. Stores or shops for the conduct of retail business, bank, post office, restaurant and other places serving food and beverages, professional and business offices, and personal service establishments, including the grooming of house pets, except that no use shall be permitted where any part of the service is conducted outside the premises unless a special use permit has been issued by the Planning Board after due notice and public hearing.

B. Permitted Main Uses by Special Permit

1. The same Special uses permitted by the underlying zone in which the subject property lies.
- 2.

C. Permitted Accessory Uses.

1. The same permitted accessory uses allowed in the underlying zone in which the subject property lies.
2. Signs as approved on the site plan.
3. Outdoor public gathering places.

D. Permitted Accessory Uses by Special Permit.

1. The same permitted accessory uses by special permit allowed in the underlying zone in which the subject property lies.
- 2.

E. Area and Bulk Requirements.

The area and bulk regulations for the Lake Osceola Planned Design District Overlay Zone shall comply as follows:

1. Any project within a planned design district overlay zone and authorized by the Town Board to be considered under the regulations set forth herein shall remain subject to the discretion of the Planning Board set forth in §300-253 and §300-254 to modify the requirements due to the special circumstances of a particular project. The discretion granted in §300-253 and §300-254 is subject to the following requirements:
 - a. Area and Bulk requirements shall be as set forth in the underlying zone and subject to variations and limitations as set forth herein. For multi-family residential or mixed-use residential projects the Planning Board may be guided by the area and bulk requirements of the R-3 multi-family zone and may apply variations to those requirements within the limitations set forth herein.
 - b. FAR. shall be allowed up to, but may not exceed, 0.55;
 - c. Maximum height of building shall be as set forth in the underlying zone subject to variation of up to 25% and may not exceed three stories.

F. Design Requirements.

In addition to any other design regulations provided in this Code, the following design guidelines shall apply to mixed-use buildings in the Lake Osceola Planned Design District Overlay Zone:

1. Architectural Designs. All applicants shall adhere to the following guidelines for design standards of any renovation or new construction on a property within the Lake Osceola Planned Design District:

- a. Exterior renovations or additions to historic buildings shall make every effort to restore the original appearance to the exterior of the building, with modifications only as approved.
- b. Acceptable architectural forms will include Colonial, Federal, Georgian, and Victorian styles. Exact duplicates of historic buildings are not required; however, designs should reflect a sense of historical styles at an appropriate scale.
- c. Appropriate use of sheathing (exterior covering) and decorative details. All new construction will be in brick or wood, unless it is demonstrated to the Advisory Board on Architecture & Community Appearance that some other material may be more appropriate given extenuating circumstances of the project, such as an addition on an existing building. Modern sheathing techniques may be used as long as the overall appearance conveys use of traditional building materials.
- d. The following materials are not preferred for use in the Lake Osceola Planned Design District:
 - i. Prefabricated metal siding, typical of manufactured commercial buildings.
 - ii. Dryvit-faced buildings or similar stucco-type surfaces.
 - iii. Prefabricated rock aggregate faced buildings.
 - iv. Concrete block faced buildings.
 - v. Tilt-up concrete panels.
 - vi. Ribbon glass, tinted glass panels as sheathing, or tinted glass windows, windows that appear to be frameless.
- e. Unique Buildings. All applicants for renovation of a unique building or new construction on a property on which exists a unique building within the Jefferson Valley Planned Design District shall be required to submit plans that respect the precedents and styles that relate to the early history of the Town. All plans must be in keeping with these guidelines for:
 - i. Existing unique buildings. For any proposal that includes an existing unique building whether to be modified or not, the applicant shall provide information concerning the original design of the building and the modifications that have taken place to the building. Every effort shall be made to restore the original appearance of the exterior of the building, with modifications only as considered appropriate by the Advisory Board on Architecture and Community Appearance and the Heritage Preservation Commission, should the unique building be a Designated Landmark.
 - ii. Design elements. All proposed improvements to buildings shall be evaluated by the Advisory Board on Architecture and Community Appearance for the appropriateness of the improvement in terms of the following design elements:
 - (a) Overall design and cohesiveness;
 - (b) Appropriate use of exterior sheathing and decorative details;
 - (c) Window and door configuration; and
 - (d) Setbacks and parking areas and site plan considerations.

