

**TOWN OF YORKTOWN
PLANNING BOARD**

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

**PUBLIC MEETING AGENDA
YORKTOWN TOWN HALL BOARD ROOM
363 Underhill Avenue, Yorktown Heights, NY 10598**

**September 12, 2022
7:00 PM**

- 1. Correspondence**
- 2. Meeting Minutes – August 15, 2022**

REGULAR SESSION

- 3. ThermoDynamics Corp
Decision Statement**

Location: 6.18-1-30; 2989 Navajo Street

Contact: The Helmes Group, LLP

Description: Proposed building renovations and Lighting Plan for an existing building on 1 acre in the I-1 zone.

- 4. Uncle Giuseppe's Marketplace
Decision Statement**

Location: 37.18-2-56; 329 Downing Drive

Contact: Jarmel Kizel Architects and Engineers, Inc.

Description: Replacement of concrete crosswalks with asphalt within parking lot.

- 5. Granite Knolls Solar Project
Adjourned Public Hearing**

Location: 26.09-1-22; 2975 Stony Street

Contact: HESP Solar LLC and Bergmann PC

Description: Proposed solar carport system at Granite Knolls Sports Complex.

- 6. Wendy's at Staples Plaza
Public Informational Hearing**

Location: 36.06-2-76; 3399 Crompond Road

Contact: Chiesa Shahinian & Giantomasi, PC

Description: Proposed renovation of the approximately 3,500 SF Dunkin Donuts building for a Wendy's with drive-thru.

WORK SESSION

- 7. Staples Plaza Battery Energy Storage System Expansion
Discussion Special Use Permit**

Location: 36.06-2-76; 3333 Crompond Road

Contact: Mayflower Energy Engineering

Description: Proposed installation of 2 additional Tesla megapack units with a total energy capacity of 6,160 kWh, to be connected to the main utility grid and assist with electrical demand. Installation would remove 3 parking spaces.

8. Dorchester Glen Subdivision

Discussion Subdivision

Location: 15.20-3-6; 1643 Maxwell Drive

Contact: Site Design Consultants

Description: Proposed 5 lot subdivision on 24.26 acres in the R1-20 zone.

9. Guiding Eyes for the Blind

Discussion Proposed Fence

Location: 27.13-3-17; 611 Granite Springs Road

Contact: Studio Architecture, DPC

Description: Proposed fencing around the front of the property to completely enclose the site.

10. Town Board Referral

Gulf Gas Station

Location: 3451 Crompond Road; 36.06-1-25

Contact: Kristen Schawalder, Sevan Solutions

Description: Proposed renovation of existing gas station for new tanks, pumps, canopy, and 7-Eleven convenience store.

11. Town Board Referral

Volta Charging Stations at the Jefferson Valley Mall

Location: 650 Lee Boulevard; 16.12-1-24 & 25

Contact: Cuddy & Feder

Description: Proposed electric vehicle charging stations at four existing parking spaces.

12. IBM Battery Storage and EV Charging Stations

Discussion Site Plan & Special Permit

Location: 1101 Kitchawan Road; 69.16-1-1

Contact: Michael Landler, Powerflex

Description: Proposed 1 MW AC battery energy storage system and installation of an additional 79 electric vehicle charging stations.

13. Garden Lane Development fka Hoffman Property

Discussion Residential Site Plan

Location: Old Crompond Road & Garden Lane; 35.08-1-27

Contact: Dimovski Architecture, PLLC

Description: Proposed 20 unit apartment units with associated parking and site improvements pursuant to a 1990 rezone of 1.56 acres to the R-3 zone.

Last revised: September 8, 2022

Correspondence

SEP 8 2022

TOWN OF YORKTOWN

September 8, 2022

To: Planning Board

From: Yorktown Historic Preservation Commission

Subject: Potential Environmental Impacts – 617.7 SEQRA – Underhill Farm Development

Dear Planning Board,

We are hopeful you find this information helpful in conjunction with the Planning Board's effort to complete Part 2 of the Full Environmental Assessment for (FEAF) -- inventorying all potential environmental resources that could be affected by the proposed Underhill Farm project.

1. The New York State Environmental Quality Review Act, section 617.7 specifies that:

(c) Criteria for determining significance: These criteria are considered indicators of significant adverse impacts on the environment:

(v) the impairment of the character or quality of important **historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;**

(viii) a **substantial change in the use, or intensity** of use of land including...**open space** oror in its capacity to support existing uses;

2. The Yorktown Heritage Preservation Commission (YHPC) comments are presented in two parts: a summary list of the historic, archaeological, architectural, aesthetic, neighborhood / community and open space impact issues submitted to the Planning Board since the SEQRA reviews began in March 2022 followed by the information needed to address these issues, identify potential environmental impacts and assess their significance.

The YHPC trusts that you find this information useful in obtaining the information necessary to determine the potential environmental impacts and their significance for SEQRA 617.7(c) (v) and (viii).

Respectfully submitted,

Yorktown Heritage Preservation Commission

September 8, 2022

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I. Update Full Environmental Assessment Form (FEAF)

Issue: The Full Environmental Assessment Form, the foundational input for completing FEAF Part 2, leading to the identification of potential environmental impacts, is twenty months old, contains numerous factual errors, and needs to be updated based on current and accurate information.

Information Needed:

-Require Unicorn to update the FEAF Part 1 based on current and accurate information and submit into the Underhill Farm public record.

II. Clarify Credentials of Unicorn “Historic Consultant”

Issue: The archaeology consultant’s historic and architectural restoration, adaptive reuse, building construction and structural engineering credentials and experience are unknown; the consultant conducted all of the applicant studies (archaeological, assessment of historic buildings, alternatives analysis, and additional information to alternatives analysis); the Planning Board and Planning Department Director refer to the archaeology consultant as the “historic consultant.”

Information Needed:

-Provide the archaeology consultant’s historic and architectural restoration, adaptive reuse, building construction and structural engineering credentials and experience, including the list of relevant projects, citing the specific experience in 19th century structures (consultant role, dates, locations, project names, description, objectives, results, photographs).

III. Address Questionable Applicant Studies

Issue: Each of the studies was an Applicant / Unicorn study: paid for by Unicorn, performed by the Unicorn archaeology consultant, interpreted by the Unicorn archaeology consultant, presented by the Unicorn archaeology consultant, and supported by letters of endorsement solicited by the Unicorn archaeology consultant from town officials and others who do not have qualifying technical skills.

Issue: The Unicorn archaeology consultant studies and documents reflect omissions, misrepresentations, inaccuracies and assertions without proof or fact: a few examples:

...failing to acknowledge a significant Revolutionary War event in Yorktown that may have involved the presence of French encampments on the Underhill Farm property

...falsely stating that Dr. Robert Selig, preeminent historian and scholar for Washington Rochambeau Revolutionary Route Trail, indicated the French encampment was located a mile to north of the Underhill estate to Hallock Mill

...asserting, without any proof or quantitative facts, that there were no viable options in the Alternatives Analysis to avoid or mitigate the adverse effects of the proposed development

Issue: Despite the fact that there are numerous documented biological and genealogical connections between the Underhill lineage and local prominent abolitionists during the

Underground Railroad period (as an example, Abraham I. Underhill's brother, Joshua, harbored fugitives from slavery), the archaeology consultant failed to conclude whether Abraham, his wife Rebecca or their son Edward were directly involved in activity related to the Underground Railroad.

Issue: The archaeology consultant failed to determine whether the barns and outbuildings on properties were used to temporarily house freedom seekers during the Underground Railroad period; an examination of the Underhill Farm structures is required to confirm whether the buildings show any indications of such activity.

Phase 1A Archaeology Literature and Sensitivity Analysis, January 2021

Information Needed:

-Develop the historical narrative to include in Section E. Historic Context that describes the significance of the Revolutionary War event involving the role of the French general, Jean Baptiste Donatien de Vimeur, comte de Rochambeau, who commanded several thousand encamped French Army troops in Yorktown and who ultimately helped defeat the British in the Siege of Yorktown, Virginia

-Supply the factual evidence with authenticated proof, sources and methods to confirm or deny whether a French encampment was located on the Underhill Farm property

-If a French encampment was located on the Underhill Farm property, provide the authenticated proof, sources and methods that rule in or out any archaeological value on the Underhill Farm property

Phase 1B Archaeological Field Reconnaissance Survey, January 2021

Information Needed:

-Provide the qualifications of the co-supervisor of the study, Franco Zani, Jr., Vis a Vis OPRHP requirements

-Provide the number of shovel tests and intervals required by OPRHP (Section 3.f) and New York Archaeological Council standards for this property and sensitivity area

-Compare and contrast the number of shovel tests and intervals for the Unicorn study versus the OPRHP and NYAC standards and explain the reason for the variances; recertify the results of the Phase 1B study and documentation compliance

-Explain the reasons why there are several artifacts found in the testing that are not recorded in the catalog, e.g. Pearlware (c. 1870-1820) noted in test B-A-6 but not in the catalog, redware and square nails, B-A-17 pipe bowl

-Provide the photographs of the artifacts found and cataloged in the 1B study

-Provide the quantitative summary of the shovel test results that support the conclusion: "...the proposed undertaking will not affect significant archaeological deposits. Therefore, in the opinion of HVCRC (Hudson Valley Cultural Research Consultants, Ltd.) that no additional archaeological investigations are warranted for the proposed Project," page 31.

-Explain how the above conclusion can be derived when only 45% of the archaeology consultant's recorded shovel tests (108 vs 240) were excavated yet the consultant concluded "based on the results of the survey, no archaeological sites are located with the Area of Potential Effect," page 31.

-Provide authenticated archaeological signatures (footprint/size, uses, period of significance) for each of the structures relevant to the historical development/evolution of the property (1780's to the present).

-Perform a National Parks Service metal detectorist metal detector study to rule in or out French encampment artifacts on the Underhill Farm property

-Perform subsurface scanning study to rule in or out the existence of underground tunnels linked to potential Underground Railroad activity on the Underhill Farm property

-Perform inspection of barns and outbuildings to rule in or out or any evidence of activity of harboring freedom seekers in the structures

Historic Building Assessment, February 2021 and April 2021

Issue: The outbuilding assessments were conducted by the archaeology consultant without building construction / engineering credentials and relevant work experience in assessing structural integrity of outbuildings.

Issue: The archaeology consultant conducted a visual assessment of the exterior characteristics of the buildings. "No testing or comprehensive structural analysis has been completed for this Alternatives Analysis. The following analysis is based on visual observations, rather than any testing or technical evaluation completed by a structural engineer, page 7." Yet the consultant repeatedly advised the Planning Board that the outbuildings were not structurally viable nor could they be adaptively reused and needed to be demolished.

Issue: The Historic Building Assessment performed by the archaeology consultant contains numerous speculations and presumptions about the condition, age, use, footprint, without documented evidence or proof.

Information Needed:

-Provide independent, third party objective assessments of the physical condition and historic value of the state and national register eligible historic property by qualified specialists with a proven track record, similar to the standard practice of hiring outside consultants to independently verify the developer's findings in the wetlands and traffic studies.

Alternatives Analyses, July 2021

Issue: On October 29, 2021, OPRHP requested that Unicorn develop mitigation plans to offset the adverse effect impact of the planned intensity of the construction and removal of the outbuildings; the Unicorn archaeology consultant failed to address OPRHP's mitigation measures, concluding that there are no viable alternatives to meet the stated project financial goals.

"The financial feasibility of multifamily housing is contingent on the economy of scale generated by developing a significant number of units. Reducing the scale of the project alters this goal, and makes the project and the associated community enhancements, no longer financially viable." Page, 11 (Yet Unicorn has reduced the number of units from the original 165 to 148).

Issue: Unicorn's alternatives analysis logic is flawed and based on circular reasoning; if Unicorn's goal is to build a 165 unit residential complex plus 11K sq. ft. commercial/retail space on the 13.8 acre property, then it follows that Unicorn would not consider retaining the outbuildings or reducing the density as viable options to achieve the goals.

