

**Late Breaking
Additional
Submissions**

Burger King

CERTIFICATE OF NOTICE
TOWN OF YORKTOWN PLANNING BOARD

Pursuant to section 300-202 of the Code of the Town of Yorktown, Quick Quality Restaurants, Inc. a/k/a Burger King by their attorney certifies that the written notices of the application for the following relief :

Amended suite Plan

The request is made for the premises situated at:


385 Downing Street, Yorktown Heights, NY 10598 also known as tax parcel section 37.18 Block 2 Lot 57 on the Town of Yorktown Tax Map and consisting of .58 acres in a C! Zone

Was sent by Certified Mail to each of the following, who are the only interested parties to whom the code requires to receive such notice :

See attached

Dated: Yorktown Heights, NY
June 13, 2021

By: Michael Grace



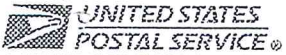


table Mail

Name and Address of Sender

Check type of mail or service

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

Affix
(for a
Postage)



0000

U.S. POSTAGE PAID
YORKTOWN HEIGHTS, NY
10598
JUN 01, 22
AMOUNT
\$3.76
R2304M110426-19

Agent Davidson
USPS Tracking/Article Number
342 Downy St
Yulbon Hts NY

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

Postage	Service Fee	Charge	if Registered	Value	Due Sender if COD	ASK Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
1893 Commerce St LLC												
1803 Comm St LLC												
2. 380 Downy Dr LLC												
380 Downy Dr 10598												
3. Ash N Lucy LLC												
334 Kear St												
Yulbon Hts NY 10598												
4. 322 Kear Housing												
322 Kear St												
Yulbon Hts NY 10598												
5. West First Management												
344 Kear St												
Yulbon Hts NY 10598												
6. Beaver Ridge Housing												
1965 Allen Ave												
Yulbon Hts NY 10598												
7. Manduchet Sowards Svc												
385 Kear St												
Yulbon Hts NY 10598												
8. 1825 Commerce St LLC												
1825 Commerce St												
Yulbon Hts NY 10598												

Total Number of Pieces Listed by Sender

Total Number of Pieces Received at Post Office

Postmaster, Per (Name of receiving employee)

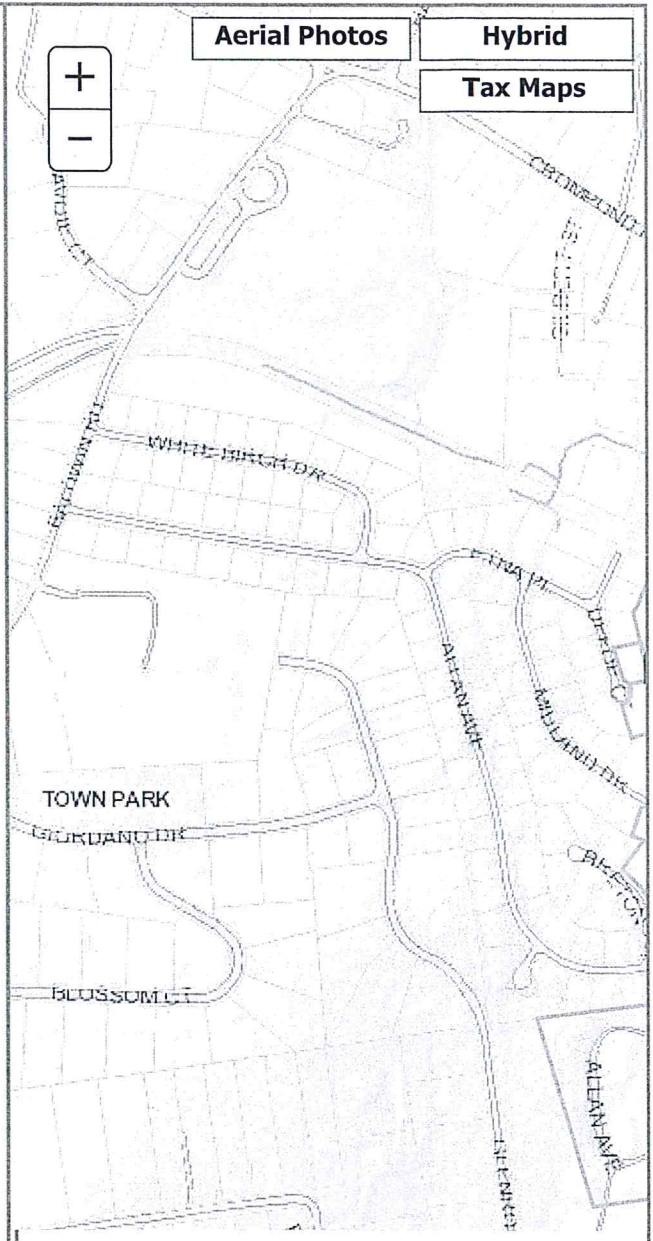
Yorktown Tax Parcel Viewer (Data: 2021)

Search by owner's name 

Enter Address or Print Key or SBL **Search**

43 parcels found. Click row for map.  **Clear**

Owner	Prop Address	Printkey
KEARDOM REALTY, LLC	333 KEAR ST	37.18-2-83
✓ PADOVANI, ALBERT H.	342 DOWNING DR	37.18-2-58
✓ 1825 COMMERCE ST. LLC.	1825 COMMERCE ST	37.18-2-53
✓ 1825 COMMERCE ST. CORP.	1821 COMMERCE ST	37.18-2-52
DOBBER REALTY INC.	DOWNING DR	37.18-2-63
1949 COMMERCE ST. LLC	1949 COMMERCE ST	37.14-2-61
TOWN OF YORKTOWN	1826 COMMERCE ST	37.18-2-68
✓ NANTUCKET SOUND SONS, INC	385 KEAR ST	37.18-2-86
CECERE'S PROPERTIES INC.	1901 COMMERCE ST	37.18-2-61
n/a	n/a	37.19-1-11
✓ BEAVERIDGE HOUSING CO.	1965 ALLAN AVE	37.18-1-50
✓ WEST FIRST MANAGEMENT	344 KEAR ST	37.18-2-49
✓ 322 KEAR HOUSING	322 KEAR ST	37.18-2-51
TOWN OF YORKTOWN	COMMERCE ST/DOWNING DR	37.18-2-55