4. Signage. Sign requirements shall be as required by the underlying zone. The following types of signs shall be preferred in the Lake Osceola Planned Design District Overlay Zone as outlined in the Town of Yorktown Signage ordinance Manual.
 - a. Sign designs should utilize historically-referenced styles, colors, and materials to create attractive, functional, legible signs that can further enhance the town's character.
 - b. Freestanding signs should be monument signs. Using brick piers or bases with uplighting is encouraged.
 - c. Building sign designs should enhance and accent the architecture and character of the building. Signs should not block or dominate the building façade.
 - d. Building signs, painted wood signs or awning signs that are coordinated with the style, shape, color, and scale of the building are preferable to internally lit 'box signs'.
5. Site Planning and Design. Every effort shall be made to maintain and encourage designs and layouts that enhance the pedestrian experience and experience of Lake Osceola, including enhancing views, providing public gathering spaces, and public use of the lake:
 - a. Development shall attempt to offer amenities that include use of or enhanced views of the lake. Lakefront properties should be encouraged to participate in a boardwalk or pedestrian walkway system when feasible.
 - b. Loading docks, overhead doors, and other service entries shall be screened and not be located facing primary street facades.
 - c. Applicants shall be encouraged to contribute to the public spaces. Lighting fixtures and street furniture installed along public rights-of-way shall match to visually link the overlay zone.
 - d. Landscaping. Landscaping shall be provided to create attractive facades and screen views of parking, loading, and refuse areas from the property frontage and from residential uses.
 - e. Parking shall not be located in the front yard unless this requirement is waived by the Planning Board due to the special circumstances of a particular site.
 - f. Shared parking and conservation parking spaces shall be encouraged wherever possible to reduce unnecessary underutilized parking areas.
 - g. Sidewalks. All sidewalks shall be properly maintained in accordance with Town regulations. All new property developments and redevelopments must provide sidewalks along any property lines that front on public streets, unless this requirement is waived by the Planning Board due to the special circumstances of a particular site. Internal sidewalks will be provided as deemed appropriate by the Planning Board.

G. Access to Site; Off-Street Parking.

1. The required parking for residential units is 1.5 parking spaces per dwelling unless modified by the Planning Board.
2. The required parking for commercial uses shall be as required by §300-182 unless modified by the Planning Board due to special circumstances of a particular site including, but not limited to:

- a. The use of shared parking between different uses on the same site and/or shared parking between adjacent properties.
- b. The use of conservation parking spaces.
- c. The availability of on-street parking or public parking within close proximity to the site.
- d. Variation in the probable time of maximum use of differing uses on the same site.

H. Recreation.

The required recreation for multi-family units built within mixed use development projects shall be as required in the R-3 zone except that the Planning Board may modify this requirement due to special circumstances of a particular site and the proximity of the site to nearby public recreation.

I. Plan of Development.

No building permit or certificate of occupancy for any building designed for multi-family mixed-use residential developments, town-house style residential developments, stores or shops for the conduct of retail business, or professional and business office developments within the Jefferson Valley Planned Design District Overlay Zone shall be issued, except in accordance with a plan of development or amendment thereof approved by the Planning Board, and after said approved plan of development, signed and certified by the Chairperson of the Planning Board is issued and filed with the Town Clerk in the records of the Town.

J. Official submission and review of plan.

The Planning Board shall take action within 62 days of the submission to it of the plan of development. The site plan shall be considered officially submitted only when all the required surveys, plans and data in accordance with the requirements of Chapter 195, Land Development described in the above sections have been checked for completeness by the Town Engineer and Director of Planning and filed with the Planning Board.

K. Unique buildings.

The Town Board acknowledges that there are unique buildings holding historical value within the Town and the Town Board may, in its discretion, designate a building as a unique building under its own incentive or upon referral by the Advisory Board on Architecture and Community Appearance. Modifications necessary to accommodate a new use will be permitted; however, it is the intention to require that all project plans retain original features of the buildings, including window type and configuration, front entries, storefronts (if applicable), and identifying decorative details, including those that provide a historical reference to the original use of the building. This provision shall be in addition to the the requirements of Chapter 198: Heritage Preservation, should a unique building be a Designated Landmark.

The Town Board hereby designates the following buildings in this Jefferson Valley Planned Design District as unique buildings:

466 EAST MAIN STREET

A gothic revival style wood frame structure built in 1861 and once known as Bailey’s Lodge.