Issue: The Unicorn archaeology consultant's alternative analysis (Alternative #1) consists of assertions that have no demonstrated proof or evidence in quantitative fact: an illustration: ... *"Reducing the overall size of the proposed Underhill Farm (not defined or quantified) would impact the overall viability of the project (not described). The reduced scale (no number given) would not achieve the level of investor rate of return (no quantification given) for a privately funded project, nor would it provide needed housing units within the Yorktown Heights region of Westchester County, needed parking and community space, and safety improvements at a nearby intersection (needs not assessed or documented). If the project were to be scaled down (to what???), it could not be completed (factual proof?)." Page 10-11.*

Issue: Despite evaluating other properties in Yorktown which were appropriate site, zoning and allowed mixed use, Unicorn failed to provide the analysis of the other potential locations it assessed (Alternative #2, Avoid Demolition of Structures by Selecting Alternate Location), page 11 and page 13.

Issue: Unicorn has failed to address the density despite the Planning Board Chairman's declaration at the outset of the SEQRA review that density is one of the four major areas of concern that Unicorn needed to address (density, wetlands, traffic and historic).

Issue: Unicorn failed to provide a documented community needs or demand assessment for the \$2.4M "community benefits" it proposed.

Information Needed:

-Provide the quantitative assessment with return on investment and documented proof of the effect of each of the alternatives (#1-4) identified by the archaeology consultant, including lower density (Alternative #1), selecting an alternate location (Alternative #2), adaptive re-use (Alternative #3) and no build, Alternative #4) for the historic property **OR**

-Perform a new Alternatives Analysis, including the quantitative assessment and return on investment for alternatives, including but not limited to, 1) downsizing/reducing the density, 2) relocation/new locations, 3) alternate site plans, 4) lower profile 5) preserve one or more of the outbuildings

-Provide the documented community needs assessment and quantified demand and methodology for each of the self-initiated Unicorn \$2.4M “community benefits, listed on Unicorn’s website:
...\$1M to restore the main building to “reopen to the public” (e.g. Town offices, conference rooms, museum, Yorktown Historical Society space, café, coffee shop)
...\$850K public park and renovation of the ice pond
...\$250K to maintain the Captain Underhill house
...\$300K new community gateway

-Require the archaeology consultant to present the assessment of the other properties examined (Alternative #2, page 13) including the locations, description of the properties, financial evaluation/return on investment, and the reasons for rejecting the properties.

Additional Information Study, October 2021

Issue: The archaeology consultant solicited letters of endorsement from town officials and others who do not have qualifying technical assessment skills, and who essentially repeated the contents of the archaeology consultant’s Alternatives Analysis report without regard to the structures’ historic or architectural significance or context.

Information Needed:

-Provide the engineer’s assessment report, including methodology, and for each of the seven outbuildings and the main structure assessed, provide the detailed findings and conclusions

-Provide the Town’s Building Inspector’s report, including methodology, and the building by building findings and conclusions

IV. Address Adverse Effect Findings

Issue: The Unicorn archaeology consultant, OPRHP and the Town Planning Director, each declared that removing the outbuildings was an Adverse Effect finding for the Underhill property; the unanswered question is whether any of the outbuildings are worthy of saving.

....Unicorn Archaeology Consultant Acknowledges Adverse Effect: February 2021, Historic Building Assessment, page 19, Beth Selig

...Office of Parks, Recreation and Historic Preservation Acknowledges Adverse Effect Finding: May 27, 2021, OPRHP declared an Adverse Effect finding letter for the Underhill Farm property, Derek Rohde

...Planning Director Acknowledges Adverse Effect Finding: September 23, 2021, in a solicited a letter of support for the development from the archaeology consultant, John Tegeder

Information Needed:

-See page 5 above: Provide independent, third party objective assessments of the physical condition and historic value of the state and national register eligible historic property by qualified specialists with a proven track record, similar to the standard practice of hiring outside consultants to independently verify the developer's findings in the wetlands and traffic studies

V. Identify Architectural Resources and Plans

Issue: Despite committing to a “world-renown architect designed the project,” and that an award winning team of architects... “would execute the project,” Unicorn has failed to identify the architects, credentials and their portfolio.

Issue: Despite repeatedly stating that it will invest \$1M in restoring the main mansion, twenty months after it publically announced its development plans, Unicorn has failed to present the architectural restoration plan for the main mansion (only renderings, floor plans and elevations for the apartments, condominiums and town homes have been submitted).

Issue: Unicorn has failed to present any information regarding the character defining historic and architectural features that will be retained and/or impacted for the historically and architecturally significant property.

Issue: Unicorn has failed to specify how the focal point -- the main mansion -- will be respected when surrounded by the intensity of construction of the 148 unit multi-story condominiums and apartments and the planned 40 foot high 11K sq. ft. commercial space next to it.

Information Needed:

-Identify the names of the “award winning team of architects..., engineers and historic preservation and environmental experts” (per Unicorn owner) assigned to the Underhill Farm project, including their firms, credentials, and the specific world recognition /awards received in their respective fields, and individual related project portfolios

-Provide a summary of Unicorn's relevant historic / architectural restoration experience to the proposed Underhill Farm project, including project locations, descriptions, objectives, results, site plans and photographs which demonstrate how the historic and architectural integrity of a center showplace surrounded by a dense residential complex has been preserved

-Provide the architectural plans and timing for the 11K sq. ft. commercial retail space, including description, renderings, floor plan and elevations

-Create three D models that demonstrate the line of sight, elevations and positioning of the main mansion juxtaposed to the 40 foot high commercial/retail space

-Provide a list of all the character distinguishing / defining features Unicorn is addressing with the Underhill Farm project:

...exterior of buildings (style, size, shape, roof, roof features, windows, doorways, porches, materials, opening, trim, shutters, gables, etc.)

For each of the character defining features, indicate which will be retained, and which will be impacted by the proposed development and describe how.

VI. Cultural Resource Landscape (Entire Setting and Feeling)

Issue: There has been no recognition, acknowledgment or consideration of the significance of the cultural landscape of the Underhill Farm property: reference the May 26, 2021 OPRHP letter:

“...includes historic landscape features such as a small pond and stone walls, and seven contributing outbuildings (a former summer kitchen/root cellar, three residential colleges, a carriage house/horse barn, a carpenter’s workshop/storage barn, and a chapel). Though many of these ancillary structures were adapted to meet the needs of a conference center and school they retain sufficient period integrity to represent the past agricultural history of the property. The period of significance is 1828 to 1888 encompassing the development of the property under the ownership of Abraham Underhill followed by his son, Edward B. Underhill.

Though the former estate’s acreage is substantially diminished from the original the remaining landscape around the house and ancillary buildings still embodies the rambling asymmetrical character of Italian Villa farmhouses and informal rural ideals. The parklike lawns and stone walls surrounding the house remain much as depicted in the 1880’s etching reproduced in Thomas Scharf’s “History of Westchester County.” The surviving outbuildings reflect the property’s former agricultural history.”

Issue: Unicorn has failed to acknowledge that the Underhill Farm property represents an important scenic gateway to the Yorktown Heights hamlet and the setting of one of the Town’s remaining historic and architectural treasures.

Issue: Unicorn’s archaeology consultant’s cultural landscape credentials and relevant work experience in cultural landscape projects is unknown.

Issue: The Unicorn environmental consultant has declared that 523 of the 703 “protected” trees or 74% will be removed from the property with no acknowledgment of how the cultural resource will be impacted.

Issue: The Unicorn environmental consultant has failed to acknowledge that the ENTIRE Underhill Farm property is a cultural historic resource and has been designated by OPRHP as eligible for State and National Registers listing.

Issue: The Unicorn archaeology consultant has provided no specifics about what is meant to “retain the historic landscape” and to the “extent possible,” (see the archaeology’s Additional Information Study, October 2021) but continues to make unsupported assertions, generalities and conjectures about the future of the “Mansion,” building standards and codes, impact on historic features and integrity, adaptive reuse, and unspecific and unapproved developer historic restoration plans and commitments.

Information Needed:

-Provide the cultural landscape credentials and relevant project experience of the archaeology and the environmental consultants

-Provide the name and credentials of a qualified a landscape architect with a proven track record/experience in cultural resource landscaping, heritage planting and biodiversity.

-Provide a list of the historic character distinguishing/defining features of the landscape: topography, relationship to adjoining streets, importance of side projections / alternate vantage points, stone walls, trees, pond, entry gate, vegetation, pathways/walk, and parking

-For each character defining landscape feature, specify what will be eliminated, retained, and/or modified and explain how, including mitigation plans, it will be accomplished and by whom

-Present the cultural landscape plans and an integrated master plan, including the interrelationships and hierarchy among all the elements of the property that address the historically and architecturally significant ENTIRE property (parklike lawns, pond, stone walls, trees, vegetation, and entry gate)

VII. Identify Aesthetic Resources

Issue: The current Underhill Farm property -- park like land, open space, over 500 of the protected trees, pond, stone walls, contributing outbuildings, flora and fauna -- will be demolished with the 148 unit dense residential complex.

Issue: The proposed 148 unit residential complex with 11K sq. ft. commercial / retail space will impair, diminish and interfere with public enjoyment and appreciation of this established, aesthetic historic resource.

Information Needed:

-Define the viewshed for the Underhill Farm property, the delineated impact area (including radius and distance)

-Provide the list of aesthetic resources designated by federal or state agencies that should be considered for potential significance of impact as a result of the Underhill Farm development

-Provide a description of the viewer groups / users of the aesthetic resources and the activity in which the viewers are engaged

-Provide a description of the aesthetic qualities (interaction between the viewer and the Underhill Farm landscape) and character of the inventoried aesthetic resources – physical (natural and man-made) and cultural components of the existing landscape

-Define the aesthetic value of the inventoried resources, including the specific reason why the resource is recognized for state and federal designation and value worthy of protection

- Conduct the visual assessment (viewshed analysis), including worst-case line of sight profiles
- Describe measures to avoid, mitigate or offset the visual and aesthetic impacts of the proposed Underhill Farm development (downsizing/reducing the density, relocation, lower profile, screening, camouflage/disguise)

VIII. Acknowledge Impact on Existing Neighborhood / Community Character

Issue: The Planning Board has failed to acknowledge the potential significant impacts on neighborhood and community character per SEQRA during the SEQRA Underhill Farm review meetings.

Issue: The planned Unicorn development will have significant adverse environmental impacts on the Underhill Farm property: land use, open space, historic and cultural resources, aesthetic / visual resources, transportation and infrastructure.

Issue: The defining features of the historic site will be irreparably altered, impairing the neighborhood and community character forever.

- Physically disturbing, destroying mostly open, undeveloped space -- 79% or 10.9 acres of 13.8 acres of Underhill Farm property*
- Infilling the remaining 2.9 acres with blacktop and parking lots*
- Removing and destroying large quantities of vegetation*
- Killing or driving away wildlife habitat*
- Removing 523 of 703 "protected" trees*
- Creating storm water runoff with the addition of 6.1 acres (44% of total acreage) of impervious space*
- Rechanneling wetlands and filling in wetland buffer for more buildable land and dense construction*
- Infilling 10 acres where wetlands are to build more structures*
- Demolishing and / or removing 7 historic outbuildings*
- Leveling and excavating park like land to build 148 residential units: multi-story remove town homes, condos and apartments*
- Transforming the existing land use from low density residential to high density multi-family mixed use*
- Adding 11K sq. ft. commercial /retail space resulting in a total of 17,580 sq. ft. into a residential neighborhood*
- Disrupting neighborhood quiet enjoyment-through two phases of construction over four years*
- Scenic gateway to hamlet replaced by dense residential complex*
- Demolishing the historic and architecturally significant property of Yorktown's founding fathers*

Issue: The Planning Board has failed to the acknowledge the potential adverse impacts of noise, odor, traffic, lighting, refuse, signage, and emergency services of the additional 11K sq. ft. of commercial/retail space totaling 17,580, including a regional inn and restaurant.

Information Needed:

- Provide a list and description of potential impacts that the Underhill Farm project will have on the Underhill Farm property, included but not limited to land use, open space, historic and cultural resources, visual resources, infrastructure, community services
- Define the impacts of the 17,580 sq. ft. of commercial/retail space on noise, traffic, lighting, signage, refuse, odor, water, sewer, air quality
- Develop a list of the defining features of the neighborhood
- Provide an assessment of the potential impacts, individually and/or in combination, to the neighborhood and community character
- Describe measures to avoid, mitigate or offset the impacts of the proposed Underhill Farm development (downsizing/reducing the density, relocation, alternate site plans, and lower profile)

IX. Irrelevant Letter of Resolution (LOR)

Issue: The current LOR is not relevant:

- developed and submitted by Unicorn to SHPO prior to zoning law approval and Unicorn approval as an applicant,
- based on 165 residential units and changed to 148 residential units at the SEQRA review start,
- numerous components of the plans keep fluctuating,
- lacking specifics in architectural standards, defining features, and
- does not reflect independent, objective assessments of the structural viability of the outbuildings.