Aerial Photos | **Hybrid** | **Tax Maps**



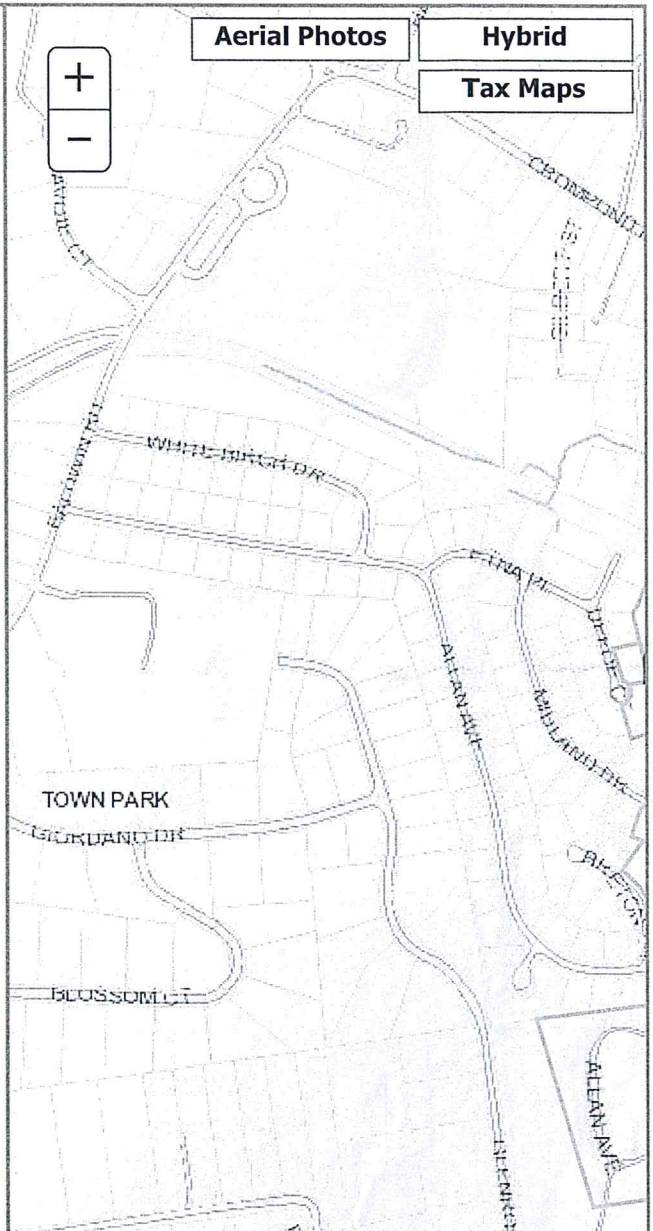
Yorktown Tax Parcel Viewer (Data: 2021)

Search by owner's name


Enter Address or Print Key or SBL **Search**

43 parcels found. Click row for map. **Clear**

Owner	Prop Address	Printkey
JAKAZA CORP.	1807 COMMERCE ST	37.18-2-79
ASH N LUCY, INC.	334 KEAR ST	37.18-2-50
380 DOWNING DRIVE, LLC	380 DOWNING DR	37.14-2-62
HOFFMAN CONSTRUCTION &	1811 COMMERCE ST	37.18-2-80
YORKTOWN HOUSING	UNDERHILL AVE	37.19-1-13
F.I.T.K. REALTY LLC	345 KEAR ST	37.18-2-84
RUSCH, KARL C. & LISA M.	2076 DEFOE CT	37.18-2-2
CAMPANA, MICHAEL & ELLEN	2029 MIDLAND DR	37.18-2-15
DEFILLIPPO, SCOTT &	2024 BRETON CT	37.18-2-45
NICHOLAS &	1937 COMMERCE ST	37.14-2-59
TOWN OF YORKTOWN	DEPOT PLAZA	37.19-1-12
DE VITO, VINCENT & DEBRA	2068 DEFOE CT	37.18-2-3
PHILLIPS, MICHAEL & BETTY	1970 ALLAN AVE	37.18-2-47
1893 COMMERCE STREET, LLC	1893 COMMERCE ST	37.18-2-60



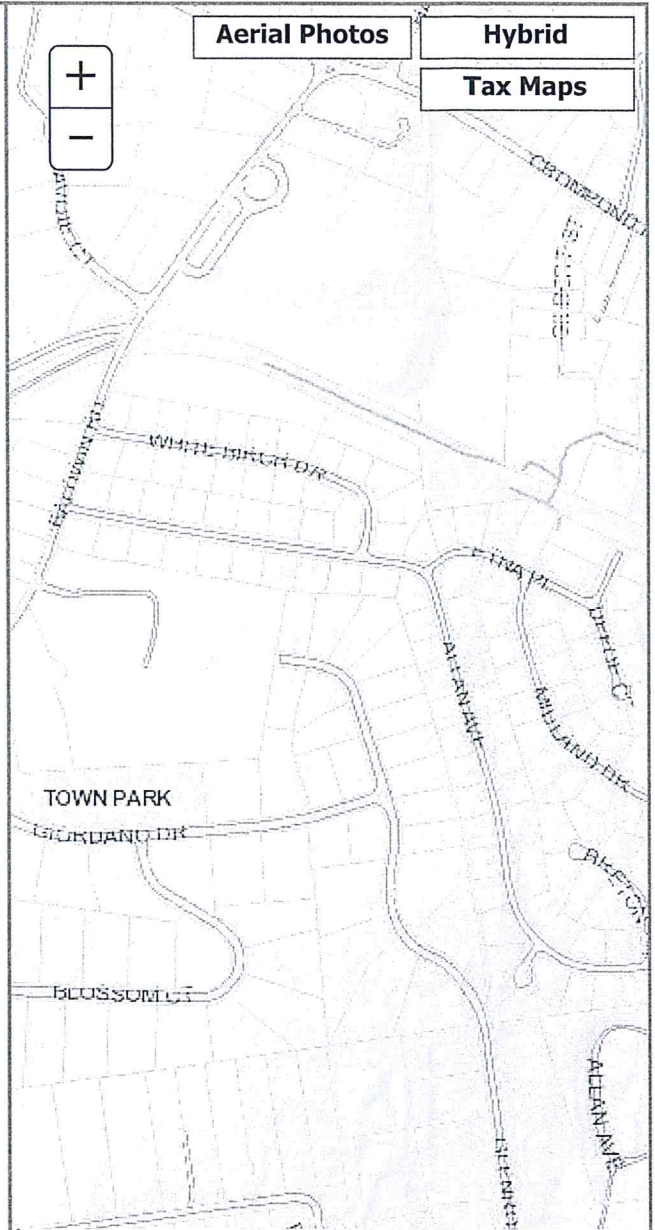
Yorktown Tax Parcel Viewer (Data: 2021)