3642 HILL BOULEVARD – LOURDES BUILDING

Built in 1975, the shopping center with large mansard roof is part of the unique character of the Jefferson Valley hamlet.

§ 300-257 [Reserved]

§ 300-258 [Reserved]

§ 300-259 [Reserved]

§ 300-260 [Reserved]

§ 300-261 [Reserved]

Section III. Severability.

If any clause, sentence, phrase, paragraph or any part of this local law shall for any reason be adjudicated finally by a court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this local law, but shall be confined in its operation and effect to the clause, sentence, phrase, paragraph or part thereof, directly involved in the controversy or action in which such judgment shall have been rendered. It is hereby declared to be the legislative intent that the remainder of this local law would have been adopted had any such provisions been excluded.

Section IV. Repeal

All ordinances, local laws and parts thereof inconsistent with this Local Law are hereby repealed to the extent of such inconsistency.

Section V. Effective Date.

This local law shall become effective upon filing in the office of the Secretary of State in accordance with the provisions of the Municipal Home Rule Law.

Town of Poughkeepsie

§ 210-20 Senior Housing Overlay District (SHOD).

§ 210-21 Planned Residential Overlay District (PROD).

§ 210-21.1 Waterfront Housing Overlay District (WHOD).

The application and approval process are basically the same for all 3 districts.

1. The Town Board makes the determination after Planning Board review, a SEQRA review and public hearing whether to rezone a specific parcel as an overlay zone.
2. The Senior Housing and Planned Residential Overlay districts list the zoning districts that are eligible for overlay designation, The Waterfront overlay obviously applies to parcels along the Hudson River
3. Each overlay law has specific design requirements

Example: Planned Residential overlay

B. General requirements.

A Planned Residential Overlay District designation may be permitted, at the sole discretion of the Town Board as a Zoning Map amendment subject to such additional terms and conditions as the Town Board may require, on property located within the following zoning districts:

- (1)
Residence, Mobile Home (R-MH) District; and
- (2)
Fairview Center (FC) District; and
- (3)
Salt Point Center (SPC) District; and
- (4)
Historic Revitalization Development District (HRDD); and
- (5)
Light Industrial (I-L) District; and
- (6)
Heavy Industrial (H-L) District.

J. Procedure. The review and approval of an application for a Planned Residential Overlay District designation shall be as follows:

(1)
Town Board review. An application for a Planned Residential Overlay District designation shall be submitted to the Town Board. Upon receipt of an application, the Town Board shall notify the applicant of the place, date, and time of the meeting at which the application is to be considered, and shall refer the application to the Planning Board for review and recommendation. The applicant or the applicant's representatives shall be present at meetings of the Town Board at which the application is to be considered.

(2)
Planning Board review. Within 62 days of receipt of the application from the Town Board, the Planning Board shall make a recommendation to the Town Board as to whether, in the opinion of the Planning

Board, the application supports a Planned Residential Overlay District designation. The applicant or the applicant's representatives shall be present at the meetings of the Planning Board at which the application is to be considered. Failure of the Planning Board to provide a recommendation within the specified time shall be deemed a recommendation to approve the application.

(3)

SEQRA review. No application for a Planned Residential Overlay District designation shall be complete until a lead agency is established, and a negative declaration has been issued or a draft environmental impact statement has been accepted as complete by the lead agency as satisfactory with respect to scope, content and adequacy.

(4)

Town Board action. Within 62 days of receipt of a complete application, the Town Board shall hold a public hearing on the application for a Planned Residential Overlay District designation.The Board may, if it feels necessary to fully protect the public health, safety and welfare of the community, attach to the designation any reasonable conditions or requirements for the applicant to meet. The decision of the Board shall be filed in the office

(5)

Site plan approval. Site plan review and approval by the Planning Board

The big problem here is timing. A historic building and property, majestically overlooking the Heights district will likely be the first “lab mouse” to participate in your experiment. I have no doubt the Board, working with the Planning Department, will in time climb the learning curve and make good use of the overlay law. At the same time, I do not believe anyone wants to see mistakes or unintended consequences, such as the recent Popeye Chicken debacle, damage the Underhill/Soundview property. Planning mistakes at historical sites are irreversible.

Therefore, I recommend you advise the Town Board to remove the Underhill/Soundview property from the YHOZ due to planning concerns.

Best Regards,

John Flynn

Cc: A. Bock
J. Kincart
W. LaScala
R. Steinberg
J. Tegeder