Information Needed:

- No additional information is needed until all of the studies are completed, information gathered, and the decisions made regarding mitigation

MEMO

RECEIVED
PLANNING DEPARTMENT
SEP 7 - 2022
TOWN OF YORKTOWN

To: Planning Board
From: Susan Siegel
Re: Underhill Farm Determination of Significance
Date: September 7, 2022

In order to make a legally defensible Determination of Significance, Part 617.7 of SEQRA requires the Board to take into consideration the long term cumulative impacts of actions other than the immediate application.

2) For the purpose of determining whether an action may cause one of the consequences listed in paragraph (1) of this subdivision, the lead agency must consider reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions which are:

- (i) included in any long-range plan of which the action under consideration is a part;*
- (ii) likely to be undertaken as a result thereof, or*
- (iii) dependent thereon.*

(3) The significance of a likely consequence (i.e., whether it is material, substantial, large or important) should be assessed in connection with:

- (i) its setting (e.g., urban or rural);*
- (ii) its probability of occurrence;*
- (iii) its duration;*
- (iv) its irreversibility;*
- (v) its geographic scope;*
- (vi) its magnitude; and*
- (vii) the number of people affected.*

In order to satisfy the above SEQRA requirements, below is a suggested expanded list of some issues where the Board will most likely need additional information before making a determination of significance. The list includes many of the issues raised during the PIH and in memos to the Board that are part of the official record.

TRAFFIC

It has been stated at multiple Planning Board meetings that:

- The Board expects the Underhill Farm traffic study/mitigation plan to take a “holistic” view of the Route 118 corridor, defined as from the Triangle intersection to Underhill Avenue.
- The Transpo review of the Underhill Farm traffic study will address all the Board’s concerns about traffic.

It is clear, however, that upon closer examination:

- The Underhill Farm traffic report/mitigation plan **DOES NOT** take a holistic view of the Route 118 corridor nor, as required under SEQRA, does it include the cumulative traffic generation impacts from other “known” and “soft” potential development plans in the corridor.

- The Transpo review of the Underhill Farm report (attached) is limited in its scope and **DOES NOT** adequately address the Board’s holistic concern, especially for two critical intersections, Triangle and Downing Drive, that are part of the Route 118 corridor.
- Given the omissions in both the Underhill Farm traffic report and Transpo’s review of that report the Planning Board will need data from additional studies in order to make a Part 3 legally defensible determination of significance regarding traffic impact.

Based on the above, what follows are suggested specific traffic issues where the Board will need additional information before making a SEQRA determination of significance finding relating to traffic impact and mitigation.

A. Traffic generation

1. Provide site specific traffic generation numbers for the relocation of Uncle Guiseppe’s, a new tenant at the former Uncle Guiseppe’s location, redevelopment of Yorktown Green, Boutique Hotel, and Roma Building, and other “soft sites” cited in FEAF traffic study prepared (by Transpo) for the Overlay Law.
2. Provide capacity analysis for Triangle, Downing, Kear and Underhill Avenue intersections based on updated traffic generation numbers.
3. Provide tables and figures with updated traffic generation numbers and capacity analysis.
4. Provide traffic generation numbers and capacity analysis for Underhill Avenue and the Underhill Avenue/Route 118 intersection IF the cross-connection to Beaver Ridge is restricted to emergency use only.
5. Provide traffic generation numbers and capacity analysis for Underhill Avenue and the Underhill Avenue/Route 118 intersection FROM Beaver Ridge thru Underhill Farm roads to access Underhill Avenue.
6. Provide traffic generation numbers and capacity analysis from 11,000 sf of commercial space broken down between office and retail uses.
7. Provide traffic generation numbers and capacity analysis for proposed restaurant and inn use of main building.
8. Identify whether traffic generation numbers for commercial space include both visitors and employees.
9. Provide traffic generation numbers on anticipated number of truck deliveries, hours of delivery and type of truck/s for main house and commercial uses in the apartment/commercial building.

B. Need for mitigation plans for Route 118 corridor intersections based on updated traffic generation numbers and capacity analysis

1. Provide a plan, with cost estimate, for needed mitigation to the Downing Drive intersection.
2. Provide a plan, including estimated costs, for needed mitigation to the Kear Street intersection.
3. Provide a narrative that addresses whether the proposed mitigation plan to the Triangle intersection prepared during the Weyant/Roma traffic study will be sufficient to handle the additional traffic generation identified above.

C. Funding for mitigating plans

1. Provide plans for how the mitigation plan for the Underhill Avenue intersection will be funded, including funding sources and timetable for when improvements will be made.
2. Provide details of any proposed tax relief arrangement if Underhill Farm agrees to pay the entire cost of the Underhill Avenue intersection improvements, including but not limited to the amount of the tax relief, over what period of time and the legal authority for the tax relief.

3. Provide plans for how the mitigation plans for Kear Street, Downing Drive and Triangle intersections will be funded, including funding sources and timetable for improvements to each intersection.

D. Beaver Ridge connection

1. Provide documentation that the owners of Beaver Ridge will permit non-emergency vehicular access from Underhill Farm through their property.
2. Provide documentation that the width of the existing Beaver Ridge driveway from the rear of the building out to Allan Avenue can safely accommodate 2-way traffic from cars, vans, and trucks.
3. Identify who will be responsible for maintaining the dual use driveway.
4. Identify who will be responsible for liability issues involving the dual use driveway and dual use parking on the Underhill Farm site.

E. Complete Streets goal in Overlay Law

1. Identify how the plan furthers the Complete Streets goal of encouraging and supporting walking and cycling.
2. Explain, with appropriate documentation, why the site plan cannot include sidewalks along the west side of Route 118 as was stated at a Board meeting.

F. Parking

1. Provide what study/studies determined the number of parking spaces needed for the senior citizen center/ Parks Department building.
2. Provide number of parking spaces required for the “restaurant/regional inn” proposed for the main house, including the methodology used to arrive at that number.
3. Provide number of spaces needed for public use of the public park, including the methodology used to arrive at that number.
4. Provide number of spaces needed for guest parking, including the methodology used to arrive at that number.
5. For the parking spaces for the senior center/Parks Department building and also the public park, discuss which party/parties will be liable in the event of legal and/or insurance claims

NEIGHBORHOOD CHARACTER

Despite the fact that Part 617.7 of SEQRA recognizes “neighborhood character” as one of the criteria for determining signification,

(c) Criteria for determining significance:

(1) ...These criteria are considered indicators of significant adverse impacts on the environment:

(v) the impairment of the character or quality of important historical, archeological, architectural, or aesthetic resources or of existing community or neighborhood character;

the “Outline for an Expanded EAF Review” prepared by the Planning Department fails to include this critical environmental impact. The omission is compounded by the fact that over the course of multiple Board discussions after the PIH the impact on neighborhood character has never been raised.

Taking the required “hard look” in order to make a “reasoned elaboration” of the project’s adverse impact on neighborhood character would, at a minimum, require the following studies.

- A. Introduction of commercial uses into a residential neighborhood
 - 1. Provide market analysis showing need for additional commercial space and potential impact of new commercial space on existing commercial space in hamlet
 - 2. Provide anticipated hours of usage for all commercial space

- B. Increase in density
 - 1. Compare the proposed Underhill Farm density with existing density (units/acre) for existing Rochambeau condominium developments and Yorkridge Apartments.
 - 2. Compare proposed Underhill Farm FAR to FAR for Rochambeau condominium developments and Yorkridge Apartments.
 - 3. Compare the proposed density with existing density of single family houses on Underhill Avenue, Glen Rock Street, Cardinal Court and Overhill Street.
 - 4. Compare proposed density with existing underlying zoning and land use recommendations for the site in the Land Use chapter of the Comprehensive Plan.
 - 5. Explain how Underhill Farm differs from Beaver Ridge apartments built in an RSP-2 zone.
 - 6. Compare Underhill Farm FAR to FAR for RSP-2 zone.
 - 7. Provide a TOTAL Underhill Farm density calculation that includes both residential and commercial uses.
 - 8. Re-calculate Underhill Farm units/per acre by following established town precedent that subtracts wetlands and wetland buffers BEFORE calculating units/acre based on “buildable” acres.

- C. Visual impacts
 - 1. Provide elevations that illustrate impact of 3-story building in a neighborhood of one and two story buildings.
 - 2. Provide line-of-sight profiles from both Route 118 and Underhill Avenue that illustrate impact of removing over 500 trees.
 - 3. Provide line-of-sight profiles for Woods condominiums that back up to Underhill Avenue that include the 3-story apartment/commercial building.
 - 4. Provide a mitigation plan that will eliminate or reduce the adverse visual impacts along Route 118 and for the Woods condos.

- D. Open space
 - 1. Discuss how disturbing 80% of the site will interfere with and/or reduce the public's enjoyment and appreciation of the appearance of the 13.8 acre mostly undeveloped site.
 - 2. Provide mitigation plan that addresses the magnitude of disturbing 80% of the site, including but not limited to a revised site plan at a reduced density.
 - 3. Discuss the aesthetic importance of preserving open space on the road that is the gateway into the Yorktown Heights hamlet from two directions: Underhill Avenue and Route 118.

- E. Provide mitigation plans that include alternative site plans that address the following
 - 1. Not encroaching on wetlands and wetland buffers
 - 2. Retaining one or more of the outbuildings that are determined to be stable and worthy of retaining
 - 3. A lower residential density
 - 4. Eliminating commercial space in the “apartment” building
 - 5. Develop according to existing R1-40 zoning

SEWER INFRASTRUCTURE

1. Provide historic monthly flow history for Yorktown Heights Sewage treatment Plant for 2018 to last available monthly report prior to submission of report
2. Provide additional information on anticipated flow from
 - a. 11,000 sf of commercial space
 - b. 7,500 sf from restaurant and inn with 8 guest rooms
 - c. 315 residential units in Phase 1 of new Hallocks Mill Extension District
 - d. Approximately 300 additional existing residential units in Phase 2 of Hallocks Mill Extension District plan
 - e. Cumulative flows from other planned developments in the overlay district
 - i. Redevelopment of Yorktown Green
 - ii. Hotel Gardena
 - iii. Expansion of Uncle Guiseppe's to a new location
 - iv. New commercial tenant in prior Uncle Guiseppe's location
 - v. Roma Building
 - vi. The Weyant
 - vii. "Soft" sites identified in the FEAF prepared for the Overlay Law
3. Discuss DEP and DEC requirements associated with applications to both agencies for an expanded SPDES permit, including but not limited to the need for physical upgrades to the plant, their anticipated cost, and how the upgrades would be funded.
4. Discuss how additional flows from Underhill Farm will impact current capacity issues in the sewage trunk line/s leading to the treatment plant.

CULTURAL RESOURCES/HISTORIC

It is clear from reading the multiple memos from the Heritage Preservation Commission in the meeting packets that there are several very specific issues where the Board needs additional information before making any determination of significance, including but not limited to

1. unresolved questions relating to missing information
2. misinformation
3. the viability of each of the outbuildings
4. the professional credentials of the Unicorn consultant who prepared all the historic reports
5. an acceptable LOR

Rather than repeat what's in the HPC memos, I simply urge the Board to address the unresolved issues raised in those memos.

The Board also needs more information on the adaptive reuse plan for the main house, including but not limited to a discussion of what section of the Zoning Code authorizes a "regional inn."

CULTURAL RESOURCES/PUBLIC PARK

1. Identify all the existing public parks and outdoor open areas in the Yorktown Heights hamlet and within two miles of the hamlet.
2. Identify any study and/or documents that discuss the need for an additional public park in or near the Heights hamlet.
3. Identify groups or individuals who are advocating for an additional public park in or near the Heights hamlet.
4. Discuss the position of the Recreation Commission regarding the need for an additional public park in the Heights hamlet.

5. Provide estimate on park usage by the public, including methodology used to arrive at the estimate.
6. Assess the fiscal impact of the public park on Unicorn’s recreation fee requirement.
7. Discuss how park related liability issues will be covered.
8. Discuss how the public park area will be distinguished/delineated from the open space owned by the condo HOA.