Search by owner's name 

Enter Address or Print Key or SBL

Search

Owner	Prop Address	Printkey
1825 COMMERCE ST. LLC.	1825 COMMERCE ST	37.18-2-53
1825 COMMERCE ST. CORP.	1821 COMMERCE ST	37.18-2-52
WEST FIRST MANAGEMENT	344 KEAR ST	37.18-2-49
322 KEAR HOUSING	322 KEAR ST	37.18-2-51
COMMERCE STREET	1900 COMMERCE ST	37.18-2-54
OSTER YORKTOWN PROPERTIES	DOWNING DR	37.18-2-56
OSTER YORKTOWN PROPERTIES	DOWNING DR	37.18-2-57
ASH N LUCY, INC.	334 KEAR ST	37.18-2-50



JUN 13 2022

Sign Notification Certification

TOWN OF YORKTOWN

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

Section 37.18 Block 2 Lot 57

Project Name: Buysy King

Address: 385 Downing St.

Applicant's Name: Quick Quality Ref.

Address: 385 Downing St

Phone: ap garage & more 914 962-6100

No. Signs Posted: 1

Sign #1 Location: 385 Downing St.

Sign #2 Location: Rel 18

Sign #3 Location: _____

- Please Attach and Label Photos on Additional Sheets -

Applicant's Signature: _____

Land Owner's Signature: _____



NOTICE
THIS PROPERTY IS THE
SUBJECT OF AN APPLICATION
BEFORE THE YORKTOWN
PLANNING BOARD
FOR MORE INFORMATION CONTACT THE PLANNING DEPT.
914-682-8505
WWW.YORKTOWNNY.ORG



NOTICE
THIS PROPERTY IS THE
SUBJECT OF AN APPLICATION
BEFORE THE YORKTOWN
PLANNING BOARD
FOR MORE INFORMATION CONTACT THE PLANNING DEPT.
814-887-8557
WWW.YORKTOWNNY.ORG

TOWN OF YORKTOWN PLANNING BOARD

JUN 13 2022

TOWN OF YORKTOWN

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

APPLICATION FOR SITE PLAN APPROVAL

Date 6-13-22

1. Name of Project: BURGER KING RENOVATION

2. Tax Map Designation (Section, Block, Lot) 37.18 - 2 - 57

3. Zone: C1 Total Acreage: .5

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

5. Project narrative (brief description of proposed development):
Interior/Exterior RENOVATION

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

7. Applicant
Name Quick Quality Restaurants Lessee
Firm c/o GRACE & GRACE
Address 310 Underhill Ave
Phone 914 962-6100
Fax 914 962-6181
Email GRACELAW@AOL.COM

8. Owner of Record
Name Cater Realty - Landlord
Firm _____
Address _____
Phone _____
Fax _____
Email _____

9. Attorney

Name Michael Grace
Firm GRACE + GRACE
Address 360 Underhill Ave 10595
Phone 914 962 6100
Fax 914 962 6181
Email GRACE LAW f@ad.com

10. Engineer

Name _____
Firm _____
Address _____
Phone _____
Fax _____
Email _____
Lic. No. _____

11. Surveyor

Name _____
Firm _____
Address _____
Phone _____
Fax _____
Email _____
Lic. No. _____

12. Architect

Name R Just Architecture
Firm Michael Just
Address 572 Henry St. Brooklyn NY 11231
Phone 718 - 855 - 1237
Fax _____
Email mjust@mjanah.com
Lic. No. 18270

13. Wetland Scientist/Specialist

Name _____
Firm _____
Address _____
Phone _____
Fax _____
Email _____

14. Landscape Architect

Name _____
Firm _____
Address _____
Phone _____
Fax _____
Email _____
Lic. No. _____

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

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

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

18. Is this project within 500 feet of:

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

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

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

An existing or proposed county drainage line? Yes No

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

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

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

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

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

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

22. This parcel is in the following districts:

School District	<u>Yorktown</u>	Water District	<u>Yorktown</u>
Fire District	<u>Yorktown 14/15</u>	Sewer District	<u>Hallowell Mill</u>

A Short or Full EAF with the original signature of the applicant must be attached to this application when submitted.

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

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

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

Applicant	Owner of Record
<u>Michael Grace</u> NAME (PLEASE PRINT)	_____ NAME (PLEASE PRINT)
<u>[Signature]</u> SIGNATURE	_____ SIGNATURE
<u>11/13/12</u> DATE	_____ DATE

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

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

REFER TO AFFIDAVITS ON THE FOLLOWING PAGES

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

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

Sworn before me this _____ date of _____, 20 __

Notary Public

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

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

Sworn before me this _____ date of _____, 20 __

Notary Public

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

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

Sworn before me this _____ date of _____, 20__

Notary Public

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

Short Environmental Assessment Form
Part 1 - Project Information

RECEIVED
 PLANNING DEPARTMENT

JUN 13 2022

TOWN OF YORKTOWN

Instructions for Completing

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

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

Part 1 - Project and Sponsor Information							
Quick Quality Restaurants Inc, A/E/A Burger King							
Name of Action or Project: Burger King - Amended Site Plan							
Project Location (describe, and attach a location map): 385 DOWNING ST. YORKTOWN HTS NY							
Brief Description of Proposed Action: INTERIOR/EXTERIOR RENOVATIONS w/new access lanes							
Name of Applicant or Sponsor: Quick Quality Rest.		Telephone: 914 962-6100					
		E-Mail: GRACELANJ@QQP.COM					
Address: 385 DOWNING ST. YORKTOWN HTS NY							
City/PO:		State: New York	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.			<table border="1" style="width:100%; text-align:center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			<table border="1" style="width:100%; text-align:center;"> <tr> <td>NO</td> <td>YES</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?		.5	acres				
b. Total acreage to be physically disturbed?			acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.5	acres				
4. Check all land uses that occur on, adjoining and near the proposed action.							
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban)							
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____							
<input type="checkbox"/> Parkland							

