

Mongero Site Plan

LAW OFFICES OF GRACE & GRACE

The Grace Building
360 Underhill Avenue
Yorktown Heights, New York 10598-4517
(914) 962-6100 * Fax (914) 962-6181

Michael J. Grace *
William J. Grace

E.mail Gracelaw1@aol.com

May 3, 2021

RECEIVED
PLANNING DEPARTMENT
MAY 4 2021
TOWN OF YORKTOWN

John Tegeder, Director of Planning
c/o Town Hall
363 Underhill Avenue
Yorktown Heights, New York 10598

Re: Mongero - Site Plan Approval
Route 118 and Downing Drive
Section 37.14 Parcel 1 lot 44

Dear John:

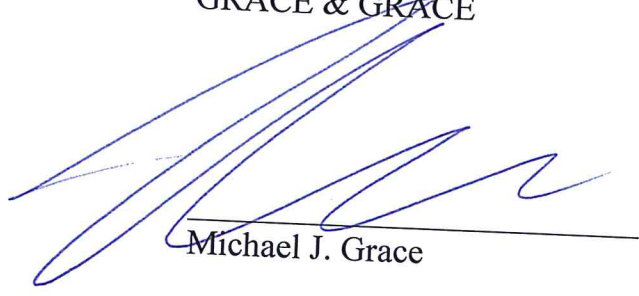
We have been requested by the owners of the above referenced parcel to seek an extension, provided same is necessary, of the approved site plan. We also wish to have the approval modified as to the conditions of approval and in particular the requirement to install a traffic control device (light) at what will be the newly constructed entrance way to the lot

As I hope you and the Planning Board may appreciate the site calls for a very limited development due to site constraints. My belief is a free standing 4,000 square foot retail use building. It would seem that to require this limited lot to install a traffic light is overkill. In fact it is that requirement that is causing the lot to be sterilized.

At this time we request a time slot with the Planning Board to discuss the issue. We appreciate as always your anticipated cooperation and continued kind courtesies in this matter.

Very truly yours,

GRACE & GRACE

A handwritten signature in blue ink, consisting of several overlapping, sweeping strokes that form a stylized representation of the name Michael J. Grace.

Michael J. Grace

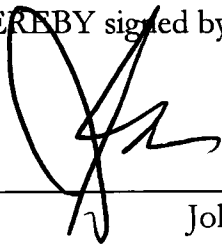
THIS IS TO CERTIFY that the attached copy is a true and correct copy of the Town of Yorktown Planning Board Resolution:

**PLANNING BOARD
TOWN OF YORKTOWN**

**AMENDED RESOLUTION APPROVING SITE PLAN
FOR MONGERO PROPERTIES, LLC**

DATE OF RESOLUTION: June 14, 2010

HEREBY signed by the secretary of the Planning Board:



John Savoca, Secretary

6/14/10
Date

**PLANNING BOARD
TOWN OF YORKTOWN**

**AMENDED RESOLUTION APPROVING SITE PLAN
FOR MONGERO PROPERTIES, LLC**

RESOLUTION NUMBER: #10-1011

DATE: JUNE 14, 2010

On motion of Daniela Crispi, seconded by John Savoca, and unanimously voted in favor by Klaus, Flynn, Crispi, and Savoca, the following resolution was adopted:

WHEREAS in accordance with the Planning Board's Land Development Regulations adopted February 13, 1969 and as last revised July 1, 1999, a formal application for the approval of a site plan titled "Mongero Properties," Section 37.14 Block 1 Lot 44 ("the Property"), prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008, was submitted to the Planning Board on behalf of Mongero Properties, LLC (hereinafter referred to as "the Applicant") and the applicant has represented to this board that they are the lawful owners of the land within said site plan; and

WHEREAS an application fee of \$4,801.60 covering 2.20 acres in the C-1 zone has been received by this board; and

WHEREAS pursuant to SEQRA:

1. The action has been identified as an Unlisted action.
2. The Planning Board has been declared lead agency on November 9, 2009.
3. A negative declaration has been adopted on November 9, 2009 on the basis of a Full EAF dated August 29, 2007.

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

Site Plans

1. A map, Sheet 1 of 10, titled "Mongero Properties Site Plan," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;
2. A map, Sheet 2 of 10, titled "Mongero Properties Existing Conditions Plan," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;
3. A map, Sheet 3 of 10, titled "Mongero Properties Grading and Utility Plan," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;
4. A map, Sheet 4 of 10, titled "Mongero Properties Profiles and AT&T Cable Relocation Plan," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;

5. A map, Sheet 5 of 10, titled "Mongero Properties Erosion and Sediment Control Plan," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;
6. A drawing, Sheet 6 of 10, titled "Mongero Properties Erosion and Sediment Control Notes and Details," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;
7. A drawing, Sheet 7 of 10, titled "Mongero Properties Sanitary Sewer Notes and Details," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;
8. A drawing, Sheet 8 of 10, titled "Mongero Properties Water Notes and Details," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;
9. A drawing, Sheet 9 of 10, titled "Mongero Properties Road, Curb and Sidewalk Details," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;
10. A drawing, Sheet 10 of 10, titled "Mongero Properties Stormwater Management Details," prepared by Site Design Consultants, dated December 3, 2007, and last revised June 18, 2008;

Wetland Mitigation Plans

11. A map, Sheet 1 of 1, titled "Mongero Properties Wetland Mitigation Plan," prepared by Environmental Design Consulting, dated February 19, 2008;

Building Elevations & Floor Plans

12. A drawing, Sheet A-101R, titled "Northern Prototype Yorktown Branch Floor Plan," prepared by H2L2 Architecture Planning Interior Design, dated March 31, 2008 and last revised April 9, 2008;
13. A drawing, Sheet A-201R, titled "Northern Prototype Yorktown Branch Exterior Elevations," prepared by H2L2 Architecture Planning Interior Design, dated April 17, 2008;
14. A drawing, Sheet A-202R, titled "Northern Prototype Yorktown Branch Exterior Elevations," prepared by H2L2 Architecture Planning Interior Design, dated April 17, 2008;

Intersection Improvement Plans

15. A drawing, Sheet 1 of 7, Drawing No. GN-1, titled "NYS Route 118 & Downing Drive General Notes," prepared by John Collins Engineers, P.C., dated April 2, 2008, and last revised June 30, 2008;
16. A drawing, Sheet 2 of 7, Drawing No. TS-1, titled "NYS Route 118 & Downing Drive Typical Section and Miscellaneous Details," prepared by John Collins Engineers, P.C., dated April 2, 2008, and last revised June 30, 2008;
17. A drawing, Sheet 3 of 7, Drawing No. CGD-1, titled "NYS Route 118 & Downing Drive Construction, Grading and Drainage Plan," prepared by John Collins Engineers, P.C., dated April 2, 2008, and last revised June 30, 2008;
18. A drawing, Sheet 4 of 7, Drawing No. CGD-2, titled "NYS Route 118 & Downing Drive Construction, Grading and Drainage Plans," prepared by John Collins Engineers, P.C., dated April 2, 2008, and last revised June 30, 2008;
19. A drawing, Sheet 5 of 7, Drawing No. SP-1, titled "NYS Route 118 & Downing Drive Signing and Striping Plan," prepared by John Collins Engineers, P.C., dated April 2, 2008, and last revised June 30, 2008;
20. A drawing, Sheet 6 of 7, Drawing No. SP-21, titled "NYS Route 118 & Downing Drive Signing and Striping Plan," prepared by John Collins Engineers, P.C., dated April 2, 2008, and last revised June 30, 2008;
21. A drawing, Sheet 7 of 7, Drawing No. T-1, titled "NYS Route 118 & Downing Drive Traffic Signal Plan," prepared by John Collins Engineers, P.C., dated April 2, 2008, and last revised June 30, 2008;

Reports

22. A Traffic Study prepared for Webster Bank, dated July 12, 2005, prepared by John Collins Engineers, P.C.;
23. A Wetland Functional Assessment Report prepared for Webster Bank, prepared by Stephen W. Coleman Environmental Consulting, LLC, dated February 12, 2006.

WHEREAS building materials and colors have been approved by the Advisory Board on Architecture & Community Appearance and are the following:

The exterior is to be red brick, Huston clay products, Franklin stucco, color 2074, texture genova. The cornice is to be a contrasting color, to be determined.

WHEREAS per Section §300-182A(3a) of the Town of Yorktown Town Code, the applicant has provided five (5) parking spaces for 1,000 square feet thereby requiring a total of twenty (20) parking spaces where twenty-three (23) are shown on the site plan; and

WHEREAS the following variances were granted by the Town of Yorktown Zoning Board of Appeals on June 19, 2008:

1. A rear yard for a proposed building having 36.7 feet where 50 feet is required;
2. A rear yard for a proposed accessory building (canopy) having 9.7 feet where 50 feet is required;
3. A side yard for a proposed building having 24.9 feet where 50 feet is required;
4. A side yard for a proposed accessory building (canopy) having 21.3 feet where 50 feet is required.

WHEREAS AT&T has an easement, within the Town right-of-way adjacent to the subject property, to run cables (the "AT&T Cables");

WHEREAS the Yorktown Planning Board has determined that the most appropriate and desirable access to this site is by providing ingress and egress from an extension of Downing Drive within the Town of Yorktown Right-Of-Way abutting the site and as shown on the applicant's site plans enumerated herein; and

WHEREAS the Yorktown Planning Board's determination as to site access requires that the applicant's site work cross the AT&T Cables, which are located underground; and

WHEREAS, the extension of Downing Drive is in the Town's existing comprehensive plan dated 1983 and the proposal undertakes to extend a portion of Downing Drive so as to provide ingress and egress from the site; and

WHEREAS this desired layout will create a four way intersection thereby eliminating or reducing the proliferation of uncontrolled access driveways along Route 118 and in close proximity to its intersection with Downing Drive therefore effecting optimal conditions of safety for the public users of this roadway and intersection; and

WHEREAS the Planning Board has determined said intersection should be signalized to further optimize the safety of the intersection; and

WHEREAS the Planning Board acknowledges that pursuant to the foregoing the Town of Yorktown is the most appropriate entity to enter into an Encroachment Permit to effect the relocation of the AT&T Cables;

WHEREAS the Town of Yorktown Town Attorney has advised the Planning Board by an email dated August 6, 2009 that he has been authorized by the Town Board to pursue such an Encroachment Permit with AT&T to effect the desired relocation of said AT&T Cables;

WHEREAS the Applicant has agreed to pay to the Town seventy thousand dollars (\$70,000.00) in connection with AT&T's relocation of the AT&T Cables¹; and

WHEREAS should AT&T take any actions that cause the Town to incur any additional costs beyond \$70,000.00, the Applicant shall pay such additional costs at the request of the Town as a condition of the issuance of a Certificate of Occupancy; and

WHEREAS if the applicant wishes to transfer ownership of the existing parking area in the northwesterly corner of the Property prior to the completion of the site plan, the Planning Board has no objections provided the following is completed before the transfer:

1. All the improvements shown on the site plan on and for the existing parking area must be completed.
2. A construction easement (if necessary) and an access easement must be in place for the maintenance of the stormwater treatment basin.
3. Submit a copy of the property transfer agreement that shows a construction easement, if necessary, and requires the completion of the improvements shown on the site plan on and for the existing parking area.
4. The ultimate responsibility of completing the improvements shown on the site plan on and for the existing parking area rests with the Applicant.

WHEREAS the proposed wetland mitigation area is within a New York State Department of Transportation drainage easement and any approvals from this agency must be obtained before the site plan is signed by the Planning Board Chairman; and

WHEREAS the Property is located within a Designated Main Street Area and must receive

¹ In 1991, the Town and AT&T entered into a Stipulation of Settlement by the New Yorktown Supreme Court Appellate Division-Second Department with Index No. 6222/91 related to the Town's Comprehensive Plan of 1983, to extend Downing Drive, necessitating the relocation of the AT&T Cables. The Stipulation provided that the Town pay the first \$70,000.00 of the cost to relocate the AT&T Cables. As a result of the Applicant's instant application to extend Downing Drive it will be necessary to relocate the AT&T Cables. Thus, since the instant application will have as a condition of approval the construction of a portion of the Downing Drive extension, the stipulation is referenced. Further the stipulation states AT&T shall be the entity to relocate the cables.

approval from the New York City Department of Environmental Protection before the site plan is signed by the Planning Board Chairman; and

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

Boards & Agencies	Report Date
ABACA	11/14/07, 04/09/08, 04/25/08
Building Inspector	03/31/08
Conservation Board	09/10/07, 10/09/07, 12/07/07, 01/18/08, 03/11/08, 04/07/08, 09/05/08
Fire Marshal	04/23/08
Highway Superintendent	07/14/08
Planning Department	07/13/07, 12/12/07, 01/08/08, 06/09/08
Planning Board Attorney	08/06/08
Town Attorney	Email 06/17/09, Email 08/06/09
Town Engineer	07/16/07, 12/17/07
Wetlands Inspector	01/14/08, 03/24/08
NYSDOT	07/25/08
NYC DEP	07/22/08
Westchester County Planning Board	08/18/08

WHEREAS the requirements of this Board's Land Development Regulations have been met except as note below; and

WHEREAS a Public Informational Hearing was held in accordance with §195-22A(5) of the Yorktown Town Code on the said subdivision application and plat at the Town Hall in Yorktown Heights, New York on November 19, 2007 and continuing and closing on December 3, 2007;

WHEREAS having reviewed all current site plans, building plans, environmental plans and reports, comments and reports from Town professional staff, the public, and other interested and involved agencies associated with the application before it; and having conducted a public hearing on the said site plan application commenced and closed on April 7, 2008, at Town Hall in Yorktown Heights, New York; and

WHEREAS pursuant to the Planning Board's determination that the construction of this site plan is dependent upon the relocation of the AT&T cables; and pursuant to information provided by the Town Board and the Town Attorney that the Town Attorney is directed to effect an agreement with AT&T to relocate the AT&T Cables and in a timely manner;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

Resolved that the site plan as shown on the drawings enumerated herein is dependent on and this approval conditioned on such layout which necessarily requires the relocation of the AT&T cables; and be it further

RESOLVED that if an agreement with AT&T to relocate the AT&T Cables is not executed, that this site plan approval shall be deemed null and void in its entirety and that no construction, site work or any other use of this site is implied to be allowed under this resolution; and be it further

RESOLVED that the Planning Board hereby reserves its right to revoke this approval in its entirety or in part, if the requirements of this approval and the site plans as shown on the drawings enumerated herein are in any way required to be amended pursuant to the rules, policies, or regulations of any third party agencies or entities; and

RESOLVED the Applicant shall pay to the Town the sum of \$70,000 to be held by the Town in escrow and applied by the Town to the costs incurred in connection with the relocation of the AT&T Cables, which funds shall be disbursed by the Town to AT&T upon the Town's receipt of notice from AT&T requesting payment(s) for such work; and

RESOLVED the Applicant's site plans shall be submitted to AT&T for the purpose of aiding in the creation of plans to relocate the AT&T Cables. Any modifications to the site plans requested by AT&T shall be subject to review and approval by the Planning Board; and

RESOLVED copies of all correspondence between the Applicant and AT&T shall be submitted to the Director of Planning for review; and

RESOLVED any permits, agreements, or approvals provided to the Applicant by AT&T shall be submitted to the Planning Board for review by the Town Attorney; and

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

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

RESOLVED that for any site disturbance of greater than 5,000 SF the Applicant must comply with New York State DEC Phase II Stormwater Regulations, latest amendment and the Town of Yorktown Stormwater Ordinance Chapter 248 of the Yorktown Town Code; and

BE IT NOW RESOLVED that the application of Mongero Properties, LLC for the approval of a site plan titled "Mongero Properties," as prepared by Site Design Consultants, last revised June 18, 2008, be approved subject to the modifications and conditions listed below, and that the Chairman of this Board be and hereby is authorized to endorse this Board's approval of said plan upon compliance by the applicant with the following additional modifications and requirements as noted below:

Additional modifications to the plans prior to signature of the Site Plan by the Planning Board Chairman:

1. Submit one complete Landscape Plan to the satisfaction of the Planning Board and ABACA.
2. Submit a revised Lighting Plan to the satisfaction of the Planning Board and ABACA. The revised Lighting Plan should address the following:
 - a. Light fixtures should be similar to the fixtures now installed on Commerce Street.
 - b. All wallpacks and canopy lighting should be shown and detailed on the plan.
 - c. Add notes stating State of New York ATM lighting requirements.
 - d. Reconcile the ATM 30' photometric grid and the site plan photometric grid.
 - e. The drive-thru canopy lighting levels are excessive and should be lowered.
3. Modify site plan to include pedestrian sidewalk access to the new building with associated crosswalk at Route 118 intersection.
4. Add a note to the site plan listing all variances granted by the Zoning Board of Appeals and the dates such approval was given.
5. Modify intersection improvement plans to accommodate two five foot bike lanes on either side of Downing Drive.
6. Add a note to the intersection improvement plans stating improvements will be coordinated with the plans from the current Route 118 sidewalk construction project.
7. Eliminate or gray scale the traffic improvements shown on the site plan so as they will not conflict with the intersection improvement plans.

8. Add a note on the Erosion and Sediment Control Plan stating the limits of disturbance to be delineated in the field by orange construction fencing.
9. Modify curb detail to comply with town standards.
10. Provide a smaller scale detail of the front entrance area of the building showing all construction, including sidewalks, ramps, and curbing keyed to appropriate details.
11. Submit a revised sheet titled "Mongero Properties Internal Site Signage" which states the author of the plans and includes a revision date.
12. Add note to site plan stating that the existing gravel lot in the northwesterly corner of the Property is for the purpose of a parking lot.
13. Add a note to the site plan stating the improvements on and for the existing parking area are to be completed before transfer of this portion of the Property.
14. Submit a revised survey for the lot line adjustment.

Additional modifications to the plans pursuant to NYC DEP letter dated March 3, 2010, to be completed prior to signature of the Site Plan by the Planning Board Chairman:

15. The pollutant loading analysis indicates that a grass swale will be provided for treatment of post development drainage area ID2. Please clearly show this grass swale on the plans and provide associated calculations.
16. Add notes to the plans regarding erosion and sediment control/construction sequencing to the satisfaction of the NYC DEP.
17. Provide additional plan details as required by and to the satisfaction of the NYC DEP.
18. Provide additional inspection and maintenance details as required by and to the satisfaction of the NYC DEP.

The following conditions and obligations shall be fulfilled prior to signature of the Site Plan by the Planning Board Chairman:

19. Submit one complete set of all plans for this site for review by the Planning Department prior to signature by the Planning Board Chairman.

20. Plans revised to comply with said modifications contained herein must be submitted for review and approval of Wetland & Excavation Permit #WP-E-045-07 by the Planning Board.
21. Submission of all legal fees due on this application.
22. Submission of fees and security to the Engineering Department per the Town Engineer's requirements:

Performance Bond
Cash Erosion Control Bond
8% Inspection Fee

Fees to be determined after Planning Board approval and a complete final set of drawings are submitted to the Town Engineer.

23. Submission of draft access easement language for the existing parking area on the northwestern portion of the Property.
24. Approval in writing from the New York City Department of Environmental Protection.
25. Approval in writing from the New York State Department of Transportation for the intersection improvements and wetland mitigation work located within the drainage easement. The intersection improvements are to be completed prior to issuance of a certificate of occupancy.

The following conditions and obligations shall be fulfilled prior to any site work or the issuance of a building permit for the site:

26. Prior to the commencement of any site work in connection with this approval, except the work associated with the existing parking lot in the northwesterly corner of the Property, which may commence prior to payment, Applicant shall pay to the Town the sum of \$70,000.00 to be held by the Town in escrow and applied by the Town to the costs incurred in connection with the relocation of the AT&T Cables, which funds shall be disbursed by the Town to AT&T upon the Town's receipt of notice from AT&T requesting payment(s) for such work.

The following conditions and obligations shall be fulfilled prior to the issuance of a certificate of occupancy for the site:

27. Intersection improvements at Route 118 and Downing Drive are to be completed prior to issuance of a certificate of occupancy.
28. Should AT&T take any actions that cause the Town to incur additional costs beyond \$70,000.00, the Applicant shall pay such additional costs at the request of the Town as a condition to issuance of a Certificate of Occupancy.

Additional requirements:

29. Applicant must obtain all necessary permits from outside agencies in order to complete project.
30. Proposed plan must comply with all current applicable ADA standards.
31. Applicant must submit final plans and as-builts in AutoCAD R14 readable format.


BE IT FURTHER RESOLVED that unless a building permit has been issued within 360 days of the date of this resolution, **November 4, 2010**, this approval will be null and void.

**PLANNING BOARD
TOWN OF YORKTOWN**

**AMENDED RESOLUTION APPROVING SITE PLAN
FOR MONGERO PROPERTIES, LLC**

DATE OF RESOLUTION: June 14, 2010


SIGNED BY:



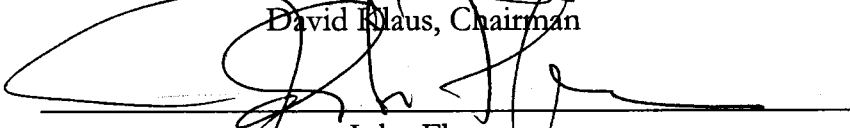
David Klaus, Chairman

ROLL CALL:

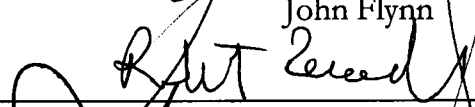
AYES:



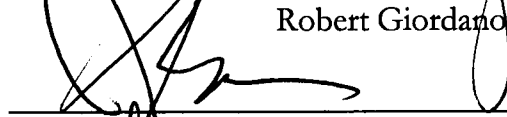
David Klaus, Chairman



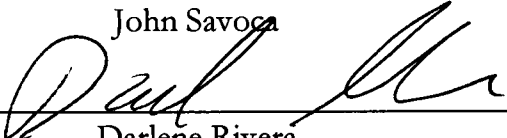
John Flynn



Robert Giordano



John Savoca



Darlene Rivera

NAYS:

ABSTAIN:



LOCATION MAP
NOT TO SCALE

SITE DATA:

OWNER / DEVELOPER: MONGERO PROPERTIES
1881 COMMERCE STREET
YORKTOWN HEIGHTS, NY 10598

PROJECT LOCATION: NYS RT. 118 AND DOWNING ROAD
YORKTOWN HEIGHTS, NY

EXISTING TOWN ZONING: C-1, BUSINESS

PROPOSED USE: C-1, BUSINESS

TOWN TAX MAP DATA: SECTION 37.14, BLOCK 1, LOT 44

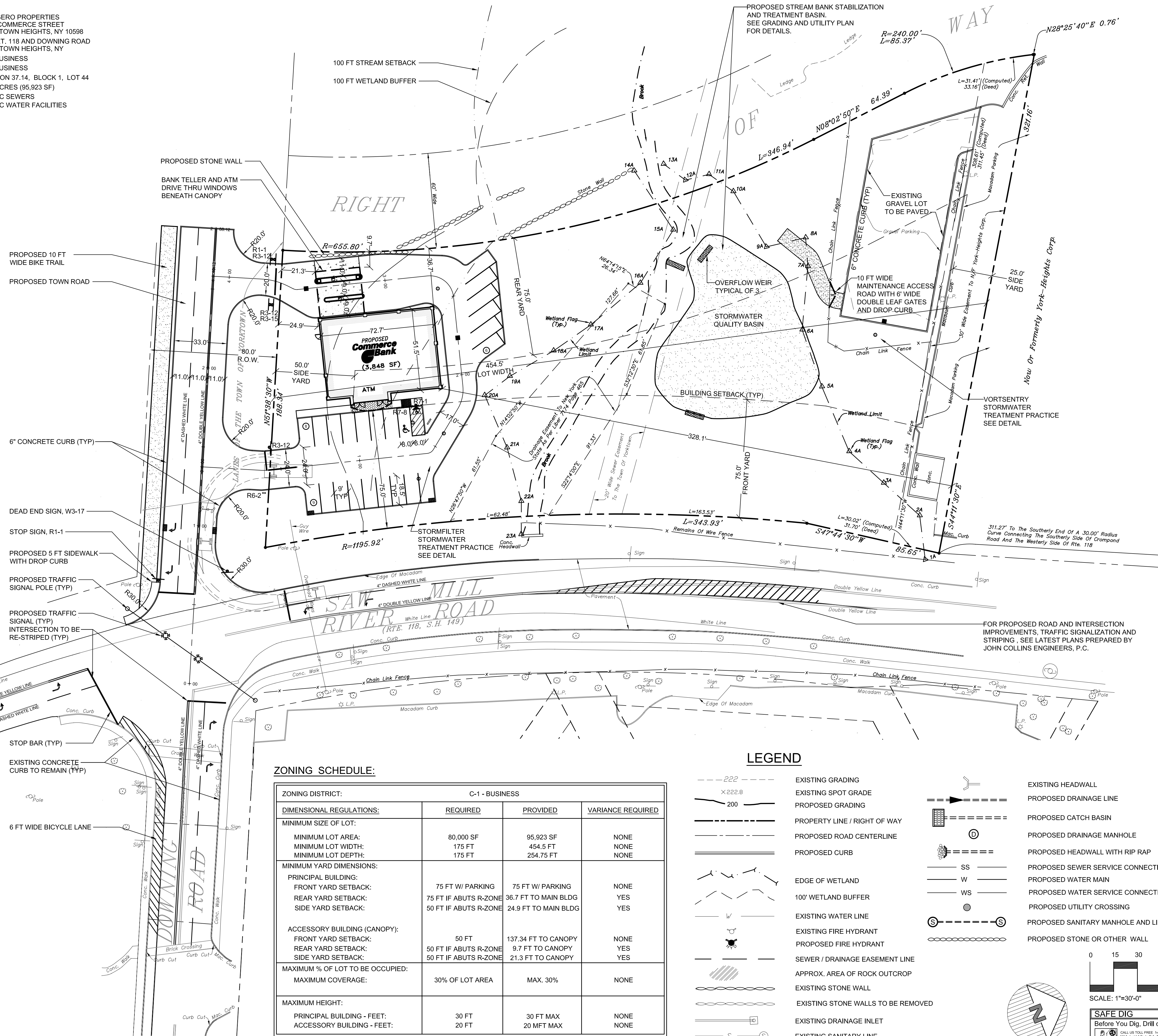
SITE AREA: 2.20 ACRES (95,923 SF)

SEWAGE FACILITIES: PUBLIC SEWERS

WATER FACILITIES: PUBLIC WATER FACILITIES

GENERAL NOTES:

- All work and materials shall conform to the Town of Yorktown's code of practice and specifications.
- All work on the project shall be performed in a workman like manner and shall be in accordance with the standards of the industry. The Owner will be the sole judge of the acceptability of the work. Materials and work deemed unacceptable will be removed and redone at the sole cost and responsibility of the Contractor.
- The Town Engineer's Office is to be notified 24 hours before commencing site construction.
- It is the Contractor's responsibility to call in a "CODE 53" prior to construction for underground utility locations.
- The Contractor shall be responsible to protect his work and will be held responsible for consequential damages due to his activities. The Contractor shall be responsible to the Owner for the acts and omissions of his employees, subcontractors and their agents and employees and any other persons performing any the work under a separate contract with the Contractor.
- It shall be the Contractor's responsibility to notify the the Town Inspector in advance of his work or as the Inspector deems appropriate.
- All conditions, locations and dimensions shall be field verified by the Contractor and the Owner/Engineer notified in writing of any discrepancies prior to the start of work. The Owner/Engineer will evaluate the situation and modify the plan as necessary.
- The Contractor shall supervise and direct the work using his best skill and attention. He shall be solely responsible for all construction means, methods, techniques, sequences and procedures and for coordinating all portions of the work under this contract.
- Substructures and their encroachments below grade, if any, are not shown. The Contractor shall verify all substructures encountered during construction.
- A Street Opening Permit shall be obtained from the Town of Yorktown D.P.W. as required for Installations in public roads.
- The contractor shall be responsible for obtaining all necessary permits for any blasting if required.
- No topsoil shall be removed from the site.
- The Contractor shall secure & pay for a builders risk policy to cover the period of construction. The Engineer & Owner shall be named as additional insured. All Contractors employed at the site shall be covered by workman's compensation.
- All changes made to the plans shall be approved by the Engineer and any such changes shall be filed as amendments to the original Town permit.
- All written dimensions on the drawings shall take precedence over any scaled dimensions.
- The Contractor shall take all precautions to minimize disturbance within the control area by installing the sediment erosion control practices required.
- The Engineer whose seal appears hereon has not been retained for supervision of construction, subsequently, he is not responsible for construction and therefore assumes no responsibility for construction practices, procedures, and results therefrom.
- The Design Engineer disclaims any liability for damage or loss incurred during or after construction.
- The Engineer shall not be held responsible or held accountable for the integrity of any structures constructed or under construction prior to the approval of the plans.
- All conditions of approval as noted in formal letters of approval or findings are a part of the approved site plan, drawings or plans, and are hereby referenced for additional approval details.
- Proposed re-configuration and striping of Saw Mill River Road and the proposed traffic signal are designed by others. The inclusion of these items on this plan sheet is for general reference only. Refer to traffic improvement plans as prepared by others for details.



PARKING SCHEDULE

REQUIRED PARKING:	5 SPACES PER 1000 SF OF BUILDING
PROPOSED BANK:	3,845 S.F. @ 5 SPACES/1000 S.F. = 19.2 SPACES
PROVIDED PARKING:	22 STANDARD 1 HANDICAP
TOTAL PROVIDED PARKING:	23 SPACES
PARKING VARIANCE REQUIRED:	0 SPACES

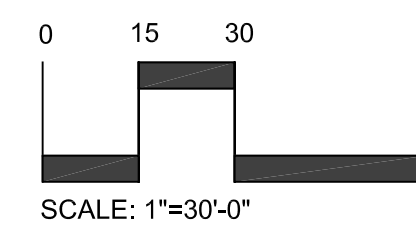
- NOTE:**
- UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.
 - THIS IS NOT A SURVEY. ALL SURVEY INFORMATION SHOWN ON THIS PLAN HAS BEEN TAKEN FROM SURVEY MAP PREPARED BY DONNELLY LAND SURVEYORS FOR MONGERO PROPERTIES, LAST DATED 12/7/04. WETLAND FLAGS UPDATED BY STEVE COLEMAN AND SURVEYED BY DONNELLY LAND SURVEYING 8/31/04. THE ENGINEER ASSUMES NO RESPONSIBILITY FOR ITS ACCURACY.
 - WETLAND LIMIT LINE, AS SHOWN ON THIS PLAN, WAS OBTAINED FROM THE WETLAND DELINEATION PERFORMED BY STEPHEN W. COLEMAN ENVIRONMENTAL CONSULTING, LLC, AUGUST 2004.