DEMOGRAPHICS

1. Update school children count based on more accurate bedroom count and 2020 census data.
2. Update school children count assuming no age restrictions on any units.
3. Provide school district studies on current space utilization for all buildings.
4. Provide all available Yorktown School District future enrollment projections.

FISCAL IMPACT

1. Provide methodology used to arrive at assessed value numbers
 - a. were townhouses assessed as condos or fee simple
 - b. how 11,000 sf of commercial space was assessed
 - c. how 7,500 sf devoted to a restaurant and an 8-room “inn” was assessed
2. Provide 2022 town tax revenue and projected increase in town tax revenue broken down by type of tax, e.g., “town” tax (A,D,L), and special district taxes, e.g., water, refuse, EMS
 - a. Modify projections to reflect that commercial uses won’t pay some of those taxes, e.g., refuse and EMS
 - b. Delete fire district revenue which doesn’t go to town
 - c. Calculate refuse revenue based on how townhouses will be assessed
3. Provide more detail on potential increased expenses for special districts, e.g.
 - a. Water: Increase water purchase costs
 - b. EMS: is contract based on number of households?
 - c. Refuse: is contract based on number of pick up locations?
4. Discuss Recreation fee
 - a. What portion of the \$4,000/unit might to waived due to on-site recreation

HOUSING

1. Assess Yorktown’s housing needs for the following groups and types of housing, including methodology for arriving at the numbers and/or sources of data
 - a. Senior citizens
 - b. Starter families
 - c. Affordable housing
 - d. Apartments versus townhouses
2. Discuss what is meant by “senior friendly” units
 - a. Explain legal difference between “senior friendly” and “age restricted”
 - b. Explain legal requirements for designating any units as either “senior friendly” or “age restricted”
 - c. Identify which units, if any, would be “senior friendly” or “age restricted”

TG: 21025.00

Original: May 9, 2022
Revised: June 26, 2022

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

SUBJECT: REVIEW OF TRAFFIC ELEMENT OF UNDERHILL FARMS EAF

Dear Mr. Tegeder:

Thank you for this opportunity to support Yorktown on the Town's review of the Underhill Farms project in the Yorktown Height, which is the first application under consideration within the Planned Design District ("PDD") overlay zone.

We will provide our review and recommendations in multi-page letter format, along with a summary PowerPoint presentation. The core documents we will review are annexed to the EAF received by the Town on 3/16/22, including:

- Traffic Preliminary Concept Plan (dated 1/5/22)
- Traffic Impact Study (dated 4/11/22), and the Executive Summary (dated 4/26/22)
- Response from Applicant to MTA's query about ridership potential (dated 4/27/22)

Based on our initial review of the application materials, we anticipate that our review will focus on the following issues:

- Review of the site plan and driveway access
- Consideration of the potential for cut-through traffic via the access-connection to Beaver Ridge
- Review of the trip generation, trip distribution, and intersection-capacity ("Level of Service" impacts) approach, assumptions, and calculations
- Consideration of whether the "Triangle" intersection (Routes 118/35/202/Commerce St) and the intersection of Downing Drive and NY Route 118 should be studied in the traffic analysis
- Review of potential for impacts on access to/from Cardinal Court
- Review of pedestrian and bicycle access
- Review of parking provision
- Consistency with the transportation elements of Yorktown's Comprehensive Plan

In addition to these issues, we understand that a core issue of this project is to review the adequacy of prospective improvements at the intersection of Route 118 and Underhill Avenue, in light of traffic to be generated by the overall extent of projected development in the vicinity of the Overlay District as well as from the present applicant. To address this issue, Transpo will develop a new planning-level estimate of the costs of the improvements (taking ongoing construction cost-inflation into account), and will recommend to Yorktown our determination of the adequacy of the applicant's proposed contribution of \$450K towards design and construction. We have budgeted separately below for if the Town requires cost estimates for both of the two concept alternatives, or only one alternative. We would recommend that the Town authorize one cost estimate at this time as the traffic analysis will likely identify which is clearly superior

from a traffic perspective. If it becomes necessary to prepare a second cost estimate for the other alternative, the Town could then authorize that at a later date.

We anticipate participating in up to two Planning Board meetings, as well as two daytime meetings with Planning Department staff. If additional meetings and/or written interaction (memoranda, etc.) with the applicant's representatives beyond the effort contemplated herein become necessary, we would participate on a "time and materials" basis, and seek authorization in advance before accruing charges.

To begin our review, we will require the Synchro files and the electronic (likely Excel-format) trip generation and distribution worksheets. Please advise whether the Town would like to request these items from the applicant, or prefers that Transpo make this request directly.

Our fee for this work is as follows:

	Hours			Fee
	Duesing (\$299/hr)	Le Vine (\$235/hr)	Cavallo (\$210/hr)	
Review of traffic study	2	16	10	\$6,458
Meetings (2 with PB; 2 with staff)		4		\$940
			Subtotal	\$7,398
Prepare cost estimate of Rt 118/Underhill Ave improvements (if cost estimate of <u>one alternative</u>)			10	\$2,100
Prepare cost estimate of Rt 118/Underhill Ave improvements (if cost estimate of <u>two alternatives</u>)			15	\$3,150
			Total (with cost estimate of <u>one alternative</u> at Rt 118/Underhill Ave)	\$9,498
			Total (with cost estimate of <u>two alternatives</u> at Rt 118/Underhill Ave)	\$10,548

Upon notice to proceed from Yorktown, we envision completing this assignment within two weeks, and providing twice-weekly status updates as the work proceeds.

I will look forward to your feedback on this task proposal, and am looking forward to the opportunity to work with you on this assignment.



John H. Duesing
 Executive Director

AUG 23 2022

TOWN OF YORKTOWN

From: Lynn Briggs <lynn1200@aol.com>
Sent: Tuesday, August 23, 2022 10:37 AM
To: Robyn Steinberg
Cc: afetzer36@gmail.com; bridgetkrowe@gmail.com; tmcloughlin2384@gmail.com;
christine.sisler@gmail.com
Subject: Request to Update the Underhill Farm FEAF

Robyn, please send to the Planning Board and include in the Underhill Farm Public Record.

Thank you.

YHPC

August 23, 2022

Subject: Request to Update the Underhill Farm FEAF Part 1

Dear Planning Board,

As indicated in the YHPC May 26, 2022 Comments and Questions to the Planning Board for Underhill Farm (page 33), the Full Environmental Assessment Form (FEAF), dated December 9, 2020 and submitted by Unicorn into the SEQRA review process for the March 28, 2022 Work Session, is out of date (now 20 months old) and contains several factual errors.

Please ask Unicorn to update the FEAF based on current and accurate information and submit it into the Public Record.

Thank you.

Respectfully submitted,
Yorktown Heritage Preservation Commission
August 23, 2022

AUG 23 2022

From: Lynn Briggs <lynn1200@aol.com>
Sent: Tuesday, August 23, 2022 10:18 AM
To: Robyn Steinberg <rsteinberg@yorktownny.org>
Cc: afetzer36@gmail.com; bridgetkrowe@gmail.com; tmcloughlin2384@gmail.com; christine.sisler@gmail.com
Subject: Please submit YHPC Comments to Planning Board Members-Time Sensitive

Good Morning Robyn, please send to Planning Board members. We understand the next Underhill Farm PB meeting is not until September 12. This information may be time sensitive. Please confirm you were able to forward it on today. Thank you.

YHPC

August 23, 2022

To: Planning Board
From: Yorktown Heritage Preservation Commission
Subject: August 15 PB Meeting and Planning Director Comments re YHPC Implication Board Not Spending Time Discussing Historic-Underhill Farm

Dear Planning Board:

Thank you for your comments at the August 15 Planning Board Underhill Farm Work Session, referencing a July 12 communication from the YHPC. The purpose of this email is to clarify into the Underhill Farm public record the inaccuracies stated at the Planning Board meeting.

First, to set the record straight, **the YHPC did not submit any correspondence dated July 12** into a Underhill Farm meeting packet as referenced by the Planning Director. And we are unclear about origins of the Chairman's comment: "We have to deal with the impact with the state and letter out there about the town not receiving input from the public on historic." Perhaps you were referencing a July 27 email to the Planning Board from the YHPC, Subject: Historic Issues and Questions, voicing disappointment about the lack of Board discussion about the submitted historic issues and their significance.

Second, to correct the record, **we are in 100% agreement that the Planning Board HAS covered "historic"** during the seven work sessions since project start. We have heard the Unicorn consultant presentations and reports, and per the Planning Director, their "commentary" and coverage of the "attributes," and questioning the SHPO national register eligibility determination and whether to accept the SHPO adverse effect finding for Underhill Farm.

Third, but with all due respect, **our concern is not about the number of minutes spent but the failure to address in the public forum the significant historic issues YHPC has raised.** These include unclear consultant credentials, consultant study omissions and misrepresentations, unverified structural integrity of the outbuildings, and the objectivity of applicant only studies, among them.

Finally, yes, we have submitted 11 communications regarding the historic issues to the Planning Board and public record. At the August 15 meeting, the Planning Director referred to this as "full participation in the process." **Simply receiving 11 emails into a meeting packet is not "full participation" vs. Board members engaging in a thorough discussion of the historic issues and their impacts / implications outlined in the correspondence.**

Should the Planning Board submit comments into the record regarding this matter, YHPC respectfully requests that the record reflect:

- 1) that there is no referenced YHPC July 12 communication
- 2) that YHPC has not challenged the number of minutes the Planning Board has covered "historic" but the lack of addressing the historic issues submitted-- that is, the Board has failed to directly engage in discussion of the issues or their significance and/or address their associated unanswered questions
- 3) that as part of the SEQRA site review process, the YHPC urges the Planning Board members (vs staff) to engage in a thorough discussion of the historic issues submitted and their significance

We are proud stewards of our heritage and historic assets and like you, take our volunteer jobs very seriously; at your invitation, we have spent scores of hours carefully reviewing each of the Unicorn studies and presentations to develop the list of issues and questions submitted to you. We look forward to the Planning Board addressing the YHPC submitted historic issues.

Respectfully submitted,
Yorktown Heritage Preservation Commission
August 23, 2022

From: gilda aronson <gilda@gildaaronson.com>
Sent: Wednesday, August 17, 2022 3:56 PM
To: Planning Department
Subject: Underhill Farm

RECEIVED
PLANNING DEPARTMENT

AUG 17 2022

TOWN OF YORKTOWN

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

To whom it may concern:

I am voicing my opinion that the planning board should conduct an EIS rather than an EFEAF when reviewing the proposed development. That is the only way a complete and comprehensive study will be performed.

Sincerely,

Gilda Aronson
Gyrotonic White Plains
www.gyrotonicwhiteplains.com
914-522-5533

AUG 17 2022

TOWN OF TONKATOWN

From: trish <trish@bin-15.com>
Sent: Wednesday, August 17, 2022 4:29 PM
To: gilda aronson
Cc: Planning Department
Subject: Re: Underhill Farm

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

Thank you Gilda. It's through raising our voices we can fight this over development.
Trish

Sent from my iPhone

On Aug 17, 2022, at 3:55 PM, gilda aronson <gilda@gildaaronson.com> wrote:

To whom it may concern:

I am voicing my opinion that the planning board should conduct an EIS rather than an EFEAF when reviewing the proposed development. That is the only way a complete and comprehensive study will be performed.

Sincerely,

Gilda Aronson
Gyrotonic White Plains
www.gyrotonicwhiteplains.com
914-522-5533

From: Christine Sisler <christine.sisler@gmail.com>
Sent: Monday, August 15, 2022 7:20 PM
To: Planning Department
Subject: Underhill Farm Development - Vote EIS

RECEIVED
PLANNING DEPARTMENT
AUG 16 2022
TOWN OF YORKTOWN

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

Dear Yorktown Planning Board:

We know that you're meeting tonight to discuss and decide on the Underhill Farm Project, and we are requesting that you select the comprehensive Environmental Impact Study (EIS) option for the Underhill Farm development project.

Please do what's in the best interest of our Town and community. Choose the EIS, it is the **ONLY** option which protects our community's quality of life vs. the developer's financial interests.