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation service(s) available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input 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 <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO <input checked="" type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	

<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: _____ Date: <u>6/13/22</u></p> <p>Signature: <u>for Quick Quality Rest of K/A</u></p> <p style="margin-left: 100px;"><u>Burgen Kong</u></p>		

QQR, LLC
A FRANCHISEE OF BURGER KING CORPORATION
"COMMITTED TO EXCELLENCE"

June 6, 2022

Re: Burger King

385 Downing Drive

Yorktown Heights, NY 10598

RECEIVED
PLANNING DEPARTMENT

JUN 13 2022

TOWN OF YORKTOWN

Subject: Parking Analysis

Presently we have 47 parking spaces

Proposed – 41 spaces

Required - 1 parking space for every 3 seats in the dining room $50 \times 3 = 15$ spaces

1 parking space for every Standee – 12 Standees $12 \times 1 = 12$ spaces

1 space for every 3 employees 9 per shift $3 \times 1 = 3$ spaces

Accessible Parking 5% $41/5\% = 2$ spaces

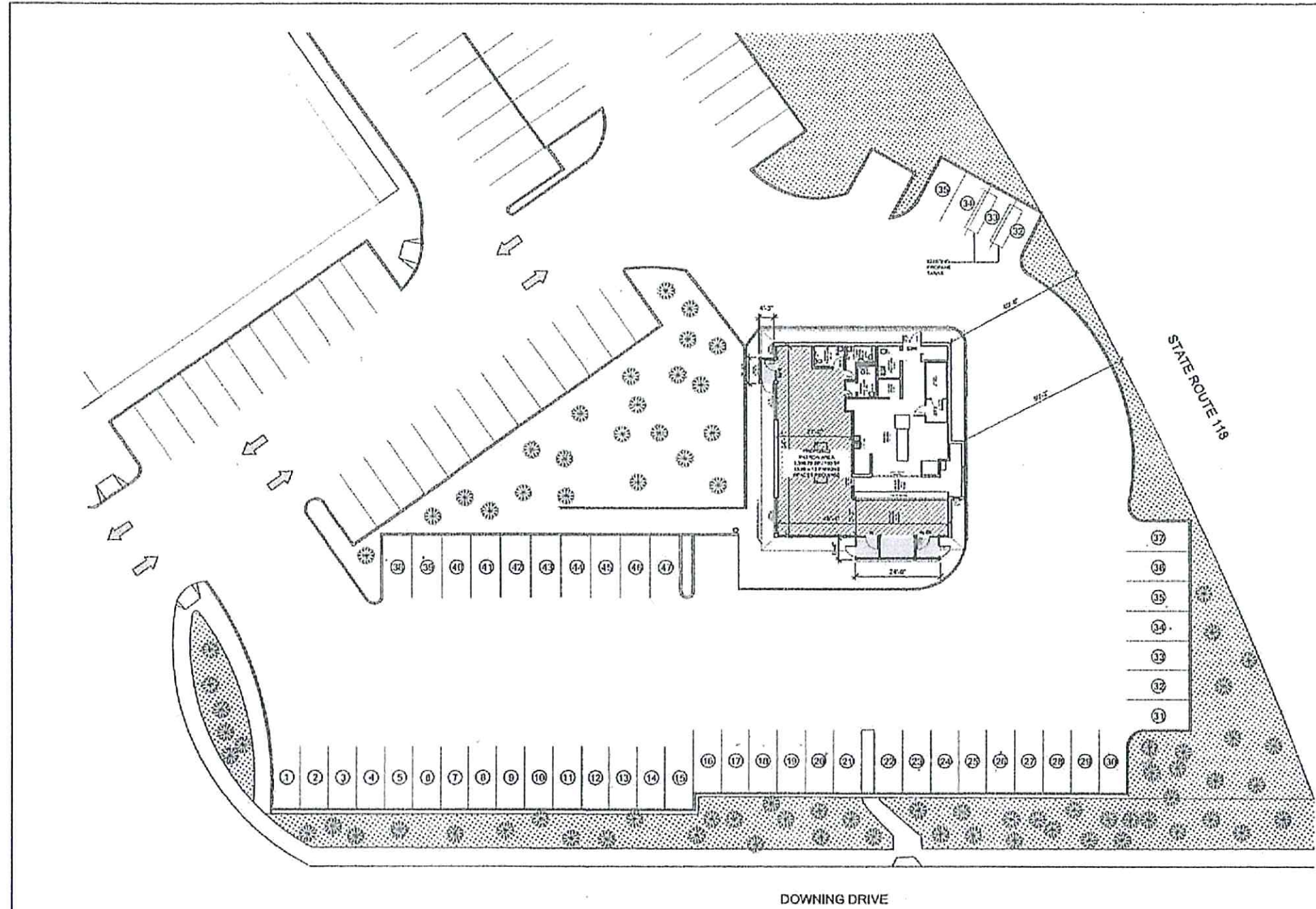
Total Spaces Required 32 spaces

Peg Canniff

Franchisee

2 Ethel Road • Suite 205 A • Edison, NJ 08817
(732) 248-8200 Tel • (732) 248-9115 Fax

"Existing"





EXISTING PLOT PLAN
SCALE: 1/8"=1'-0"