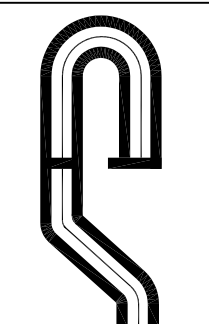
ZONING SCHEDULE:

ZONING DISTRICT: C-1 - BUSINESS			
DIMENSIONAL REGULATIONS:	REQUIRED	PROVIDED	VARIANCE REQUIRED
MINIMUM SIZE OF LOT:			
MINIMUM LOT AREA:	80,000 SF	95,923 SF	NONE
MINIMUM LOT WIDTH:	175 FT	454.5 FT	NONE
MINIMUM LOT DEPTH:	175 FT	254.75 FT	NONE
MINIMUM YARD DIMENSIONS:			
PRINCIPAL BUILDING:			
FRONT YARD SETBACK:	75 FT W/ PARKING	75 FT W/ PARKING	NONE
REAR YARD SETBACK:	75 FT IF ABUTS R-ZONE	36.7 FT TO MAIN BLDG	YES
SIDE YARD SETBACK:	50 FT IF ABUTS R-ZONE	24.9 FT TO MAIN BLDG	YES
ACCESSORY BUILDING (CANOPY):			
FRONT YARD SETBACK:	50 FT	137.34 FT TO CANOPY	NONE
REAR YARD SETBACK:	50 FT IF ABUTS R-ZONE	9.7 FT TO CANOPY	YES
SIDE YARD SETBACK:	50 FT IF ABUTS R-ZONE	21.3 FT TO CANOPY	YES
MAXIMUM % OF LOT TO BE OCCUPIED:			
MAXIMUM COVERAGE:	30% OF LOT AREA	MAX. 30%	NONE
MAXIMUM HEIGHT:			
PRINCIPAL BUILDING - FEET:	30 FT	30 FT MAX	NONE
ACCESSORY BUILDING - FEET:	20 FT	20 MFT MAX	NONE

LEGEND

- 222 --- EXISTING GRADING
- x222.8 EXISTING SPOT GRADE
- 200 --- PROPOSED GRADING
- --- PROPERTY LINE / RIGHT OF WAY
- --- PROPOSED ROAD CENTERLINE
- --- PROPOSED CURB
- --- EDGE OF WETLAND
- --- 100' WETLAND BUFFER
- --- EXISTING WATER LINE
- --- EXISTING FIRE HYDRANT
- --- PROPOSED FIRE HYDRANT
- --- SEWER / DRAINAGE EASEMENT LINE
- --- APPROX. AREA OF ROCK OUTCROP
- --- EXISTING STONE WALL
- --- EXISTING STONE WALLS TO BE REMOVED
- --- EXISTING DRAINAGE INLET
- --- EXISTING SANITARY LINE
- --- EXISTING HEADWALL
- --- PROPOSED DRAINAGE LINE
- --- PROPOSED CATCH BASIN
- --- PROPOSED DRAINAGE MANHOLE
- --- PROPOSED HEADWALL WITH RIP RAP
- SS --- PROPOSED SEWER SERVICE CONNECTION
- W --- PROPOSED WATER MAIN
- WS --- PROPOSED WATER SERVICE CONNECTION
- --- PROPOSED UTILITY CROSSING
- S --- PROPOSED SANITARY MANHOLE AND LINE
- --- PROPOSED STONE OR OTHER WALL





Site Design Consultants
Civil Engineers • Land Planners
251-F Underhill Avenue, Yorktown Heights, NY 10598
(914) 962-4488 - Fax: (914) 962-7386
www.SiteDesignConsultants.com

Engineer: Joseph C. Riina, P.E.
NYS Lic. No. 64431

Revisions:	No.	Date	Comments
	1	2/19/08	Per PB & CB
	2	4/1/08	Zoning
	3	5/7/08	Rev. Stormwater

SCALE: 1" = 30'

DRAWN BY: JMC

DATE: 12/03/07

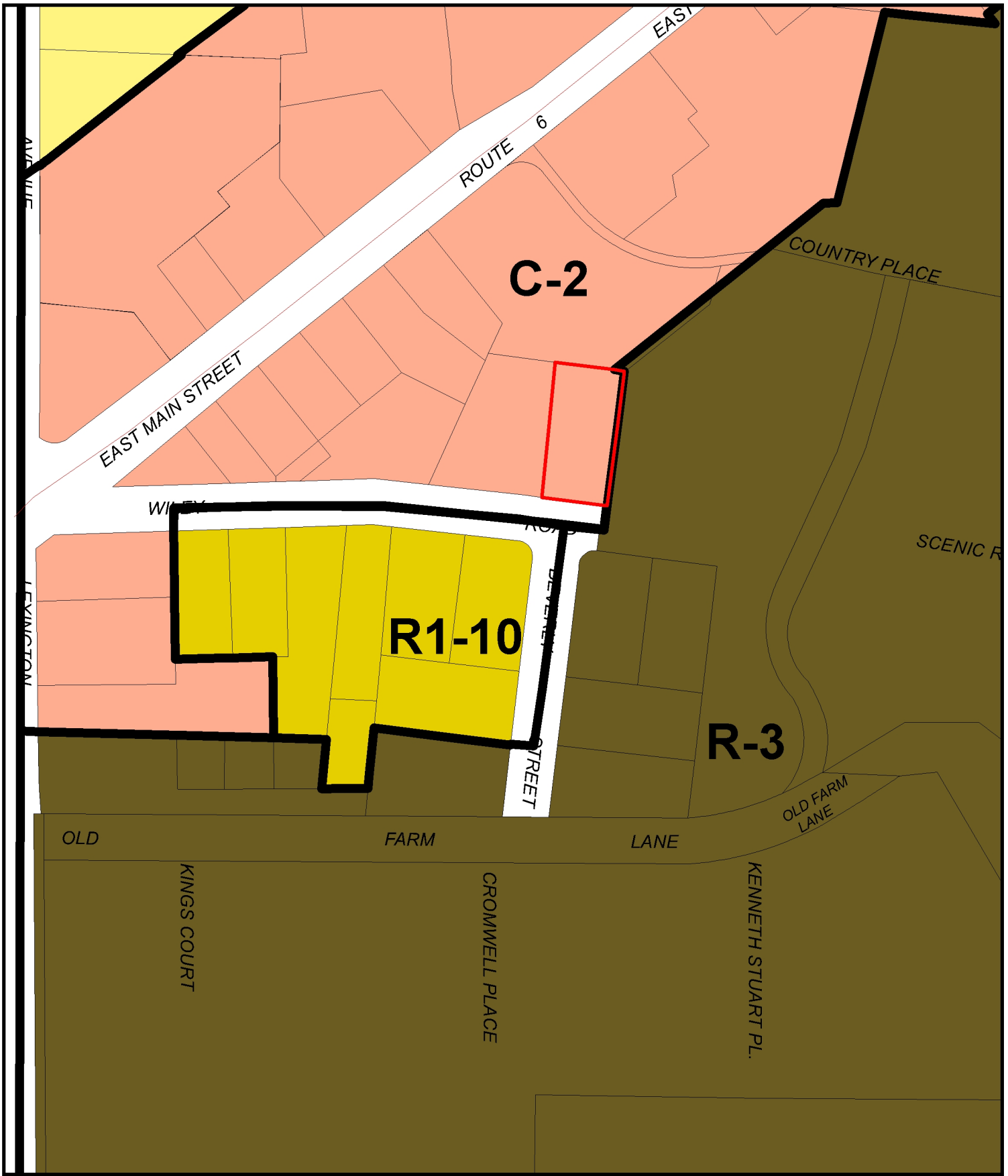
SITE PLAN

PROPOSED SITE PLAN
PREPARED FOR

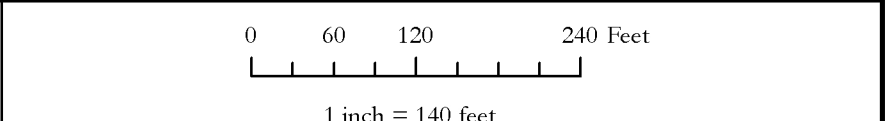
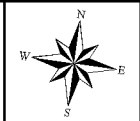
MONGERO PROPERTIES
a.k.a. Commerce Bank
Rt. 118 and Downing Road
Yorktown Heights, NY 10598
Westchester Co., New York

Sheet 1 of 9

TB Referral
1760 Wiley Road



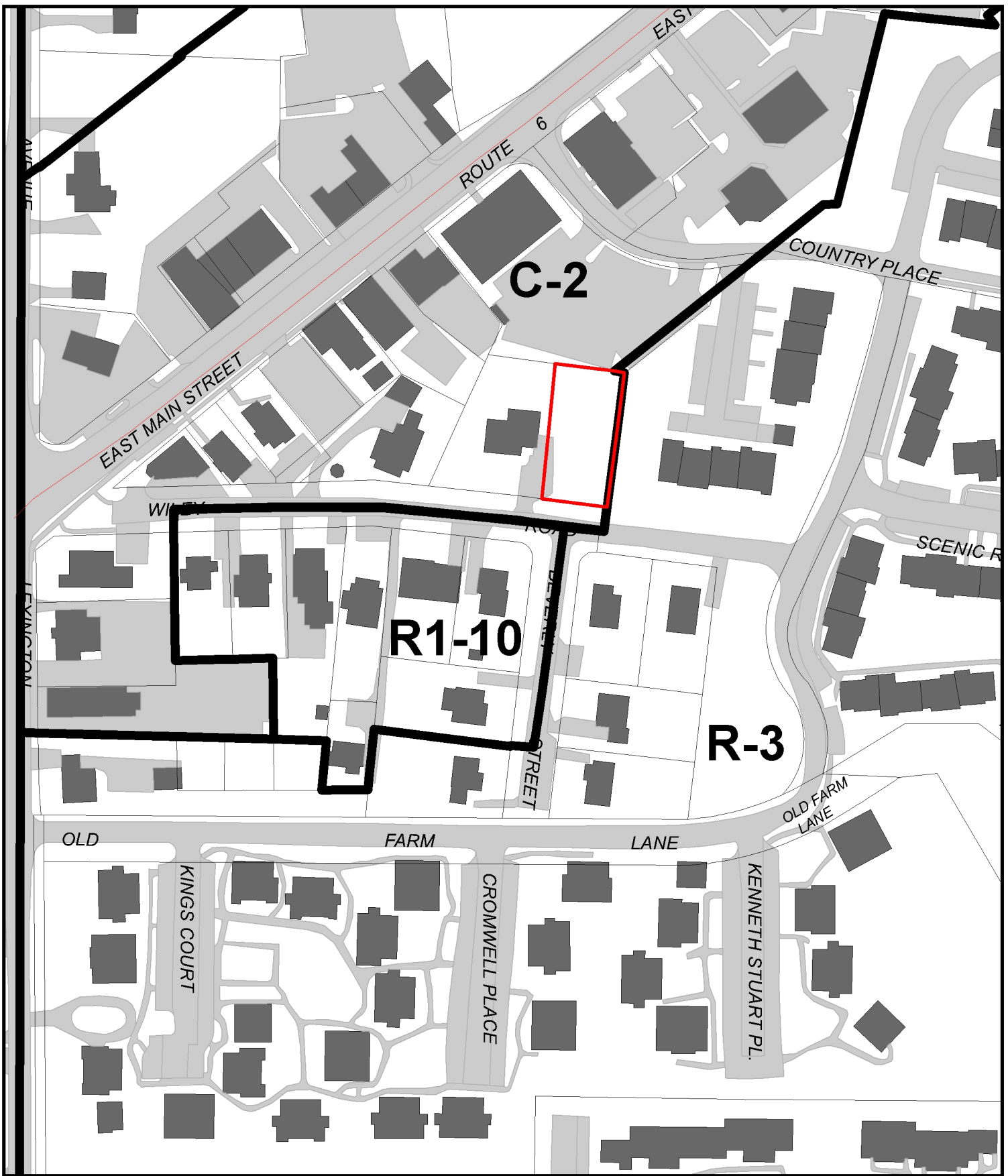
TOWN OF YORKTOWN PLANNING DEPARTMENT
 Albert A. Capellini Community & Cultural Center
 1974 Commerce Street, Yorktown Heights, NY 10598
 (914) 962-6565, www.yorktownny.org/planning



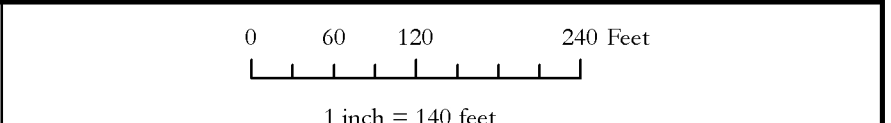
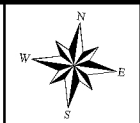
TITLE: Wiley Road Zoning
 DATE: May 21, 2021

FILE: F:\ArcGIS\PROJECTS\wiley-road-zoning.mxd
 BY: RAS

Sources: Town of Yorktown GIS and Westchester County GIS: 2018.



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



TITLE: Wiley Road Zoning
 DATE: May 21, 2021

FILE: F:\ArcGIS\PROJECTS\wiley-road-zoning.mxd
 BY: RAS

Sources: Town of Yorktown GIS and Westchester County GIS: 2018.

TOWN OF YORKTOWN TOWN BOARD

Resolved, the Town Clerk is authorized to refer out to appropriate agencies for their review and/or recommendation a Rezoning Petition submitted by Michael Grace, Esq. on behalf of his client, Ben Cozzi, contract vendee, for property located at 1760 Wiley Road also known on the Town of Yorktown Tax Map as Section 15.19, Block 1, Lot 10. The request is to rezone from C-2 Commercial designation to either R-2 or Transitional Zone.

Further Resolved, the Town Board declares its intent to act as Lead Agency. We are transmitting the following referral for your review and recommendation and ask that you respond back to the Town Clerk by June 18, 2021.

RECEIVED
PLANNING DEPARTMENT

TO:

MAY 20 2021

TOWN OF YORKTOWN

- File
- Town Clerk
- ABACA
- Assessor
- Building Inspector
- Community Housing Board
- Conservation Board
- Fire:
 - Lake Mohegan
 - Yorktown
- Highway Dept.
- Open Space Committee
- Planning Dept. / Board (6)
- Police Dept.
- Public Safety Committee
- Recreation Commission
- School District:
 - Yorktown
 - Lakeland
- Town Attorney
- Town Board
- Town Engineer
- Tree Conservation Advisory Committee
- Water Department
- Wetlands Inspector
- Yorktown Land Trust

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

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

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

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

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

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

SUBJECT: **We are transmitting the following: Rezoning Petition** for property located at 1760 Wiley Road. The request is to rezone from C-2 Commercial designation to either R-2 or Transitional Zone.

DATE: May 20, 2021

- Application/Petition
- Drawings
- EAF
- EAF Addendum
- Report
- Wetlands Permit Application
- SEQRA Scope
- Other

FOR YOUR: Information Review Comment

LAW OFFICES OF GRACE & GRACE

The Grace Building
360 Underhill Avenue
Yorktown Heights, New York 10598-4517
(914) 962-6100 * Fax (914) 962-6181

Michael J. Grace
William J. Grace

E-MAIL: Gracelaw1@aol.com

May 19, 2021

Town Supervisor Matthew Slater and
Honorable Councilmen -Town Board - Town of Yorktown
c/o Town Clerk, Diana Quast
363 Underhill Avenue
Yorktown Heights, New York 10598

Town Clerk's Office
MAY 19 2021
Diana L. Quast, Town Clerk
Town of Yorktown, New York

Re: Re-zoning Request
Tax parcel: 15.19-1-10
Applicant: Ben Cozzi contract vendee
Owner of record: Maddelena Rutigliano

Dear Supervisor Slatter and Honorable Members of the Town Board:

As you know our office represents Ben Cozzi who is the contract vendee of property presently held by Maddelena Rutigliano and known as tax parcel 15.19-1-10, a/k/a 1760 Wiley Road.

Under cover of a previous letter dated April 7, 2021 we submitted the applicable fee with our letter request for a re-zoning.

The following is submitted in conformity with the Town's formal requirements for the re-zoning request:

Nature of the Re-Zoning Request:

The applicant, and presently the contract vendee, i.e. equitable owner of the property seeks to have the property rezoned from its present commercial

designation to an allowable residential use. Inasmuch as the lot in issue is a vacant 11,000 square foot parcel situate between the commercial properties fronting the southern side of Route 6 and the multi-family R3 developments across Wiley Road and to the west by a mix of older single family homes and small commercial uses it is requested that the Board exercises its legislative prerogatives and re-zone the parcel to a transitional zone allowing for a two family residential unit on the lot.

Under the current code an R2 designation allows for a two family residence but on a 20,000 square foot minimum lot, or 10,000 lot area per residential unit. The Code's R3 designation allows for greater density but the yard setbacks cannot be met on this particular lot. There is no code provisions for a single family or two family on a ten thousand square foot lot without a variance. It should be noted that historically this lot was a legal single family building lot requiring only 10,000 square feet before the R1-10 designation was amended requiring minimum lot size of 20,000 square feet and before this lots rezonng to a commercial use.

The proposed use of the property as a two family house would be in comport with the surrounding neighbor hood and would be an ideal transitional use from the commercially zoned and utilized properties fronting route 6 and the large number of multi-family development along Mohegan Lake and abutting Wiley Road.

The siting of the proposed residence is as shown on the attached and as previously submitted.

The alternative is to continue the present commercial designation of the lot which leaves the lot sterile as its size precludes any meaningful commercial use. In point of argument the present designation of the lot for commercial use together with its limited lot size is an incentive to potential noxious commercial uses.

The designation to allow a residential use will provide a less intense use of the property and a use much more compatible use to the abutting and surrounding uses.

The rezoning to a two family home will also be an opportunity to create and add to the much need diverse and affordable housing base which is a desirable outcome. Especially, where such affordable housing opportunities are proximate to the town's hamlet areas and within walking distance of employment

opportunities.

The request made herein should fit squarely within the furtherance of fulfilling the Town's development goals. The only drawback being it is just but a single lot.

Attached hereto are our prior submissions together with short form EAF.

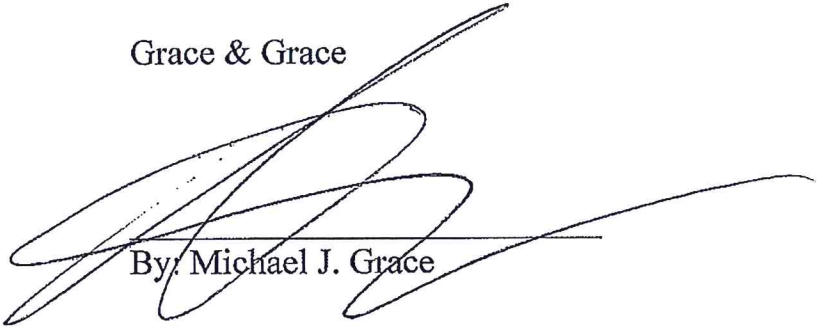
I believe this along with the prior submission should suffice to fully consider this application as it seeks only to rezone the single parcel.

As to the potential argument that a single lot rezoning is akin to "spot zoning" it is respectfully submitted that the present designation of the lot as commercial was a result of a broader rezoning of the area taking this lot out of its prior residential designation. To the extent that action has left the property sterilized as to meaningful development this request is much more in the nature of a corrective action putting the property back to its useful and designed use, i.e. residential. Inasmuch as the neighborhood is dominated by much denser multi-family, common wall residential development the two family proposed use is the ideal fit.

We look forward to meeting and working with you on this matter and wish to express our appreciation for your anticipated cooperation and kind courtesies in considering our request.

Very truly yours,

Grace & Grace



By: Michael J. Grace

cc: Ben Cozzi



Application No. _____
Fee Received \$ 500.00

APPLICATION FOR
CHANGE OF ZONE

TOWN BOARD OF THE TOWN OF YORKTOWN
363 Underhill Avenue
Yorktown Heights, NY 10598

MJD

1. Name and Address of Applicant: Ben Cozzi for MJD Contracting Corp.
PO Box 627 Jefferson Valley NY 10535 Daytime Phone: 9144030389
2. Name and Address of Contact Person (if different from above): Michael Grace
Daytime Phone: 914 962-6100
3. Location of Property: 1760 Wiley Road
4. Description of Property to be rezoned: vacant lot
5. Acres: 25
6. Tax Map Section 15.19 Parcel 1 Lot 10
7. Present zoning: _____
8. Proposed zoning: _____
9. Applicant's signature: Ben Cozzi
10. Date of this application: 5/10/2021

This application shall be considered official when the following items are submitted to the Town Clerk, 363 Underhill Avenue, Yorktown Heights, NY 10598:

1. Application
2. Filing fee: One hundred dollars per acre to be rezoned but not less than \$500 and not more than \$3,500.
3. One (1) set of paper plans; one (1) set of plans sent electronically to the Town Clerk, Diana L. Quast, at dquast@yorktownny.org
4. One (1) set of the written metes and bounds description; one (1) set sent electronically to the Town Clerk, Diana L. Quast, at dquast@yorktownny.org

FOR OFFICIAL USE

Date Received: _____

By: _____
Town Clerk's Office

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information			
Ben Cozzi			
Name of Action or Project: 1760 WILEY ROAD			
Project Location (describe, and attach a location map): 1760 Wiley Road			
Brief Description of Proposed Action: Re-zone from Commercial to TRANSITION allowing a two-family residence on 11000 square foot lot as per the attached			
Name of Applicant or Sponsor: Ben Cozzi c/o GRACE + GRACE		Telephone: 914 962-6100	
		E-Mail: GRACE@GWL@aol.com	
Address: 360 Underhill Ave			
City/PO: Yorktown Heights		State: NY	Zip Code: 10598
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		1.25	acres
b. Total acreage to be physically disturbed?		1.25	acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		1.25	acres
4. Check all land uses that occur on, are adjoining or near the proposed action:			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input type="checkbox"/> Parkland			

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

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input checked="" type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES
If Yes,	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

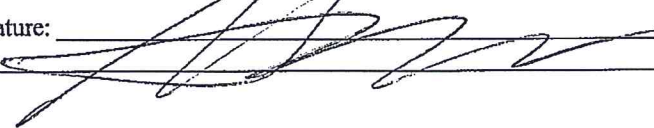
18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)?	NO	YES
If Yes, explain the purpose and size of the impoundment:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?	NO	YES
If Yes, describe:	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE

Applicant/sponsor/name: Berg Cozzi by Michael Grace Date: 5-17-21

Signature:  Title: _____

Project:

Date:

**Short Environmental Assessment Form
Part 2 - Impact Assessment**

Part 2 is to be completed by the Lead Agency.

Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:		
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Project:

Date:

**Short Environmental Assessment Form
Part 3 Determination of Significance**

For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
- Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.

Name of Lead Agency

Date

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (if different from Responsible Officer)

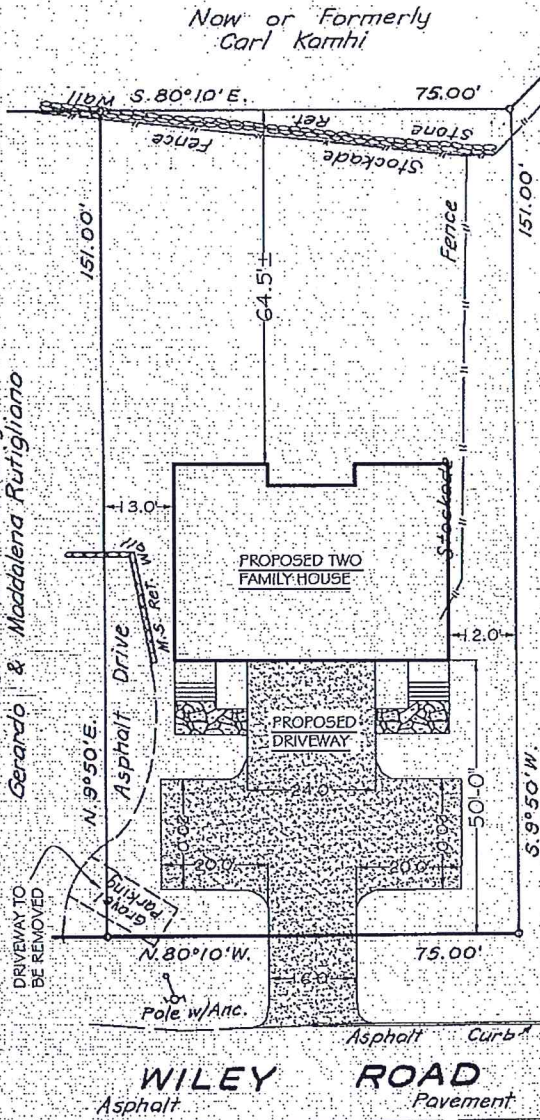
TITLE NO.

CERTIFIED TO:

Maddalena Rutigliano

In accordance with the existing code of practice for land surveys adopted by the New York State Association of Professional Land Surveyors.

Certifications shall run only to those individuals and institutions shown herein under the title policy number shown above. Said certifications are not transferable.



Now or Formerly
Carl Kamhi

Now or Formerly
Gerardo & Maddalena Rutigliano

Now or Formerly Permelynn of Westchester, Inc.

WILEY ROAD
Asphalt Pavement

SURVEY OF PROPERTY
SITUATE IN THE
TOWN OF YORKTOWN
WESTCHESTER COUNTY
NEW YORK

Area = 11,325 S.F.

SCALE: 1" = 20'
DATE: AUG. 8, 1994

FILE No. T700-25
P35-9

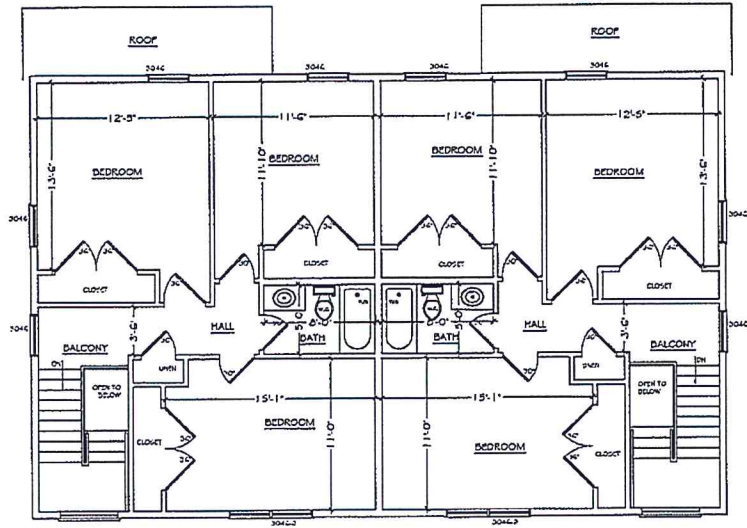
Surveyed as per Liber-10924, Page 307.

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

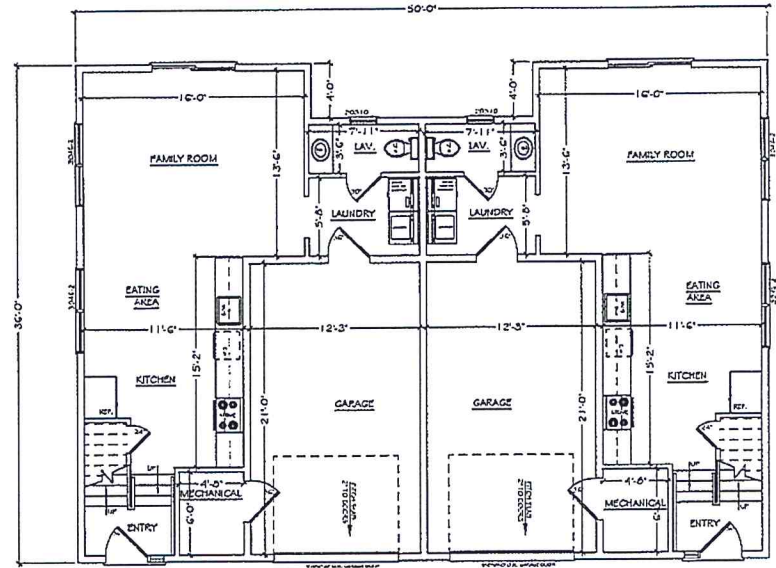
SURVEYED & PREPARED BY
BUNNEY ASSOCIATES
LAND SURVEYORS
3 FIELDS LANE, NORTH SALEM
NEW YORK 10560
PH. (914) 277-3404

Anthony DeBora
N. Y. S. LIC. No. 49322

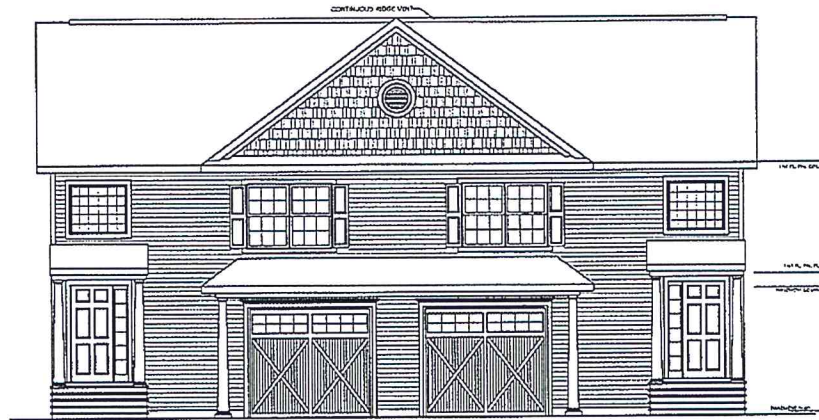
Unauthorized alteration or addition to a survey map bearing the seal and signature of a professional land surveyor is a violation of Section 2209, Sub-division 2, of the New York State Education Law.
The location of underground improvements or encroachments, if any exist, are not certified.



UPPER LEVEL PLAN
SCALE 1/4" = 1'-0"



LOWER LEVEL PLAN
SCALE 1/4" = 1'-0"



FRONT ELEVATION
SCALE 1/4" = 1'-0"

TB Referral
JV Mall Outdoor
Patio

MAY 18 2021

TOWN OF YORKTOWN

From: Maura Weissleder

Sent: Tuesday, May 18, 2021 12:35 PM

To: 'pbock@teatown.org' <pbock@teatown.org>; 'dianedri@aol.com' <dianedri@aol.com>; 'richfon@aol.com' <richfon@aol.com>; John Tegeder <jtegeder@yorktownny.org>; Robyn Steinberg <rsteinberg@yorktownny.org>

Subject: Amended Site Plan - JV Mall Outdoor Patio

Please review the attached documents for the above-referenced project. This will be scheduled for a work session in the near future.

Thank you.

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.*



April 15, 2021

Town of Yorktown
Building Department
363 Underhill Ave.
Yorktown Heights, NY, 10598

Re: Peekskill Brewery Patio.

To Whom It May Concern;

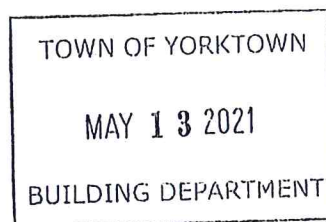
We would like to submit our approval for the Yorktown Heights Building Department to allow ConstructionOne to move forward with the application process for a building permit for work to be performed in the loading dock "D" area here at the Jefferson Valley Mall. Please do not hesitate to call me with any questions or concerns.

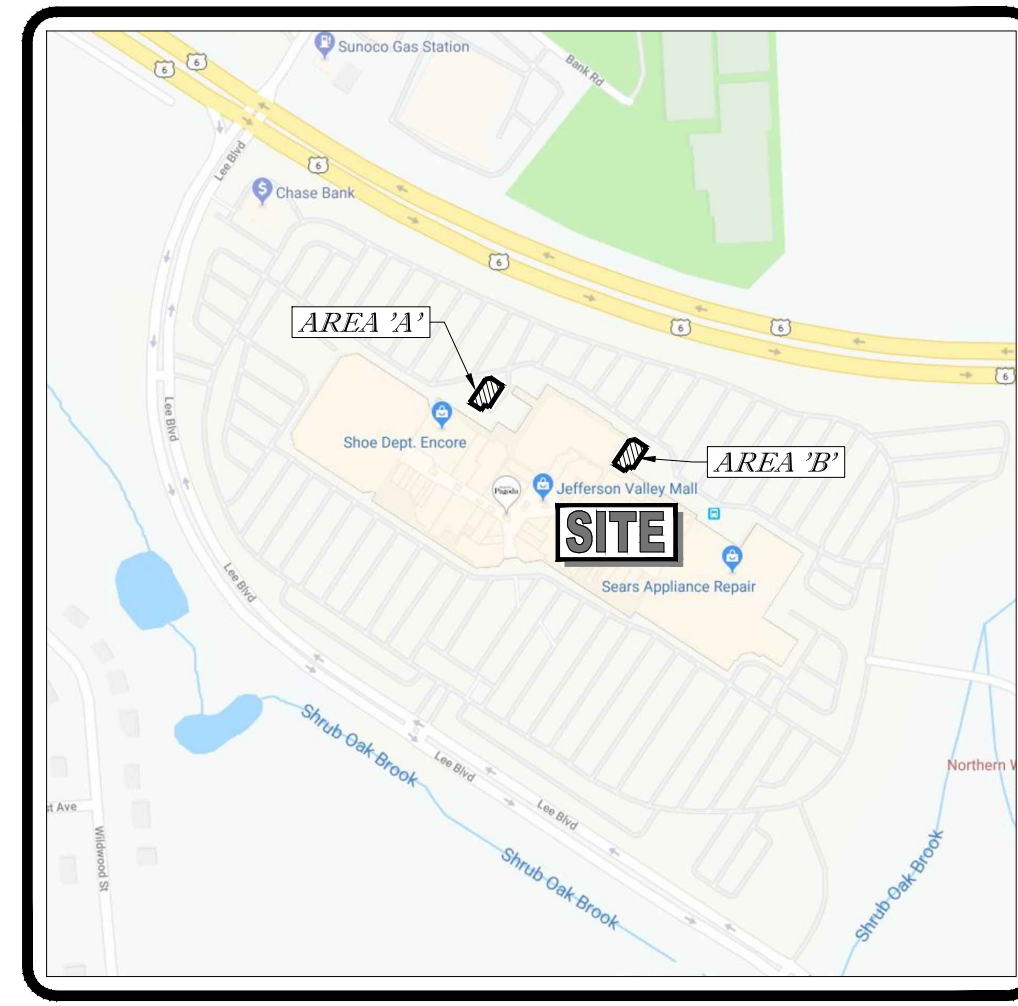
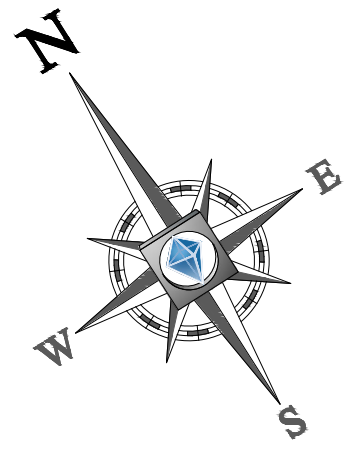
Thank you in advance for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Anthony J. Cimini".