Sincerely,
Christine and Gary Sisler
(914) 671-6760

From: Joseph P Streany Jr <joe.streany@gmail.com>
Sent: Monday, August 15, 2022 9:50 PM
To: Planning Department
Subject: Soundview property

RECEIVED
PLANNING DEPARTMENT
AUG 16 2022
TOWN OF YORKTOWN

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

Dear Yorktown Planning Board,

I am requesting that you select the comprehensive Environmental Impact Study (EIS) option for the Underhill Farm development project. Based on the various meetings about this property there needs to be an in-depth study of several aspects of its proposed development.

Living across the street and sharing 352' of property with them on Glen Rock will significant alter the quality of life here. This company has time and again shown their primary concern are their profits. They have presented unprepared documents for review and seemingly fast-tracked their way into zoning changes. Unicorn has displayed unsavory business tactics, inaccurate advertisements in local newspapers and claims to be senior housing but fails to actually tell us who can live there. Not to mention how many of each type of unit will be properly equipped for senior residence. Unicorn claims to be senior residence but their marketing tactics stink of missed opportunities to push development of market rate housing to the highest bidder.

This comprehensive look needs to hold the residents and future of residents here in Yorktown above all else. At the present time you are putting the interests of a business above the people.

Again, this property development will significantly alter my family's future here in Yorktown. As a young and growing family, this decision will define our future directly. The beautiful, welcoming property across from our home will forever change in a horrific manner. We moved here to grow a family, your decision needs to support local families like mine.

Thanks for your support

Joe & Jillian Streany
Joe.Streany@gmail.com
(914) 393-0712

From: Kathryn Lewis <stpatsmusic@gmail.com>
Sent: Tuesday, August 16, 2022 9:14 AM
To: Planning Department
Subject: Please select the Environmental Impact Study!!

RECEIVED
PLANNING DEPARTMENT
AUG 16 2022
TOWN OF YORKTOWN

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

We need as much information as possible for a project that will have such a significant effect on our community.

Thank you.

Kathey Lewis
1770 Morningview Drive

Draft Minutes

ThermoDynamics

State Environmental Quality Review
NEGATIVE DECLARATION
Notice of Determination of Non-Significance

Project Number N/A

Date: October 21, 2019

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Town of Yorktown, Planning Board, as lead agency, has determined that the proposed action described below will not have a significant environmental impact and a Draft Impact Statement will not be prepared.

Name of Action:

Lighting Plan ThermoDynamics Corp.

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Update the existing lighting as part of the renovation of the existing building.

The site is located at the address 2989 Navajo Street, Town of Yorktown

Section 6.18, Block 1, Lot 30

Location: (Include street address and the name of the municipality/county. A location map of appropriate scale is also recommended.)

2989 Navajo Street, Town of Yorktown Heights, Westchester County

Reasons Supporting This Determination:

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

- 1) This negative declaration is based on a Short Environmental Assessment Form dated July 27, 2022.
- 2) The lighting will be upgraded to more energy efficient fixtures.
- 3) There is no increase in impervious surface.
- 3) There is no increase in the area of disturbance.
- 4) There is no increase for demand in Town services.

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

For Further Information:

Contact Person: Robyn Steinberg, Town Planner

Address: 1974 Commerce Street, Yorktown Heights, NY 10598

Telephone Number: 914-962-6565

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

Chief Executive Officer , Town / City / Village of

Other involved agencies (If any)

Applicant (If any)

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

**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION APPROVING
A LIGHTING PLAN FOR THE
THERMODYNAMICS CORP.**

RESOLUTION NUMBER: #00-00

DATE:

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

WHEREAS in accordance with the Planning Board's Land Development Regulations, Town of Yorktown Town Code Chapter 195, adopted February 4, 1969 and as amended, a request for approval of a plan titled, "Alterations to Existing Building for ThermoDynamics Corp.," prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022 was submitted to the Planning Board on behalf of the property owner, McBrothers Realty, LLC (hereinafter referred to as "the Applicant"); and

WHEREAS the property owned by McBrothers Realty, LLC is located at 2989 Navajo Street and is also known as Section 6.18, Block 1, Lot 30 on the Town of Yorktown Tax Map (hereinafter referred to as "the Property"); and

WHEREAS pursuant to SEQRA:

1. The action has been identified as an Unlisted action.
2. The Planning Board has been declared lead agency on <DATE>.
3. A negative declaration has been adopted on <DATE>, on the basis of a Short EAF dated July 27, 2022.

WHEREAS the applicant has requested to update the existing lighting as part of the renovation of the existing building; and

WHEREAS as part of this request the following plan was submitted:

1. A drawing, Sheet C-1, titled "Site Plan and Zoning Information," prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022; and
2. A drawing, Sheet C-2, titled "Site Lighting Photometric & Landscape Plans" prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022; and
3. A drawing, Sheet C-3, titled "Property Survey of Existing Conditions & Diagrammatic Plans of Existing & Proposed Uses" prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022; and

4. A drawing, Sheet EX-1, titled “Floor Plans of Existing Conditions & Reference Photographs” prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022; and
5. A drawing, Sheet EX-2, titled “Exterior Elevations & Cross Sections Existing Conditions” prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022; and
6. A drawing, Sheet A-1, titled “Proposed Floor Plans & Building Cross Sections” prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022; and
7. A drawing, Sheet A-2, titled “Proposed Exterior Elevations” prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022; and
8. A drawing, Sheet A-3, titled “Proposed Sections & Details” prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022; and

Boards & Agencies

ABACA

Report Date

08/10/2022

BE IT NOW RESOLVED that the application of The Helmes Group for the approval of a lighting plan, prepared by The Helmes Group, LLP, dated August 5, 2022 and last revised August 11, 2022, and that the Chairman of this Board be and hereby is authorized to endorse this Board's approval of said plan; and

RESOLVED the applicant shall submit five (5) sets of plans to the Planning Department for signature by the Planning Board Chairman;

BE IT FURTHER RESOLVED that unless a building permit has been issued by **September 12, 2023**, or a time extension has been granted by the Planning Board, this approval will be null and void.

TOWN OF YORKTOWN

ADVISORY BOARD ON ARCHITECTURE & COMMUNITY APPEARANCE (*ABACA*)

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

To: Planning Department
From: ABACA
Date: August 10, 2022
Subject: Thermo Dynamics Corp.
6.18-1-30; 2989 Navajo Street

RECEIVED
PLANNING DEPARTMENT

AUG 11 2022

TOWN OF YORKTOWN

Documents Submitted:	Referred By:
The Helmes Group LLP - Submission Letter dated 7/29/22 Plans dated 3/31/22; Exterior Material List dated 8/9/22	Planning Department

The Advisory Board on Architecture and Community Appearance reviewed the above referenced subject at their meeting held on Tuesday, August 9, 2022. Peter Helmes, AIA; and John McCormick, property owner, were present. The applicant is relocating their business, Thermo Dynamics Corp. from Peekskill to their new building in Yorktown, *formerly occupied by Fire Glow Distributors*, for their office and storage/warehouse. The second floor above the proposed office area is currently proposed as unfinished but will potentially be finished as additional office space for a future tenant. The proposed project includes interior alterations, upgrades to the existing façade; site lighting and incorporation of landscaping at the entry.

The ABACA has the following comments:

Architecture

The Board was pleased with the architectural design proposed for the building. It feels that the design enhancements specifically the removal of the mansard roofs and the integration of quality materials will result in major improvement to the building site and area.

The applicant submitted an exterior material list attached herewith and presented the color palette and samples for the Board's review. While the colors on the exterior elevation drawings don't relate precisely to the proposed materials and colors, the Board was pleased with the palette and materials as listed and presented.

Lighting Plan

The applicant presented a lighting plan with photometrics and fixture selection. The Board feels that the proposed lighting plan and wall mounted wall pack fixtures submitted are acceptable for this building and site.

Landscape Plan

The applicant submitted a preliminary planting plan to demonstrate the intent to improve the landscaping at the entrance of the site and to soften the façade. The Board appreciates the intent and requests for the applicant to provide an enhanced professional landscape design that addresses the following comments:

- Plants should be grouped logically and sizes and materials should be confirmed.
- Plant selections and placement should be appropriate and should work to accent the architecture.
- The plan is to include a four-season maintenance plan.

Signage

The Building façade includes the applicant's intent for the building signage and while the Board generally feels that this is acceptable, it requests for the applicant to submit a separate signage application to the Building Department for conformity to the zoning code and referral to this Board for approval.

Christopher Taormina

Christopher Taormina, RA
Chairman

/nc; Attachments

cc: Planning Department; Planning Board; Applicant

TOWN OF YORKTOWN

ADVISORY BOARD ON ARCHITECTURE & COMMUNITY APPEARANCE (ABACA)

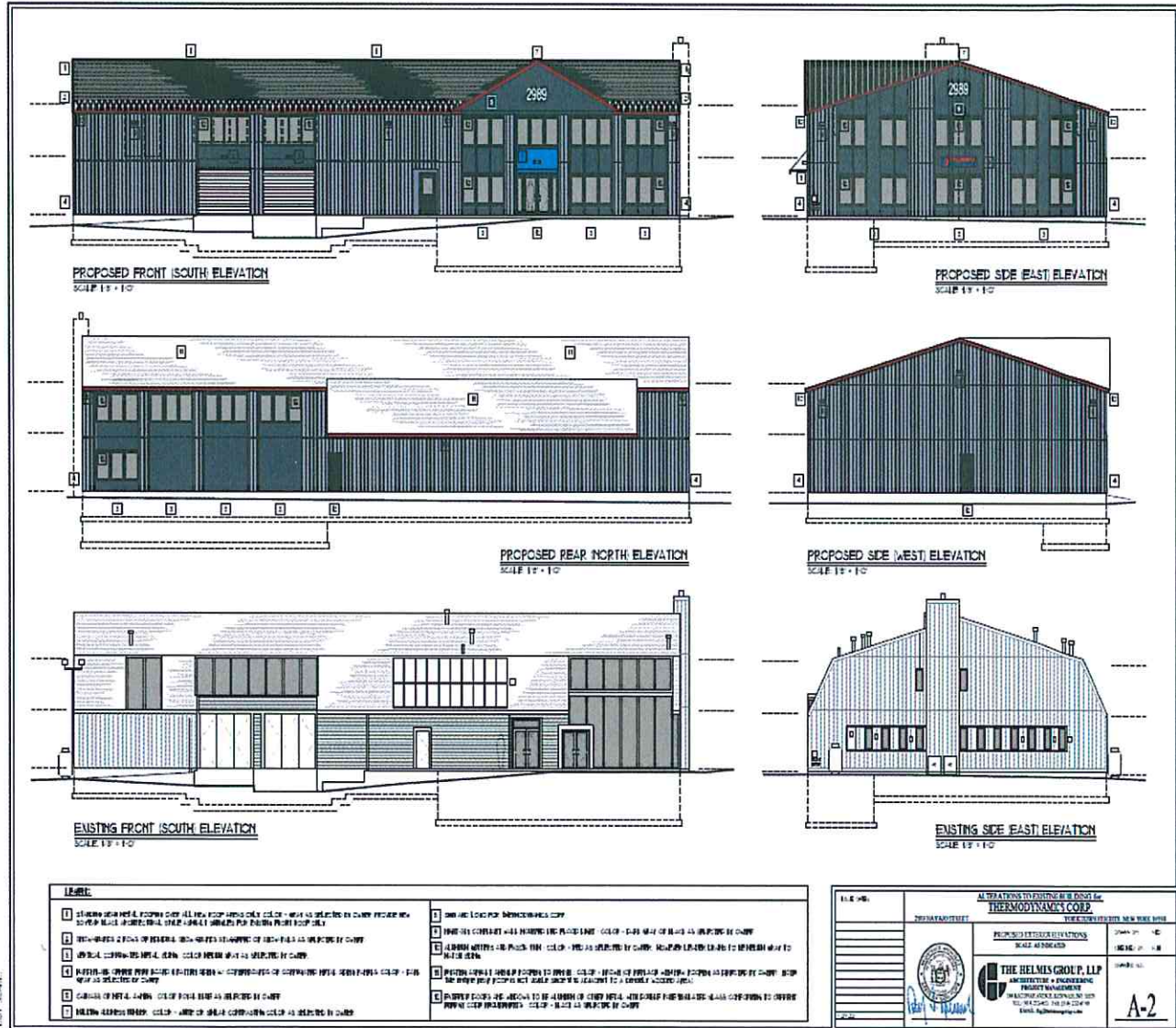
Albert A. Capellini Community and Cultural Center, 1974 Commerce Street, Yorktown Heights, New York 10598, Phone (914) 962-6565