NOTE:
EXISTING VESTIBULE CONSTRUCTION TO BE REMOVED:
24'-0" x 6'-4" = 149.82 SF + 4'-3" x 7'-6" = 32 SF = 181.82 SF

NOTE:
EXISTING PARKING SPACES AT BURGER KING: 47

PROPOSED PATRON AREA
1,308.79 SF / 100 SF
13.08 = 13 PARKING SPACES REQUIRED

LEGEND:

-  EXISTING PLANTING AREA
-  EXISTING PARKING SPACES

Michael D. Just, R.A., AIA
11186 127
11186 127
www.justarch.com

JUST ARCHITECTURE
372 Henry Street • Brooklyn, New York 11231

Rev.	Date	Description	By
1			
2			

Special & Program Instructions:
M. JUST ARCHITECTURE IS NOT RESPONSIBLE FOR ALL ASPECTS OF SPECIAL & PROGRAM REQUIREMENTS AS THE DESIGN APPLICANT.
THE OWNER MUST REVIEW A CERTIFIED SPECIAL NOTICE BEFORE PROCEEDING TO THE ISSUANCE OF A PERMIT FOR ALL OF THE REQUIRED SPECIAL & PROGRAMS RESPECTIVELY.

Note:
THIS PLAN IS APPROVED FOR CONSTRUCTION BY THE APPLICANT'S ENGINEER ONLY. ALL OTHER MATTERS SHALL BE THE RESPONSIBILITY OF THE APPLICANT. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS IN ACCORDANCE WITH APPLICABLE CODES.

New York Alteration Warning Statement:
THIS PLAN IS APPROVED FOR CONSTRUCTION BY THE APPLICANT'S ENGINEER ONLY. ALL OTHER MATTERS SHALL BE THE RESPONSIBILITY OF THE APPLICANT. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS IN ACCORDANCE WITH APPLICABLE CODES.

Copyright:
ALL RIGHTS RESERVED. NO PART OF THIS DOCUMENT MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF M. JUST ARCHITECTURE, P.C.

Client:
Burger King

DOB Approval Stamp:

Project Address:
385 Downing Drive
Yorktown Heights, NY 10588

Date:

Drawing Title:
EXISTING BURGER KING PLOT PLAN

NYDOB APPLICATION:

SECTION: 10.13	JOB NO.: 11004	DATE: 09-20-21
PARCEL: 02	Drawn By: MF	Sheet: 1 of 1
LOT: 3		

Drawing No.:
A-002.00

BURGER KING

Interior & Exterior Renovation
 385 Downing Drive
 Yorktown Heights, NY 10598

LIST OF DRAWINGS - 42 Sheets including Title Sheet

Title Sheet:

T-001.00	Project Information, List of Drawings & Plot Plan	03-01-22
----------	---	----------

General:

G-001.00	Building Code Data	03-01-22
G-002.00	Notes - 1	03-01-22
G-003.00	Notes - 2	03-01-22
G-004.00	COMcheck Compliance Information	03-01-22
G-005.00	Details	03-01-22
G-006.00	Details & Storefront Details	03-01-22
G-007.00	Handicap Accessible Routes Details	03-01-22
G-008.00	Handicap Building Blocks Details	03-01-22
G-009.00	Handicap Unisex Toilet Room Details	03-01-22
G-010.00	Flrestone Rubber Roofing Details	03-01-22

Demolition:

DM-001.00	First Floor Demolition Plan	03-01-22
DM-002.00	Roof Demolition Plan	03-01-22
DM-003.00	East & West Demolition Elevations	03-01-22
DM-004.00	North & South Demolition Elevations	03-01-22

Architectural:

A-001.00	First Floor Construction Plan	03-01-22
A-002.00	Roof Construction Plan	03-01-22
A-003.00	First Floor Reflected Ceiling Plan	03-01-22
A-004.00	First Floor Finishes Plan	03-01-22
A-005.00	First Floor Equipment Plan	03-01-22
A-006.00	Proposed East & West Elevations	03-01-22
A-007.00	Proposed North & South Elevations	03-01-22
A-008.00	Burger King Exterior Finish Schedule	03-01-22

Structural:

S-001.00	Foundation Plan	03-01-22
S-002.00	Roof Framing Plan	03-01-22

Mechanical:

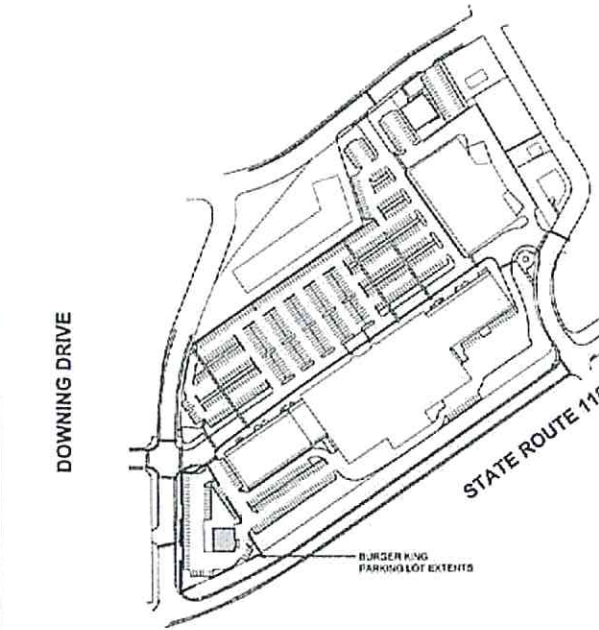
M-001.00	Mechanical Notes & Specifications	03-01-22
M-101.00	First Floor & Roof Mechanical Plans	03-01-22
M-201.00	Exhaust Systems Riser Diagram & Duct Installation Details	03-01-22
M-202.00	Equipment Schedule	03-01-22

Plumbing:

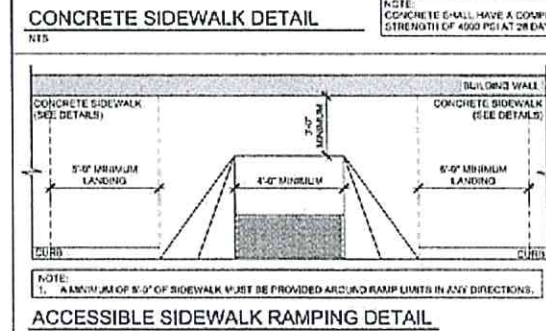
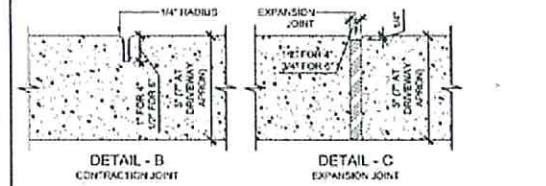
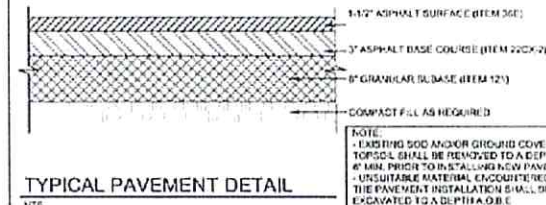
P-001.00	Plumbing Notes & Specifications	03-01-22
P-101.00	First Floor Domestic Water Plan	03-01-22
P-102.00	First Floor Sanitary Plan	03-01-22
P-103.00	First Floor & Roof Gas Installation Plans	03-01-22
P-201.00	Domestic & Filtered Water, Sanitary & Gas Riser Diagrams	03-01-22
P-202.00	Equipment Schedules	03-01-22
P-203.00	Firestopping & Gas Piping Details	03-01-22

Electrical:

E-001.00	Electrical Symbol List, Abbreviations & General Notes	03-01-22
E-002.00	Electrical Riser Diagram & Panel Schedules	03-01-22
E-101.00	First Floor & Roof Electrical Power Plans	03-01-22
E-102.00	First Floor Electrical Lighting Plan	03-01-22
E-201.00	Electrical Specifications - 1	03-01-22
E-202.00	Electrical Specifications - 2	03-01-22



KEY PLAN
 NTS



PLOT PLAN LEGEND:

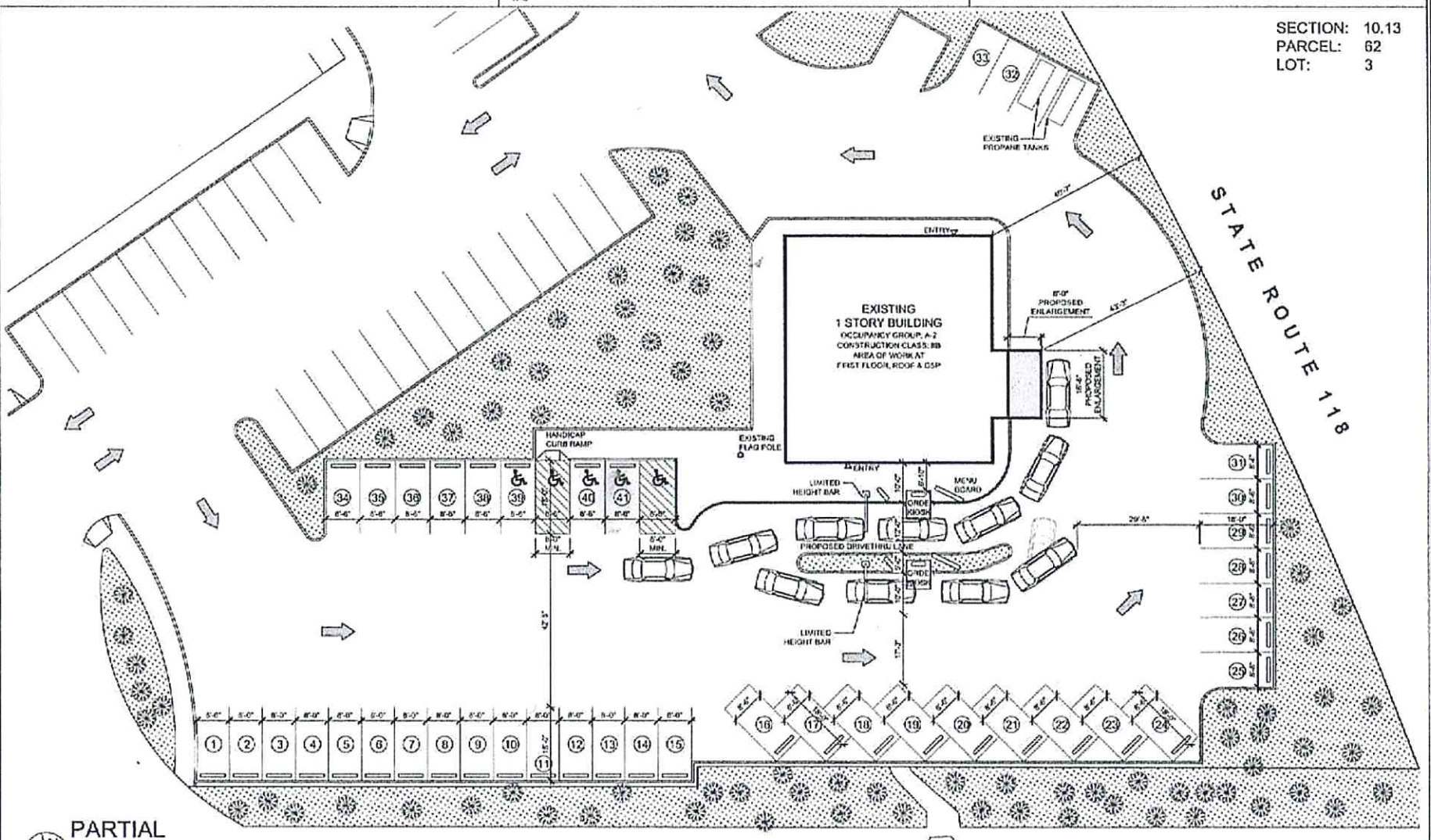
- EXISTING PLANTING AREA TO REMAIN
- MINIMUM 8'-0" HANDICAP AISLE
- PARKING SPACES

PARKING CALCULATIONS:

PROPOSED PARKING CALCULATIONS FOR BURGER KING RESTAURANT:
 2,783.10 SF OR 71 SEATS WITH 10 EMPLOYEES:
 DINING ROOM: 1 PARKING SPACE PER EVERY 3 SEATS
 46 SEATS / 3 SEATS = 15.33 = 15 PARKING SPACES REQUIRED
 STANDEE AREA: 1 PARKING SPACE PER EVERY STANDEE
 12 STANDEES / 1 PARKING SPACE = 15 PARKING SPACES REQUIRED
 1 SPACE PER 3 EMPLOYEES = 3 SPACES REQUIRED
 TOTAL PARKING REQUIRED: 30 PARKING SPACES
 TOTAL PARKING PROVIDED: 41 PARKING SPACES
 ACCESSIBLE PARKING SPACES: 5% OF REQUIRED PARKING SPACES
 TOTAL REQUIRED PARKING: 30 PARKING SPACES x 5% = 1.5 = 2
 TOTAL PROPOSED HANDICAP ACCESSIBLE PARKING SPACES = 2, OKAY

NOTES:

- ALL SIGNAGE AND DRIVE THRU ORDER STATION(S) TO BE 2020 IMAGE COMPLIANT. LANDSCAPING IS REQUIRED AT DRIVE THRU ORDER STATION(S) AND OTHER AREAS. REFER TO BKC LANDSCAPE GUIDELINES
- SITE COMPLIANCE WITH ALL LOCAL, STATE, AND NATIONAL CODES IS REQUIRED, INCLUDING THE AMERICANS WITH DISABILITIES ACT.
- TRASH ENCLOSURE COLOR TO MATCH BUILDING.
- ALL EXTERIOR MENU BOARDS AND PREVIEW BOARDS ARE TO BE REPLACED WITH APPROVED DIGITAL MODELS.
- RECOMMENDED TO RESURFACING AND RESTRIPIING IN THE ENTIRE SITE.



PARTIAL PLOT PLAN
 SCALE: 1/16" = 1'-0"

SECTION: 10.13
 PARCEL: 62
 LOT: 3

ARCHITECTURE
 572 Henry Street - Brooklyn, New York 11231

Client: Albert DiJona
 Quick Quality Restaurants Inc.
 2 Esau Road, Ste. 205A
 Edison, NJ 08818

Project Address: 385 Downing Drive, Yorktown Heights, NY 10598

Drawing Title: PROJECT INFORMATION LIST OF DRAWINGS & PLOT PLAN

SECTION: 10.13, PARCEL: 62, LOT: 3

Date: 03-01-22, Sheet: 1 of 42

Underhill Farm

MEMORANDUM

RECEIVED
PLANNING DEPARTMENT
JUN 13 2022
TOWN OF YORKTOWN

June 13, 2022

To: Planning Board, Town of Yorktown
From: Ken Belfer, Chair, Yorktown Community Housing Board
Subject: Underhill Farm Proposed Development

The Community Housing Board has been following this development proposal and has some comments.

First, it has been represented that a certain number of units will be senior friendly. The Community Housing Board does not understand the meaning of "senior friendly." Does this mean that those units will follow NYS building code in regard to handicapped adaptability, which they would be required to follow regardless? The term could be deceptive, and the specific intent of the developer should be clarified.

Second, there is mention in one of the exhibits that units will be age restricted to a 55+ population. On what basis will the units be age restricted, if in fact they will be? Will there be any zoning requirement that the units be age restricted? A developer restricting occupancy by age to some units in a larger development without any statutory restrictions may run afoul of fair housing law.

Third, if Underhill Farm is developed under the Overlay Zone, the developer will be receiving both a substantial density bonus over existing zoning, and substantial flexibility in regard to zoning requirements. From the point of economic development, the Overlay Zone is a significant tool to encourage larger scale residential development. From the point of housing diversity, the Town should ensure that it is meeting housing needs through use of these incentives. Will this housing enable seniors to downsize, attract young families, and provide housing opportunities for the local workforce?

In years past, the Planning Board reviewed the impact on affordability of housing, as allowed under SEQRA, and negotiated mitigation with the developers. In the case of Underhill Farm, if we want senior units, we should work with the developer to get real senior units. We should require inclusion of a certain number of fully handicapped accessible units. Finally, we should require a certain number of affordable units, either through designated affordable units provided by the developer, or through some other mechanism. While there's a demand for luxury housing, that shouldn't be all that gets developed in Yorktown. There's a need for starter homes, workforce housing, senior housing, and affordable housing (including age-restricted affordable housing). We should use the leverage we have with developers to meet this need and ensure a diversity of housing types and prices.

TOWN OF YORKTOWN CONSERVATION BOARD

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

MEMORANDUM

To: Planning Department
From: Yorktown Conservation Board
Date: June 13, 2022
Re: Underhill Farm 370 Underhill Avenue

RECEIVED
PLANNING DEPARTMENT
JUN 13 2022
TOWN OF YORKTOWN

On June 1, 2022 the Conservation Board met with Joe Riina and Steve Marino regarding Underhill Farm, who presented plans and described the wetlands on the site and their function and flow, along with preliminary mitigation for filling in wetlands and improving the pond. They established that the project would entail cutting approximately 520 trees, to allow for the proposed development.

The Conservation Board notes that the Underhill Farm property provides a feeling of open space and a green invitation into Yorktown's commercial center. The plan for Underhill Farm as presented adds many buildings, removing the parklike feel of the space. Although the applicant proposes to expand the pond area, a few of the proposed units fall within the wetland boundaries. When questioned about the connection to the commercial center of town, the main foot access would be at the busy corner of Underhill and 118. Footpaths from the site through Beaver Ridge complex are proposed.

The watercourse feeding the pond functions as a stream that has been interrupted by previous disturbance. In January 2021 the Conservation Board attended a site visit of the property where the water that seeps from Glenrock Street was observed to pool extensively in low areas that ran parallel to Glenrock, along the slope leading towards the Beaverridge Apartment Complex. These areas have been delineated as wetlands by town code. The removal of a considerable number of trees along this slope has the potential to add to the runoff and water flow. Tree roots stabilize the soil and contain runoff. The applicant proposes to fill in these wetlands, alter the stream and realign it in a straight channel that will flow into a newly created marsh adjacent to the pond. The mitigation plan presented by Mr. Marino showed the course of the altered stream bed and modifications to the pond but did not show the locations of the wetland buffers.