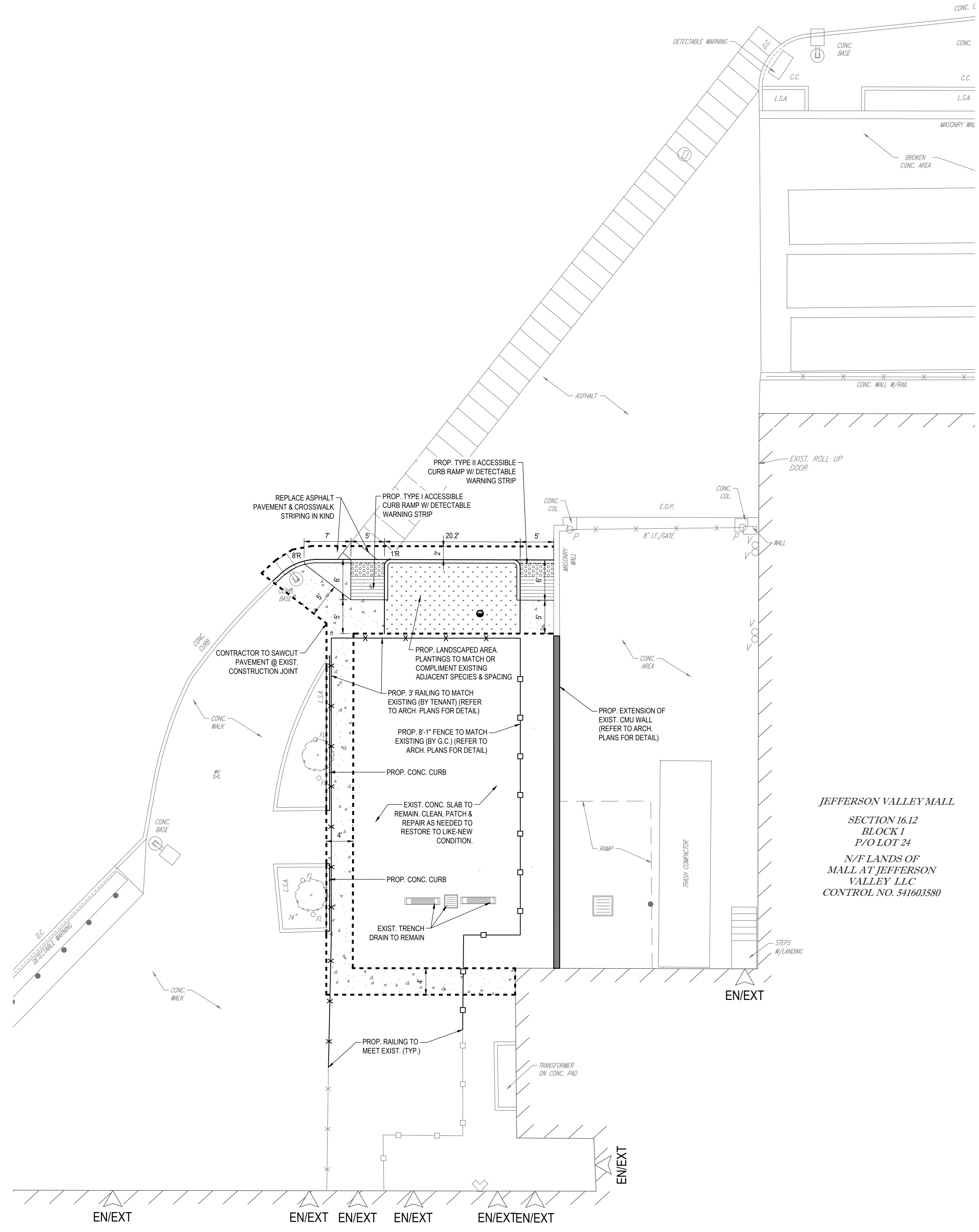
Anthony J. Cimini
Operations Director
Jefferson Valley Mall
650 Lee Blvd
Yorktown Heights, NY, 10598
(914) 245-4688
Anthony.cimini@washingtonprime.com



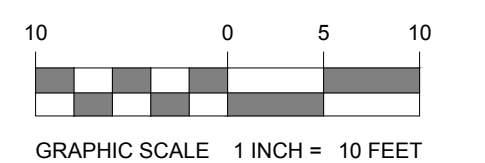


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PATIO IMPROVEMENTS**



THE EDUCATION LAW OF THE STATE OF NEW YORK PROHIBITS ANY PERSON ALTERING ANYTHING ON THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. WHERE SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER MUST SIGN, SEAL, DATE AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (NYS EDUCATION LAW SECTION 7209-2)

THIS PLAN TO BE UTILIZED FOR SITE LAYOUT PURPOSES ONLY

- SITE LAYOUT NOTES** (Rev. 1/2019)
- THE GENERAL NOTES MUST BE INCLUDED AS PART OF THIS ENTIRE DOCUMENT PACKAGE AND ARE PART OF THE CONTRACT DOCUMENTS. THE GENERAL NOTES ARE REFERENCED HEREIN, AND THE CONTRACTOR MUST REFER TO THEM AND FULLY COMPLY WITH THESE NOTES. IN THEIR ENTIRETY, THE CONTRACTOR MUST BE FAMILIAR WITH AND ACKNOWLEDGE FAMILIARITY WITH ALL OF THE GENERAL NOTES AND ALL OF THE PLANS' SPECIFIC NOTES.
 - PRIOR TO THE COMMENCEMENT OF GENERAL CONSTRUCTION, THE CONTRACTOR MUST INSTALL SOIL EROSION CONTROL AND ANY STORMWATER POLLUTION PREVENTION PLAN (SWPPP) MEASURES NECESSARY, AS INDICATED ON THE APPROVED SOIL EROSION AND SEDIMENT CONTROL PLAN AND IN ACCORDANCE WITH APPLICABLE AND/OR APPROPRIATE AGENCIES' GUIDELINES TO PREVENT SEDIMENT AND/OR LOOSE DEBRIS FROM WASHING ONTO ADJACENT PROPERTIES OR THE RIGHT OF WAY.
 - ALL DIMENSIONS SHOWN ARE TO BOTTOM FACE OF CURB, EDGE OF PAVEMENT, OR EDGE OF BUILDING, EXCEPT WHEN DIMENSION IS TO A PROPERTY LINE. STAKE OUT OF LOCATIONS OF INLETS, LIGHT POLES, ETC. MUST BE PERFORMED IN STRICT ACCORDANCE WITH THE DETAILS, UNLESS NOTED CLEARLY OTHERWISE.
 - ALL WEATHERED/EXPOSED CONCRETE MUST BE AIR ENTRAINED AND INCLUDE THE MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS UNLESS OTHERWISE NOTED ON THE PLANS, DETAILS AND/OR GEOTECHNICAL REPORT.
 - THE CONTRACTOR MUST REPAIR OR REPLACE, AT THE CONTRACTOR'S SOLE COST AND EXPENSE, ALL SIDEWALKS, CURBS, AND PAVEMENT DAMAGED BY CONSTRUCTION ACTIVITIES WHETHER SPECIFIED ON THIS PLAN OR NOT.
 - PAVEMENT MARKINGS SHALL BE REPLACED IN-KIND.

REFERENCES

- REFERENCES**
- ♦PARTIAL TOPOGRAPHIC SURVEY:
CONTROL POINT ASSOCIATES, INC.
2929 EXPRESSWAY DRIVE NORTH
HAUAPPAUGE, NY 11749
DATED: 06/18/19
SURVEY JOB #: 07-190062-00
ELEVATIONS: NAVD 1988
 - ♦PATIO LAYOUT & DEMOLITION PLAN:
CASCO+RS
12 SUNNEN DRIVE, SUITE 100
ST. LOUIS, MO 63143

THE ABOVE REFERENCED DOCUMENTS ARE INCORPORATED BY REFERENCE AS PART OF THESE PLANS. HOWEVER, BOHLER ENGINEERING DOES NOT CERTIFY THE ACCURACY OF THE WORK REFERENCED OR DERIVED FROM THESE DOCUMENTS, BY OTHERS.

SHEET INDEX		
SHEET TITLE	NUMBER	
PARTIAL SITE PLAN	C-01	1 OF 3
PARTIAL GRADING PLAN	C-02	2 OF 3
GENERAL NOTES & DETAILS	C-03	3 OF 3

BOHLER ENGINEERING
SITE CIVIL AND CONSULTING ENGINEERING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
SUSTAINABLE DESIGN
PERMITTING SERVICES
TRANSPORTATION SERVICES
ESTIMATING SERVICES

REVISIONS

REV	DATE	COMMENT	DRAWN BY	CHECKED BY
1	11/26/19	PERMIT SET	GT	JSN
2	2/26/21	REV. LAYOUT	GT	BP
3	5/3/21	REVS BASED ON ARCH. COMMENTS	WH	BP

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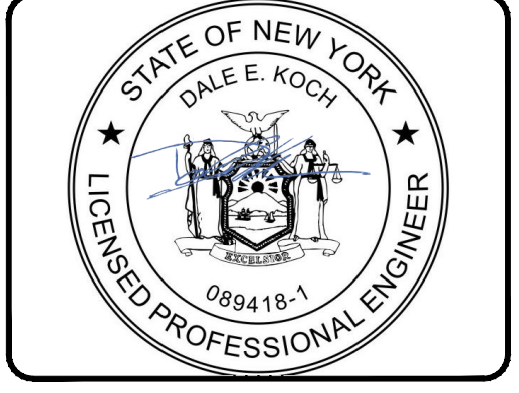
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PROJECT No.:	N19307
DRAWN BY:	DK/GT
CHECKED BY:	BP/JSN
DATE:	10/03/2019
CAD I.D.:	N19307-SP-3A

PROJECT:
PROP. SITE PLAN DOCUMENTS
FOR
WASHINGTON PRIME GROUP
PROPOSED
THE PEEKSKILL BREWERY
JEFFERSON VALLEY MALL
YORKTOWN HEIGHTS
TOWN OF YORKTOWN
WESTCHESTER COUNTY, NY 10598
DIST. 5400; SEC. 16.12;
BLK. 1; P/O LOT 24

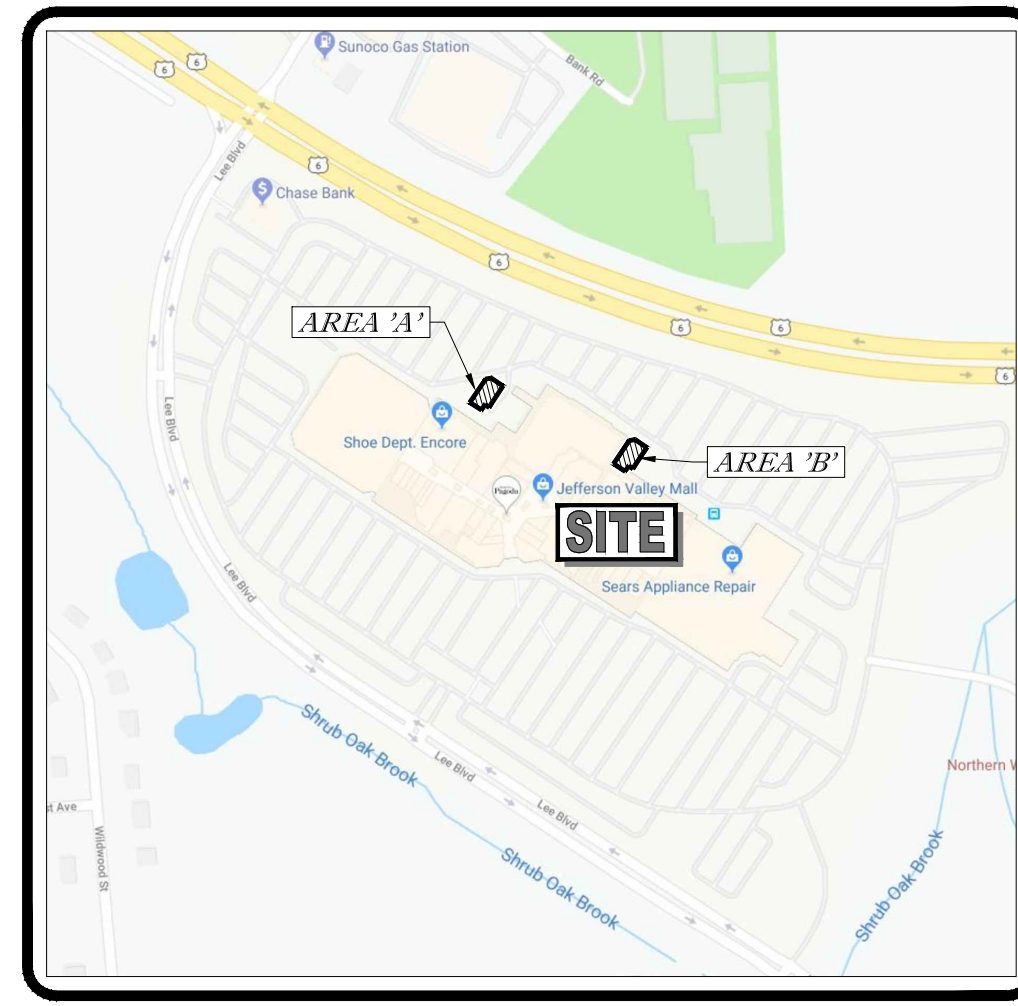
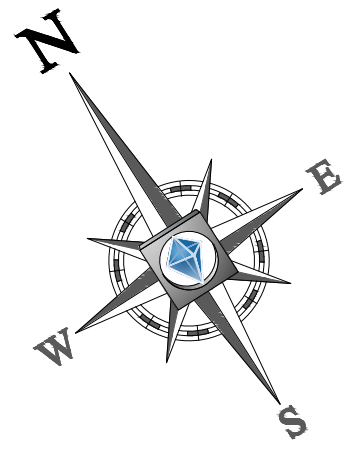
BOHLER ENGINEERING
2929 EXPRESSWAY DRIVE NORTH
HAUAPPAUGE, NY 11749
Phone: (631) 738-1200
Fax: (631) 285-6464
www.BohlerEngineering.com



SHEET TITLE:
PARTIAL SITE PLAN

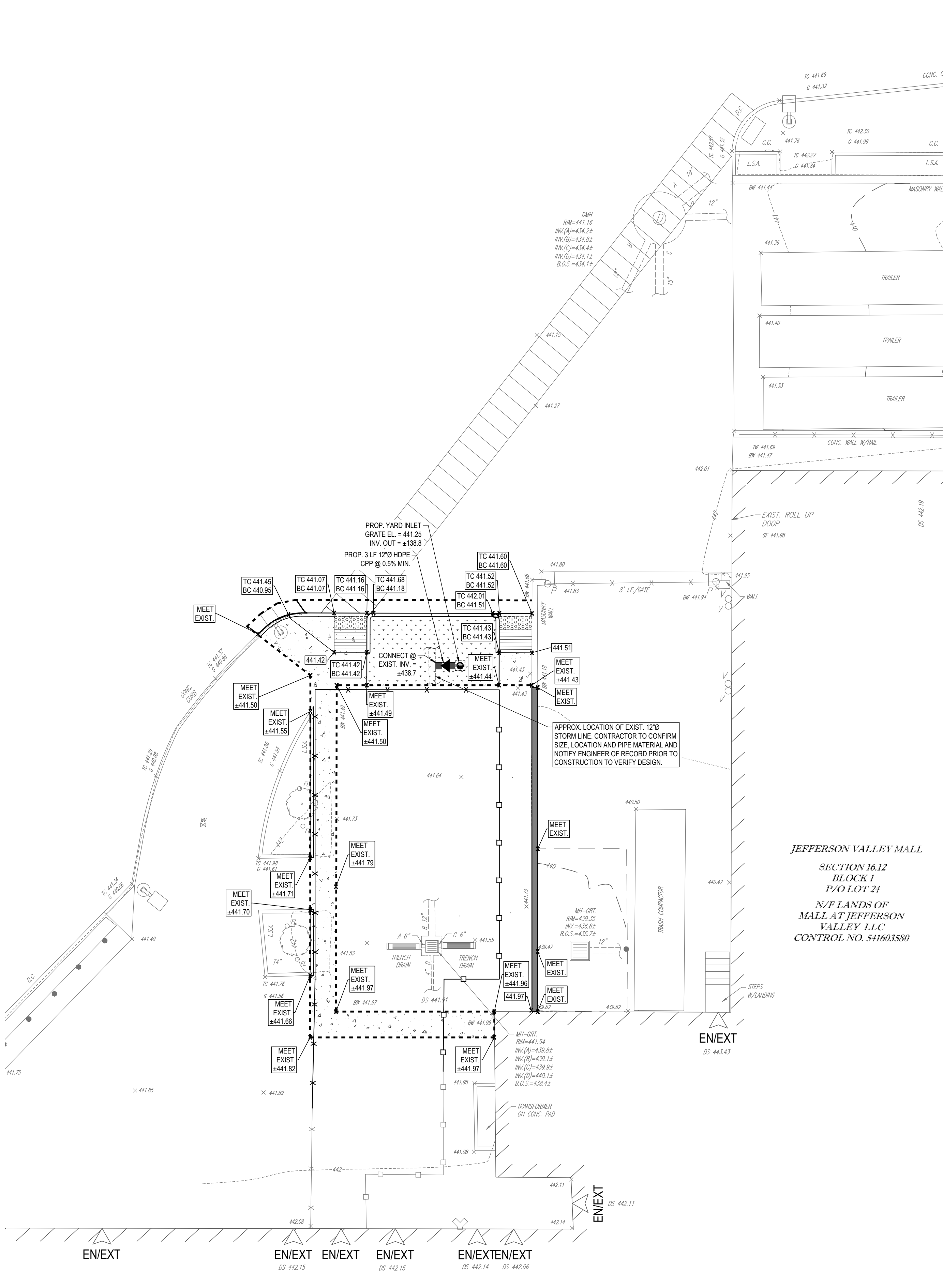
SHEET NUMBER:
C-01
OF 3

REVISION 3 - 5/3/21

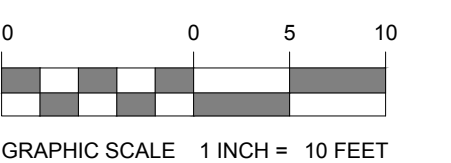


KEY MAP
SCALE: N.T.S.
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EXISTING	PROPOSED



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THIS PLAN TO BE UTILIZED FOR SITE GRADING PURPOSES ONLY

SEE "REFERENCES AND CONTACTS" ON SHEET C-01 FOR ADDITIONAL INFORMATION REGARDING EXISTING CONDITIONS

GRADING NOTES

- THE GENERAL NOTES MUST BE INCLUDED AS PART OF THIS ENTIRE DOCUMENT PACKAGE AND ARE PART OF THE CONTRACT DOCUMENTS. THE GENERAL NOTES ARE REFERENCED HEREIN, AND THE CONTRACTOR MUST REFER TO THEM AND FULLY COMPLY WITH THESE NOTES, IN THEIR ENTIRETY. THE CONTRACTOR MUST BE FAMILIAR WITH AND ACKNOWLEDGE FAMILIARITY WITH ALL OF THE GENERAL NOTES AND ALL OF THE PLANS' SPECIFIC NOTES.
- SITE GRADING MUST BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT AS REFERENCED IN THIS PLAN SET. IF NO GEOTECHNICAL REPORT HAS BEEN REFERENCED, THE CONTRACTOR MUST HAVE A GEOTECHNICAL ENGINEER PROVIDE WRITTEN SPECIFICATIONS AND RECOMMENDATIONS PRIOR TO THE CONTRACTOR COMMENCING THE GRADING WORK. THE CONTRACTOR MUST FOLLOW THE REQUIREMENTS OF ALL MUNICIPAL, COUNTY, STATE, AND FEDERAL LAWS, WHICH HAVE JURISDICTION OVER THIS PROJECT.
- THE CONTRACTOR IS REQUIRED TO SECURE ALL NECESSARY AND/OR REQUIRED PERMITS AND APPROVALS FOR ALL OFF-SITE MATERIAL SOURCES AND DISPOSAL FACILITIES. THE CONTRACTOR MUST SUPPLY A COPY OF APPROVALS TO THE ENGINEER OF RECORD AND THE OWNER PRIOR TO THE CONTRACTOR COMMENCING ANY WORK.
- THE CONTRACTOR IS FULLY RESPONSIBLE FOR VERIFYING EXISTING TOPOGRAPHIC INFORMATION AND UTILITY INVERT ELEVATIONS PRIOR TO COMMENCING ANY CONSTRUCTION. SHOULD DISCREPANCIES BETWEEN THE PLANS AND INFORMATION OBTAINED THROUGH FIELD VERIFICATIONS BE IDENTIFIED OR EXIST, THE CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER OF RECORD, IN WRITING.
- THE CONTRACTOR IS RESPONSIBLE FOR REMOVING AND REPLACING ALL UNSUITABLE MATERIALS WITH SUITABLE MATERIALS AS SPECIFIED IN THE GEOTECHNICAL REPORT. THE CONTRACTOR MUST COMPACT ALL EXCAVATED OR FILLED AREAS IN STRICT ACCORDANCE WITH THE GEOTECHNICAL REPORT'S GUIDANCE. MOISTURE CONTENT AT TIME OF PLACEMENT MUST BE SUBMITTED IN A COMPACTOR REPORT PREPARED BY A QUALIFIED GEOTECHNICAL ENGINEER, REGISTERED WITH THE STATE WHERE THE WORK IS PERFORMED. THIS REPORT MUST VERIFY THAT ALL FILLED AREAS AND SUBGRADE AREAS WITHIN THE BUILDING PAD AREA AND AREAS TO BE PADDED HAVE BEEN COMPACTED IN ACCORDANCE WITH THESE PLANS, SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE GEOTECHNICAL REPORT AND ALL APPLICABLE REQUIREMENTS, RULES, STATUTES, LAWS, ORDINANCES AND CODES WHICH ARE IN EFFECT AND WHICH ARE APPLICABLE TO THE PROJECT. SUBGRADE MATERIAL FOR SIDEWALKS, CURB, OR ASPHALT MUST BE FREE OF ORGANICS AND OTHER UNSUITABLE MATERIALS. SHOULD SUBGRADE BE DEEMED UNSUITABLE BY OWNER/DEVELOPER, OR OWNER/DEVELOPER'S REPRESENTATIVE, SUBGRADE MUST BE REMOVED AND FILLED WITH APPROVED FILL MATERIAL, COMPACTED AS THE GEOTECHNICAL REPORT DIRECTS. EARTHWORK ACTIVITIES INCLUDING, BUT NOT LIMITED TO, EXCAVATION, BACKFILL, AND COMPACTING MUST COMPLY WITH THE RECOMMENDATIONS IN THE GEOTECHNICAL REPORT AND ALL APPLICABLE REQUIREMENTS, RULES, STATUTES, LAWS, ORDINANCES AND CODES. EARTHWORK ACTIVITIES MUST COMPLY WITH THE STANDARD STATE DOT SPECIFICATIONS FOR ROADWAY CONSTRUCTION (LATEST EDITION AND ANY AMENDMENTS OR REVISIONS THERETO).
- THE TOPS OF EXISTING MANHOLES, INLET STRUCTURES, AND SANITARY CLEANOUT MUST BE ADJUSTED, AS NECESSARY, TO MATCH PROPOSED FINISHED GRADES WITH NO TRIPPING OR SAFETY HAZARD IN ACCORDANCE WITH ALL APPLICABLE STANDARDS, REQUIREMENTS, RULES, STATUTES, LAWS, ORDINANCES AND CODES.
- IN THE EVENT OF A DISCREPANCY(IES) AND/OR A CONFLICT(S) BETWEEN PLANS, OR RELATIVE TO OTHER PLANS, THE GRADING PLAN TAKES PRECEDENCE AND CONTROLS. THE CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER OF RECORD, IN WRITING, OF ANY DISCREPANCY(IES).
- THE CONTRACTOR IS RESPONSIBLE TO IMPORT FILL OR EXPORT EXCESS MATERIAL, AS NECESSARY TO CONFORM TO THE PROPOSED GRADING AND TO BACKFILL EXCAVATIONS FOR THE INSTALLATION OF UNDERGROUND IMPROVEMENTS.
- PROPOSED TOP OF CURB ELEVATIONS ARE GENERALLY 6" ABOVE PAVEMENT GRADE UNLESS OTHERWISE NOTED. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE THAT THE ENGINEER OF RECORD APPROVES FINAL CURBING CUT SHEETS PRIOR TO INSTALLING CURBING.
- THE CONTRACTOR MUST CONFIRM AND ENSURE THAT AS CONSTRUCTED IMPROVEMENTS CREATE THE FOLLOWING MINIMUM SLOPES (EXCEPT WHERE ADA REQUIREMENTS LIMIT THEM): 1.0% ON ALL CONCRETE SURFACES, 1.5% ON ASPHALT SURFACES, 2% IN LANDSCAPED AREAS AND 0.75% SLOPE AGAINST ALL LIMBS, GUTTERS, AND CURBS TO PROVIDE POSITIVE DRAINAGE.

ACCESSIBILITY DESIGN GUIDELINES

- ALL ACCESSIBLE (A.K.A. ADA) COMPONENTS AND ACCESSIBLE ROUTES MUST BE CONSTRUCTED TO MEET, AT A MINIMUM, THE MORE STRINGENT OF: (A) THE REQUIREMENTS OF THE "AMERICANS WITH DISABILITIES ACT," ADA CODE 42 U.S.C. § 5101 ET SEQ. AND 42 U.S.C. § 4151 ET SEQ.), AND (B) ANY APPLICABLE LOCAL AND STATE GUIDELINES, AND ANY AND ALL AMENDMENTS TO BOTH, WHICH ARE IN EFFECT WHEN THESE PLANS WERE COMPLETED.
- THE CONTRACTOR MUST REVIEW ALL DOCUMENTS REFERENCED IN THESE NOTES FOR ACCURACY, COMPLIANCE AND CONSISTENCY WITH INDUSTRY GUIDELINES.
- THE CONTRACTOR MUST EXERCISE APPROPRIATE CARE AND PRECISION IN CONSTRUCTION OF ACCESSIBLE (ADA) COMPONENTS AND ACCESSIBLE ROUTES FOR THE SITE. FINISHED SURFACES ALONG THE ACCESSIBLE ROUTE OF TRAVEL FROM PARKING SPACES, PUBLIC TRANSPORTATION, PEDESTRIAN ACCESS, AND INTER-BUILDING ACCESS, TO POINTS OF ACCESSIBLE BUILDING ENTRANCE/EXIT, MUST COMPLY WITH THE ACCESSIBILITY AND REQUIREMENTS WHICH INCLUDE, BUT ARE NOT LIMITED TO THE FOLLOWING:
 - ACCESSIBLE PARKING SPACES AND ACCESSIBLE SPACES MUST NOT EXCEED 1:50 (2.0%) IN ANY DIRECTION.
 - PATH OF TRAVEL ALONG ACCESSIBLE ROUTE MUST PROVIDE A 36-INCHES MINIMUM WIDTH (48-INCHES PREFERRED), OR AS SPECIFIED BY THE GOVERNING AGENCY. UNOBSTRUCTED WIDTH OF TRAVEL (CAR OVERHANGS AND/OR HANDRAILS) MUST NOT REDUCE THE MINIMUM WIDTH. THE SLOPE MUST NOT EXCEED 1:20 (5.0%) IN THE DIRECTION OF TRAVEL AND MUST NOT EXCEED 1:50 (2.0%) IN CROSS-SLOPE, WHERE ACCESSIBLE PATH OF TRAVEL IS GREATER THAN 1:20 (5.0%). AN ACCESSIBLE RAMP MUST BE PROVIDED, ALONG THE ACCESSIBLE PATH OF TRAVEL, OPENINGS MUST NOT EXCEED 1/2-INCH IN WIDTH. VERTICAL CHANGES OF UP TO 1/2-INCH ARE PERMITTED IF THEY INCLUDE A 1/4-INCH BEVEL AT A SLOPE NOT STEEPER THAN 1:2. NO VERTICAL CHANGES OVER 1/4-INCH ARE PERMITTED.
 - ACCESSIBLE RAMP MUST NOT EXCEED A SLOPE OF 1:12 (8.3%) AND A RISE OF 30-INCHES. LEVEL LANDINGS MUST BE PROVIDED AT EACH END OF ACCESSIBLE RAMP. LANDINGS MUST PROVIDE POSITIVE DRAINAGE AWAY FROM STRUCTURES, AND MUST NOT EXCEED 1:50 (2.0%) SLOPE IN ANY DIRECTION. RAMP THAT CHANGE DIRECTION BETWEEN RUNS AT LANDINGS MUST HAVE A 90-DEGREE LANDING OF 60-INCHES BY 60-INCHES. HANDRAILS ON BOTH SIDES OF THE RAMP MUST BE PROVIDED ON AN ACCESSIBLE RAMP WITH A RISE GREATER THAN 6-INCHES.
 - ACCESSIBLE CURB RAMP MUST NOT EXCEED A SLOPE OF 1:12 (8.3%) WHERE FLARED SIDES ARE PROVIDED, THEY MUST NOT EXCEED 1:10 (10%) SLOPE. LEVEL LANDINGS MUST BE PROVIDED AT RAMP TOP AT A MINIMUM OF 36-INCHES LONG (48-INCHES PREFERRED). IN ALTERATIONS, WHEN THERE IS NO LANDING AT THE TOP, FLARE SIDES SLOPES MUST NOT EXCEED A SLOPE OF 1:12 (8.3%).
 - DOORWAY LANDINGS AREAS MUST BE PROVIDED ON THE EXTERIOR SIDE OF ANY DOOR LEADING TO AN ACCESSIBLE PATH OF TRAVEL. THIS LANDING MUST BE SLOPED AWAY FROM THE DOOR NO MORE THAN 1:50 (2.0%) FOR POSITIVE DRAINAGE. THIS LANDING AREA MUST BE NO FEWER THAN 60-INCHES (5 FEET) LONG, EXCEPT WHERE OTHERWISE CLEARLY PERMITTED BY ACCESSIBLE STANDARDS FOR ALTERNATIVE DOORWAY OPENING CONDITIONS. (SEE OCCASNS 1117-2009 AND OTHER REFERENCES INCORPORATED BY CODE).
 - WHEN THE PROPOSED CONSTRUCTION INVOLVES RECONSTRUCTION, MODIFICATION, REVISION OR EXTENSION OF OR ACCESSIBLE COMPONENTS FROM EXISTING DOORWAYS OR SURFACES, THE CONTRACTOR MUST VERIFY ALL EXISTING ELEVATIONS SHOWN ON THE PLAN. NOTE THAT TABLE 405.2 OF THE DEPARTMENT OF JUSTICE'S ADA STANDARDS FOR ACCESSIBLE DESIGN ALLOWS FOR STEEPER RAMP SLOPES, IN RAIRE CIRCUMSTANCES. THE CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER OF RECORD, IN WRITING, OF ANY DISCREPANCIES AND/OR FIELD CONDITIONS THAT DIFFER IN ANY WAY OR IN ANY RESPECT FROM WHAT IS SHOWN ON THE PLANS BEFORE COMMENCING ANY WORK. CONSTRUCTED IMPROVEMENTS MUST FALL WITHIN THE MAXIMUM AND MINIMUM LIMITATIONS IMPOSED BY THE BARRIER FREE REGULATIONS AND THE ACCESSIBLE GUIDELINES.
 - THE CONTRACTOR MUST VERIFY ALL OF THE SLOPES OF THE CONTRACTOR'S FORMS PRIOR TO POURING CONCRETE. IF ANY NON-COMFORMANCE EXISTS OR IS OBSERVED OR DISCOVERED, THE CONTRACTOR MUST IMMEDIATELY NOTIFY THE ENGINEER OF RECORD, IN WRITING, PRIOR TO POURING CONCRETE. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ALL COSTS TO REMOVE, REPAIR AND/OR REPLACE NON-COMFORMING CONCRETE AND/OR PAVED SURFACES.
- IT IS STRONGLY RECOMMENDED THAT THE CONTRACTOR REVIEW THE INTENDED CONSTRUCTION TO ENSURE SAME IS CONSISTENT WITH THE LOCAL BUILDING CODE PRIOR TO COMMENCING CONSTRUCTION.
- ANY WORK PROPOSED IN THE STATE OF NEW YORK MUST CONFORM TO THE 2015 INTERNATIONAL BUILDING CODE THIRD PRINTING AS ADOPTED BY NEW YORK STATE) CHAPTER 11, INCLUDING APPLICABLE SECTIONS OF THE NYS BUILDING

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PROJECT NO.: N19307
DRAWN BY: DK/GT
CHECKED BY: BP/JSN
DATE: 10/03/2019
CADD ID: N19307-SP-3A

PROP. SITE PLAN DOCUMENTS
FOR
WASHINGTON PRIME GROUP
PROPOSED
THE PEEKSKILL BREWERY
JEFFERSON VALLEY MALL
YORKTOWN HEIGHTS
TOWN OF YORKTOWN
WESTCHESTER COUNTY, NY 10598
DIST. 5400; SEC. 16.12;
BLK. 1; P/O LOT 24

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2929 EXPRESSWAY DRIVE NORTH
HAUPAUGE, NY 11749
Phone: (631) 738-1200
Fax: (631) 285-6464
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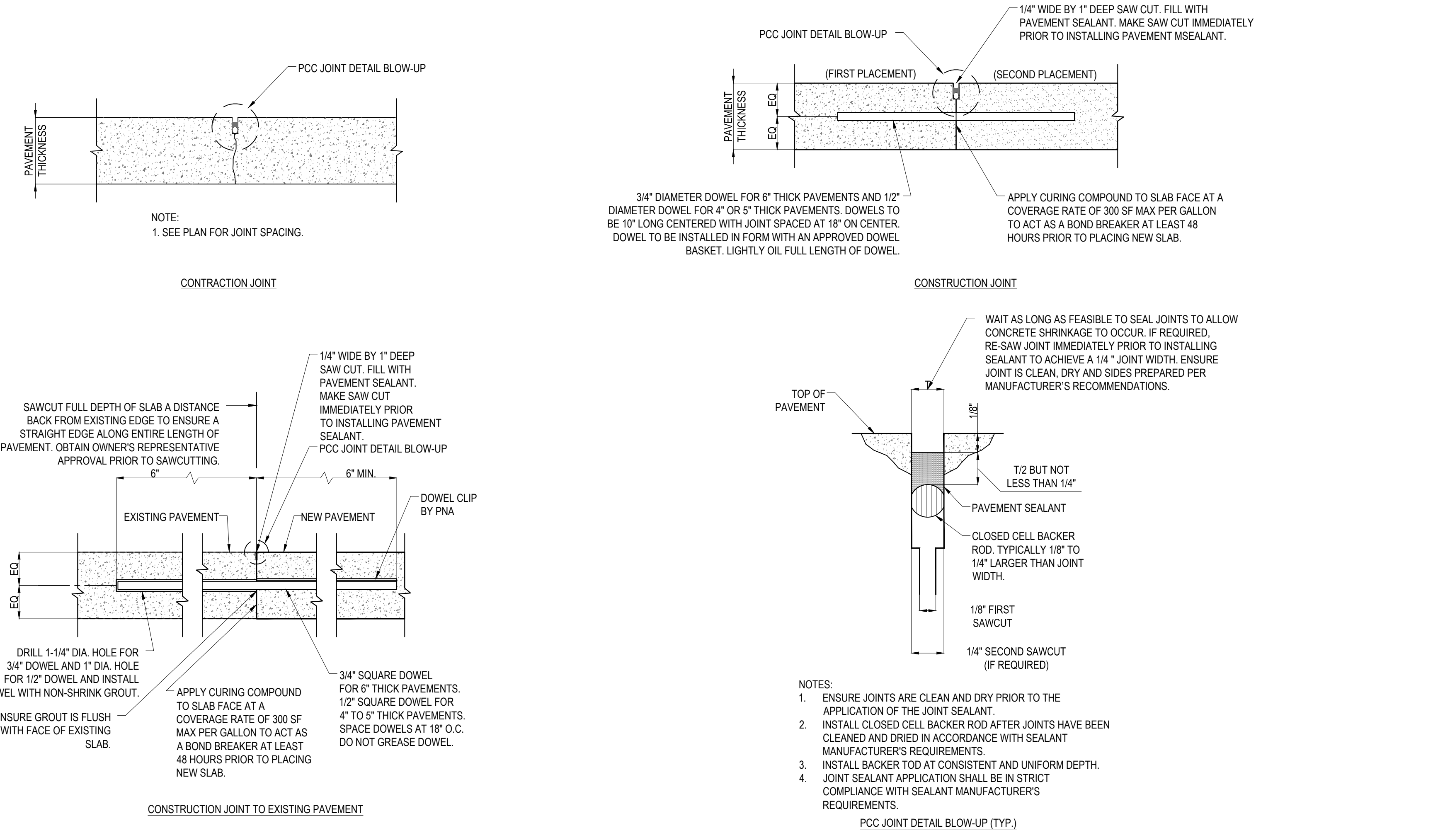