ABACA Memo – Thermo Dynamics Corp

August 10, 2022

Page 2 of 4

Proposed Exterior Façade Upgrades



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

ABACA Memo – Thermo Dynamics Corp
August 10, 2022
Page 3 of 4

Exterior Material Color Selections

2989 Navajo Street, Yorktown Heights NY
(For 8/9/22 ABACA Meeting)

Front Roof Architectural-Style Asphalt Shingles: “Charcoal” as manufactured by GAF Timberline - *See sample*

Front Roof Metal Standing Seam at Eaves: as Mfg. by: A.B. Martin Roofing Supply, LLC – Color: Charcoal” - *See sample*

Metal Gutters: 6-inch Heavy Duty as Mfg. by A.B. Martin Roofing Supply, LLC / Color: Bright Red - *See sample*

Metal Roof Leaders: 4-inch Heavy Duty as Mfg. by A.B. Martin Roofing Supply, LLC / Color: Slate Gray - *See sample*

Siding - Corrugated Metal: as Mfg. by: A.B. Martin Roofing Supply, LLC - Color Pewter Gray” - *See sample*

Siding –“Alternate” for Cement Fiber - Board & Batten as Mfg. by: James Hardie): Gray Slate” - *See sample*

Flush Board Siding Panels & Battens - Cement Fiber as Mfg. by: James Hardie): Color: Iron Gray” - *See sample*

Trim for Facias and Rake Boards: Boral – Smooth Side Out (Red Aluminum – Color to match Bright Red or Red Paint) *See Sample from AB Martin*

Aluminum Storefront Entrance - Color: “Black” As Mfg. by Kawneer or Equal - *See Aluminum storefront sample*

Aluminum Clad Windows – Awning-Type: “Black” As Mfg. by Marvin or approved equal - *See Aluminum storefront sample*

Canvas Awning: “Royal Blue Tweed” - As Fabricated by Durkin Awnings - *See sample*

Exterior Wall-Mounted Light Fixtures – As Mfg. by: Holophane (Acuity Brands) Color Black. *Note: Lighting will be on timer from dusk to 10 p.m. then will automatically switch off yet will be set to motion detection with 15 min. run time.*

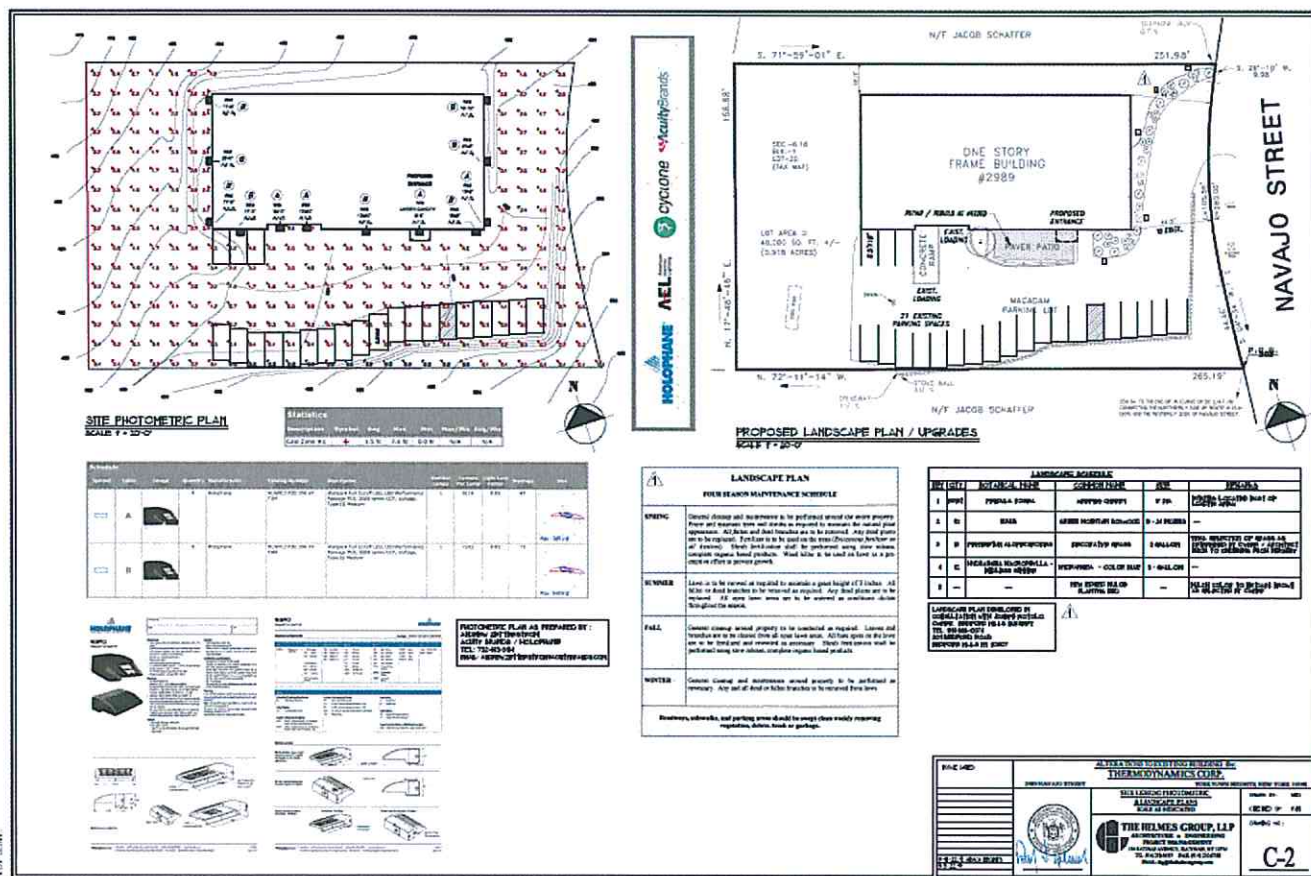
TOWN OF YORKTOWN

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

ABACA Memo – Thermo Dynamics Corp
August 10, 2022
Page 4 of 4

Proposed Lighting/Landscaping Upgrades





THE HELMES GROUP, LLP

ARCHITECTURE • ENGINEERING
PROJECT MANAGEMENT

RECEIVED
PLANNING DEPARTMENT

AUG 11 2022

TOWN OF YORKTOWN

August 11, 2022

Emailed on 8/11/22 & Hand Delivered on 8/12/22

& Via Email c/o: jtegeder@yorktownny.org
John A. Tegeder, RA, Director of Planning

& Via Email c/o: rsteinberg@yorktownny.org
Robyn A. Steinberg, AICP, CPESC

& Via Email c/o: ncaliccia@yorktownny.org
Nancy Calicchia, ABACA Secretary

Christopher Taormina, AIA, Architect, Chairman
Town of Yorktown Advisory Board on Architecture & Community Appearance
Albert A. Capellini Community & Cultural Center
1974 Commerce Street - Room 222
Yorktown Heights, NY 10598

Project: Proposed Interior Alterations along with Upgrades to Exterior Façades including New Dark-Sky Compliant Site Lighting & Upgraded Landscaping for ThermoDynamics Corp. – HVAC Contractor and Service Company
2989 Navajo Street, Yorktown Heights, NY 10598
Tax Assessor Section 6.18, Block No. 1, Lot No. 30
Owner: McBrothers Realty, LLC – Ryan McCormick, Member

Subject: Application for ABACA Approval
(Revised Drawings dated 08/11/22 incorporating ABACA Recommendations)

Dear Chairman Taormina and Members of the Board:

Thank you for your comments and recommendations from our meeting this past Tuesday, August 9, 2022. Accordingly, we have revised the Drawings in an effort to incorporate all of your comments and/or recommendations.

Based on the above, we will hand deliver one (1) complete copy of the following information in support of this Application for ABACA Approval early in the day tomorrow, Friday, August 12, 2022:

- Revised Drawings all last dated 8/11/22 as prepared by The Helmes Group, LLP consisting of the following:
 - Drawing C-1 – Site Plan & Zoning Information
 - Drawing C-2 – Site Lighting Photometric & Landscape Plans
 - Drawing C-3 – Property Survey of Existing Conditions & Diagrammatic Plans of Existing and Proposed Uses
 - Drawing EX-1 – Floor Plans of Existing Conditions & Reference Photos
 - Drawing EX-2 – Exterior Elevations & Cross Sections – Existing Conditions
 - Drawing A-1 – Proposed Floor Plans & Building Cross Sections
 - Drawing A-2 – Proposed Exterior Elevations
 - Drawing A-3 – Proposed Sections & Details

- A link has been emailed to Nancy Calicchia, ABACA Secretary, with all the above information in digital PDF format.

The following items were discussed at our August 9, 2022 meeting before ABACA. Our reply is outlined below:

1. **Metal Roofing Detail** – One of the Members of the Board requested that we provide a Detail indicating the transition between the new Architectural style asphalt roof shingles and the standing seam metal roof. We have reviewed this condition with the Manufacturer of the metal roofing and have included a Detail on Drawing A-3, (Detail 4 entitled: Typical Roof Transition Detail).

2. **Garage Doors** – The attached Revised Drawings indicate the Proposed Windows in the top section of the two (2) new overhead garage doors. This was not indicated on the original Drawing submission. We wanted to add these windows to permit natural light / daylighting into the warehouse space.

3. **Gutters & Leaders** - One of the Board Members asked whether the existing building has gutters and leaders. We revisited the project on Wednesday, August 10, 2022, and have confirmed that gutters and leaders are in fact provided. The proposed new Gutters and Leaders will utilize the same underground drainage piping / drainage system.
4. **Landscape Plan** – Since the Landscape Architect was unable to attend the meeting, it was our understanding that the Board will defer to him regarding any comments on the proposed Landscaping Plan. After speaking with Nancy Calicchia, ABACA Secretary earlier today, she advised that the Town Landscape Architect stated that he recommended a Landscape Professional or Landscape Architect be retained to prepare a Professional Landscape Plan. With this information we consulted with Joseph Rotolo, Owner of Bedford Hills Nursery, for guidance on modifying the Landscape Plan. Joe assisted our office with the selection of plantings, including providing both the botanical and common names for each. He also recommended modifying the spacing for the proposed new plantings as well as their sizes and suggested we arrange them in groups and use the Green Mountain Boxwood evergreens to separate the groupings. The Revised Landscape Plan incorporates all his recommendations. We trust that this revised Landscape Plan will be satisfactory to the consulting Landscape Architect for ABACA.
5. **Landscape Maintenance** – The Town Requirements for Landscape Maintenance have been included on the Drawings underneath the Proposed Landscape Plan (See Drawing C-2). The Owner is also aware of these requirements and will make sure that all lawns and landscaping are properly maintained.
6. **Signage** – Although we believe the Board was satisfied with the proposed signage and the proposed street address numbers, the Owner is aware that the Company to be hired for the signage will need to make a separate Application and obtain separate approval for all exterior Building Signage from ABACA prior to ordering and installing.
7. **Exterior Material List** – In addition to the General Legend of Exterior Materials found on Drawing A-2, the attached revised drawing also includes a Detailed Listing of all Materials as well as the selected colors and the Manufacturer's name for each different component.

I trust the above information provides everything you need to complete your review of this Application for ABACA Approval. However, if you have any questions or require any additional information, please do not hesitate to contact me.

Respectfully submitted,

THE HELMES GROUP, LLP

A handwritten signature in black ink, appearing to read "Peter J. Helmes". The signature is fluid and cursive, with a long horizontal flourish at the end.

Peter J. Helmes, AIA
Architect / Partner

PJH:LAS

cc: Ryan & John McCormick – McBrothers Realty, LLC (ThermoDynamics Corp.)