The Conservation Board has the following comments:

- We are concerned about the amount of water that currently is held in these town wetlands and how the additional flow from tree removal and altering the stream course will affect the pond.
- Wetlands A and B being intermittent could potentially be ephemeral pools that fill up over the winter and dry up in the summer, supporting species of amphibians that do not utilize marshlands or ponds. We advise that the Town's environmental consultants review this concern.

- The applicant should investigate a meandering approach of the stream into the pond, to slow the water flow as it comes down the slope.
- Provide a mitigation plan showing the location of the wetland buffers, where it passes through the proposed housing.
- An alternate site plan with no housing units in the wetland buffers should be developed.
- A tree mitigation plan should be submitted.
- Detailed drawings showing footpaths interior to the site to access crossings to the northern part of town should be shown.
- Electric charging stations for use by residents and retail customers should be included in the plans.

The Conservation Board feels that the environmental impacts have not been adequately addressed and requests that alternatives to this plan should be presented.

Respectfully submitted:

Phyllis Bock

For the Conservation Board

JUN 13 2022

TOWN OF YORKTOWN

MEMO

To: Planning Board
From: Susan Siegel
Re: Supplemental comments for June 13, 2022 Underhill Farm PIH
Date: June 13, 2022

Remember the Weyant.

As you review the traffic mitigation plan for Underhill Farm, I hope the Board will keep in mind its experience with the Weyant site plan and how your approval of that plan was dependent upon a DOT approved improvement plan that took a holistic view of two separate developments that would have a combined traffic impact on Route 202/35 and the Triangle intersection.

The Town's Weyant precedent applies to the Underhill Farm plan. As members of the Planning Board have already said, the Board knows that it has to take a holistic approach to the existing and likely future traffic situation on Route 118, from the Triangle intersection to its intersection with Underhill Avenue, when considering the traffic mitigation portion of the Underhill Farm site plan.

Following the example used in the Weyant/Roma Building applications, the property owners in the Yorktown Heights Overlay District **with already known development plans** must work together, with the Town and the DOT, to develop a holistic improvement plan for the Route 118 corridor. And until that plan and the mechanism to fund the proposed improvements is in place, the Board should not approve an Underhill Farm site plan.

It should also be noted that while the Weyant developer had a short term solution to the Route 202 access issue pending the implementation of the long term improvement plan, there is no such short term solution to the Route 118/Underhill Avenue intersection problem that will be created by Underhill Farm. There is no short term mitigation "fix" to the significant increase in traffic that will result from the current high density mixed use site plan. Clearing brush and changing the timing of a traffic signal cannot adequately or safely address the development's acknowledged adverse traffic impact.

The holistic approach the Board plans to take also addresses SEQRA's anti-segmentation provisions, specifically that two of the basic tests for whether segmentation exists are a) whether separate actions share a common geographic location and b) whether separate actions will have a common impact.

TB Referral Boutique Hotel

Nancy Calicchia

From: Lawrence Klein <lwkleinpe@gmail.com>
Sent: Friday, June 10, 2022 1:01 PM
To: Maura Weissleder
Cc: archipose@aol.com; John Landi; phyllisabock@gmail.com; dianedri@aol.com; tmentrasti@yorktownfire.org; David Paganelli; John Tegeder; Robyn Steinberg; richfon@aol.com; Robert Noble; John Delulio; rhattar@yorktown.org; Dan Ciarcia; Kenny Rundle; Herbert, Lukas; dat5@westchestergov.com; cenan.publicnotices@usace.army.mil; cgarcia@dep.nyc.gov; akhter.shareef@dot.ny.gov; dec.sm.DEP.R3; laroues@townofcortlandt.com; townclerk@somersny.com; showard13@aol.com; showard@putnamvalley.com; sdonnelly@townofossining.com; info@yorktownchamber.org; g.finelaw@verizon.net; Diana Quast; Adam Rodriguez; Adam Rodriguez; Ed Lachterman; Ed Lachterman (edlachterman@gmail.com); Luciana Haughwout; Matthew Slater; Sergio Esposito; Thomas Diana; ChristineC@townofcortlandt.com; Nancy Calicchia; Kim Hughes; Kyra Brunner
Subject: Re: Referral: Proposed Local Law to Amend Chapter 300 "Boutique Hotel" - EAF

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

maura this referral has nothing to do w/ trees. therefore, the TCAC has no comments.

larry

On Fri, Jun 10, 2022 at 9:37 AM Maura Weissleder <mauraw@yorktownny.org> wrote:

RECEIVED
PLANNING DEPARTMENT
JUN 9 2022
TOWN OF YORKTOWN

The attached referral was sent to you on May 26, 2022. I am attaching a copy of the EAF for your review, as well.

Maura Weissleder

Deputy Town Clerk

Town of Yorktown

363 Underhill Avenue

Christopher Taormina, RA
Chairman

Matthew Slater
Town Supervisor

TOWN OF YORKTOWN

ADVISORY BOARD ON ARCHITECTURE & COMMUNITY APPEARANCE (ABACA)

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

RECEIVED
PLANNING DEPARTMENT

To: Diana Quast, Town Clerk *for the Town Board*
From: ABACA
Date: June 9, 2022
Subject: **Town Board Referral – Proposed Amendment to Chapter 300, “Zoning”, Article VII
“Permitted Special Uses” by adding a new section 300-83 entitled “Boutique Hotel”**

JUN 9 2022

TOWN OF YORKTOWN

Documents Reviewed:

Title:	Date:	Produced By:
Town Board Email Referral with associated materials	5/26/2022	Diana Quast, Town Clerk

The Advisory Board on Architecture and Community Appearance reviewed the above referenced subject at their meeting held on Tuesday, June 7, 2022 and have no objections to the proposed amendment.

Christopher Taormina

Christopher Taormina, RA
Chairman

/nc

cc: Planning Department
Planning Board
Town Board *via Town Clerk*