SHEET TITLE:
PARTIAL GRADING PLAN
SHEET NUMBER:
C-02
OF 3
REVISION 3 - 5/3/21

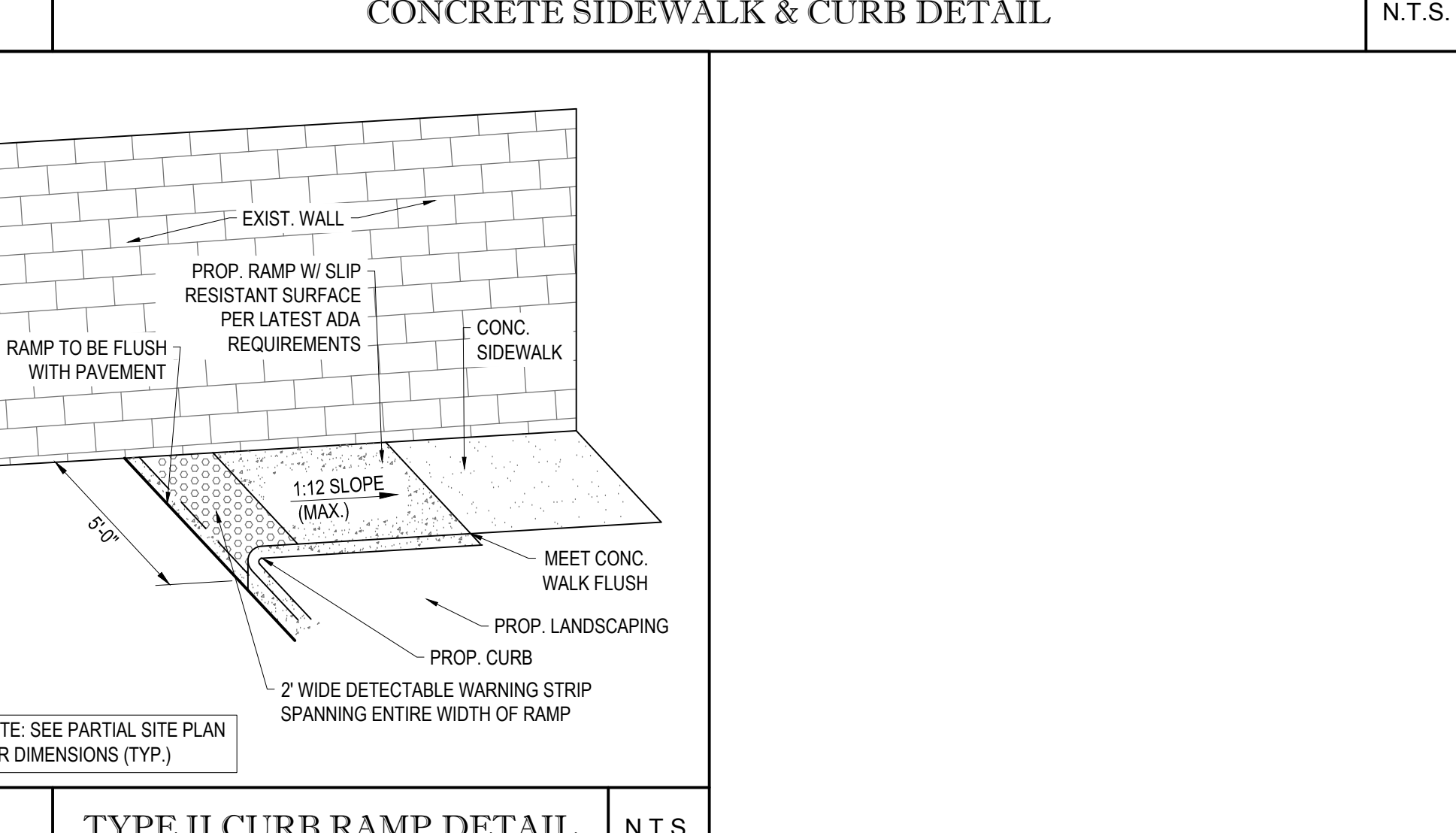
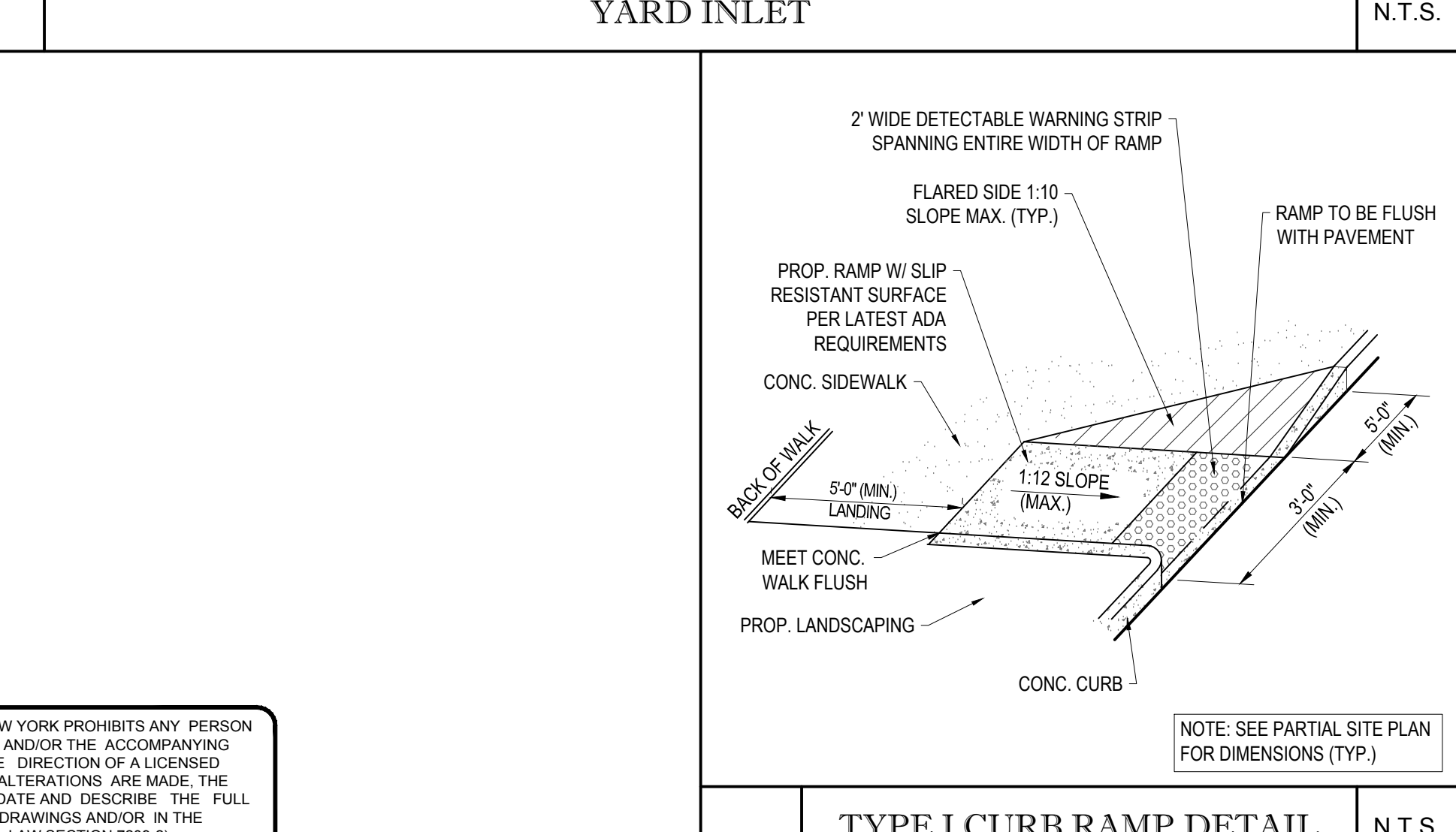
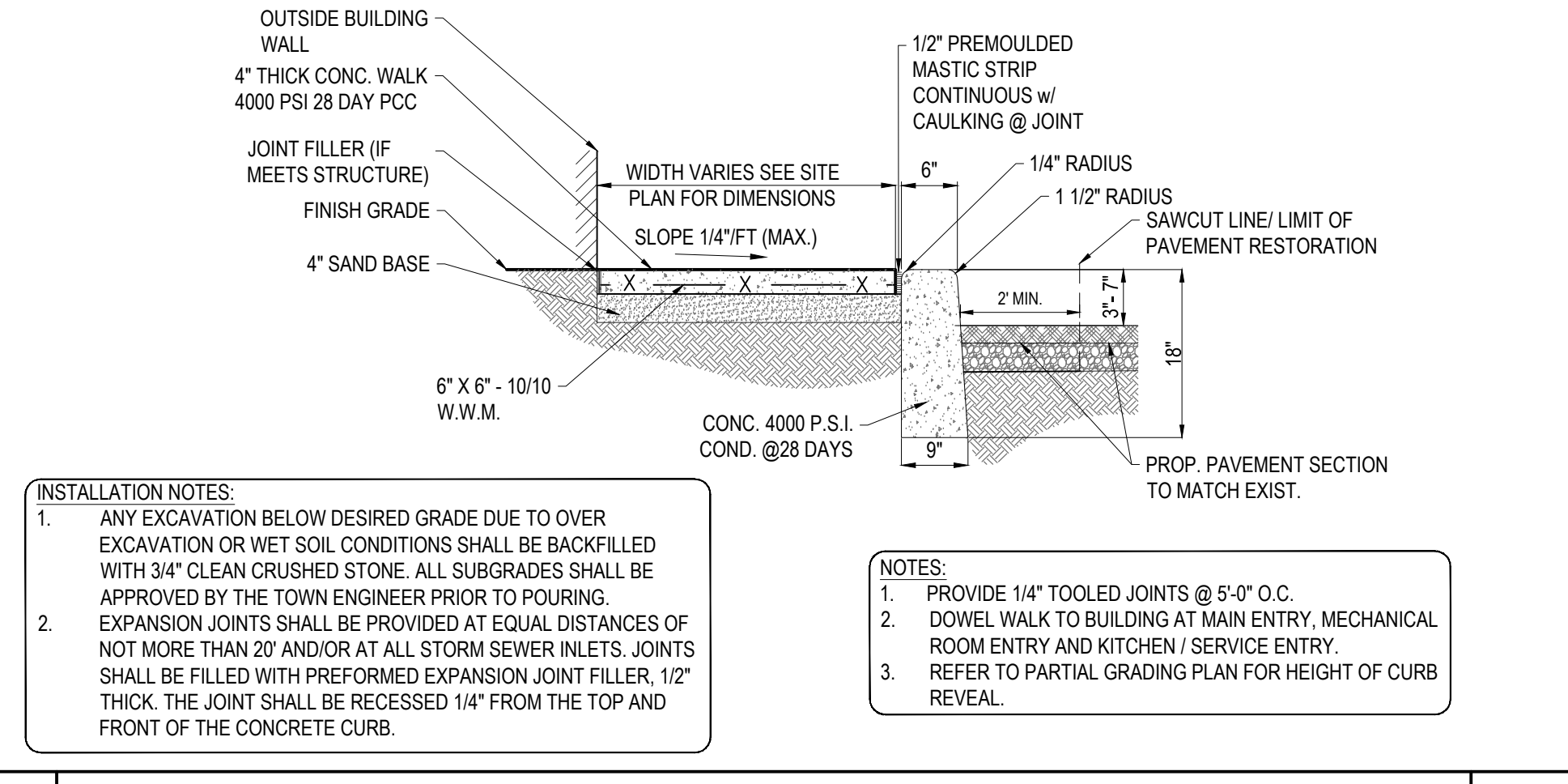
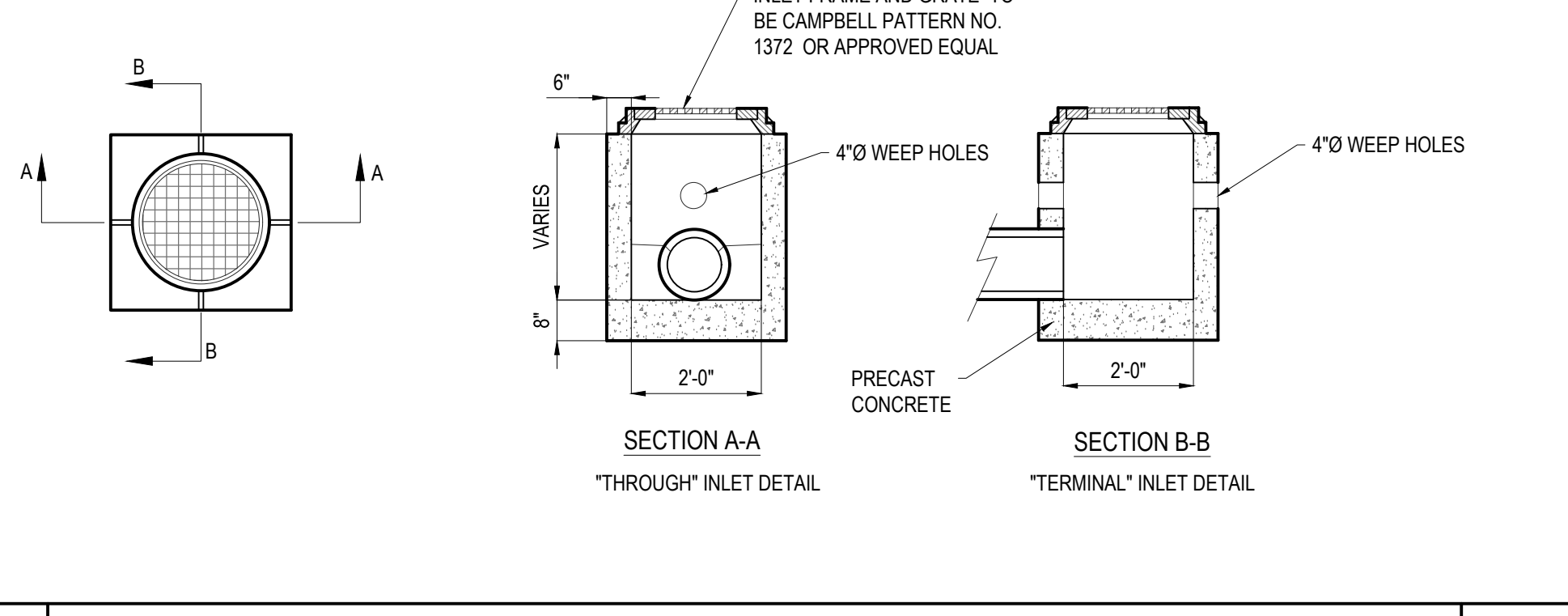
(Rev. 1/2019)

GENERAL NOTES

- THESE PLANS ARE SOLELY BASED ON INFORMATION THE OWNER AND OTHERS PROVIDED TO BOHLER ENGINEERING, NY, PLLC (HEREIN "BOHLER ENGINEERING") PRIOR TO THE DATE ON WHICH ENGINEER PREPARED THESE PLANS. THE CONTRACTOR MUST FIELD VERIFY ALL EXISTING CONDITIONS AND IMMEDIATELY NOTIFY BOHLER ENGINEERING, IN WRITING, IF ANY ACTUAL SITE CONDITIONS DIFFER FROM THOSE SHOWN ON THESE PLANS, OR IF THE PROPOSED WORK OR SITE CONDITIONS DIFFER FROM THE PLAN SET OR DRAWINGS. ADDITIONAL NOTES AND SPECIFIC PLAN NOTES MAY BE FOUND ON THE INDIVIDUAL PLANS. THESE GENERAL NOTES APPLY TO THIS ENTIRE DOCUMENT PACKAGE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW ALL CONSTRUCTION DOCUMENTS INCLUDING, BUT NOT LIMITED TO, ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE, PRIOR TO THE INITIATION AND COMMENCEMENT OF CONSTRUCTION.
- THE CONTRACTOR MUST STRICTLY COMPLY WITH THESE NOTES AND ALL SPECIFICATIONS/REPORTS CONTAINED HEREIN. THE CONTRACTOR MUST ENSURE THAT ALL SUBCONTRACTORS FULLY AND COMPLETELY CONFORM TO AND COMPLY WITH THESE REQUIREMENTS, THESE NOTES, AND THE REQUIREMENTS ARTICULATED IN THE NOTES CONTAINED IN ALL THE OTHER DRAWINGS THAT COMPREHEND THE PLAN SET OF DRAWINGS. ADDITIONAL NOTES AND SPECIFIC PLAN NOTES MAY BE FOUND ON THE INDIVIDUAL PLANS. THESE GENERAL NOTES APPLY TO THIS ENTIRE DOCUMENT PACKAGE. IT IS THE CONTRACTOR'S RESPONSIBILITY TO REVIEW ALL CONSTRUCTION DOCUMENTS INCLUDING, BUT NOT LIMITED TO, ALL OF THE DRAWINGS AND SPECIFICATIONS ASSOCIATED WITH THE PROJECT WORK SCOPE, PRIOR TO THE INITIATION AND COMMENCEMENT OF CONSTRUCTION.
- PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR MUST CONFIRM WITH THE ENGINEER OF RECORD THAT THE LATEST EDITION OF THE DOCUMENTS AND/OR REPORTS REFERENCED WITHIN THE PLAN REFERENCES ARE BEING USED FOR CONSTRUCTION. THIS IS THE CONTRACTOR'S SOLE AND COMPLETE RESPONSIBILITY.
- PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR MUST ENSURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION IS TO BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED THE CONDITIONS OF APPROVAL TO ALL PLANS AND ALL DOCUMENTS REVIEWED AND APPROVED BY THE PERMITTING AUTHORITIES AND HAS ALSO CONFIRMED THAT ALL NECESSARY AND REQUIRED PERMITS HAVE BEEN OBTAINED. THE CONTRACTOR MUST IMMEDIATELY NOTIFY OWNER, ARCHITECT AND APPROVALS ON SITE AT ALL TIMES.
- THE CONTRACTOR MUST ENSURE THAT ALL WORK IS PERFORMED IN ACCORDANCE WITH THESE PLANS, SPECIFICATIONS, STATUTORY REQUIREMENTS AND CONDITIONS OF APPROVAL, AND ALL APPLICABLE REQUIREMENTS, RULES, REGULATIONS, STATUTORY REQUIREMENTS, CODES, LAWS AND STANDARDS OF ALL GOVERNMENTAL ENTITIES WITH JURISDICTION OVER THIS PROJECT, AND ALL PROVISIONS IN AND CONDITIONS OF THE ELECTRICAL, PLUMBING AND FIRE SUPPRESSION PLANS, WHERE APPLICABLE. THE CONTRACTOR MUST IMMEDIATELY NOTIFY OWNER, ARCHITECT AND ENGINEER OF RECORD, IN WRITING, OF ANY CONFLICTS, DISCREPANCIES OR AMBIGUITIES WHICH EXIST BETWEEN THESE PLANS AND ANY OTHER PLANS THAT COMPRISE THE CONSTRUCTION DOCUMENTS.
- PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR MUST COORDINATE THE BUILDING LAYOUT BY CAREFULLY REVIEWING THE MOST CURRENT ARCHITECTURAL, CIVIL AND STRUCTURAL CONSTRUCTION DOCUMENTS INCLUDING, BUT NOT LIMITED TO, MECHANICAL, ELECTRICAL, PLUMBING AND FIRE SUPPRESSION PLANS, WHERE APPLICABLE. THE CONTRACTOR MUST IMMEDIATELY NOTIFY OWNER, ARCHITECT AND ENGINEER OF RECORD, IN WRITING, OF ANY CONFLICTS, DISCREPANCIES OR AMBIGUITIES WHICH EXIST BETWEEN THESE PLANS AND ANY OTHER PLANS THAT COMPRISE THE CONSTRUCTION DOCUMENTS.
- CONTRACTOR MUST REFER TO AND ENSURE COMPLIANCE WITH THE APPROVED ARCHITECTURAL/BUILDING PLANS OF RECORD FOR EXACT LOCATIONS AND DIMENSIONS OF ENTRY POINTS, ELEVATIONS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY LOCATIONS.
- THE CONTRACTOR MUST FIELD VERIFY ALL DIMENSIONS AND MEASUREMENTS SHOWN ON THESE PLANS, PRIOR TO THE COMMENCEMENT OF CONSTRUCTION. THE CONTRACTOR MUST IMMEDIATELY NOTIFY ENGINEER OF RECORD, IN WRITING, IF ANY CONFLICTS, DISCREPANCIES, OR AMBIGUITIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION. NO EXTRA COMPENSATION WILL BE PAID TO THE CONTRACTOR FOR WORK WHICH HAS TO BE REDONE OR REPAIRED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR CORRECTING ANY ERRORS SHOWN INCORRECTLY ON THESE PLANS PRIOR TO BOTH (A) THE CONTRACTOR GIVING ENGINEER OF RECORD WRITTEN NOTIFICATION OF SAME AND (B) ENGINEER OF RECORD, THEREAFTER, PROVIDING THE CONTRACTOR WITH WRITTEN APPROVAL TO PROCEED WITH CONSTRUCTION. THE CONTRACTOR MUST NOT SCALE OFF THE DRAWINGS DUE TO POTENTIAL PRINTING INACCURACIES. ALL DIMENSIONS AND MEASUREMENTS ARE TO BE CHECKED AND CONFIRMED BY THE CONTRACTOR WITH WRITTEN APPROVAL FROM THE ENGINEER OF RECORD. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND COMMENCEMENT OF SITE WORK. SITE PLAN DRAWINGS ARE NOT INTENDED AS SURVEY DOCUMENTS. DIMENSIONS SUPERSEDE GRAPHICAL REPRESENTATIONS. THE CONTRACTOR MUST MAKE CONTRACTOR'S OWN MEASUREMENTS FOR LAYOUT OF IMPROVEMENTS.
- THE OWNER AND CONTRACTOR MUST BE RESPONSIBLE FOR THE PROCUREMENT OF ANY AND ALL CERTIFICATIONS REQUIRED FOR THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- WHEN INCLUDED AS ONE OF THE REFERENCED DOCUMENTS, THE GEOTECHNICAL REPORT, SPECIFICATIONS AND RECOMMENDATIONS SET FORTH HEREIN ARE A PART OF THE REFERENCED DOCUMENTS AND IN CASE OF CONFLICT, DISCREPANCY OR AMBIGUITY, THE MORE STRINGENT REQUIREMENTS AND/OR RECOMMENDATIONS CONTAINED IN: (A) THE PLANS; AND (B) THE GEOTECHNICAL REPORT AND RECOMMENDATIONS, MUST TAKE PRECEDENCE. UNLESS OTHERWISE NOTED OTHERWISE ON THE PLANS, THE CONTRACTOR MUST NOTIFY THE ENGINEER OF RECORD, IN WRITING, OF ANY SUCH CONFLICT, DISCREPANCY OR AMBIGUITY BETWEEN THE GEOTECHNICAL REPORT AND PLANS AND SPECIFICATIONS, PRIOR TO PROCEEDING WITH ANY FURTHER WORK. IF A GEOTECHNICAL REPORT WAS NOT CREATED, THEN THE CONTRACTOR MUST FOLLOW AND CONFORM WITH ALL OF THE REQUIREMENTS AND MEASUREMENTS SHOWN ON THE PLANS AND ALL APPLICABLE SPECIFICATIONS WHICH HAVE JURISDICTION OVER THIS PROJECT.
- ENGINEER OF RECORD IS NEITHER LIABLE NOR RESPONSIBLE FOR ANY SUBSURFACE CONDITIONS AND FURTHER, HAS NO LIABILITY FOR ANY HAZARDOUS MATERIALS, HAZARDOUS SUBSTANCES, OR POLLUTANTS ON, ABOUT OR UNDER THE PROPERTY.
- THE CONTRACTOR IS RESPONSIBLE FOR IDENTIFYING WHEN AND WHERE SHORING IS REQUIRED AND FOR INSTALLING ALL SHORING REQUIRED DURING EXCAVATION AND FOR THE PERFORMANCE OF THE CONSTRUCTION, AND IN CONFORMANCE WITH CURRENT OSHA STANDARDS AND ANY ADDITIONAL PRECAUTIONS TO BE TAKEN TO ASSURE THE STABILITY OF ADJACENT, NEARBY AND CONTIGUOUS STRUCTURES AND PROPERTIES. ALL OF THIS WORK IS TO BE PERFORMED AT CONTRACTOR'S SOLE COST AND EXPENSE.
- THE CONTRACTOR MUST EXERCISE EXTREME CAUTION WHEN PERFORMING ANY WORK ACTIVITIES ADJACENT TO PAVEMENT, STRUCTURES, ETC. WHICH ARE TO REMAIN EITHER FOR AN INITIAL PHASE OF THE PROJECT OR AS PART OF THE FINAL ADJUNCTION. THE CONTRACTOR IS RESPONSIBLE FOR TAKING ALL APPROPRIATE MEASURES REQUIRED TO ENSURE THE STRUCTURAL STABILITY OF SIDEWALKS AND PAVEMENT, UTILITIES, BUILDINGS, AND INFRASTRUCTURE WHICH ARE TO REMAIN. THE CONTRACTOR SHALL PROVIDE A SAFE WORK AREA FOR THIRD PARTIES, PEDESTRIANS AND ANYONE INVOLVED WITH THE PROJECT.
- DEBRIS MUST NOT BE BURIED ON THE SUBJECT SITE. ALL DEMOLITION AND CONSTRUCTION WASTES, UNSUITABLE EXCAVATED MATERIAL, EXCESS SOIL AND DEBRIS (SOLID WASTE) MUST BE DISPOSED OF IN ACCORDANCE WITH THE REQUIREMENTS OF ANY AND ALL MUNICIPAL, COUNTY, STATE, AND FEDERAL LAWS AND APPLICABLE CODES WHICH HAVE JURISDICTION OVER THIS PROJECT OR OVER THE CONTRACTOR.
- IT IS THE CONTRACTOR'S SOLE RESPONSIBILITY TO MAINTAIN RECORDS TO DEMONSTRATE PROPER AND FULLY COMPLIANT DISPOSAL ACTIVITIES, TO BE PROMPTLY PROVIDED TO THE OWNER UPON REQUEST.
- THE CONTRACTOR MUST REPAIR AT CONTRACTOR'S SOLE COST, ALL DAMAGE DONE TO ANY NEW OR EXISTING CONSTRUCTION OR PROPERTY DURING THE COURSE OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION, REPAIR, REPERMITTING AND CONSTRUCTION. THE CONTRACTOR IS RESPONSIBLE FOR AND MUST REPLACE ALL SIGNAL, INTERCONNECTION CABLE, WIRING CONDUITS, AND ANY UNDERGROUND NECESSARY EQUIPMENT DAMAGED OR DESTROYED BY THE CONTRACTOR'S WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY SUCH NEW OR EXISTING CONSTRUCTION OR PROPERTY MUST RESTORE SUCH CONSTRUCTION OR PROPERTY TO A CONDITION EQUIVALENT TO OR BETTER THAN THE CONDITIONS PRIOR TO COMMENCEMENT OF THE CONSTRUCTION, AND IN CONFORMANCE WITH ALL APPLICABLE LAWS, RULES, REGULATIONS, STATUTORY REQUIREMENTS AND STATUTES. THE CONTRACTOR MUST BEAR ALL COSTS ASSOCIATED WITH SAME. THE CONTRACTOR MUST PROMPTLY DOCUMENT ALL EXISTING DAMAGE AND NOTIFY, IN WRITING, THE OWNER AND THE CONSTRUCTION MANAGER PRIOR TO THE START OF CONSTRUCTION.
- THE ENGINEER OF RECORD AND BOHLER ENGINEERING ARE NOT RESPONSIBLE FOR AND HAVE NO CONTRACTUAL, LEGAL, OR OTHER RESPONSIBILITIES FOR JOB SITE SAFETY, JOB SITE SUPERVISION, OR ANYTHING RELATED TO SAME. THE ENGINEER OF RECORD AND BOHLER ENGINEERING HAVE NOT BEEN RETAINED TO PERFORM OR FOR JOB SITE SAFETY, SAME BEING WHOLLY OUTSIDE OF THE ENGINEER OF RECORD OR BOHLER ENGINEERING SERVICES AS RELATED TO THE PROJECT. THE ENGINEER OF RECORD AND BOHLER ENGINEERING ARE NOT RESPONSIBLE TO IDENTIFY OR REPORT ANY JOB SITE SAFETY ISSUES OR ANY JOB SITE CONDITIONS, AT ANY TIME.
- THE CONTRACTOR MUST IMMEDIATELY IDENTIFY IN WRITING, TO THE ENGINEER OF RECORD AND BOHLER ENGINEERING, ANY DISCREPANCIES THAT MAY OR COULD AFFECT THE PUBLIC SAFETY, HEALTH OR GENERAL WELFARE, OR PROJECT COST. IF THE CONTRACTOR PROCEEDS WITH CONSTRUCTION WITHOUT WRITTEN NOTIFICATION AS DESCRIBED ABOVE, IT WILL BE AT THE CONTRACTOR'S OWN RISK AND FURTHER, THE CONTRACTOR MUST INDEMNIFY, DEFEND AND HOLD HARMLESS THE ENGINEER OF RECORD AND BOHLER ENGINEERING FOR ANY AND ALL DAMAGES, COSTS, INJURIES, ATTORNEY'S FEES AND THE LIKE WHICH RESULT FROM OR ARE IN ANY WAY RELATED TO SAME INCLUDING, BUT NOT LIMITED TO, ANY THIRD PARTY AND FIRST PARTY CLAIMS.
- THE ENGINEER OF RECORD AND BOHLER ENGINEERING ARE NOT RESPONSIBLE FOR ANY INJURY OR DAMAGES RESULTING FROM THE CONTRACTOR'S FAILURE TO BUILD OR CONSTRUCT IN STRICT ACCORDANCE WITH THE APPROVED PLANS, AND CURRENT CODES, RULES, STATUTES AND THE LIKE. IF THE CONTRACTOR AND/OR OWNER AGREE TO MAKE OR CONSTRUCT IN STRICT ACCORDANCE WITH THE APPROVED PLANS, STATUTES, CODES AND THE LIKE, THE CONTRACTOR AND/OR OWNER AGREE TO MAKE JOINTLY, INDEPENDENTLY, SEPARATELY, AND SEVERALLY INDEMNIFY AND HOLD THE ENGINEER OF RECORD AND BOHLER ENGINEERING HARMLESS FOR AND FROM ALL INJURIES, CLAIMS AND DAMAGES THAT ENGINEER AND BOHLER ENGINEERING SUFFER AND ANY AND ALL COSTS THAT ENGINEER AND BOHLER ENGINEERING INCUR AS RELATED TO SAME.
- ALL CONTRACTORS MUST CARRY AT LEAST THE MINIMUM AMOUNT OF THE SPECIFIED AND COMMERCIALLY REASONABLE STATUTORY WORKERS' COMPENSATION INSURANCE, EMPLOYERS' LIABILITY INSURANCE AND COMMERCIAL GENERAL LIABILITY INSURANCE (CGL) INCLUDING ALSO ALL UMBRELLA COVERAGE. ALL CONTRACTORS MUST HAVE THEIR CGL POLICIES ENDORSED TO NAME BOHLER ENGINEERING, AND ITS PAST, PRESENT AND FUTURE OWNERS, OFFICERS, DIRECTORS, PARTNERS, SHAREHOLDERS, MEMBERS, PRINCIPALS, COMMISSIONERS, AGENTS, SERVANTS, EMPLOYEES, AFFILIATES, SUBSIDIARIES, AND RELATED ENTITIES, AND ITS SUBCONTRACTORS AND SUBCONSULTANTS AS ADDITIONAL NAMED INSUREDS AND TO PROVIDE COVERAGE FOR THE CONTRACTOR'S WORK, INCLUDING DEFENSE, IF APPLICABLE, AND HOLD HARMLESS AND INDEMNIFY OBLIGATIONS ASSUMED AND AGREED TO BY THE CONTRACTOR HEREIN. ALL CONTRACTORS MUST FURNISH BOHLER ENGINEERING WITH CERTIFICATIONS OF INSURANCE OR CERTIFICATES OF INSURANCE AS EVIDENCE OF THE REQUIRED INSURANCE COVERAGE PRIOR TO COMMENCING ANY WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE INSURANCE COVERAGE FOR THE ENTIRE PERIOD OF CONSTRUCTION AND FOR TWO YEARS AFTER THE COMPLETION OF CONSTRUCTION AND AFTER ALL PERMITS ARE ISSUED, WHICHEVER DATE IS LATER. IN ADDITION, ALL CONTRACTORS AGREE THAT THEY WILL, TO THE FULLEST EXTENT PERMITTED UNDER THE LAW, INDEMNIFY, DEFEND AND HOLD HARMLESS BOHLER ENGINEERING AND ITS PAST, PRESENT AND FUTURE OWNERS, OFFICERS, DIRECTORS, PARTNERS, SHAREHOLDERS, MEMBERS, PRINCIPALS, COMMISSIONERS, AGENTS, SERVANTS, EMPLOYEES, AFFILIATES, SUBSIDIARIES, AND RELATED ENTITIES, AND ITS SUBCONTRACTORS AND SUBCONSULTANTS FROM AND AGAINST ANY DAMAGES, INJURIES, CLAIMS, ACTIONS, PENALTIES, EXPENSES, PUNITIVE DAMAGES, TORT DAMAGES, STATUTORY CLAIMS, STATUTORY CAUSES OF ACTION, LOSSES, DAMAGES, AND COSTS, INCLUDING DEFENSE, IF APPLICABLE, AND HOLD HARMLESS AND INDEMNIFY ATTORNEYS' FEES AND DEFENSE COSTS, ARISING OUT OF OR IN ANY WAY CONNECTED WITH OR TO THE PROJECT, INCLUDING ALL CLAIMS BY EMPLOYEES OF THE CONTRACTOR(S). ALL CLAIMS BY THIRD PARTIES AND ALL CLAIMS RELATED TO THE PROJECT, THE CONTRACTOR MUST NOTIFY ENGINEER, IN WRITING, AT LEAST THIRTY (30) DAYS PRIOR TO ANY TERMINATION, SUSPENSION OR CHANGE OF ITS INSURANCE HEREUNDER.
- THE ENGINEER OF RECORD AND BOHLER ENGINEERING ARE NOT RESPONSIBLE FOR CONSTRUCTION METHODS, MEANS, TECHNIQUES OR PROCEDURES, GENERALLY OR OTHERWISE, INCLUDING THE CONSTRUCTION METHODS, MEANS, TECHNIQUES OR PROCEDURES FOR COMPLETION OF THE WORK DEPICED BOTH ON THESE PLANS, AND FOR ANY CONFLICTS IN SCOPE AND REVISIONS THAT RESULT FROM SAME. THE CONTRACTOR IS FULLY AND SOLELY RESPONSIBLE FOR DETERMINING THE MEANS AND METHODS FOR COMPLETION OF THE WORK, PRIOR TO THE COMMENCEMENT OF CONSTRUCTION.
- NEITHER THE PROFESSIONAL ACTIVITIES OF BOHLER ENGINEERING, NOR THE PRESENCE OF BOHLER ENGINEERING AND/OR ITS PAST, PRESENT AND FUTURE OWNERS, OFFICERS, DIRECTORS, PARTNERS, SHAREHOLDERS, MEMBERS, PRINCIPALS, COMMISSIONERS, AGENTS, SERVANTS, EMPLOYEES, AFFILIATES, SUBSIDIARIES, AND RELATED ENTITIES, AND ITS SUBCONTRACTORS AND SUBCONSULTANTS AT A CONSTRUCTION PROJECT SITE (HEREIN "BOHLER ENGINEERING PARTIES") RELIEVES OR WILL RELIEVE THE CONTRACTOR OF AND FROM HIS OBLIGATIONS, DUTIES AND RESPONSIBILITIES, INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION MEANS, METHODS, TECHNIQUES OR PROCEDURES NECESSARY FOR PERFORMING, OVERSEEING, SUPERINTENDING AND COORDINATING THE WORK IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND COMPLIANCE WITH ALL HEALTH AND SAFETY PRECAUTIONS REQUIRED BY ANY REGULATORY AGENCIES WITH JURISDICTION OVER THE PROJECT AND/OR THE CONTRACTOR'S WORK AND ITS EMPLOYEES, PERSONNEL, AGENTS, SUBCONTRACTORS AND SUBCONSULTANTS HAVE NO AUTHORITY TO EXERCISE ANY CONTROL OVER OR ANY RESPONSIBILITY FOR ANY CONSTRUCTION, THE CONTRACTOR OR ITS EMPLOYEES RELATING TO THE PROJECT AND/OR SAFETY PROGRAMS OR PROCEDURES. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR JOB SITE SAFETY. THE CONTRACTOR MUST INDEMNIFY, DEFEND, PROTECT AND HOLD HARMLESS BOHLER ENGINEERING FOR AND FROM ANY LIABILITY TO BOHLER ENGINEERING RESULTING FROM THE CONTRACTOR'S WORK, SERVICES AND/OR VIOLATIONS OF THIS NOTE. THESE NOTES OR ANY NOTES IN THE PLAN SET AND FURTHER, THE CONTRACTOR MUST MAKE BOHLER ENGINEERING AS AN ADDITIONAL INSURED UNDER THE GENERAL CONTRACTOR'S POLICIES OF GENERAL LIABILITY INSURANCE AS DESCRIBED ABOVE.
- WHEN IT IS CLEARLY AND SPECIFICALLY WITHIN BOHLER ENGINEERING'S SCOPE OF SERVICES CONTRACT WITH THE OWNER/DEVELOPER, BOHLER ENGINEERING WILL REVIEW OR TAKE OTHER APPROPRIATE ACTION ON THE CONTRACTOR SUBMITTALS, SUCH AS SHOP DRAWINGS, PRODUCT DATA, SAMPLES, AND OTHER DATA WHICH THE CONTRACTOR IS REQUIRED TO SUBMIT, BUT ONLY FOR THE LIMITED PURPOSE OF EVALUATING CONFORMANCE WITH THE DESIGN INTENT AND THE INFORMATION SHOWN IN THE CONSTRUCTION CONTRACT DOCUMENTS. CONSTRUCTION MEANS AND METHODS AND/OR TECHNIQUES OR PROCEDURES, COORDINATION OF THE WORK WITH OTHER TRADES, AND CONSTRUCTION SAFETY PRECAUTIONS ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR AND BOHLER ENGINEERING HAS NO RESPONSIBILITY OR LIABILITY FOR SAME. BOHLER ENGINEERING WILL PERFORM ITS SHOP DRAWING REVIEW WITH REASONABLE PROMPTNESS, AS CONDITIONS PERMIT. ANY DOCUMENT DOCUMENTING BOHLER ENGINEERING'S REVIEW OF A SPECIFIC ITEM OR LIMITED SCOPE, MUST NOT INDICATE THAT BOHLER ENGINEERING HAS REVIEWED THE ENTIRE ASSEMBLY OF WHICH THE ITEM IS A COMPONENT. BOHLER ENGINEERING IS NOT RESPONSIBLE FOR ANY DEVIATIONS FROM THE CONSTRUCTION DOCUMENTS. THE CONTRACTOR MUST, IN WRITING, PROMPTLY AND IMMEDIATELY BRING ANY DEVIATIONS FROM THE CONSTRUCTION DOCUMENTS TO BOHLER ENGINEERING'S ATTENTION. BOHLER ENGINEERING IS NOT REQUIRED TO REVIEW PARTIAL SUBMISSIONS OR THOSE FOR WHICH SUBMISSIONS OF CORRELATED ITEMS HAVE NOT BEEN RECEIVED.
- THE CONTRACTOR DEVIATES FROM THESE PLANS AND ANY AND ALL SPECIFICATIONS AND NOTES CONTAINED HEREIN, WITHOUT FIRST OBTAINING THE PRIOR WRITTEN AUTHORIZATION OF THE ENGINEER OF RECORD AND/OR BOHLER ENGINEERING FOR ALL DEVIATIONS WITHIN THE ENGINEER'S SCOPE. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE PAYMENT OF ALL COSTS INCURRED IN CORRECTING ANY WORK PERFORMED WHICH DEVIATES FROM THE PLANS. ALL FINES AND/OR PENALTIES ASSESSED WITH RESPECT THERETO AND ALL COMPENSATORY OR PUNITIVE DAMAGES RESULTING THEREFROM AND, FURTHER, MUST BE DEFEND, INDEMNIFY, PROTECT, AND HOLD HARMLESS THE ENGINEER OF RECORD AND BOHLER ENGINEERING FROM AND FROM ALL DAMAGES, COSTS, INJURIES, ATTORNEY'S FEES, DAMAGES, AND COSTS THAT ENGINEER AND BOHLER ENGINEERING INCUR AS A RESULT OF SAID FAILURE TO PRESERVE.
- THE CONTRACTOR IS SOLELY RESPONSIBLE FOR ENSURING THE SAFETY OF ALL CONSTRUCTION ACTIVITIES AND MATERIALS IN COMPLIANCE WITH APPLICABLE FEDERAL, STATE AND LOCAL RULES AND REGULATIONS, LAWS, ORDINANCES, AND CODES, AND ALL APPLICABLE REQUIREMENTS OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970, (29 U.S.C. 651 ET SEQ.) AS AMENDED, AND ANY MODIFICATIONS, AMENDMENTS OR REVISIONS TO SAME.
- THE CONTRACTOR MUST STRICTLY COMPLY WITH THE LATEST AND CURRENT OSHA STANDARDS AND REGULATIONS, AND/OR ANY OTHER AGENCY WITH JURISDICTION OVER THIS PROJECT (INCLUDING TRENCHING AND SHIELDING). THE CONTRACTOR AND/OR BOHLER ENGINEERING HAS NO RESPONSIBILITY FOR OR AS RELATED TO EXCAVATION AND TRENCHING PROCEDURES AND WORK.
- THE CONTRACTOR AND THE OWNER MUST INSTALL ALL ELEMENTS AND COMPONENTS IN STRICT COMPLIANCE WITH AND IN ACCORDANCE WITH MANUFACTURER'S STANDARDS AND RECOMMENDED INSTALLATION INSTRUCTIONS. IF THE CONTRACTOR AND/OR OWNER FAILS TO DO SO, THEY AGREE TO JOINTLY, INDEPENDENTLY, SEPARATELY, COLLECTIVELY, AND SEVERALLY INDEMNIFY, DEFEND, PROTECT AND HOLD ENGINEER OF RECORD AND/OR BOHLER ENGINEERING PARTIES HARMLESS FOR ALL INJURIES AND DAMAGES THAT ENGINEER SUFFERS AND COSTS THAT ENGINEER INCURS AS A RESULT OF SAID FAILURE.
- THE CONTRACTOR IS RESPONSIBLE TO MAINTAIN AN ON-SITE STORMWATER POLLUTION PREVENTION PLAN (SWPPP) IN COMPLIANCE WITH THE ENVIRONMENTAL PROTECTION AGENCY (EPA) AND LOCAL GOVERNING AGENCY FOR SITES WHERE ONE (1) ACRE OR MORE IS DISTURBED BY CONSTRUCTION ACTIVITIES (UNLESS THE LOCAL JURISDICTION REQUIRES A DIFFERENT THRESHOLD). THE CONTRACTOR MUST ENSURE THAT ALL ACTIVITIES, INCLUDING THOSE OF ALL SUBCONTRACTORS, ARE IN COMPLIANCE WITH THE SWPPP, INCLUDING BUT NOT LIMITED TO LOGGING ACTIVITIES (MINIMUM ONCE PER PERMITS DURATION), AND AFTER ALL EVENTS AND CORRECTIVE MEASURES, AS APPROPRIATE AND FURTHER, THE CONTRACTOR IS SOLELY AND COMPLETELY RESPONSIBLE FOR FAILING TO DO SO.
- AS CONTAINED IN THESE DRAWINGS AND ASSOCIATED DOCUMENTS PREPARED BY THE SIGNATORY PROFESSIONAL ENGINEER OF RECORD, THE USE OF THE WORDS "CERTIFY" OR "CERTIFICATION" CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION. THE PROFESSIONAL ENGINEER OF RECORD, WHICH IS THE SUBJECT OF THE ENGINEER OF RECORD'S KNOWLEDGE OR BELIEF AND IN ACCORDANCE WITH COMMON AND ACCEPTED PROCEDURE CONSISTENT WITH THE APPLICABLE STANDARDS OF PRACTICE, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE OF ANY NATURE OR TYPE, EITHER EXPRESSED OR IMPLIED, UNDER ANY CIRCUMSTANCES.