THE HELMES GROUP, LLP
ARCHITECTURE • ENGINEERING
PROJECT MANAGEMENT

July 29, 2022

Hand Delivered

& Via Email c/o: jtegeder@yorktownny.org

John A. Tegeder, RA, Director of Planning

& Via Email c/o: rsteinberg@yorktownny.org

Robyn A. Steinberg, AICP, CPESC

& Via Email c/o: ncaliccia@yorktownny.org

Nancy Calicchia, Planning Board Secretary

Richard Fon, Chairman
Town of Yorktown Planning Board
Albert A. Capellini Community & Cultural Center
1974 Commerce Street - Room 222
Yorktown Heights, NY 10598

Project: Proposed Interior Alterations along with Upgrades to Exterior Façades including New Dark-Sky Compliant Site Lighting & Upgraded Landscaping for ThermoDynamics Corp. – HVAC Contractor and Service Company
2989 Navajo Street, Yorktown Heights, NY 10598
Tax Assessor Section 6.18, Block No. 1, Lot No. 30
Owner: McBrothers Realty, LLC – Ryan McCormick, Member

Subject: Application for Site Plan Approval (Site Plan – Formal)

Dear Chairman Fon and Members of the Board:

The above referenced property was recently purchased by Ryan & John McCormick under the entity McBrothers Realty, LLC. Their Company is ThermoDynamics Corp., a reputable Mechanical / HVAC Installation and Service Contractor. Currently, their facilities are located in Peekskill, NY yet their plan is to move into their new building in Yorktown, hopefully by October of 2022 as their lease will be expiring. In our opinion, the building is well suited for their business and I believe the proposed improvements will be a great improvement to the area.

Based on the above, enclosed herewith please find four (4) complete copies plus one (1) original making five (5) copies in total of the following information in support of this Application for Site Plan Approval:

- Letter of Authorization from Owner allowing Architect to Act on Owner's Behalf, dated 07/27/22
- Application for Site Plan Approval, dated 07/27/22
- Short Environmental Assessment Form, dated 07/27/22
- Drawings all last dated 7/29/22 as prepared by The Helmes Group, LLP consisting of the following:
 - Drawing C-1 – Site Plan & Zoning Information
 - Drawing C-2 – Site Lighting Photometric & Landscape Plans
 - Drawing C-3 – Property Survey of Existing Conditions & Diagrammatic Plans of Existing and Proposed Uses
 - Drawing EX-1 – Floor Plans of Existing Conditions & Reference Photos
 - Drawing EX-2 – Exterior Elevations & Cross Sections – Existing Conditions
 - Drawing A-1 – Proposed Floor Plans & Building Cross Sections
 - Drawing A-2 – Proposed Exterior Elevations
- A link has been emailed to Nancy Calicchia, Planning Board Secretary, with all the above information in digital PDF format.

As per my telephone conversation with John Tegeder, RA – Director of Planning, it is our understanding that the Town of Yorktown will review the Application and advise us of the required Application Fee. Once the fee has been determined, the Owner will make arrangements to deliver a check to the Town prior to the meeting.

Brief Description of Proposed Improvements

The building was previously occupied for many years by Fire Glow Distributors, for their retail sales/showroom, offices and storage/warehouse.

The property consists of 0.918 acres or approximately 40,005 square feet and has 280 linear feet of road frontage along the west side of Navajo Street. Public water, electric, telephone and cable TV utilities currently serve the existing building. In addition, a septic system is provided and is fully operational. Other than some possible minor improvements, the existing paved driveway, parking areas, brick paver patio and storm drainage will remain.

The proposed site improvements will involve new dark sky compliant LED site lighting with the light source screened along with some proposed upgrades to the existing landscaping. In addition, the above-ground LP gas tanks and the existing air-conditioning units currently located along the east and south facades will be removed. New outdoor HVAC electric heat pump units will be located on pads and located out of view from the road or parking lot areas.

The existing building is a gambrel style barn-type structure utilizing wood frame construction and wood roof trusses. The building is equipped throughout with a wet-type fire suppression sprinkler system. A large portion of the building is used for warehouse/storage space with most of the storage space located on the first floor, yet some storage is available in the small basement and in the mezzanine area.

In our opinion, the building is somewhat outdated and could benefit from the proposed upgrades. The existing exterior doors and windows will be replaced with new energy efficient doors and windows. The gambrel barn-style building will be changed to a simple gable style to provide a more contemporary look. New exterior materials are also proposed.

The first floor of the building will be renovated to convert the existing showroom and office areas into new offices for ThermoDynamics. The existing warehouse will remain largely intact, however minor adjustments may be made to accommodate their needs. The existing mezzanine level will be upgraded sometime in the near future to provide second floor offices for a future tenant.

(Reference is made to the attached drawings for more detailed information.)

I trust the above information will provide you with everything you need for your review of this Application for Amended Site Plan Approval. However, if you have any questions or require any additional information, please do not hesitate to contact me.

It is my understanding that we will be scheduled to appear before your Board at your regularly scheduled meeting for Monday August 15, 2022 beginning at 7 PM in the Town Hall – Town Board Room located at 363 Underhill Avenue, Yorktown Heights, NY. I look forward to making a short presentation at that time.

Respectfully submitted,

THE HELMES GROUP, LLP



Peter J. Helmes, AIA
Architect / Partner

PJH:LAS

cc: Ryan & John McCormick – McBrothers Realty, LLC (ThermoDynamics Corp.)

FR

McBrothers Realty, LLC
8 John Walsh Boulevard – Suite 401
Peekskill, NY 10566
Tel. 845-905-9324

July 27, 2022

Hand Delivered

& Via Email c/o: jtegeder@yorktownny.org
John A. Tegeder, RA, Director of Planning
& planning@yorktownny.org

Richard Fon, Chairman
Town of Yorktown Planning Board
Albert A. Capellini Community & Cultural Center
1974 Commerce Street - Room 222
Yorktown Heights, NY 10598

Project: Proposed Interior Alterations with Exterior Façade & Landscape Upgrades for ThermoDynamics Corp. – HVAC Contractor and Service Company
2989 Navajo Street, Yorktown Heights, NY 10598
Tax Assessor Section 6.18, Block No. 1, Lot No. 30
Owner: McBrothers Realty, LLC – Ryan McCormick, Member

Subject: Letter of Authorization for Architect to act on Owner's behalf

Dear Chairman Fon and Members of the Board:

I Ryan McCormick, Member / Owner of the above subject property, hereby authorize Peter J. Helmes, AIA, of The Helmes Group, LLP, Architects, to act on our behalf as Owner's agent for filing all Applications and/or making any necessary presentations to the Town in connection with obtaining any required approvals from the Town of Yorktown Planning Board.

If you have any questions or require any additional information, please do not hesitate to contact me.

Sincerely,

McBrothers Realty, LLC



Ryan McCormick, Member / Owner

Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

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

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

Part 1 – Project and Sponsor Information				
Name of Action or Project: 2989 Navajo Street (Building for ThermoDynamics Corp. - HVAC Contractor and Service Company)				
Project Location (describe, and attach a location map): 2989 Navajo Street, Yorktown Heights, NY 10598				
Brief Description of Proposed Action: Removal / build-over of existing gambrel roof and construct new building eaves. Keep existing asphalt shingle roofing where applicable and install new standing seam metal roofing at new roof areas. Update existing siding materials to cement fiber board and batten with corner boards or corrugated metal panels. Install new exterior energy efficient windows and doors. Interior renovations to accommodate new HVAC contractor business and convert existing Mezzanine to a separate 2nd Floor tenant space.				
Name of Applicant or Sponsor: The Helmes Group, LLP - Peter Helmes, AIA		Telephone: 914-232-4633 Ext. 14 E-Mail: pjh@thehelmesgroup.com		
Address: 184 Katonah Ave				
City/PO: Katonah		State: NY	Zip Code: 10536	
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: Planning Board, ABACA & Building Department			NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.918 acres		
b. Total acreage to be physically disturbed?		0 acres		
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0 acres		
4. Check all land uses that occur on, are adjoining or near the proposed action:				
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input checked="" 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				

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

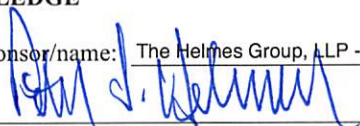
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply:		
<input type="checkbox"/> Shoreline <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO	YES
	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
If Yes, briefly describe:		

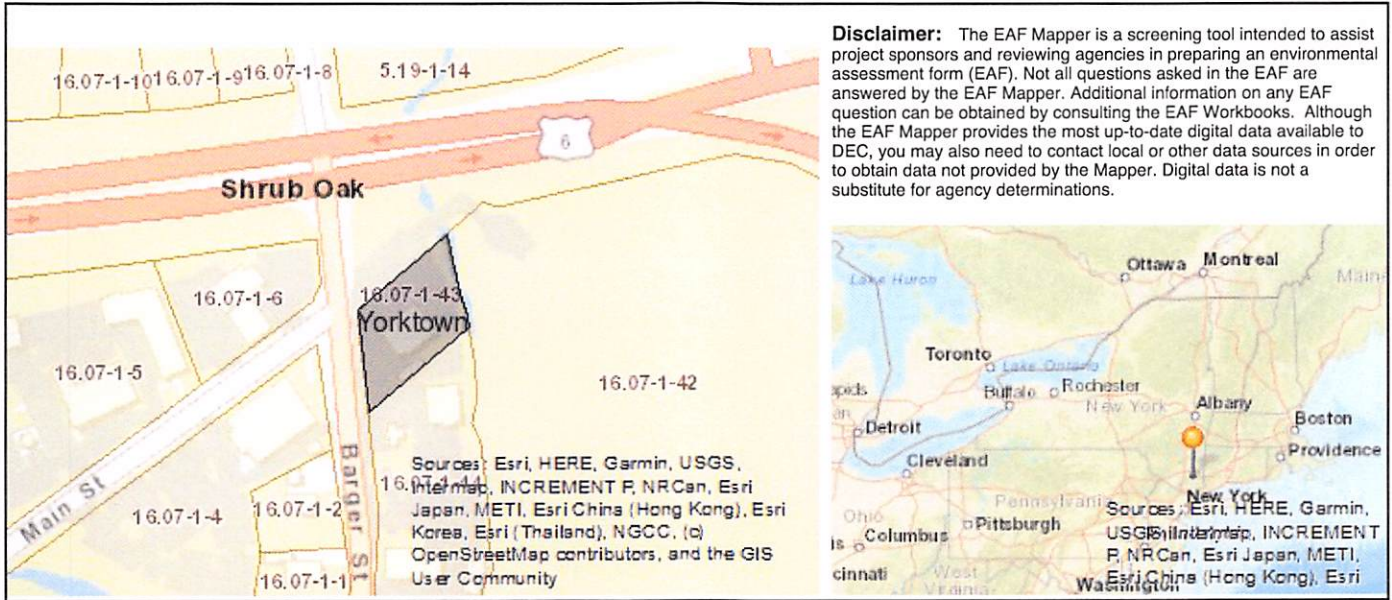
Existing Storm Drainage system will remain in place "as is"		