NOTE: STRUCTURE SHALL BE PRECAST 4000 PSI CONCRETE @ 28 DAYS.



THE EDUCATION LAW OF THE STATE OF NEW YORK PROHIBITS ANY PERSON ALTERING ANYTHING ON THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS, UNLESS IT IS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. WHERE SUCH ALTERATIONS ARE MADE, THE PROFESSIONAL ENGINEER MUST SIGN, SEAL, DATE AND DESCRIBE THE FULL EXTENT OF THE ALTERATION ON THE DRAWINGS AND/OR IN THE SPECIFICATIONS. (NYS EDUCATION LAW SECTION 7209-2)

REVISIONS

REV	DATE	COMMENT	DESIGNED BY
1	11/26/19	PERMIT SET	GT
2	2/26/21	REV. LAYOUT	JSN BP
3	5/3/21	REV. BASED ON ARCH. COMMENTS	WH BP

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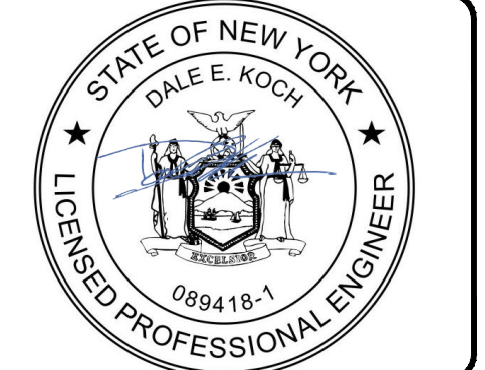
PERMIT SET

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.: N19307
 DRAWN BY: DK/GT
 CHECKED BY: BP/JSN
 DATE: 10/20/21
 CAD ID: N19307-SP3-3A

PROP. SITE PLAN DOCUMENTS
 FOR
WASHINGTON PRIME GROUP
 PROPOSED
THE PEEKSKILL BREWERY
 JEFFERSON VALLEY MALL
 YORKTOWN HEIGHTS
 TOWN OF YORKTOWN
 WESTCHESTER COUNTY, NY 10598
 DIST. 5400; SEC. 16.12;
 BLK. 1; P/O LOT 24

BOHLER ENGINEERING
 2929 EXPRESSWAY DRIVE NORTH
 HAUPPAUGE, NY 11749
 Phone: (631) 738-1200
 Fax: (631) 285-6464
 www.BohlerEngineering.com



GENERAL NOTES & DETAILS



Town of Yorktown www.yorktownny.org

TOWN OF YORKTOWN

MAY 13 2021

7/13/2020

Building Department

Town Hall, 363 Underhill Avenue, Yorktown Heights, NY 10598
Tel. (914) 962-5722 ext.233 Fax (914) 962-1731

BUILDING DEPARTMENT

Application for a Building Permit

APPLICATION No. (Office use only) APPLICATION FEE DATE:
PERMIT No. DATE:

Applicant: Complete all information lines, below, except those marked "Office use only".

Section: 16.12 Block: 1 Lot: 24 Verified by Dale E. Koch Date 5.9.2021

Zoning District CRC Size of Lot (square feet) 2,446

Address/Location of proposed construction Jefferson Valley Mall

Proposed Construction Construction of a new 2,446 square feet exterior patio.

Name of Owner: Washington Prime Group Telephone #: (614) 887-5658

Present Address of Owner* 180 East Broadway Street, Columbus, OH, 43215

Contractor Construction One Telephone # (614)-235-0057

Address 101 E. Town St. Ste 401, Columbus, OH 43215 Fax/Email bsmith@constructionone.com

Westchester County Home Improvement Contractors Lic. # NYC Contractors Lic# 608471

Architect or Engineer John Ginocchio Telephone # 732-661-1400 x408

Address 1090 King Georges Post Rd. Suite 204 Edison, NJ 08837 Fax/Email John.Ginocchio@lheccompanies.com

Total estimated cost of construction \$ 209,000 Total square footage of proposed construction 2,446

The undersigned applicant hereby agrees to comply with all applicable provisions of the Code of the Town of Yorktown, and with all other Laws, Codes, Rules and Regulations applicable to the proposed construction.

Justin Smith

NAME OF CONTACT PERSON (Please print)

614-578-9919

DAYTIME TELEPHONE NUMBER

jsmith@constructionone.com

EMAIL ADDRESS

SIGNATURE OF OWNER / AGENT*

* If signed by other than the owner, a letter of authorization from the owner must be submitted with this application.

614-237-6769

FAX NUMBER

(Office use only)

The submitted construction plans substantially comply with the Code of the Town of Yorktown and the New York State Uniform Fire Prevention and Building Code, and the same are approved subject to compliance with these and any other applicable Laws, Codes, Rules or Regulations.

The square footage of the proposed work is Cost of proposed work is \$

The Building Permit fee is \$ + CO Fee \$ Total Permit Fee is \$

in accordance with Chapter 15 of the Code of the Town of Yorktown (See reverse side).

DATE:

BUILDING INSPECTOR, TOWN OF YORKTOWN

(Office use only)

W.C.D.H. CONST. PERMIT # _____ DATE _____
 SEWER PERMIT # _____ DATE _____ SEQRA _____ DATE _____
 DRIVEWAY PERMIT # _____ DATE _____ ZBA _____ DATE _____
 STREET OPENING PERMIT # _____ DATE _____ ABACA _____ DATE _____
 WATER PERMIT # _____ DATE _____
 WETLAND/EXCAVATION/SWPPP PERMIT _____ DATE _____
 N.Y.C.D.E.P. _____ DATE _____ N.Y.S.D.O.T _____ DATE _____
 OTHER _____

- **Note: If work is started prior to the issuance of a building permit, the fee will be Two times the original fee.**
- Building permits are valid for one (1) year from issue date. Permits may be renewed a maximum of two (2) times.
- If a Building Permit is withdrawn, the applicant is entitled to a 50% refund of the fee paid, provided no work has started.
- A building or structure erected or altered under a Building Permit may not be occupied or used until a **Certificate of Occupancy** has been issued by the Building Department.

Application Fee: Fees are non-refundable. Payable at the time the application for a Building Permit is submitted.

Residential addition, alteration or accessory structure, up to \$2,000 total value of work----- \$ 75.00
 Residential addition, alteration or accessory structure, over \$2,000 total value of work----- \$ 125.00
 New Single-family dwelling or multi-family/unit----- \$ 325.00
 Non-residential addition or alteration----- \$ 175.00
 New Non-residential structure----- \$325.00

Application fees are non-refundable, and will be subtracted from the final Building Permit fee upon issuance.

Building Permit Fee: Based upon the total square footage of proposed construction:

New Construction – Single family, Two-Family & Multi-family (finished spaces) \$ 1.75/sq. ft.
 New Construction – Single family, Two-Family & Multi-family (unfinished spaces) \$ 1.00/sq. ft.
 New Construction – Business, Commercial, Retail, Institutional (Building shell only) \$ 2.00/sq. ft.
 New Construction – Business, Commercial, Retail, Institutional (Interior) \$ 1.00/sq. ft.
 Renovation – Single family, Two-family & Multi-family (up to \$ 5,000 value) \$ 300 Flat Fee (min Charge)
 Renovation – Single family, Two-family & Multi-family \$ 1.00/sq. ft.
 Business, Commercial, Retail, Institutional (up to \$ 10,000 value) \$ 350 Flat Fee (min Charge)
 Business, Commercial, Retail, Institutional (up to \$ 50,000 value) \$ 1,500 Flat Fee (min Charge)
 Business, Commercial, Retail, Institutional \$ 1.00/sq. ft

FINAL SUMMARY

(Office use only)

Finished Basement _____ Finished Second Story _____
 No. of Bedrooms _____ No. of Bathrooms _____
 Sunroom (unheated) _____ Deck/Porch _____
 Garage _____ Storage Building _____
 Pool/Hot tub _____ Other _____
 Wood Stove/Fireplace _____ Other _____



CONST-1

OP ID: KJ

CERTIFICATE OF LIABILITY INSURANCEDATE (MM/DD/YYYY)
05/11/2021

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Insurance Agency of Ohio 7100 N High St Ste 300 Worthington, OH 43085-2333 Ralph L Guarasci	614-848-3000	CONTACT NAME: Kelly Johnston PHONE (A/C, No, Ext): 614-848-3000 FAX (A/C, No): 614-848-7698 E-MAIL ADDRESS: Kelly@IAofOhio.com														
INSURED Construction One Inc. A Corporation of Ohio 101 East Town street Suite 401 Columbus, OH 43215-5119	<table border="1"> <thead> <tr> <th>INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A: National Fire Insurance Co.</td> <td>20478</td> </tr> <tr> <td>INSURER B: Valley Forge Ins Co</td> <td>20508</td> </tr> <tr> <td>INSURER C: Continental Casualty Co</td> <td>20443</td> </tr> <tr> <td>INSURER D: CNA Insurance Co</td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> </tr> </tbody> </table>		INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A: National Fire Insurance Co.	20478	INSURER B: Valley Forge Ins Co	20508	INSURER C: Continental Casualty Co	20443	INSURER D: CNA Insurance Co		INSURER E:		INSURER F:	
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INSURER D: CNA Insurance Co																
INSURER E:																
INSURER F:																

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY	X		6079588469	01/01/2021	01/01/2022	EACH OCCURRENCE \$ 1,000,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000
	<input checked="" type="checkbox"/> OH Emp Liability						MED EXP (Any one person) \$ 10,000
	<input checked="" type="checkbox"/> Comp Ops						PERSONAL & ADV INJURY \$ 1,000,000
GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC							GENERAL AGGREGATE \$ 2,000,000
OTHER:							PRODUCTS - COMP/OP AGG \$ 2,000,000
B	AUTOMOBILE LIABILITY			6079588455	01/01/2021	01/01/2022	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input checked="" type="checkbox"/> ANY AUTO OWNED AUTOS ONLY	<input type="checkbox"/> SCHEDULED AUTOS	BODILY INJURY (Per person) \$				
	<input type="checkbox"/> HIRED AUTOS ONLY	<input type="checkbox"/> NON-OWNED AUTOS ONLY	BODILY INJURY (Per accident) \$				
			PROPERTY DAMAGE (Per accident) \$				
C	<input checked="" type="checkbox"/> UMBRELLA LIAB			6079588441	01/01/2021	01/01/2022	EACH OCCURRENCE \$ 9,000,000
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE	AGGREGATE \$ 9,000,000				
	DED	RETENTION \$					
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)			6079588469	01/01/2021	01/01/2022	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER
		<input type="checkbox"/> Y <input type="checkbox"/> N					E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	<input type="checkbox"/> N/A					E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
A	Installation Float			6079588469 INCL TRANSIT & STORAGE	01/01/2021	01/01/2022	All Risk \$ 50,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate Holder is named as an Additional Insured as per the form CNA 75079XX (10-16) policy terms, conditions and exclusions.

CERTIFICATE HOLDER

YORKT-1

Town of Yorktown
363 Underhill Avenue
Yorktown Heights, NY 10598

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



**Workers Compensation And Employers Liability Insurance
Information Page**

WORKERS COMPENSATION AND EMPLOYERS LIABILITY POLICY INFORMATION PAGE

Policy Information

Coverage Provided By	Policy Number
Valley Forge Insurance Company a Stock Insurance Company 151 N Franklin St Chicago, IL 60606 NCCI Carrier Code: 15032	Policy Number: WC 6 79588424 Renewal of: WC 6 79588424

Item 1 Named Insured and Mailing Address	Producer Information
CONSTRUCTION ONE INC. 101 E TOWN ST STE 401 COLUMBUS, OH 43215-5247	INSURANCE AGENCIES OF OHIO 7100 N HIGH ST STE 300 WORTHINGTON, OH 43085
Type of Entity: Corporation (Not Otherwise Classified) Producer Processing Code: 340-959619	
FEIN Number: 31-0974589	
Interstate ID No.: 914005787	
If there are other work places not shown above: See attached Schedule (s).	

Item 2 Policy Period

01/01/2021 to 01/01/2022 at 12:01 a.m. Standard Time at the Insured's mailing address.

Anniversary Rating Date: NONE

Item 3 A. Workers Compensation Insurance: Part One of this policy applies to the Workers Compensation Law of the states listed here:

States: AZ, AR, CO, CT, FL, GA, ID, IL, IN, IA, KY, LA, MD, MA, MI, MT, NE, NV, NY, NC, OK, OR, PA, SC, TN, TX, VA, WV

Item 3 B. Employers Liability Insurance: Part Two of this policy applies to work in each state listed in Item 3 A. The limits of our liability under Part Two are:

Bodily Injury by Accident	\$1,000,000	each accident
Bodily Injury by Disease	\$1,000,000	policy limit
Bodily Injury by Disease	\$1,000,000	each employee

WC000001

Form No: P-56016-A (12-1989) Information Page; Page: 1 of 2 Underwriting Company: Valley Forge Insurance Company, 151 N Franklin St, Chicago, IL 60606	Policy No: WC 6 79588424 Policy Effective Date: 01/01/2021 Policy Page: 113 of 281
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CERTIFICATE OF INSURANCE COVERAGE DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only) CONSTRUCTION ONE INC 101 E TOWN ST STE 401 COLUMBUS, OH 43215-5247

1b. Business Telephone Number of Insured (614) 235-0057

Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., a Wrap-Up Policy)

1c. Federal Employer Identification Number of Insured or Social Security Number 310974589

2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder)

TOWN OF YORKTOWN HEIGHT 363 UNDERHILL AVENUE YORKTOWN HEIGHTS, NY 10598

3a. Name of Insurance Carrier New York State Insurance Fund (NYSIF) 3b. Policy Number of Entity Listed in Box "1a" DBL 6036 50 - 4 3c. Policy effective period 02/04/2021 to 02/04/2022

4. Policy provides the following benefits:

- A. Both disability and paid family leave benefits
B. Disability benefits only
C. Paid family leave benefits only

5. Policy covers:

- A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law
B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 5/11/2021 By Melissa Jensen (Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)

Telephone Number (866) 697-4332 Name and Title Melissa Jensen, Director of Disability Insurance Unit

IMPORTANT: If Box 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York Workers' Compensation Board

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.

Date Signed By (Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number Name and Title

Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.

Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in box "3" on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Worker's Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and not withstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits, and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.



CERTIFICATE OF INSURANCE COVERAGE
DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

PART 1. To be completed by Disability and Paid Family Leave Benefits Carrier or Licensed Insurance Agent of that Carrier

1a. Legal Name & Address of Insured (use street address only)
CONSTRUCTION ONE INC
101 E TOWN ST STE 401
COLUMBUS, OH 43215-5247
1b. Business Telephone Number of Insured
(614) 235-0057
1c. Federal Employer Identification Number of Insured or Social Security Number
310974589
2. Name and Address of Entity Requesting Proof of Coverage
(Total Being Listed as the Certificate Holder)
TOWN OF YORKTOWN HEIGHT
363 UNDERHILL AVENUE
YORKTOWN HEIGHTS, NY 10598
3a. Name of Insurance Carrier
New York State Insurance Fund (NYSIF)
3b. Policy Number of Entity Listed in Box "1a"
DBL 6036 50 - 4
3c. Policy effective period
02/04/2021 to 02/04/2022

4. Policy provides the following benefits:
[X] A. Both disability and paid family leave benefits
[] B. Disability benefits only
[] C. Paid family leave benefits only
5. Policy covers:
[X] A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law
[] B. Only the following class or classes of employer's employees:

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS Disability and/or Paid Family Leave Benefits insurance coverage as described above.

Date Signed 5/11/2021 By Melissa Jensen
(Signature of insurance carrier's authorized representative or NYS Licensed Insurance Agent of that insurance carrier)
Telephone Number (866) 697-4332 Name and Title Melissa Jensen, Director of Disability Insurance Unit

IMPORTANT: If Box 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.
If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be mailed for completion to the Workers' Compensation Board, DB Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4C or 5B of Part 1 has been checked)

State of New York
Workers' Compensation Board
According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law with respect to all of his/her employees.
Date Signed By
(Signature of Authorized NYS Workers' Compensation Board Employee)
Telephone Number Name and Title

Please Note: Only insurance carriers licensed to write NYS disability and paid family leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.

Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in box "3" on this form is certifying that it is insuring the business referenced in box "1a" for disability and/or paid family leave benefits under the New York State Disability and Paid Family Leave Benefits Law. The Insurance Carrier or its licensed agent will send this Certificate of Insurance to the entity listed as the certificate holder in box "2".

The insurance carrier must notify the above certificate holder and the Worker's Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This certificate may be used as evidence of a Disability and/or Paid Family Leave Benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or paid family leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of NYS Disability and/or Paid Family Leave Benefits Coverage or other authorized proof that the business is complying with the mandatory coverage requirements of the New York State Disability and Paid Family Leave Benefits Law.

DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits, and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.

BUILDING DEPARTMENT CHECKLIST

<u>NEEDS</u>	<u>OK</u>	ADDRESS: <u>650 Lee Blvd</u>	SBL: <u>10.12-1-24</u>
[]	[<input checked="" type="checkbox"/>]	Application Fee: \$ <u>175</u>	Application #: _____
[]	[]	Environmental Review Short Form	
[]	[<input checked="" type="checkbox"/>]	Survey Filed	
[]	[<input checked="" type="checkbox"/>]	Arch. Drawings: Large / 11x17 [<input checked="" type="checkbox"/>] or Specs [<input checked="" type="checkbox"/>] ⁽³⁾ or simple sketch [] or Pics []	
[]	[]	Contractors: Liability [] WC [] Dis [] or Waiver Filed []	
[]	[]	Home Improvement License	

<u>NEEDS</u>	<u>OK</u>	<u>APPROVED:</u>	YES	NO	DATE:	CONDITIONS:
[]	[]	Zoning Board of Appeals	[]	[]	_____	_____
[]	[]	BOH	[]	[]	_____	_____
[]	[]	ABACA	[]	[]	_____	_____
[]	[]	Planning Board	[]	[]	_____	_____
[]	[]	Coastal Zone Management	[]	[]	_____	_____
[]	[]	Flood Damage Prevention	[]	[]	_____	_____
[]	[]	Freshwater Wetlands	[]	[]	_____	_____
[]	[]	Town Board	[]	[]	_____	_____
[]	[]	NYS Codes Division	[]	[]	_____	_____

PLAN REVIEW _____
 CLASSIFICATION-USE _____

ZONE DISTRICT _____
 CONSTRUCTION CLASS _____

INSPECTIONS:

PLACARD	[]	FRAMING	[]
FOOTINGS	[]	INSULATION	[]
FOUNDATION	[]	FIRE INSPECTION	[]
ROUGH PLUMBING	[]	TANK INSPECTION	[]
U/G PLUMBING	[]	GAS TEST	[]
SLAB	[]	FINAL	[]

APPROVED FOR PERMITTING:

DATE:

CONDITIONS:

Affidavit of Cost	[]	ELECTRIC CERT	[]
As Built Survey	[]	Engineers Letter	[]
Asbestos Report	[]	Impact Protect	[]
Blower Door Test	[]	Manifest	[]
Chim Clean Affid	[]	Plumbers Letter	[]
Compliance Letter	[]	Plumbers Permit	[]
Construction Placard	[]	Scrap Ticket	[]
Duct Tight Cert Let	[]	Spill Number	[]

OTHER: _____

Town Clerk's Office

MAY 13 2021

Diana L. Coast, Town Clerk
 Town of Yorktown, New York

CONT: NEXT PAGE

**TB Referral
Solar Law
Amendment**

MAY 18 2021

Nancy Calicchia

From: Maura Weissleder
Sent: Tuesday, May 18, 2021 9:11 AM
To: 'pbock@teatown.org'; 'dianedri@aol.com'; 'richfon@aol.com'; John Tegeder; Robyn Steinberg; 'Herbert, Lukas'
Cc: Nancy Calicchia; Kim Hughes
Subject: Referral - Proposed Local Law Amending Chapter 300_Solar Energy_Large & Small Scale
Attachments: Chapter 300 LL_Solar Energy (Large & Small Scale).pdf

TOWN OF YORKTOWN

Please see attached proposed local law. Please review and send any comments/suggestions to Town Clerk Diana Quast by June 15, 2021.

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.

Section 300-81.4(c) of the Code of the Town of Yorktown is hereby amended as follows:

“LARGE-SCALE SOLAR ENERGY SYSTEM — A solar energy system that exceeds 20 kilowatts (kW) DC as rated by its nameplate capacity” shall be amended to read “LARGE-SCALE SOLAR ENERGY SYSTEM — A solar energy system that exceeds 25 kilowatts (kW) DC as rated by its nameplate capacity”.

“SMALL-SCALE SOLAR ENERGY SYSTEM — A solar energy system that does not exceed more than 20 kW DC as rated by its nameplate capacity, and serves only the buildings or structures on the lot upon which the system is located” shall be amended to read “SMALL-SCALE SOLAR ENERGY SYSTEM — A solar energy system that does not exceed more than 25 kW DC as rated by its nameplate capacity, and serves only the buildings or structures on the lot upon which the system is located”.

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.

**TB Referral
Hallocks Mill Sewer
District Expansion #1**

TOWN OF YORKTOWN TOWN BOARD

Resolved, the Town Clerk is authorized to refer out to appropriate agencies for their review and/or recommendation the proposed action entitled "Hallocks Mill Sewer District Extension Phase I" by constructing gravity sewers and low-pressure sewer systems.

Further Resolved, the Town Board declares its intent to act as Lead Agency. We ask for your review and recommendation and that you respond back to the Town Clerk by June 11, 2021.

TO:

- | | | | |
|-------------------------------------|--|-------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> | File | | |
| <input checked="" type="checkbox"/> | Town Clerk | <input checked="" type="checkbox"/> | Westchester County |
| <input checked="" type="checkbox"/> | ABACA | <input checked="" type="checkbox"/> | Planning Department / Board |
| <input checked="" type="checkbox"/> | Building Inspector | <input checked="" type="checkbox"/> | Dept. of Public Works |
| <input checked="" type="checkbox"/> | Community Housing Board | <input checked="" type="checkbox"/> | Dept. of Health |
| <input checked="" type="checkbox"/> | Conservation Board | <input type="checkbox"/> | Parks & Recreation |
| <input checked="" type="checkbox"/> | Fire: | <input checked="" type="checkbox"/> | Environmental Facilities |
| | <input checked="" type="checkbox"/> Lake Mohegan | <input checked="" type="checkbox"/> | Soil & Water |
| | <input checked="" type="checkbox"/> Yorktown | | |
| <input checked="" type="checkbox"/> | Highway Dept. | <input checked="" type="checkbox"/> | New York State |
| <input checked="" type="checkbox"/> | Open Space Committee | <input checked="" type="checkbox"/> | DEC Albany |
| <input checked="" type="checkbox"/> | Planning Dept. / Board (6) | <input checked="" type="checkbox"/> | DEC New Paltz (Region III) |
| <input checked="" type="checkbox"/> | Police Dept. | <input checked="" type="checkbox"/> | DOT |
| <input checked="" type="checkbox"/> | Public Safety Committee | <input type="checkbox"/> | Parks & Recreation |
| <input type="checkbox"/> | Recreation Commission | <input type="checkbox"/> | State Comptroller |
| <input checked="" type="checkbox"/> | School District: | | |
| | <input checked="" type="checkbox"/> Yorktown | <input checked="" type="checkbox"/> | NYC DEP |
| | <input checked="" type="checkbox"/> Lakeland | <input checked="" type="checkbox"/> | Army Corp. of Engineers |
| <input checked="" type="checkbox"/> | Town Attorney | | |
| <input checked="" type="checkbox"/> | Town Board | | Bordering Municipality |
| <input checked="" type="checkbox"/> | Town Engineer | <input checked="" type="checkbox"/> | Town of Carmel |
| <input checked="" type="checkbox"/> | Tree Conservation Advisory Committee | <input checked="" type="checkbox"/> | Town of Cortlandt |
| <input checked="" type="checkbox"/> | Water Department | <input checked="" type="checkbox"/> | Town of New Castle |
| <input checked="" type="checkbox"/> | Yorktown Land Trust | <input checked="" type="checkbox"/> | Town of Ossining |
| <input checked="" type="checkbox"/> | Zoning Board of Appeals | <input checked="" type="checkbox"/> | Town of Putnam Valley |
| | | <input checked="" type="checkbox"/> | Town of Somers |

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

SUBJECT: **We are transmitting the following: Documentation for proposed sewer extension in the Hallocks Mill Sewer District.**

DATE: May 17, 2021

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

FOR YOUR: Information Review Comment

Diana L. Quast, Town Clerk
dqquast@yorktownny.org



Registrar of Vital Statistics
Telephone: (914) 962-5722 x 208
Fax: (914) 962 6591

TOWN OF YORKTOWN
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, NY 10598

This is a resolution adopted by the Town Board of the Town of Yorktown at its regular meeting held on Tuesday, May 4, 2021.

WHEREAS, the Town Board of the Town of Yorktown, Westchester County, New York, has received a petition, together with a map showing the boundaries of a proposed sewer district extension in said Town, to be known as Hallocks Mill Sewer District Extension in the Town of Yorktown (the "Extension") a general plan to serve said Extension, and a report of the proposed method of operation thereof; and

WHEREAS, said map, plan and report were prepared by a competent engineer duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

WHEREAS, the boundaries of said Extension shall be as described in Exhibit A attached hereto and hereby incorporated herein; and

WHEREAS, the improvements proposed consist of the construction of a sanitary sewer system at a maximum estimated cost of \$14,300,000; and

WHEREAS, the cost of hook-up fees to the typical property in said Extension is \$5,850; and

WHEREAS, the estimated cost of said Extension to the typical property therein is \$1,494 in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid (\$782 for a typical property not connected); and

WHEREAS, a detailed explanation of the manner by which such costs were computed has been filed in the office of the Town Clerk where the same are available during regular office hours for examination by any person interested in the subject matter thereof; and

WHEREAS, it is now desired to call a public hearing upon the question of the establishment of said Extension and the improvements proposed therefor, all pursuant to Section 193 of the Town Law; NOW, THEREFORE, BE IT

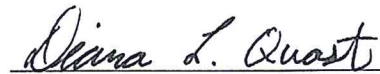
ORDERED, by the Town Board of the Town of Yorktown, Westchester County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Yorktown, Westchester County, New

York, shall be held at the Town Hall, 363 Underhill Avenue, in Yorktown Heights, New York, in said Town, on the 15th day of June, 2021, at 7:30 o'clock P.M., Prevailing Time, for the purpose of holding a public hearing to consider the establishment of the Sewer District Extension in said Town as described in the preambles hereof, to be known as Hallocks Mill Sewer District Extension, and the improvements proposed therefor, and to consider the petition, map, plan and report filed in relation thereto, and to hear all persons interested in the subject matter thereof concerning the same, and for such other action on the part of said Town Board as may be required by law or shall be proper in the premises.

Section 2. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in The Yorktown News, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

Section 3. This order shall take effect immediately.



Diana L. Quast, Town Clerk
Town of Yorktown
Certified Municipal Clerk

Date: May 5, 2021

To: Diana L. Quast, Town Clerk

cc: Matthew J. Slater, Town Supervisor
Patricia Caporale, Town Comptroller
Dan Ciarcia, Engineering Consultant
Sharon Robinson, Engineering Consultant
Adam Rodriguez, Town Attorney
John Tegeder, Director of Planning
file

Diana L. Quast, Town Clerk
dquast@yorktownny.org



Registrar of Vital Statistics
Telephone: (914) 962-5722 x 208
Fax: (914) 962 6591

TOWN OF YORKTOWN
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, NY 10598

This is a resolution adopted by the Town Board of the Town of Yorktown at its regular meeting held on Tuesday, May 4, 2021.

WHEREAS, The Town of Yorktown proposes to extend sanitary sewer service to unsewered areas within the Hallock's Mill Sewer District (HMSD) by constructing gravity sewers and low-pressure sewer systems (hereafter referred to as, "Proposed Action"); and

WHEREAS, the location of the proposed sewers and properties to benefit from the improvements are shown in a report prepared for the Proposed Action entitled "Hallocks Mill Sewer District Extension Phase 1 Map, Plan and Report" dated October 16, 2019; and

WHEREAS, the Proposed Project intends to extend sewer service to 315 parcels designated as the Birch Street Sub-Area (220 parcels, the Sparkle Lake Sub-Area (69 parcels), and the Sunrise Street Sub-Area (26 parcels); and

WHEREAS, the Proposed Action requires review under the New York State Environmental Quality Review Act (SEQRA), per 6NYCRR Part 617; and

WHEREAS, the Proposed Action is defined as an Unlisted Action under 6NYCRR Part 617 because the action is not listed under 6NYCRR Part 617.4 or 617.5; and

WHEREAS, multiple regulatory agencies have approval or funding authority over the Proposed Action; and

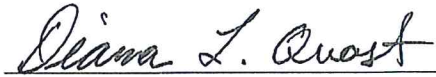
WHEREAS, the State Environmental Quality Review Act 6NYCRR Part 617.6(b)(3) calls for coordinated review of Unlisted Actions; and

WHEREAS, the State Environmental Quality Review Act 6NYCRR Part 617.6(b)(2)(i) requires that a Lead Agency for a coordinated review be established prior to a determination of significance; and

WHEREAS, the State Environmental Quality Review Act 6NYCRR Part 617.2(u) defines "Lead Agency" as, "an involved agency principally responsible for undertaking funding or approving an action, and therefore responsible for determining whether an environmental impact statement is required in connection with the action, and for the preparation and filing of the statement if one is required"; and

WHEREAS, the Town of Yorktown intends to act as Lead Agency in the coordinated review of said Actions as Unlisted Action under SEQRA and further intends to implement and complete all responsibilities of that office,

NOW THEREFORE BE IT RESOLVED that the Town Board declares its intent to act as Lead Agency for this Unlisted Action, as defined in 6NYCRR Part 617.2(u), for the coordinated review of the Proposed Action under SEQRA.



Diana L. Quast, Town Clerk
Town of Yorktown
Certified Municipal Clerk

Date: May 5, 2021

To: Diana L. Quast, Town Clerk

cc: Matthew J. Slater, Town Supervisor
Patricia Caporale, Town Comptroller
Dan Ciarcia, Engineering Consultant
Sharon Robinson, Engineering Consultant
Adam Rodriguez, Town Attorney
John Tegeder, Director of Planning
file

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dquast@yorktownny.org



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TOWN OF YORKTOWN
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, NY 10598

This is a resolution adopted by the Town Board of the Town of Yorktown at its regular meeting held on Tuesday, October 15, 2019.

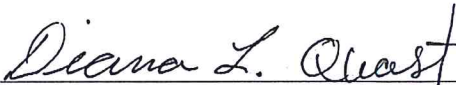
WHEREAS, the Town Engineer has prepared a map, plan, and report dated April 29, 2019 (the "Report") in connection with the extension of sewer service in the Hallocks Mill Sewer District; and

WHEREAS, it is proposed that undertaking such sewer improvements will be considered by the Town Board upon receipt of petitions from property owners that benefit from such improvements; and

WHEREAS, in connection with this process public informational hearings will be held by the Town Board;

NOW, THEREFORE BE IT RESOLVED, by the Town Board of the Town of Yorktown, Westchester County, New York, as follows:

- Section 1. The Report is hereby accepted by the Town Board.
- Section 2. Public informational hearings regarding the proposed sewer improvements will be held on October 29, 2019 and November 4, 2019.
- Section 3. The form of petition to be signed by benefited property owners as presented at this meeting is hereby approved and the Town Clerk is hereby directed to make such petition and the Report available to any such property owner upon request and to post same on the Town website.


Diana L. Quast, Town Clerk
Town of Yorktown
Certified Municipal Clerk

Date: October 16, 2019

To: Ilan D. Gilbert, Town Supervisor

cc: Richard Abbate, Town Attorney
Patricia Caporale, Town Comptroller
Michael Quinn, Town Engineer
file



Yorktown Town Hall
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, NY 10598

(914) 962-5722
www.yorktownny.org

Executive Summary for the HMSD Extension Project- Phase 1 October 2019

Project Background

There are approximately 5,200 parcels in the Hallocks Mill Sewer District (HMSD), of which 1,400 are currently unsewered as the Town sewer mains do not extend to the property line.

In 2010 the Town worked with an engineering consultant to study the feasibility of installing new sewers within the HMSD, then in 2017-18 the consultant prepared a schematic design report to identify high priority parcels. The Study Area was originally for 660 parcels, however, due to the cost and complexity of such a large project, the Town elected to proceed with a Phase 1 project that will allow 315 parcels the ability to connect to Town sewers.

Parcels that are currently unsewered rely on individual septic systems; many of these disposal systems are in excess of 40 years old, are located on small lots with steep slopes and are within wetland buffers or have other environmental constraints. Since the Town of Yorktown and the HMSD are part of the NYC watershed, septic system failures have the potential to create environmental and public health hazards.

The Town has been working with the Northern Westchester Watershed Corp, Westchester County and the NYCDEP on funding for the proposed project that will provide sewer service to parcels currently serviced by septic systems. It is the intent of the Town to apply any grant funding to the Phase 1 construction project and then pursue other funding opportunities to undertake a second phase of construction in future years.

Capital Cost for Extending Town Sewer Main

As per the engineering report entitled "Hallocks Mill Sewer Extension Report & Crystal Lake Pump Station Improvements", dated July 2018, the total capital cost to install sewers to 315 parcels in Birch Street Sub-Area (220 parcels), Sparkle Lake Sub-Area (69 parcels) and Sunrise Street Sub-Area (26 parcels) is estimated to be \$14,300,000.

It is anticipated that the Town will receive \$10,000,000 from East of Hudson (EOH) Water Quality Improvement Program (WQIP) Funds to complete the Project. NYCDEP and Westchester County as administrator of the funds have previously approved the concept plan and gave a preliminary funding commitment, which will be formalized in an inter-municipal agreement (IMA) between the Town and Westchester County.

Based on the total estimated project cost and the funding commitment noted above, the Town will need to fund the estimated balance of \$4,300,000 through issuance of sewer bonds.

All debt service for this borrowing shall be paid for by the benefitted property owners within the HMSD. For every \$1 million that the Town needs to borrow to fund a portion of the capital costs,

- b. 2-inch PVC Pipe cost, no rock excavation no dewatering: \$45 - \$50 per linear foot
- c. Electrical panel installation, outdoor hookup (requires dedicated circuit from homeowner panel, 120/240 volt, 60 Hz, single phase): \$2,500
- d. Note: costs can vary significantly due to individual site constraints; therefore it is recommended that homeowners obtain multiple contractor price proposals before making a selection.

Based on the preliminary engineering assessment, the Town evaluated all 315 parcels to determine which ones would be gravity laterals versus low-pressure pump systems. This data is available in Attachment #3 and summarized below:

- Birch Street Sub-Area (220 parcels): Gravity 160 parcels; Low-Pressure 60 parcels
 - Sparkle Lake Sub-Area (69 parcels): Gravity 0 parcels; Low-Pressure 69 parcels
 - Sunrise Street Sub-Area (26 parcels): Gravity 15 parcels; Low-Pressure 11 parcels
- **Overall (315 parcels): Gravity 175 parcels; Low-Pressure 140 parcels**

The following tables are provided to provide cost estimates for a typical homeowner who will connect via a gravity lateral connection or a pumped system.

Table 1 Summary of Cost for a Typical Property Connecting to Town Sewer via a Gravity Lateral

<i>First Year Capital Cost for a Parcel Connecting to Town Sewer (Gravity)</i>					
	Description	Quantity	Unit	Unit Cost	Total Cost/Year
1	Sewer Bond Repayment, Yearly Cost for 30-year payback term	1	Ea	\$782.00	\$782.00
2	Hook-Up Fee for Sewer Connection Permit	1	LS	\$350.00	\$350.00
3	Average cost for Gravity Lateral Sewer Connection	1	LS	\$5,500.00	\$5,500.00
	Total First Year Cost				\$6,632.00

Next Steps & Project Timeline

Each year, the New York State Comptroller publishes an average estimated cost threshold for use in determining whether approval of the State Controller is necessary for special district actions in that year (see Appendix H). The 2019 threshold amount for a town special district establishment of a sewer district is \$995. The Comptroller's approval is required for the establishment of a town district if two factors are present:

- debt is to be issued or assumed by the town for the improvement, and
- the cost of the district to the "typical property" is above the average annual estimated cost threshold.

Since the yearly debt estimated in this analysis (\$782) does not exceed the allowable threshold of \$995, approval from the New York State Comptroller will not be required prior to the project moving forward (to be confirmed with NYS Comptroller's office).

The following schedule is provided to describe the important milestone dates and are subject to change:

Task 1 Start date in Fall 2019: Begin Town Sewer Petition process (Month #1)

Task 2 Public Information sessions and homeowner decision, estimated duration 2 months

Task 3 Town Board review of petitions and interest: duration 2 months

Task 4 New York State Comptroller Approval (if required)

Task 5 Town hires an engineering consultant for project design: duration 12 months

Task 6 Engineering plans submitted permits & approval: duration 2 months

Task 7 Town obtains bids & issues Award: duration 2 months

Task 8 Contractor mobilizes & completes work, duration 15 months

*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: Hallocks Mill Lateral Sewer District Phase 1		
Project Location (describe, and attach a general location map): Yorktown Heights - Birch Area Sub Area, Sparkle Lake Sub Area, and Sunrise Street Sparkle Area Westchester County, NY		
Brief Description of Proposed Action (include purpose or need): The Hallocks Mill Sewer District (HMSD) is partially sewered. Residents in unsewered areas rely on septic systems installed on small lots with steep slopes and other environmental constraints, which results in poor wastewater treatment. In consideration of unsewered residents, the frequency of septic pumpouts, and the potential impacts of septic failure within the HMSD on the Croton Reservoir and NYC water supply, the Town of Yorktown proposes to extend the sewer collection system in certain areas. The Town is proposing to sewers in three (3) sub areas know as Sunrise, Sparkle Lake and Birch. A map depicting the areas to be served are attached. The project proposes to serve 313 properties by installing approximately 15,000 feet of gravity sewer, 5,000 feet of low pressure forcemain, and 140 low pressure sewer pumps.		
Name of Applicant/Sponsor: Town of Yorktown		Telephone: (914) 962-5722 x218 E-Mail: dciarcia@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): Daniel Ciarcia, Acting Town Engineer		Telephone: (914) 962-5722 x218 E-Mail: dciarcia@yorktownny.org
Address: 363 Underhill Avenue		
City/PO: Yorktown Heights	State: NY	Zip Code: 10598
Property Owner (if not same as sponsor): Town of Yorktown		Telephone: SAME E-Mail: SAME
Address: SAME		
City/PO: SAME	State: SAME	Zip Code: 10598

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	Establish Sewer Sewer District and authorize expenditure	Pending
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Westchester County Department of Health Westchester County Department of Planning	Pending
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	New York City Department of Environmental Protection	Pending
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	State Comptroller - Establish Sewer District	Pending
h. Federal agencies <input type="checkbox"/> Yes <input type="checkbox"/> No		
i. Coastal Resources. <ul style="list-style-type: none"> 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 type="checkbox"/> Yes <input checked="" 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, identify the plan(s): NYC Watershed Boundary _____ _____ _____	
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?
Residential _____
- 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? NA _____

C.4. Existing community services.

- a. In what school district is the project site located? Yorktown Central School District _____
- b. What police or other public protection forces serve the project site?
Yorktown Police Department _____
- c. Which fire protection and emergency medical services serve the project site?
Yorktown Fire Department _____
- d. What parks serve the project site?
NA _____

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)? Municipal sanitary sewer collection system expansion _____
- b. a. Total acreage of the site of the proposed action? _____ 200 acres
b. Total acreage to be physically disturbed? _____ 2.5 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 25 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)? % _____ 313 Units: _____ Homes _____
- 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: _____ 48 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: 150,000 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): sanitary wastewater

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

If Yes:

- Name of wastewater treatment plant to be used: Yorktown Water Pollution Control Plant
- Name of district: Hallocks Mill Sewer 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

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____
Sewer extensions will be installed to serve approximately 315 households in the HMSD sewer district. Collected wastewater will flow to existing sewers and to the Yorktown Water Pollution Control Plant.

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: Town of Yorktown - Lateral Sewer District
 • Date application submitted or anticipated: July 7, 2021
 • What is the receiving water for the wastewater discharge? Hallock's Mill Brook

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?
0 Square feet or 0 acres (impervious surface)
0 Square feet or 0 acres (parcel size)
 ii. Describe types of new point sources. N/A - No increase in stormwater runoff from existing conditions.
 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)?
The project is not anticipated to create new sources of runoff and stormwater will be directed in the same manner as in the existing condition.

 • If to surface waters, identify receiving water bodies or wetlands: _____
NA

 • 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)
Heavy equipment
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
Portable generators as required for power
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
None

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)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____

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? Yes No

If Yes:

i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? Yes No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? Yes No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: _____ 7 am - 5 pm _____
- Saturday: _____ 7 am - 5 pm _____
- Sunday: _____ 7 am - 5 pm _____
- Holidays: _____ 7 am - 5 pm _____

ii. During Operations:

- Monday - Friday: _____ On-demand operation _____
- Saturday: _____ On-demand operation _____
- Sunday: _____ On-demand operation _____
- Holidays: _____ On-demand operation _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No

If yes:

i. Provide details including sources, time of day and duration: _____

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
Describe: _____

n. Will the proposed action have outdoor lighting? Yes No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures: _____

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

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? Yes No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No

If Yes:

i. Describe proposed treatment(s): _____

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: _____ tons per _____ (unit of time)
- Operation : _____ tons per _____ (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: _____
- Operation: _____

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- 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 (c.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): Municipal

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	11	11	0
• 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:
Guiding Eyes for the Blind (611 Granite Springs Rd), Mildred E Strang Middle School, Yorktown High School, Lullaby 1 Day Care Center Inc. (738 Granite Springs Rd), Grow with Grace Daycare (514 Yorkhill Road), Deb's Daycare (2541 Ridge St), Wiggles-N-Giggles Preschool

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? Yes No

- 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? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ TBD feet

b. Are there bedrock outcroppings on the project site? Yes 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: Well Drained: _____ % of site
 Moderately Well Drained: _____ % of site
 Poorly Drained: _____ % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ % of site
 10-15%: _____ % of site
 15% or greater: _____ % of site

g. Are there any unique geologic features on the project site? Yes 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)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, 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? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name 864-129, 864-121, 864-120 Classification C
- Lakes or Ponds: Name Sparkle Lake Classification Freshwater
- Wetlands: Name Federal Waters, NYS Wetland, Federal Waters, Fe... Approximate Size NYS Wetland (in a...
- Wetland No. (if regulated by DEC) A-12

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 Typical species for developed sites : _____
 (i.e. small mammals, squirrels, _____
 Canadian geese, white tail deer)

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

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? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____

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? Yes No
 If Yes:
 i. Species and listing: _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

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? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

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

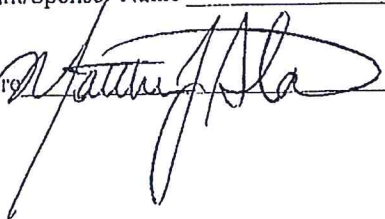
Attach any additional information which may be needed to clarify your project.

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.

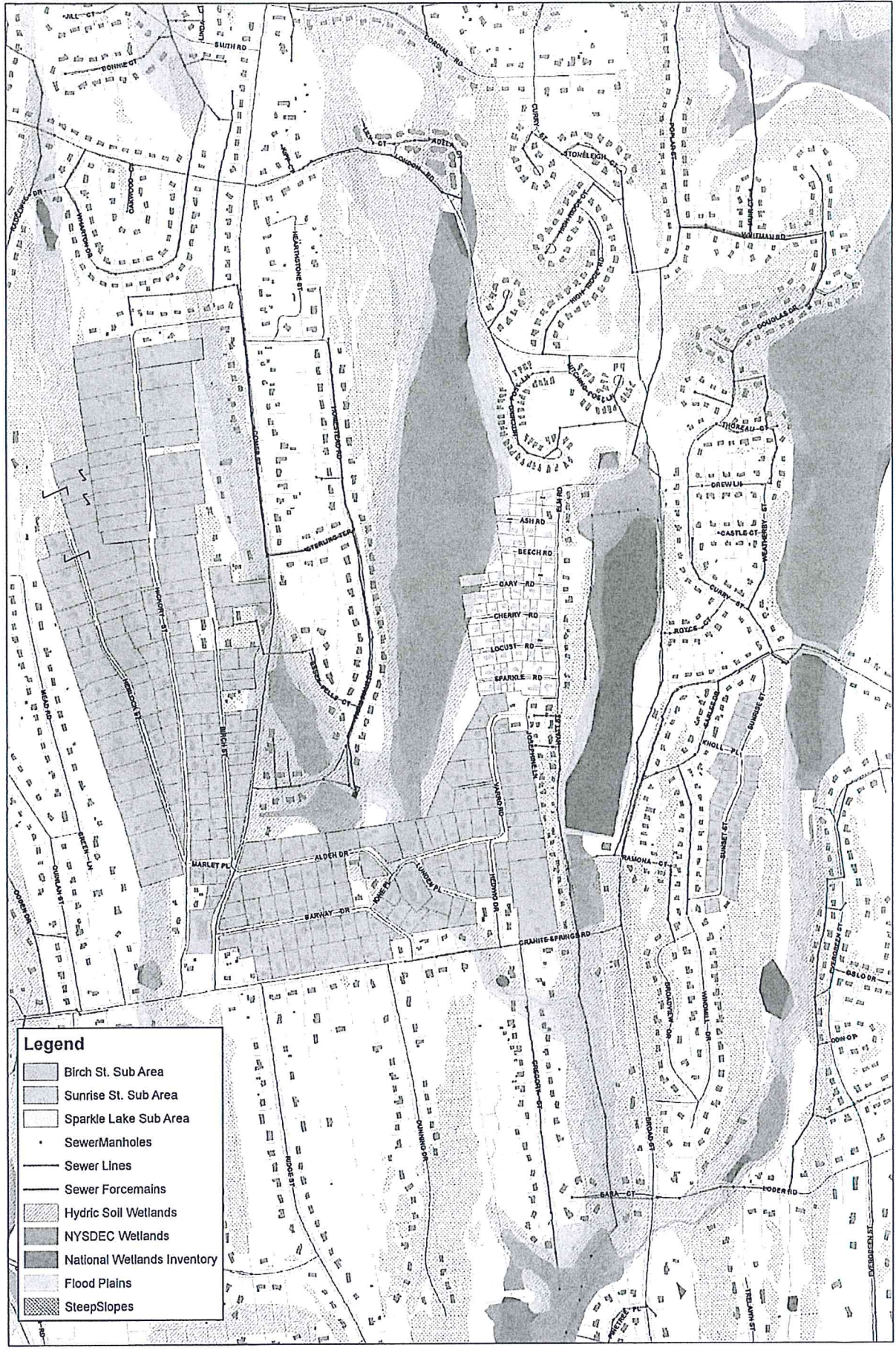
G. Verification

I certify that the information provided is true to the best of my knowledge.

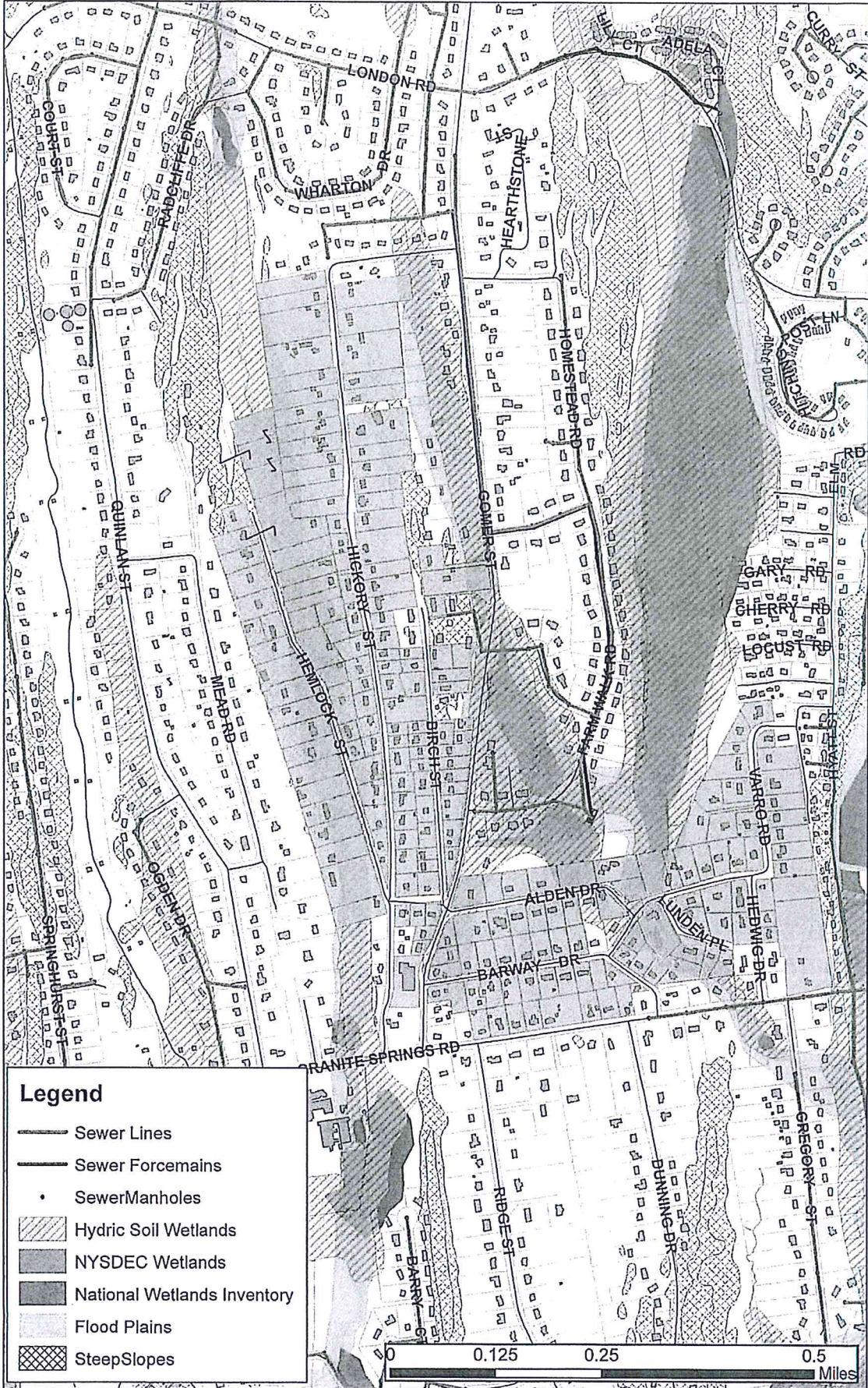
Applicant/Sponsor Name Town of Yorktown Date May 12, 2021

Signature  Title Town Supervisor

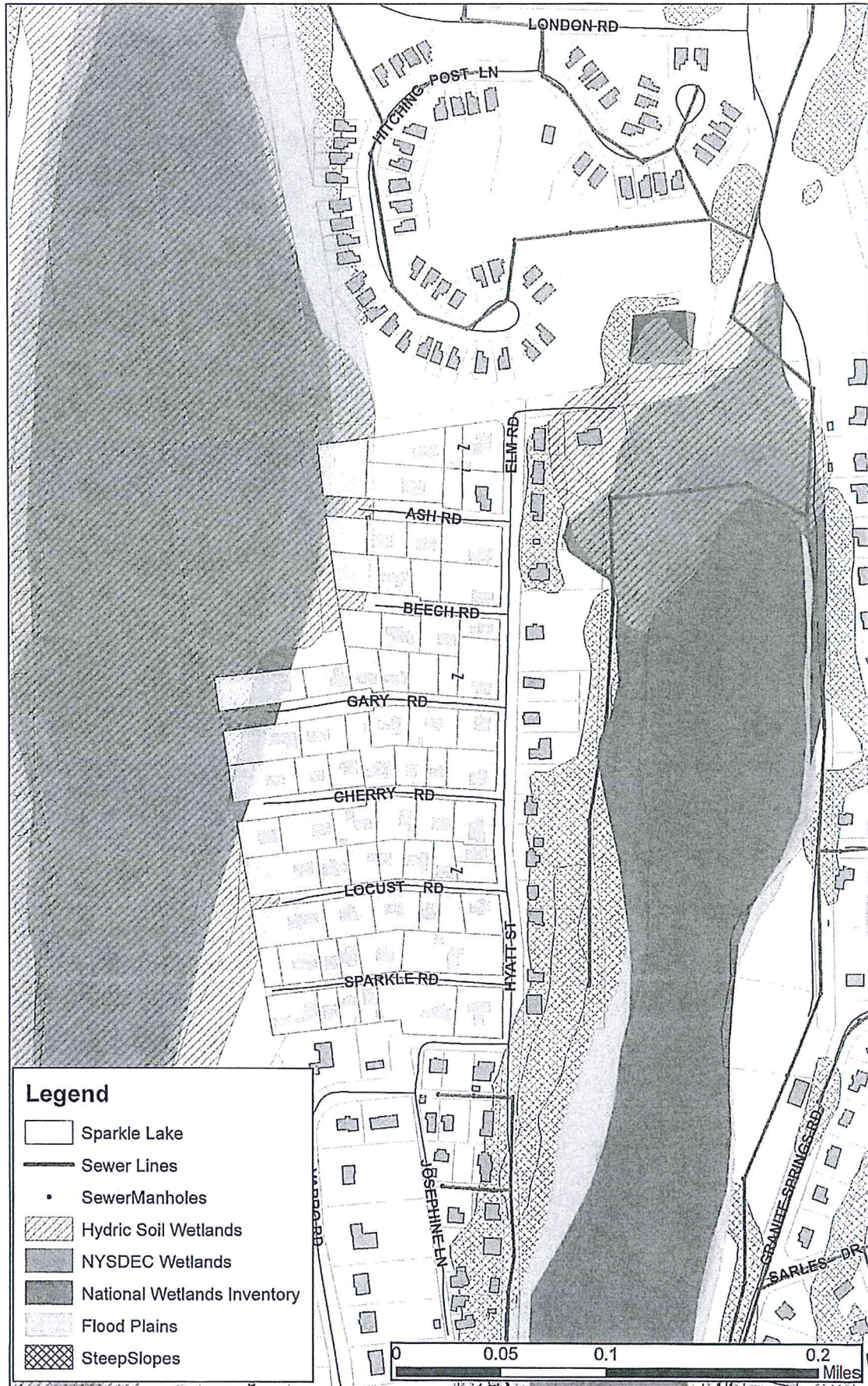
Hallocks Mill Sewer District Extension - Phase 1



Birch Street Sub Area - Phase 1

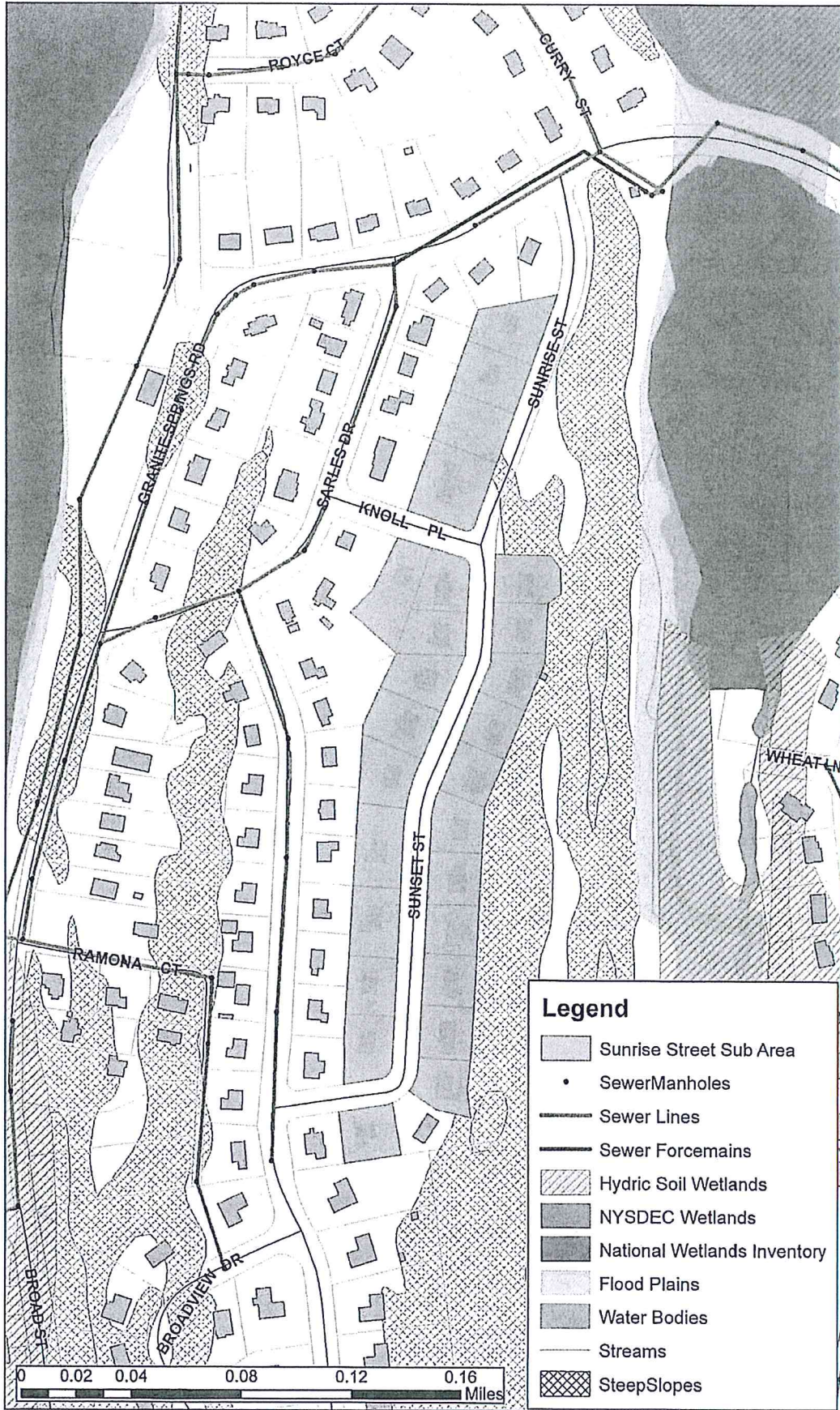


Sparkle Lake Sub Area - Phase 1



Parcel Count: 69

Sunrise Street Sub Area - Phase 1



Legend

- Sunrise Street Sub Area
- Sewer Manholes
- Sewer Lines
- Sewer Forcemains
- Hydric Soil Wetlands
- NYSDEC Wetlands
- National Wetlands Inventory
- Flood Plains
- Water Bodies
- Streams
- Steep Slopes



Town of Yorktown

HALLOCKS MILL SEWER DISTRICT EXTENSION PHASE 1 MAP, PLAN AND REPORT



Issue Date: October 16, 2019

Prepared by:
Engineering Department
363 Underhill Ave
Yorktown Heights, NY 10598

TABLE OF CONTENTS

1. Petition Letter for New Sanitary Sewer Service
2. Hallocks Mill Sewer District Extension Map of Sub Areas
 - a. Birch Street Sub Area
 - b. Sparkle Lake Sub Area
 - c. Sunrise Street Sub Area
3. List of Benefitted Parcels and Lateral Connection Type
4. State Cost Thresholds for Special Districts



Yorktown Town Hall
363 Underhill Avenue, P.O. Box 703
Yorktown Heights, NY 10598

(914) 962-5722
www.yorktownny.org

Cost Evaluation for the HMSD Extension Project January 2019

Project Background

There are approximately 5,200 parcels in the Hallocks Mill Sewer District (HMSD), of which 1,400 are currently unsewered as the Town sewer mains do not extend to the property line.

In 2010 the Town worked with an engineering consultant to study the feasibility of installing new sewers within the HMSD, then in 2017-18 the consultant prepared a schematic design report to identify high priority parcels. The Study Area was originally for 660 parcels, however, due to the cost and complexity of such a large project, the Town elected to proceed with a Phase 1 project that will allow 315 parcels the ability to connect to Town sewers.

Parcels that are currently unsewered rely on individual septic systems; many of these disposal systems are in excess of 40 years old, are located on small lots with steep slopes and are within wetland buffers or have other environmental constraints. Since the Town of Yorktown and the HMSD are part of the NYC watershed, septic system failures have the potential to create environmental and public health hazards.

The Town has been working with the Northern Westchester Watershed Corp, Westchester County and the NYCDEP on funding for the proposed project that will provide sewer service to parcels currently serviced by septic systems. It is the intent of the Town to apply any grant funding to the Phase 1 construction project and then pursue other funding opportunities to undertake a second phase of construction in future years.

Capital Cost for Extending Town Sewer Main

As per the engineering report entitled "Hallocks Mill Sewer Extension Report & Crystal Lake Pump Station Improvements", dated July 2018, the total capital cost to install sewers to 315 parcels in Birch Street Sub-Area (220 parcels), Sparkle Lake Sub-Area (69 parcels) and Sunrise Street Sub-Area (26 parcels) is estimated to be \$14,300,000.

It is anticipated that the Town will receive \$10,000,000 from East of Hudson (EOH) Water Quality Improvement Program (WQIP) Funds to complete the Project. NYCDEP and Westchester County as administrator of the funds have previously approved the concept plan and gave a preliminary funding commitment, which will be formalized in an inter-municipal agreement (IMA) between the Town and Westchester County.

Based on the total estimated project cost and the funding commitment noted above, the Town will need to fund the estimated balance of \$4,300,000 through issuance of sewer bonds.

All debt service for this borrowing shall be paid for by the benefitted property owners within the HMSD. For every \$1 million that the Town needs to borrow to fund a portion of the capital costs, the annual debt service on this amount (assuming an annual interest rate of 4.0% and an amortization period of 30 years) would be \$57,290. [Note: Bond @ 4.5% would be \$60,802]

- **Projected annual payback for 30-years: \$782 /parcel/year**

According to the preliminary engineering study, the total Phase 1 project will cover the construction of approximately 5.5 miles of new Town-owned sanitary sewer via a combination of gravity lines and low pressure force mains.

The Phase 1 project construction consists of installing sewer mains to the property line of each parcel in the benefitted area, i.e. to 315 parcels. Individual property owners who wish to connect to Town sewer would then be responsible for hook-up fees and running a sewer lateral from the home to connect at the property line.

Hook-Up Fees & Cost for Individual Property Connections

As per the engineering report and as summarized in the preceding section, the Project will consist of the construction and installation of approximately 5.5 miles of new Town sanitary sewer via a combination of gravity lines and low pressure force mains. The scope of work includes installing sewer mains to the property line of each parcel in the benefitted area, i.e. to 315 parcels.

Individual property owners who wish to connect to Town sewer would then be financially responsible for running a sewer lateral from the home to connect at the property line.

In accordance with Town Code, connection of an individual parcel to Town sewer can only be done by a Westchester County-licensed plumber. A Sewer Connection Permit must also be obtained from the Engineering Department.

Individual homeowner costs for connecting to Town sewer will vary based on a multitude of factors, including whether a gravity line or low pressure system is required, site topography, underlying soil conditions, distance from the house to the property line, site constraints, etc. The following information is provided in an attempt to assist homeowners in their evaluation.

1. Application for Sewer Connection Permit: \$350 (based on current master fee schedule)
2. Gravity Sewer Lateral (project cost in the range of \$4,500 to \$6,500, as itemized below)
 - a. 4-inch PVC Pipe cost, no rock excavation no dewatering: \$55 - \$65 per linear foot
 - b. Note: costs can vary significantly due to individual site constraints; therefore it is recommended that homeowners obtain multiple contractor price proposals before making a selection.

3. Low Pressure Pump System (project costs in the range of \$12,500 to \$17,000, as itemized below)
 - a. Cost to furnish Pump System from vendor (E/One or equal): \$5,000 to \$6,000
 - b. 2-inch PVC Pipe cost, no rock excavation no dewatering: \$45 - \$50 per linear foot
 - c. Electrical panel installation, outdoor hookup (requires dedicated circuit from homeowner panel, 120/240 volt, 60 Hz, single phase): \$2,500
 - d. Note: costs can vary significantly due to individual site constraints; therefore it is recommended that homeowners obtain multiple contractor price proposals before making a selection.

Based on the preliminary engineering assessment, the Town evaluated all 315 parcels to determine which ones would be gravity laterals versus low-pressure pump systems. This data is available in Attachment #3 and summarized below:

- Birch Street Sub-Area (220 parcels): Gravity 160 parcels; Low-Pressure 60 parcels
- Sparkle Lake Sub-Area (69 parcels): Gravity 0 parcels; Low-Pressure 69 parcels
- Sunrise Street Sub-Area (26 parcels): Gravity 15 parcels; Low-Pressure 11 parcels

➤ **Overall (315 parcels): Gravity 175 parcels; Low-Pressure 140 parcels**

The following tables are provided to provide cost estimates for a typical homeowner who will connect via a gravity lateral connection or a pumped system.

Table 1 Summary of Cost for a Typical Property Connecting to Town Sewer via a Gravity Lateral

<i>First Year Capital Cost for a Parcel Connecting to Town Sewer (Gravity)</i>					
	Description	Quantity	Unit	Unit Cost	Total Cost/Year
1	Sewer Bond Repayment, Yearly Cost for 30-year payback term	1	Ea	\$782.00	\$782.00
2	Hook-Up Fee for Sewer Connection Permit	1	LS	\$350.00	\$350.00
3	Average cost for Gravity Lateral Sewer Connection	1	LS	\$5,500.00	\$5,500.00
	Total First Year Cost				\$6,632.00

Whenever possible, a typical homeowner would utilize a gravity lateral to connect to the Town sewer as the overall cost would be lower and there would be no need for electrical power or energy use to run the system.

In certain instances, a gravity lateral will not be feasible, i.e. where the site topography dictates that a pump-up system be utilized, where the homeowner sanitary waste piping is lower than the Town trunk sewer and/or other condition exist to make a gravity line not workable.

The engineering study performed by GHD Consulting Engineers identified preliminary elevations of Town trunk sewers to maximize the number of homeowners who may connect via a gravity lateral.

The parcel-by-parcel data is preliminary based on an initial engineering study performed for the Town and subject to change based on the topographic surveys and soil borings still to be performed as part of the final engineering design.

When gravity laterals cannot be utilized, the homeowner will be required to install a pump-up system that consists of the following components: (1) waste pipe from the house to the pump station; (2) package pump station to include a vessel, pump, piping, valves and level control; (3) electric panel to provide power; and (4) pressure-rated piping 2-inch diameter installed from the pump station to the property line.

Table 2 Summary of Cost for a Typical Property Connecting to Town Sewer via a Pumped System

<i>First Year Capital Cost for a Parcel Connecting to Town Sewer (Pumped System)</i>					
	Description	Quantity	Unit	Unit Cost	Total Cost/Year
1	Sewer Bond Repayment, Yearly Cost for 30-year payback term	1	Ea	\$782.00	\$782.00
2	Hook-Up fee for Sewer Connection Permit	1	LS	\$350.00	\$350.00
3	Average cost for Low Pressure Pump System	1	LS	\$14,750.00	\$14,750.00
	Total First Year Cost				\$15,882.00

Operation and Maintenance Cost

The costs to operate and maintain both the sewer collection system and the Yorktown Heights Water Pollution Control Plant are addressed in the Town Code, Chapter 240-8 Revenues. Within the Hallocks Mill Sewage Treatment Operating District, revenues are collected in two ways:

- A sewer tax is assessed to all connected parcels within the HMSD based on a unit assessment (single family residence = 1 unit). The unit charge for the budget year 2018 is \$572.
- A sewer rent/usage charge is assessed to all connected parcels within the HMSD based on water usage as recorded by the water meter at each residence. The 2018 cost is \$1.20 per 1,000 gallons of water usage, with a minimum water usage of 13,000 gallons per 4-month billing cycle.

Table 3 Summary of Costs Including O&M Fees for a Property Connected to Town Sewer

<i>Yearly Cost Including O&M Fees for a Parcel Connected to Town Sewer</i>					
	Description	Quantity	Unit	Unit Cost	Total Cost/Year
1	Sewer Bond Repayment, Yearly Cost for 30-year payback term	1	Fixed fee	\$782.00	\$782.00
2	Sewer Tax (single family home = 1 unit charge)	1	Yearly charge	\$572.00	\$572.00
3	Sewer Rent @ 320 gallons water usage per day (typical family of 4)	117,000	gallons	\$1.20/1,000 gal	\$140.40
	Total Yearly Cost				\$1,494.40

Parcels That Do Not Connect to Town Sewer

As in past projects, where the Town issued debt in order to fund sewer infrastructure construction, there is no obligation on the part of parcel owners to connect to Town sewer when it becomes available. In instances where the property owner remains on an individual subsurface sewage disposal system, i.e. septic system, the homeowner responsibility to repay yearly debt obligations as a benefitted owner remains.

Under current Town policies, there would be no yearly cost for sewer taxes or sewer rent/usage charges until such time the homeowner makes connection to Town sewer.

Table 4 Yearly Cost for a Benefitted Property NOT Connected to Town Sewer

<i>Homeowner Cost for Parcels NOT Connecting to Town Sewer</i>					
	Description	Quantity	Unit	Unit Cost	Total Cost/Year
1	Sewer Bond Repayment, Yearly Cost for 30-year payback term	1	Ea	\$782.00	\$782.00
2	Sewer Tax*	1	Ea	\$0.00	\$0.00
3	Sewer Rent*	117,000	gallons	\$0.00	\$0.00
	*Note: does not include individual cost to own/operate septic system				
	Yearly Cost				\$782.00

Next Steps & Project Timeline

Each year, the New York State Comptroller publishes an average estimated cost threshold for use in determining whether approval of the State Controller is necessary for special district actions in that year (see Appendix H). The 2018 threshold amount for a town special district establishment of a sewer district is \$995. The Comptroller's approval is required for the establishment of a town district if two factors are present:

- debt is to be issued or assumed by the town for the improvement, and
- the cost of the district to the "typical property" is above the average annual estimated cost threshold.

Since the yearly debt estimated in this analysis (\$782) does not exceed the allowable threshold of \$995, approval from the New York State Comptroller will not be required prior to the project moving forward.

The following schedule is provided to describe the important milestone dates and are subject to change:

Task 1 Start date in Fall 2018: Begin Town Sewer Petition process (Month #1)

Task 2 Public Information sessions and homeowner decision, estimated duration 2 months

Task 3 Town Board review of petitions and interest: duration 2 months

Task 4 New York State Comptroller Approval (only if required)

Task 5 Town hires an engineering consultant for project design: duration 12 months

Task 6 Engineering plans submitted permits & approval: duration 2 months

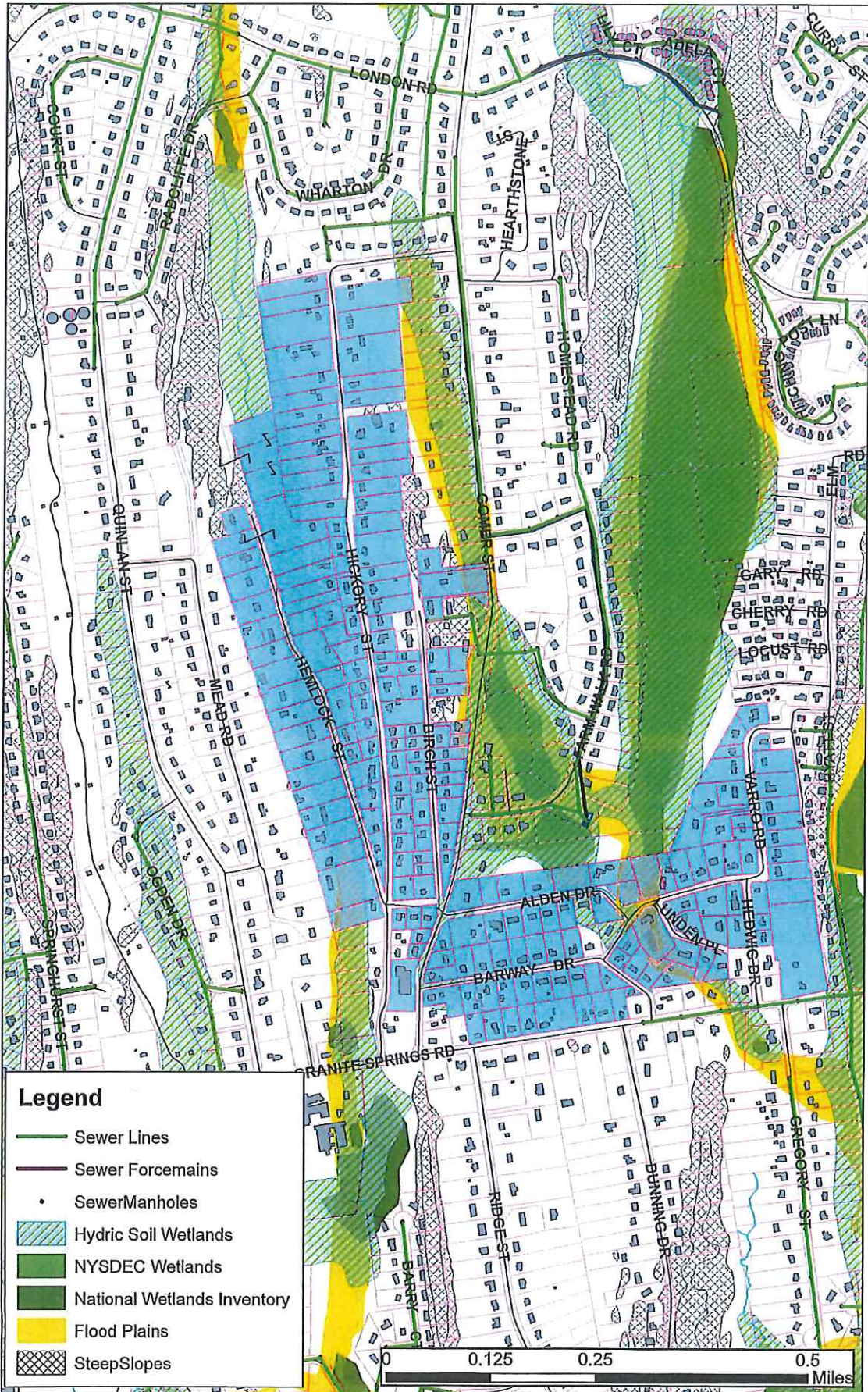
Task 7 Town obtains bids & issues Award: duration 2 months

Task 8 Contractor mobilizes & completes work, duration 15 months

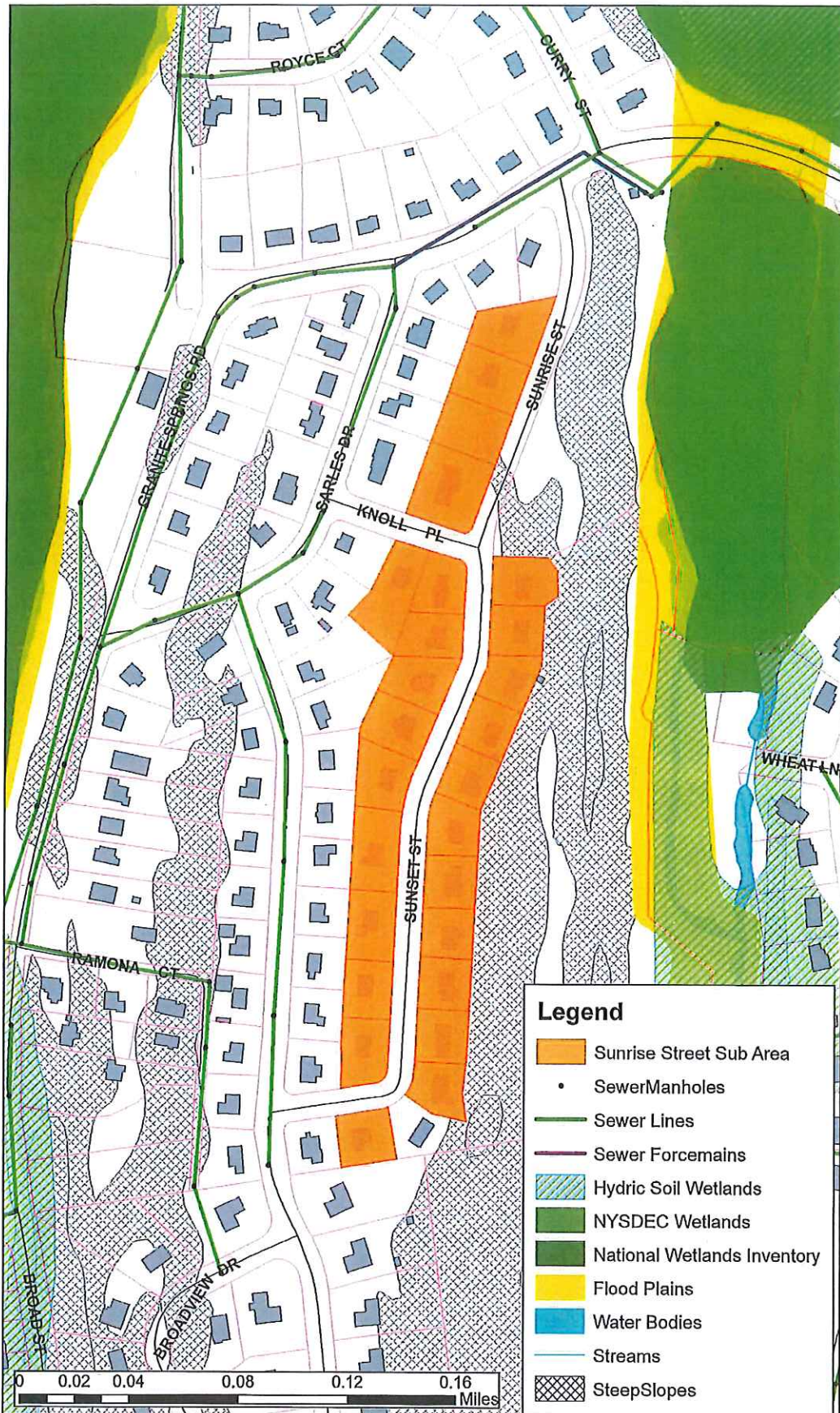
Petition Letter for New Sanitary Sewer Service

**Hallocks Mill Sewer District Extension Map of
Sub Areas**

Birch Street Sub Area - Phase 1



Sunrise Street Sub Area - Phase 1

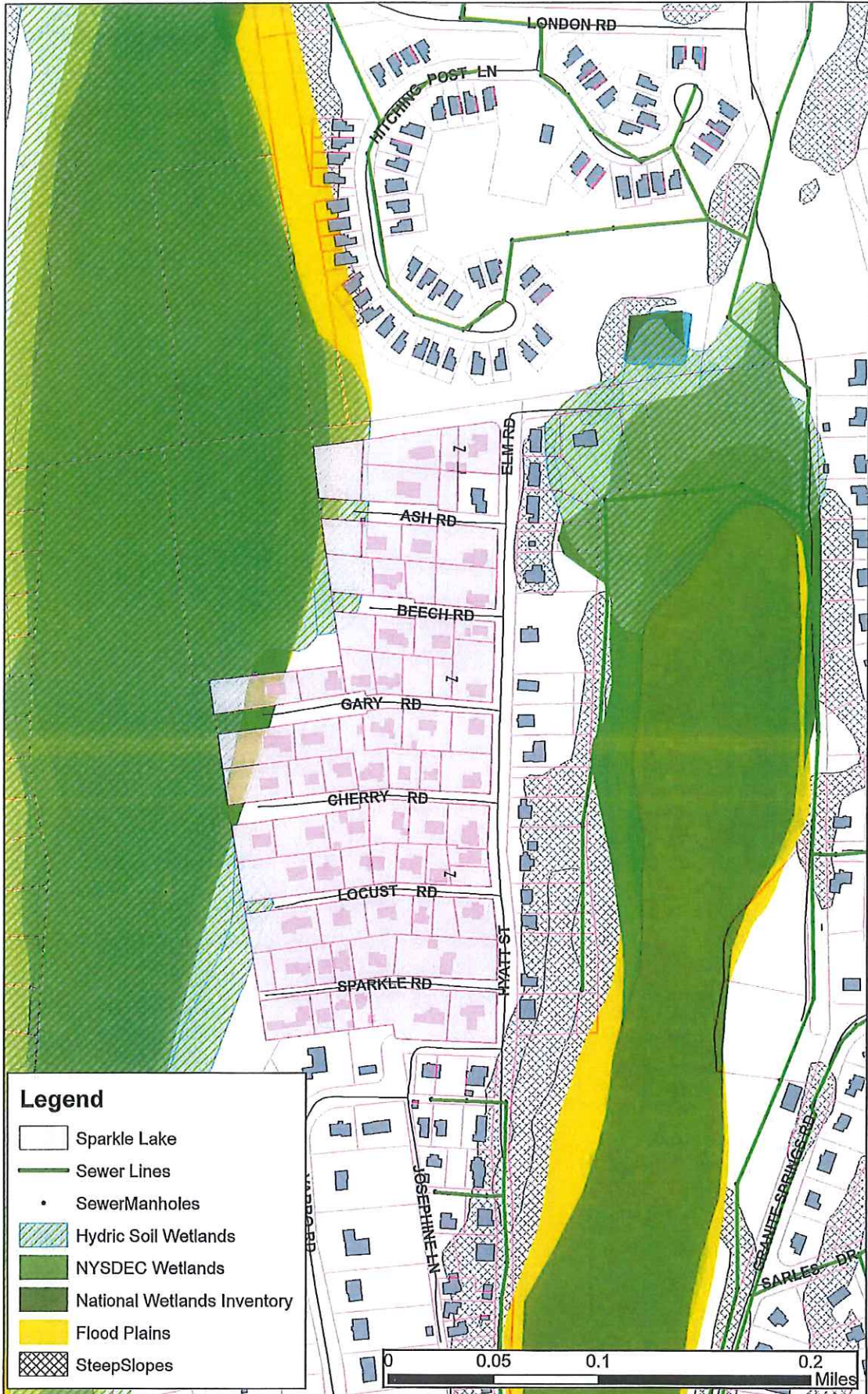


Legend

- Sunrise Street Sub Area
- Sewer Manholes
- Sewer Lines
- Sewer Forcemains
- Hydric Soil Wetlands
- NYSDEC Wetlands
- National Wetlands Inventory
- Flood Plains
- Water Bodies
- Streams
- Steep Slopes

Parcel Count: 26

Sparkle Lake Sub Area - Phase 1



**List of Benefitted Parcels and Lateral Connection
Type**

Hallocks Mill Sewer District Extension Project List of Parcels in Phase 1 with Connection Type

* The Predicted Connection Type was determined by information contained in the GHD Schematic Design Report and measurements taken by Engineering Department staff in 2018. The data is provided for information purposes only and is subject to change based on technical data collected during the final design.

** Parcel may be removed from the final address list

BIRCH STREET SUB AREA

Parcel	SBL	HOUSE No.	STREET	Predicted Connection Type*
1	27.09-3-60	420	Alden	Gravity
2	27.09-3-61	398	Alden	Gravity
3	27.09-3-62	397	Alden	Gravity
4	27.09-3-63	405	Alden	Gravity
5	27.09-3-64	419	Alden	Gravity
6	27.10-1-12	312	Alden	Gravity
7	27.10-1-13	304	Alden	Gravity
8	27.10-1-14	296	Alden	Gravity
9	27.10-1-15	290	Alden	Gravity
10	27.10-1-2	361	Alden	Gravity
11	27.10-1-4	373	Alden	Gravity
12	27.10-1-5	379	Alden	Gravity
13	27.10-1-6	387	Alden	Gravity
14	27.10-1-7	382	Alden	Gravity
15	27.10-1-9	354	Alden	Gravity
16	27.10-2-40	293	Alden	Gravity
17	27.10-2-41	311	Alden	Gravity
18	27.10-2-43	325	Alden	Gravity
19	27.13-2-29	416	Barway	Gravity
20	27.13-2-30	426	Barway	Gravity
21	27.13-2-31	406	Barway	Gravity
22	27.13-2-32	398	Barway	Gravity
23	27.13-2-33	405	Barway	Gravity
24	27.13-2-34	395	Barway	Gravity
25	27.13-2-35	415	Barway	Gravity
26	27.13-2-36	423	Barway	Gravity
27	27.14-3-10	379	Barway	Gravity
28	27.14-3-11	387	Barway	Gravity
29	27.14-3-12	378	Barway	Gravity
30	27.14-3-13	388	Barway	Gravity
31	27.14-3-14	370	Barway	Gravity
32	27.14-3-20	348	Barway	Low Pressure System
33	27.14-3-21	340	Barway	Low Pressure System
34	27.14-3-22	332	Barway	Low Pressure System
35	27.14-3-23	326	Barway	Low Pressure System
36	27.14-3-7	351	Barway	Gravity
37	27.14-3-9	367	Barway	Gravity
38	27.05-2-19.1	2930	Birch	Gravity
39	27.09-3-17	2803	Birch	Gravity
40	27.09-3-18	2809	Birch	Gravity
41	27.09-3-19	2819	Birch	Gravity
42	27.09-3-20	2829	Birch	Gravity
43	27.09-3-21	2843	Birch	Gravity

Parcel	SBL	HOUSE No.	STREET	Predicted Connection Type*
44	27.09-3-23	2859	Birch	Gravity
45	27.09-3-24	2867	Birch	Gravity
46	27.09-3-25	2873	Birch	Gravity
47	27.09-3-26	2895	Birch	Gravity
48	27.09-3-27	2903	Birch	Gravity
49	27.09-3-28	2909	Birch	Gravity
50	27.09-3-32	2908	Birch	Low Pressure System
51	27.09-3-33	2898	Birch	Low Pressure System
52	27.09-3-34	2892	Birch	Low Pressure System
53	27.09-3-37	2876	Birch	Low Pressure System
54	27.09-3-38	2866	Birch	Low Pressure System
55	27.09-3-39	2872	Birch	Low Pressure System
56	27.09-3-40	2860	Birch	Low Pressure System
57	27.09-3-41	2854	Birch	Low Pressure System
58	27.09-3-42	2848	Birch	Low Pressure System
59	27.09-3-43	2842	Birch	Low Pressure System
60	27.09-3-45	2818	Birch	Low Pressure System
61	27.09-3-46	2806	Birch	Low Pressure System
62	27.09-3-9	2853	Birch	Gravity
63	17.17-2-4	405	Cording	Low Pressure System
64	17.17-2-6	424	Cording	Low Pressure System
65	27.05-2-20	2935	Gomer	Gravity
66	27.05-2-21	2965	Gomer	Gravity
67	27.09-3-47	2911	Gomer	Gravity
68	27.13-2-24	2759	Gomer	Gravity
69	27.13-2-25	2765	Gomer	Gravity
70	27.13-2-26	2758	Gomer	Gravity
71	27.13-2-27	2750	Gomer	Gravity
72	27.13-2-28	2748	Gomer	Gravity
73	27.13-2-37	2732	Gomer	Gravity
74	27.13-2-38	2726	Gomer	Gravity
75	27.13-2-39	2718	Gomer	Gravity
76	27.13-2-40	2712	Gomer	Gravity
77	27.13-2-10	610	Granite	Gravity
78	27.13-2-11	608	Granite	Gravity
79	27.13-2-12	606	Granite	Gravity
80	27.13-2-41	532	Granite	Gravity
81	27.13-2-42	522	Granite	Gravity
82	27.13-2-43	514	Granite	Gravity
83	27.13-2-44	504	Granite	Gravity
84	27.13-2-45	496	Granite	Gravity
85	27.13-2-8	612	Granite	Low Pressure System
86	27.14-2-4	362	Granite	Gravity

Parcel	SBL	HOUSE No.	STREET	Predicted Connection Type*
87	27.14-3-1	480	Granite	Gravity
88	27.14-3-2	468	Granite	Gravity
89	27.14-3-3	458	Granite	Gravity
90	27.14-3-4	450	Granite	Gravity
91	27.10-1-16	2773	Hedwig	Gravity
92	27.10-1-17	2779	Hedwig	Gravity
93	27.10-1-18	2807	Hedwig	Gravity
94	27.10-1-19	2809	Hedwig	Gravity
95	27.10-1-20	2811	Hedwig	Low Pressure System
96	27.10-1-21	2813	Hedwig	Low Pressure System
97	27.10-1-22	2815	Hedwig	Low Pressure System
98	27.10-1-23	2823	Hedwig	Gravity
99	27.10-1-24	2835	Hedwig	Gravity
100	27.10-1-25	2845	Hedwig	Gravity
101	27.10-1-26	2853	Hedwig	Low Pressure System
102	27.10-1-27	2859	Hedwig	Gravity
103	27.10-2-26	2850	Hedwig	Gravity
104	27.10-2-27	2836	Hedwig	Gravity
105	27.10-2-28	2824	Hedwig	Gravity
106	27.10-2-29	2814	Hedwig	Gravity
107	27.10-2-30	2808	Hedwig	Gravity
108	27.10-2-31	2798	Hedwig	Gravity
109	27.10-2-32	2788	Hedwig	Gravity
110	27.10-2-33	2782	Hedwig	Gravity
111	27.10-2-34	2782	Hedwig	Gravity
112	27.10-2-35	2764	Hedwig	Gravity
113	27.10-2-36	2748	Hedwig	Gravity
114	27.10-2-38	2747	Hedwig	Gravity
115	27.10-2-39	2763	Hedwig	Gravity
116	27.14-2-1	2740	Hedwig	Gravity
117	27.05-1-39	2989	Hemlock	Gravity
118	27.05-1-47	2945	Hemlock	Gravity
119	27.05-1-48	2957	Hemlock	Gravity
120	27.05-1-49	2969	Hemlock	Gravity
121	27.05-1-50	2979	Hemlock	Gravity
122	27.09-2-24	2789	Hemlock	Low Pressure System
123	27.09-2-25	2811	Hemlock	Low Pressure System
124	27.09-2-26	2821	Hemlock	Low Pressure System
125	27.09-2-27	2835	Hemlock	Low Pressure System
126	27.09-2-28	2845	Hemlock	Gravity
127	27.09-2-29	2855	Hemlock	Gravity
128	27.09-2-30	2867	Hemlock	Gravity
129	27.09-2-31	2881	Hemlock	Gravity
130	27.09-2-32	2887	Hemlock	Gravity
131	27.09-2-33	2899	Hemlock	Gravity
132	27.09-2-35	2921	Hemlock	Gravity
133	27.09-2-36	2931	Hemlock	Gravity
134	27.09-2-37	2930	Hemlock	Gravity

Parcel	SBL	HOUSE No.	STREET	Predicted Connection Type*
135	27.09-2-38	2910	Hemlock	Gravity
136	27.09-2-41	2888	Hemlock	Gravity
137	27.09-2-42	2872	Hemlock	Gravity
138	27.09-2-43	2860	Hemlock	Gravity
139	17.17-2-5	3091	Hickory	Low Pressure System
140	27.05-1-54	2979	Hickory	Low Pressure System
141	27.05-1-56	2953	Hickory	Low Pressure System
142	27.05-1-57	2947	Hickory	Gravity
143	27.05-1-59	2941	Hickory	Gravity
144	27.05-1-62	2965	Hickory	Gravity
145	27.05-1-63	2975	Hickory	Gravity
146	27.05-1-64	2985	Hickory	Gravity
147	27.05-1-65	2991	Hickory	Gravity
148	27.05-1-66	2999	Hickory	Gravity
149	27.05-1-67	3007	Hickory	Low Pressure System
150	27.05-1-68	3011	Hickory	Low Pressure System
151	27.05-1-69	3025	Hickory	Low Pressure System
152	27.05-1-70	3033	Hickory	Low Pressure System
153	27.05-1-71	3041	Hickory	Low Pressure System
154	27.05-1-72	3049	Hickory	Low Pressure System
155	27.05-1-73	3059	Hickory	Low Pressure System
156	27.05-1-74	3083	Hickory	Low Pressure System
157	27.05-1-75	3087	Hickory	Low Pressure System
158	27.05-2-1	3088	Hickory	Low Pressure System
159	27.05-2-10	2992	Hickory	Low Pressure System
160	27.05-2-11	2984	Hickory	Gravity
161	27.05-2-12	2974	Hickory	Low Pressure System
162	27.05-2-13	2964	Hickory	Gravity
163	27.05-2-14	2956	Hickory	Gravity
164	27.05-2-15	2942	Hickory	Gravity
165	27.05-2-16	2932	Hickory	Gravity
166	27.05-2-2	3076	Hickory	Low Pressure System
167	27.05-2-3	3056	Hickory	Low Pressure System
168	27.05-2-4	3044	Hickory	Low Pressure System
169	27.05-2-5	3036	Hickory	Low Pressure System
170	27.05-2-7	3018	Hickory	Low Pressure System
171	27.05-2-8	3008	Hickory	Low Pressure System
172	27.05-2-9	3000	Hickory	Low Pressure System
173	27.09-2-23	2781	Hickory	Gravity
174	27.09-2-44	2811	Hickory	Gravity
175	27.09-2-45	2823	Hickory	Gravity
176	27.09-2-46	2837	Hickory	Gravity
177	27.09-2-47	2849	Hickory	Gravity
178	27.09-2-48	2861	Hickory	Gravity
179	27.09-2-49	2873	Hickory	Low Pressure System
180	27.09-2-50	2889	Hickory	Low Pressure System
181	27.09-2-51	2895	Hickory	Gravity
182	27.09-2-52	2901	Hickory	Gravity

Parcel	SBL	HOUSE No.	STREET	Predicted Connection Type*
183	27.09-2-53	2911	Hickory	Low Pressure System
184	27.09-2-54	2923	Hickory	Gravity
185	27.09-2-55	2919	Hickory	Low Pressure System
186	27.09-3-1	2926	Hickory	Gravity
187	27.09-3-10	2842	Hickory	Gravity
188	27.09-3-11	2834	Hickory	Gravity
189	27.09-3-12	2824	Hickory	Gravity
190	27.09-3-13	2814	Hickory	Gravity
191	27.09-3-14	2806	Hickory	Gravity
192	27.09-3-15	2792	Hickory	Gravity
193	27.09-3-2	2916	Hickory	Gravity
194	27.09-3-22	2854	Hickory	Gravity
195	27.09-3-3	2906	Hickory	Gravity
196	27.09-3-4	2900	Hickory	Gravity
197	27.09-3-5	2892	Hickory	Gravity
198	27.09-3-6	2880	Hickory	Gravity
199	27.09-3-67	2776	Hickory	Gravity
200	27.09-3-7	2864	Hickory	Gravity
201	27.09-3-8	2870	Hickory	Gravity
202	27.13-2-16	2743	Hickory	Gravity
203	27.13-2-17	2749	Hickory	Low Pressure System
204	27.13-2-18	2759	Hickory	Low Pressure System
205	27.13-2-19	2781	Hickory	Gravity
206	27.13-2-20	2768	Hickory	Gravity
207	27.13-2-21	2760	Hickory	Gravity
208	27.13-2-22	2718	Hickory	Gravity
209	27.14-3-19	340	Ione	Gravity
210	27.10-2-37	292	Linden	Low Pressure System
211	27.10-2-42	308	Linden	Low Pressure System
212	27.14-3-16	289	Linden	Low Pressure System
213	27.14-3-17	295	Linden	Low Pressure System
214	27.14-3-18	305	Linden	Low Pressure System
215	27.09-3-16	542	Marlet	Gravity
216	27.09-3-65	539	Marlet	Gravity
217	27.09-3-66	547	Marlet	Gravity

Hallocks Mill Sewer District Extension Project List of Parcels in Phase 1 with Connection Type

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** Parcel may be removed from the final address list

SPARKLE LAKE SUB AREA

Parcel	SBL	HOUSE No.	STREET	Predicted Connection Type*
1	27.06-1-48	221	ASH RD.	Low Pressure
2	27.06-1-49	227	ASH RD.	Low Pressure
3	27.06-1-50	235	ASH RD.	Low Pressure
4	27.06-1-51	224	ASH RD.	Low Pressure
5	27.06-1-52	224	ASH RD.	Low Pressure
6	27.06-1-40	219	BEECH RD.	Low Pressure
7	27.06-1-41	229	BEECH RD.	Low Pressure
8	27.06-1-42	242	BEECH RD.	Low Pressure
9	27.06-1-43	236**	BEECH RD.	Low Pressure
10	27.06-1-44	230	BEECH RD.	Low Pressure
11	27.06-1-45	220**	BEECH RD.	Low Pressure
12	27.06-1-46	212	BEECH RD.	Low Pressure
13	27.06-1-20	258	CHERRY RD.	Low Pressure
14	27.06-1-21	250	CHERRY RD.	Low Pressure
15	27.06-1-22	244	CHERRY RD.	Low Pressure
16	27.06-1-23	238	CHERRY RD.	Low Pressure
17	27.06-1-24	232	CHERRY RD.	Low Pressure
18	27.06-1-25	226	CHERRY RD.	Low Pressure
19	27.10-1-57	227	CHERRY RD.	Low Pressure
20	27.10-1-58	235	CHERRY RD.	Low Pressure
21	27.10-1-59	243	CHERRY RD.	Low Pressure
22	27.10-1-60	251	CHERRY RD.	Low Pressure
23	27.10-1-61	263	CHERRY RD.	Low Pressure
24	27.06-1-57	225	ELM RD.	Low Pressure
25	27.06-1-28	225	GARY RD.	Low Pressure
26	27.06-1-29	233	GARY RD.	Low Pressure
27	27.06-1-30	249	GARY RD.	Low Pressure
28	27.06-1-31	257	GARY RD.	Low Pressure
29	27.06-1-32	254	GARY RD.	Low Pressure
30	27.06-1-33	246	GARY RD.	Low Pressure
31	27.06-1-34	238	GARY RD.	Low Pressure
32	27.06-1-35	232	GARY RD.	Low Pressure
33	27.06-1-36	232	GARY RD.	Low Pressure
34	27.06-1-26	2915	HYATT ST.	Low Pressure
35	27.06-1-27	2923	HYATT ST.	Low Pressure

Parcel	SBL	HOUSE No.	STREET	Predicted Connection Type*
36	27.06-1-37	N/A**	HYATT ST.	Low Pressure
37	27.06-1-38	2933	HYATT ST.	Low Pressure
38	27.06-1-39	2943	HYATT ST.	Low Pressure
39	27.06-1-47	2959	HYATT ST.	Low Pressure
40	27.06-1-53	2969**	HYATT ST.	Low Pressure
41	27.06-1-55	2979	HYATT ST.	Low Pressure
42	27.06-1-56	N/A**	HYATT ST.	Low Pressure
43	27.10-1-29	2865	HYATT ST.	Low Pressure
44	27.10-1-43	2883**	HYATT ST.	Low Pressure
45	27.10-1-55	2897	HYATT ST.	Low Pressure
46	27.10-1-56	2903	HYATT ST.	Low Pressure
47	27.10-1-42	221	LOCUST RD.	Low Pressure
48	27.10-1-44	229	LOCUST RD.	Low Pressure
49	27.10-1-45	237	LOCUST RD.	Low Pressure
50	27.10-1-46	247	LOCUST RD.	Low Pressure
51	27.10-1-47	257	LOCUST RD.	Low Pressure
52	27.10-1-48	258	LOCUST RD.	Low Pressure
53	27.10-1-49	250	LOCUST RD.	Low Pressure
54	27.10-1-50	242	LOCUST RD.	Low Pressure
55	27.10-1-51	238	LOCUST RD.	Low Pressure
56	27.10-1-52	234	LOCUST RD.	Low Pressure
57	27.10-1-53	222	LOCUST RD.	Low Pressure
58	27.10-1-54	N/A**	LOCUST RD.	Low Pressure
59	27.10-1-30	233	SPARKLE RD.	Low Pressure
60	27.10-1-31	247	SPARKLE RD.	Low Pressure
61	27.10-1-32	251	SPARKLE RD.	Low Pressure
62	27.10-1-33	255	SPARKLE RD.	Low Pressure
63	27.10-1-34	261	SPARKLE RD.	Low Pressure
64	27.10-1-35	260**	SPARKLE RD.	Low Pressure
65	27.10-1-36	258	SPARKLE RD.	Low Pressure
66	27.10-1-37	254	SPARKLE RD.	Low Pressure
67	27.10-1-38	250	SPARKLE RD.	Low Pressure
68	27.10-1-39	244	SPARKLE RD.	Low Pressure
69	27.10-1-40	232	SPARKLE RD.	Low Pressure

Hallocks Mill Sewer District Extension Project List of Parcels in Phase 1 with Connection Type

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** Parcel may be removed from the final address list

SUNRISE STREET SUB AREA				
Parcel	SBL	HOUSE No.	STREET	Predicted Connection Type*
1	27.11-1-10	127	KNOLL PL.	Gravity
2	27.15-1-28	2710	SUNRISE ST.	Gravity
3	27.15-1-26	2720	SUNRISE ST.	Pump Up System
4	27.11-1-1	2723	SUNRISE ST.	Gravity
5	27.11-2-30	2726	SUNRISE ST.	Pump Up System
6	27.11-2-29	2734	SUNRISE ST.	Pump Up System
7	27.11-1-2	2739	SUNRISE ST.	Gravity
8	27.11-2-28	2742	SUNRISE ST.	Pump Up System
9	27.11-1-3	2747	SUNRISE ST.	Gravity
10	27.11-2-27	2750	SUNRISE ST.	Pump Up System
11	27.11-1-4	2755	SUNRISE ST.	Gravity
12	27.11-2-26	2758	SUNRISE ST.	Pump Up System
13	27.11-1-5	2763	SUNRISE ST.	Gravity
14	27.11-2-25	2766	SUNRISE ST.	Pump Up System
15	27.11-1-6	2771	SUNRISE ST.	Gravity
16	27.11-2-24	2776	SUNRISE ST.	Pump Up System
17	27.11-1-7	2779	SUNRISE ST.	Gravity
18	27.11-2-23	2782	SUNRISE ST.	Pump Up System
19	27.11-1-8	2787	SUNRISE ST.	Gravity
20	27.11-2-22	2790	SUNRISE ST.	Pump Up System
21	27.11-1-9	2795	SUNRISE ST.	Gravity
22	27.11-2-21	2796	SUNRISE ST.	Pump Up System
23	27.11-1-11	2811	SUNRISE ST.	Gravity
24	27.11-1-13	2827	SUNRISE ST.	Gravity
25	27.11-1-14	2835	SUNRISE ST.	Gravity
26	27.11-1-12	N/A**	SUNRISE ST.	Gravity

State Cost Thresholds for Special Districts



THOMAS P. DINAPOLI
COMPTROLLER

STATE OF NEW YORK
OFFICE OF THE STATE COMPTROLLER
110 STATE STREET
ALBANY, NEW YORK 12236

ANDREW A. SANFILIPPO
EXECUTIVE DEPUTY COMPTROLLER
OFFICE OF STATE AND LOCAL GOVERNMENT
ACCOUNTABILITY
Tel: (518) 474-4593 Fax: (518) 402-4892

January 2018

Dear Local Government Official:

Please find attached a listing of the average estimated cost thresholds for your use in determining whether approval of the State Comptroller is necessary for certain special district actions in the year 2018.

Certain "low cost" special districts, i.e., those which are at or below average estimated cost thresholds contained in the enclosure, do NOT require approval of the State Comptroller. However, if debt is being issued, a certified copy of the notice of hearing for the "low cost" district must be sent to our office. This copy must be sent, on or about the date of publication, to the Office of the State Comptroller, Division of Legal Services, 110 State Street, 14th Floor, Albany, New York 12236. It should be sent no later than 14 calendar days after publication. This notice enables us to accurately calculate future average estimated cost thresholds.

In addition, certified copies of resolutions or orders which, among other things, finally establish or extend a district and, in the case of counties, authorize an increase and improvement of facilities, are required to be filed with this Office regardless of whether the Comptroller's approval is required. Resolutions or orders that are subject to permissive referendum should not be filed until the period for filing a petition has passed or, if a petition is filed, a referendum has been held.

We would be happy to provide advisory services and assist you in identifying and resolving issues in connection with special district actions, even if the proceedings are not subject to our approval. You can obtain additional information and guidelines on submitting applications by contacting our Office. The Comptroller's regulations ([Part 85](#)) outline the steps related to applications seeking permission of the Comptroller to establish or extend special districts.

If you have questions or need more information, please contact Sean McDermott in our Division of Legal Services at (518) 474-3517 or Amy McCabe in our Division of Local Government and School Accountability at (518) 408-4603.

Sincerely,

Andrew A. SanFilippo
Executive Deputy Comptroller
Office of State and Local Government Accountability

Enc.

AVERAGE ESTIMATED COSTS FOR COUNTY AND TOWN SPECIAL IMPROVEMENT DISTRICTS

**(EFFECTIVE FOR PROCEEDINGS FOR WHICH A NOTICE OF HEARING IS PUBLISHED
FROM JANUARY 1, 2018 THROUGH DECEMBER 31, 2018)**

The Comptroller's approval is required if debt is proposed to be issued by a town or county and the "cost of the district or extension" to the "typical property" or, if different, the "typical one or two family home" as stated in the notice of hearing, is above the average estimated cost thresholds listed below.¹

"Costs" include amounts required to be paid for debt service, operation and maintenance and other charges, including user fees, related to the improvement in the first year following formation of the district or extension, or the increase and improvement of facilities in counties (or, if greater, the first year in which both principal and interest and operation and maintenance will be paid). To ensure accurate calculations of estimated costs, towns and counties should not assume the receipt of federal or state aid in the absence of firm commitments from the appropriate agency. In addition, estimated borrowing costs should be based on the proposed maturity of the obligations and interest rate assumptions derived from market surveys or a letter of commitment. Charges imposed by other governmental entities, such as public authorities or other municipalities, should also be included in the computation. Costs, for this purpose, do not include hook-up fees.

A summary of the notice of hearing requirements for the establishment and extension of town special districts appears in Appendix A. Frequently asked questions (FAQs) on the establishment or extension of town special districts concerning required determinations and methods of assessment appear in Appendix B.

TOWN DISTRICTS

The following average estimated costs apply to town special district establishments, extensions or increases in the maximum amount to be expended.²

Sewer	\$ 995
Water	\$ 904

¹ For those proceedings that are subject to a permissive referendum requirement, the Comptroller's Office will accept the filing of an application prior to the expiration of the time for filing a petition requesting a referendum or, if a petition is filed, the vote on the proposition. However, no approval order will be granted until after the completion of all such requirements.

² The Comptroller's approval, if required in the case of an increase in the maximum amount to be expended, may be given only after a public hearing and, in the case of Article 12-A districts, permissive referendum requirements are met.

COUNTY DISTRICT INCREASES AND IMPROVEMENTS

The following average estimated cost applies to county special district increases and improvements of facilities. Please note that this figure represents only the increased cost to the typical property as a result of the increase and improvement.

Sewer	\$	11
Water	\$	3

OTHER DISTRICTS

For county water and sewer establishments, extensions or increases of maximum amount to be expended, and all other types of districts, there was insufficient data to calculate meaningful average estimated costs. Therefore, any type of district not listed above will be subject to applicable requirements for obtaining the Comptroller's approval, irrespective of the cost to the typical property or home, if debt is proposed to be issued to finance the improvement.

Note that proceedings under Town Law § 202-b to, among other things, repair, improve or replace facilities within an existing town district do not require the Comptroller's consent, except in certain cases within the Adirondack Park (see Town Law § 202-b[5] and Local Finance Law § 104.10[3]).

APPENDIX A

Notice of Hearing Requirements for Establishment or Extension of Town Special Districts

Articles 12 (§ 190 *et seq.*) and 12-A (§ 209 *et seq.*) of Town Law set forth two methods for establishing or extending a town improvement district: (1) by the submission to the town board of a valid petition requesting the establishment or extension of the district (Article 12)³; and (2) by town board motion, subject to permissive referendum requirements (Article 12-A).⁴

Under both of these methods, the town board is required to adopt a resolution calling for a public hearing on the proposal to establish or extend the district. The following is a summary of the requirements for a notice of hearing. For more specific information on the requirements, please consult Town Law § 193 for Article 12 districts and Town Law § 209-d for Article 12-A districts:

- Posting and Publishing. The notice of public hearing must be posted on the town signboard and published in the town's official newspaper not less than ten and not more than twenty days before the date designated for the public hearing. The notice may also be made available on the town's website, if any.
- Time and Place for Hearing. The notice must specify the time when and place where the board will meet to hear all interested persons and, in the case of an Article 12 proceeding, consider the petition.
- Other Key Information. The notice must include:
 - a boundary description;
 - a description of the proposed improvements;
 - the maximum proposed to be expended for the improvement;
 - the estimated cost of hook-up fees, if any; and
 - the "cost of the district or extension" to the "typical property" and, if different, to the "typical one or two family home."⁵
- Filing of Petition. In the case of an Article 12 proceeding, the notice must recite in general terms the filing of a petition.
- Proposed Method of Financing/Map, Plan and Report. In the case of an Article 12-A proceeding, the notice must state the proposed method of financing and the fact that a map, plan and report describing the improvements are on file in the town clerk's office for public inspection.

³ The petition, among other requirements, must be signed by the proper number of owners of taxable real property in the proposed district or extension and, in the case of water, sewer, wastewater disposal and drainage districts, must be accompanied by an appropriate map, plan and report (see Town Law §§ 191, 191-a, 192).

⁴ The establishment or extension of an improvement district under Article 12-A is based on a map, plan and report (see Town Law §§ 209-b, 209-c; see also Town Law § 209-e[3] and Article 7 of the Town Law (§ 90 *et seq.*), relating to permissive referendum requirements).

⁵ The terms "typical property," "typical one or two family home," "cost of the district or extension to the typical property" and "cost of the district or extension to the typical one or two family home" are defined in Town Law §§ 193(2) and 209-a.

- Statement as to Benefit Assessments. In the case of an Article 12 proceeding for a water district and certain other types of districts, if it is intended to finance the proposed district on a benefit basis (rather than on an ad valorem basis), the petition must contain a statement to that effect. In the case of an Article 12-A proceeding for a water district, and certain other types of districts, if the town intends to finance the proposed district on a benefit basis (rather than on an ad valorem basis), the notice of hearing must contain a statement to that effect.
- Detailed Explanation of Costs. Prior to the publication of the notice, the board must cause to be prepared, and file for public inspection with the town clerk, a detailed explanation of how the estimated cost of hook-up fees, if any, and the cost to the “typical property” and, if different, the “typical one or two family home,” were computed.

For further information on the notice of hearing requirement, please contact Sean McDermott of the State Comptroller’s Division of Legal Services at 518-474-3517.

APPENDIX B

FAQs ON THE ESTABLISHMENT OR EXTENSION OF TOWN SPECIAL DISTRICTS CONCERNING REQUIRED DETERMINATIONS AND METHODS OF ASSESSMENT

Q1. After the town board holds a public hearing upon proper notice⁶ and considers the evidence presented at the hearing concerning the proposed district establishment or extension, what generally is the next step if the town board wishes to establish the district or extension?

A. The board would adopt a resolution making four determinations. The specific determinations vary depending on whether the district or extension is being established upon petition of property owners (Town Law Article 12) or board motion subject to permissive referendum requirements (Town Law Article 12-A; see also Town Law Article 7).

In the case of a district or extension on petition of property owners (Town Law Article 12), the resolution must contain determinations of the town board that (1) the petition of the property owners is signed, and acknowledged or proved, or authenticated, as required by law and is otherwise sufficient (Town Law § 194[1][a]), and [2] it is in the “public interest” to grant the relief sought in the petition (Town Law § 194[1][d]). In the case of a district or extension on board motion (Town Law Article 12-A), the resolution must contain determinations of the town board that (1) the notice of hearing was published and posted as required by law and is otherwise sufficient (Town Law § 209-e[1][a]) and [2] the establishment or extension of the proposed district is in the “public interest” (Town Law § 209-e[1][d]).

In addition, the town board must also make the following determinations under both Article 12 and 12-A proceedings:

- That all property and property owners within the proposed district or extension are benefited by the district or extension; and
- That all the property and property owners that are benefited by the proposed district or extension are included within the limits of the district or extension.

⁶ Pursuant to Town Law (§§ 193, 209-d), notice of the public hearing must be provided by posting on the signboard of the town and by publishing in the town’s official newspaper (see Matter of Carriero v Town Bd. of Town of Stillwater, 41 AD3d 1011, 838 NYS2d 243 *lv dismissed and denied* 9 NY3d 980, 848 NYS2d 16, *lv dismissed* 12 NY3d 838, 881 NYS2d 11 *mod and lv dismissed* 72 AD3d 1479, 899 NYS2d 452; compare Garden Homes Woodlands Co. v Town of Dover, 95 NY2d 516, 720 NYS2d 79. Additional forms of notice may also be provided, such as posting on the town’s website (see Town Law § 193[1][a]).

Q2. May the expenses for any district or extension be raised on either a benefit or ad valorem basis?

A. Town Law § 202 contains provisions relative to assessments for the capital costs of town districts. Assessments for sewer, sewage disposal, wastewater disposal, drainage and water quality treatment districts always must be “in just proportion to the amount of benefit which the improvement shall confer upon” the lot or parcel (i.e., a benefit basis; Town Law § 202[2]; see also Real Property Tax Law § 102[15]). In the case of park, snow removal, water supply, water storage and distribution, ambulance, harbor improvement and public dock districts, assessments always must be “in the same manner and at the same time as other town charges” (i.e., an ad valorem basis; Town Law § 202[3]; see also Real Property Law § 102[14]).

Water, lighting, public parking, sidewalk, refuse and garbage, aquatic plant growth, watershed protection improvement and beach erosion control districts may be assessed either on a benefit basis or an ad valorem basis, depending upon the property owners’ petition (in the case of an Article 12 district or extension), or the notice of hearing (in the case of an Article 12-A district or extension) (Town Law § 202[3]). For these types of districts, if the petition or the notice of hearing, as the case may be, provides that the costs of the improvement will be assessed on a benefit basis, then the district will be on a benefit basis; otherwise, the district will be assessed on an ad valorem basis.

With limited exceptions, once a determination has been made to finance a district on an ad valorem or benefit basis, the manner of assessment for the district may not be changed (Town Law § 202[4]; 1986 Ops St Comp No. 86-88, at 135). Any extensions to a district must be charged on the same basis (benefit or ad valorem) as the original district (Town Law § 202[5]). The expenses of operation and maintenance of a district, if raised by assessments, also must be raised on the same basis as the capital costs of the improvement (Town Law § 202-a).

Q3. When is the consent of the State Comptroller required for the establishment or extension of an improvement district within a town?

A. The Comptroller’s approval is required for the establishment or extension of a town district if two factors are present: (1) debt is to be issued or assumed (see Town Law § 198[12]) by the town for the improvement, and (2) the “cost of the district or extension” to the “typical property” or, if different, the “typical one or two family home” as stated in the notice of hearing on the establishment or extension, is above the average annual estimated cost threshold for similar types of districts as may be computed by the State Comptroller (Town Law §§ 194[6], 209[f]).

Q4. What constitutes the “typical property” for this purpose?

A. The term “typical property” is defined by statute (Town Law §§ 193[2][a], 209-a[2]). “Typical property” means a benefited property within the proposed district or extension having an assessed value that approximates the assessed value of the “mode” (i.e., the most frequently occurring assessed value as shown on the latest completed assessment roll) of the benefited properties within the district or extension that will be required to finance the cost of the proposed improvement. In other words, to determine the “typical property,” the town generally would review the assessment roll for parcels within the proposed district or extension and determine the most commonly occurring assessed value within the proposed district or extension.

Q5. What is meant by the “cost to the typical property?”

A. This term is defined in Town Law as the estimated amount that the owner of a typical property within the district or extension will be required to pay for debt service, operation and maintenance and other charges related to the improvements in the first year following formation of the district or extension (or, if greater, the first year in which both principal and interest, and operation and maintenance will be paid) (Town Law §§ 193[2][c], 209-a[4]). This includes benefit assessments and ad valorem levies, as well as user fees.

To ensure accurate calculations of estimated costs, towns should not assume the receipt of federal or state aid in the absence of firm commitments from the appropriate agency. In addition, estimated borrowing costs should be based on the proposed maturity of the obligations and interest rate assumptions derived from market surveys or a letter of commitment. The town may have a financial advisor who can assist in estimating borrowing costs. Charges imposed by other governmental entities, such as charges or fees imposed by public authorities or other municipalities, should also be included in the computation. In addition, if a proposed district will be sharing infrastructure costs with another town district or town improvement (see Town Law article 12-C; Town Law § 208; General Municipal Law § 119-o), the proportionate costs attributable to the proposed district should be included in the estimated annual cost to the typical property.

Q6. What if the Office of the State Comptroller (OSC) has not established a threshold for a particular type of district?

A. OSC only establishes a threshold when we have sufficient data to make the necessary calculation for that type of district or extension. If no threshold for a particular type of district or extension has been established by this Office and debt will be issued by the town for the improvement, then OSC consent is necessary, irrespective of the cost to the typical property, and an application for the Comptroller’s approval would be required (see 2 NYCRR Part 85).

Q7. Are hook-up fees for a town water or sewer district included in the estimate for the “cost to the typical property?”

A. No. “Cost” for this purpose does not include hook-up fees, which are not recurring charges imposed to fund the district or extension.

In general, hook-up charges are the responsibility of the owner of each property connecting to the system. A town may use its employees to connect a property to the water or sewer system and charge the property owner for the cost of these services (Town Law §§ 198[1][h], 198[3][a]). The service line for both water and sewer from the curb to the house is generally installed by a private contractor at the owner’s expense.

Note that the notice of hearing published by the town in advance of establishing or extending the district must separately list the estimated costs of any hook-up fees, in addition to, among other things, the cost of the district or extension to the typical property (Town Law § 193[1][a], 209-d[1]).

Q8. Can hook-up fees be used to generate revenue for town district improvements or operations?

A. No. Towns are authorized to impose one time hook-up fees in certain circumstances for connections to town water or sewer districts (Town Law §§ 198[1][h]; 198[3][a]). These one-time fees, however, are limited to costs incurred by the town with respect to the connections of users to the water or sewer system and may not be used to otherwise defray costs of capital improvements or operations of the district (Video Aid v Town of Wallkill, 203 AD2d 554, 610 NYS2d 610, *revd on other grounds* 85 NY2d 663, 628 NYS2d 18; see also Coconato v Town of Esopus, 152 AD2d 39, 547 NYS2d 953, *lv denied* 76 NY2d 701, 558 NYS2d 891; Mark IV Construction v County of Monroe, 187 AD2d 985, 590 NYS2d 335; Phillips v Town of Clifton Park Water Authority, 286 AD2d 834, 730 NYS2d 565, *lv denied* 97 NY2d 613, 742 NYS2d 606; Matter of Torsoe Brothers v Village of Monroe, 49 AD2d 461, 375 NYS2d 612).

Q9. How does a town finance operating costs of a newly-formed district before assessments are levied and collected on behalf of the district?

A. Local Finance Law § 24.00 generally provides that in the case of a newly established improvement district, a town may issue tax anticipation notes for the “necessary expenses incidental to the creation of such district” and “the other necessary expenses incurred or to be incurred for” the district prior to the first levy of assessments (Local Finance Law § 24.00[d][2]). An appropriation to redeem the notes must be included in the first levy of assessments for the district (Local Finance Law § 24.00[d][3]). The notes must mature within one year from the date of their issuance, and while the notes may be renewed, each renewal shall be for a period not exceeding one year, and the notes must be repaid within the close of the second fiscal year succeeding the fiscal year in which the notes were issued (Local Finance Law § 24.00[d][3]). Note that when the only indebtedness proposed in connection with the establishment of a town district is tax anticipation notes, the Comptroller’s approval is not required (3 Ops State Comp No. 1990, at 125 [1947]).

In addition, for several types of districts (e.g. water, sewer, refuse and garbage), towns are authorized to impose fees upon users of the service in accordance with proper procedures (see, e.g. General Municipal Law Article 14-F; Town Law §§198[3][d], [9][b]). Revenues generated by user fees may fund operating costs of a newly-formed district before assessments are levied and collected.

Q10. May a town supersede the provisions of Articles 12 and 12-A of Town Law by adopting an inconsistent local law?

A. No. Articles 12 and 12-A of Town Law establish a comprehensive legislative scheme evincing an intent to pre-empt local laws relating to the establishment, financing and operation of town improvement districts (see Coconato v Town of Esopus, 152 AD2d 39, 547 NYS2d 953, *lv denied* 76 NY2d 701, 558 NYS2d 891; 2008 Ops St Comp No. 2008-4; 2001 Ops St Comp No. 2001-7, at 11; 2000 Ops St Comp No. 2000-17, at 44; 1992 Ops St Comp No. 92-33, at 84). In addition, although Municipal Home Rule Law authorizes towns to adopt local laws that

supersede, in certain respects, provisions of Town Law (Municipal Home Rule Law § 10[1][ii][d]), there is an express restriction on this home rule authority with respect to provisions relating to a "special or improvement district" (Municipal Home Rule Law § 10[1][ii][d][3]).

Q11. A town has established a district and constructed improvements in accordance with the district map, plan and report. The town later needs to make additional improvements or repairs. Does the town need the Comptroller's approval before undertaking the additional improvements or repairs?

A. Generally no, even where debt will be issued (Town Law § 202-b[3]). Town Law § 202-b provides for increases and improvements of district facilities, upon notice and after a public hearing. A town board on behalf of water, water storage and distribution, ambulance, sewer, sewage disposal or drainage districts may (1) acquire or construct additional facilities and appurtenances, (2) improve or reconstruct existing facilities and appurtenances, (3) replace obsolete, inadequate, damaged, destroyed or worn out apparatus and equipment, and (4) acquire additional apparatus and equipment without seeking Comptroller approval (Town Law § 202-b[1] and [3]). In addition, a town board, on behalf of a park, public parking, ambulance, lighting, snow removal, refuse and garbage, public dock, watershed protection improvement or beach erosion control district may (1) acquire additional apparatus and equipment, (2) replace obsolete, inadequate, damaged, destroyed or worn-out apparatus and equipment, (3) construct additional facilities and appurtenances, and (4) reconstruct or replace obsolete, inadequate, damaged, destroyed or worn out facilities and appurtenances (Town Law § 202-b[2]).

Except in the case of certain towns within the Adirondack Park, the Comptroller's approval is not required for these expenditures. A town must obtain the consent of the State Comptroller for repairs or improvements to an existing district when the district is located within a town in the Adirondack Park and the district contains State lands assessed at more than 30% of the total assessed valuation of the district as determined from the assessment rolls of the town (Town Law § 202-b[5]).

Q12. What kinds of resolutions relating to town districts must be filed with the State Comptroller in connection with special districts?

A. A certified copy of any resolution to establish, extend, dissolve or diminish any district or consolidate districts, adopted pursuant to articles 12 or 12-A of the Town Law or article 17-A of the General Municipal Law, is required to be filed with the State Comptroller within ten days after adoption (Town Law §§ 195[1], 209-g[1]). In addition, a certified copy of the notice of hearing on the establishment or extension of a district, when debt will be issued but the district or extension is below the cost threshold that would require the Comptroller's approval, must be filed with the Comptroller on or about the date of publication of the notice (Town Law §§ 193[1][b], 209-d[2][a]). Filings should be addressed to the Division of Legal Services, 14th Floor, 110 State Street, Albany, NY 12236.