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"/>

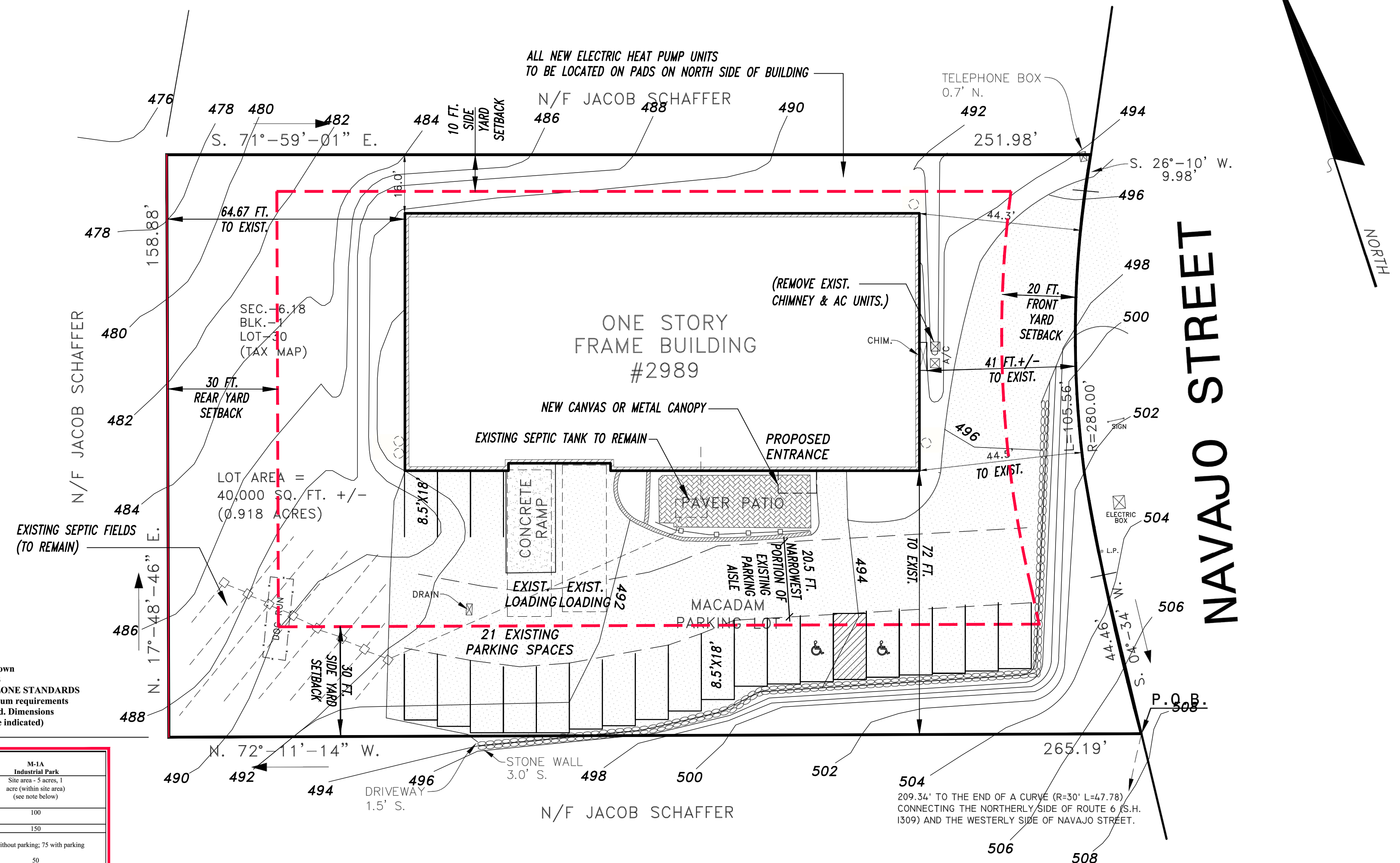
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>The Helmes Group, LLP - Peter Helmes AIA</u> Date: <u>7/27/22</u> Signature: <u></u> Title: <u>Architect</u>		



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

Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	Yes
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No

THIS LOCATION SURVEY WAS PREPARED FOR TITLE PURPOSES ONLY.
 OFFSET DIMENSIONS ARE NOT TO BE USED FOR CONSTRUCTION.
 SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



Town of Yorktown
 Appendix B
 BUSINESS AND INDUSTRY ZONE STANDARDS
 (Standards shown are minimum requirements
 unless otherwise indicated. Dimensions
 in feet unless otherwise indicated)

	M-1A Industrial Park
Lot area	Side area - 5 acres, 1 acre (within site area) (see note below)
Lot width at front line of main building	100
Lot depth	150
Front yard:	
Main building	20 without parking; 75 with parking
Accessory building	50
Side yard:	None, but if provided shall be 10 feet; if a vehicular accessway, provide 20 feet, if adjacent to District, provide 75 feet
Rear yard:	
Main building	30; if adjacent to R District, 75 feet
Accessory building	
Maximum height:	
Main building	2 stories or 30 feet
Accessory building	20
Maximum coverage (all buildings)	30%
Required off-street parking spaces	2 for every 3 employees; visitors' parking not to be less than 5
Required off-street loading	1 for the first 10,000 square feet of floor area plus 1 for each additional 30,000 square feet of floor area. All loading spaces to be located within exterior walls of building.
Other provisions and regulations	Screening and/or landscaping; all areas not shown to be developed for building, parking or other required features to be permanently maintained with landscaping as approved. On all boundaries abutting an R District, provide a minimum screen of evergreen-type planting 50 feet in height and 8 feet in width at time of planting as approved. Development to comply with requirements of §§ 300-99 through 300-104, inclusive.

SURVEY OF PROPERTY
 2989 NAVAJO STREET
 LOT 30, BLOCK 1, SECTION 6.18
 YORKTOWN HEIGHTS, WESTCHESTER CO., N.Y.
STEPHEN F. HOPPE, L.S. SCALE: 1" = 20'
 LICENSED PROFESSIONAL LAND SURVEYOR
 111 ROUTE 303 - TAPPAN, NY 10983
 NY LIC. NO. / 50539
 DATE: MAR. 31, 2022
 FILE NO: 6825-22
 TITLE NO: BTA81251

Reference: Tax Map.
 Certified to: McBrothers Realty LLC ; First American Title Insurance Company ; Benchmark Title Agency, LLC ;

TOWN OF YORKTOWN, NEW YORK
 Table of Dimensional Requirements
 SECTION 6.18, BLOCK 1, LOT 30
 ZONING DISTRICT : I-1 (Light Industrial Park) per Town of Yorktown Zoning Map
 Dimensional Requirements: M-1A as per the Town of Yorktown Director of Planning.

	Required / Permitted	Existing	Proposed
Lot Area	5 Acre 217,800 SF (Can Vary, however) (not less than 1/2 Acre)	0.918 Acre 40,005 SF (exist. non-conforming)	(No Change)
Lot Width	100 FT	158 FT	(No Change)
Lot Depth	150 FT	246 FT	(No Change)
Setbacks			
Front	20 FT (w/o Parking) 75 FT (w/ Parking)	41.00 FT +/- (w/o Parking) Except for 6 existing spaces in southeast corner of property	(No Change)
Side	10 FT	16 FT	(No Change)
Side	30 FT (w/ Vehicular Access)	72 FT	(No Change)
Rear	30 FT	64.67 FT	(No Change)
Maximum Height			
Feet	2 Stories 30 FT	1 Story 28 FT	2 Stories 28 FT
Maximum Lot Coverage (Building Coverage)	30% (12,002 Sq. Ft.)	24.53% (9,814 Sq. Ft.)	24.49% (9,798 Sq. Ft.)
Maximum F.A.R.	0.2 (8,001 Sq. Ft.)	0.40 (15,907 Sq. Ft.)	0.39 (15,798 Sq. Ft.)

Required Off-Street Parking Spaces:
 Two (2) spaces for every three (3) employees. Visitor parking not to be less than five (5) spaces.

Required	Existing	Proposed
(Employee Dependant)	(Employee Dependant)	24 Employees Max. (16 Employee Spaces Req'd) (5 Visitor Spaces Required)
	21 Spaces Provided	21 Spaces Provided

Required Off-Street Loading Spaces:
 1 space for the first 10,000 square feet of floor area plus 1 space for each additional 30,000 square feet of floor area. All loading spaces to be located within exterior walls of building. (We are assuming this means to be adjacent to exterior walls of the building.)

Required	Existing	Proposed
(18,554 square feet) (2 Loading Spaces)	(18,554 square feet) (2 Loading Spaces)	(No Change)

Building Floor Area Tabulation Comparison of Existing versus Proposed	
EXISTING BUILDING USE:	PROPOSED BUILDING USE:
Office for Business or Professional Use including Retail	Offices for Business or Professional Use
Existing First Floor Office / Retail: 3,067 Square Feet	Proposed First Floor Office: 3,426 Square Feet
Storage / Warehouse	Proposed Second Floor Office: 2,953 Square Feet
Existing Basement Storage: 860 Square Feet	(Useable areas only - does not include areas behind bridge trusses.)
Existing First Floor Storage / Warehouse: 6,747 Square Feet	Total Office Floor Area: 6,379 Square Feet
Existing Mezzanine Storage & Catwalk: 5,233 Square Feet	Storage / Warehouse
(Useable areas only - does not include areas behind bridge trusses.)	Proposed Basement Storage: 860 Square Feet
Total Storage / Warehouse Floor Area: 12,840 Square Feet	Proposed First Floor Storage: 6,350 Square Feet
Total Floor Area: 15,907 Square Feet	Proposed Mezzanine Storage & Catwalk: 2,209 Square Feet
	Total Storage / Warehouse Floor Area: 9,419 Square Feet
	Total Floor Area: 15,798 Square Feet

ISSUE DATES:

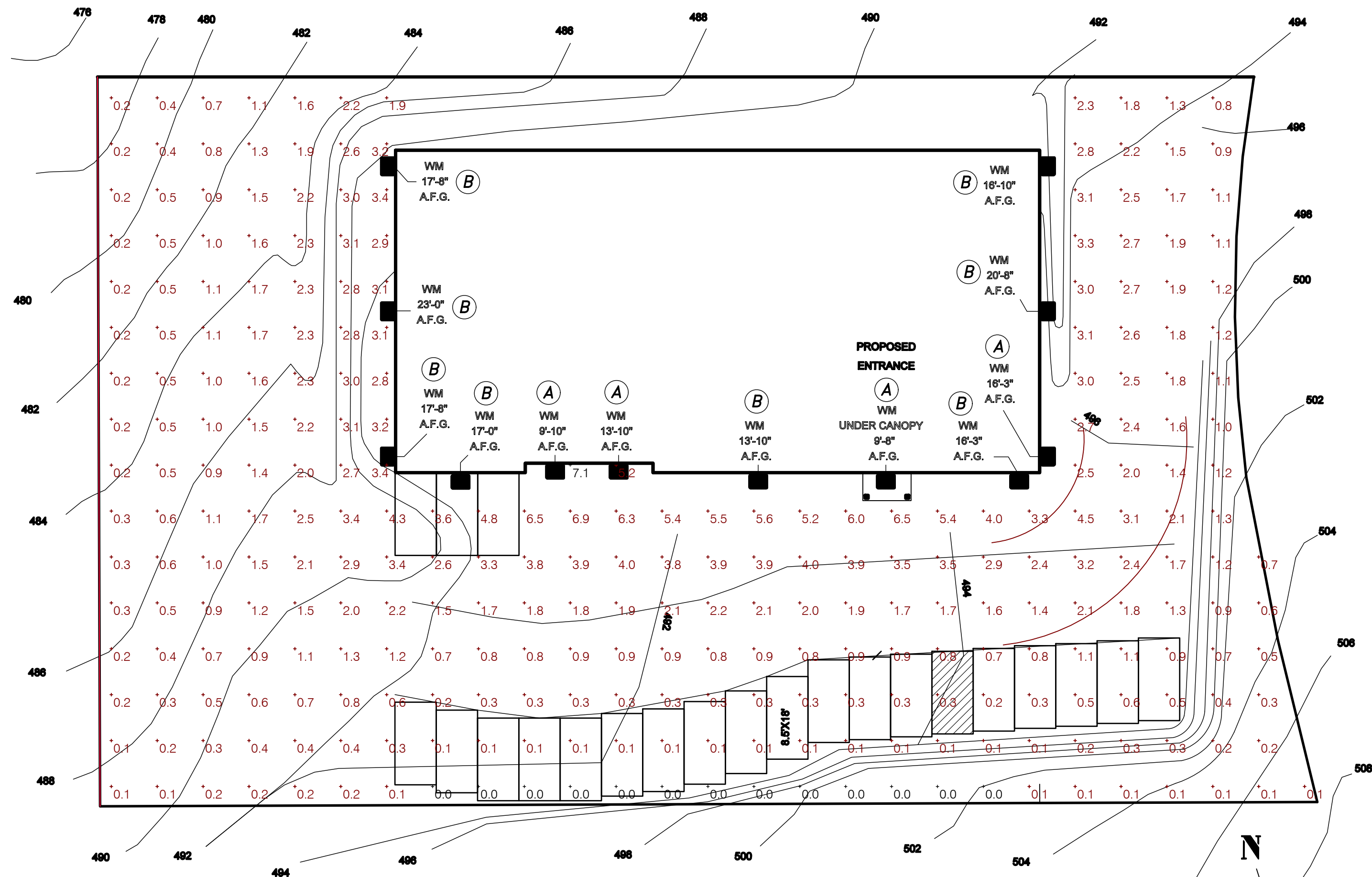
ALTERATIONS TO EXISTING BUILDING for:
THERMODYNAMICS CORP.
 2989 NAVAJO STREET
 YORKTOWN HEIGHTS, NEW YORK 10598

SITE PLAN AND ZONING INFORMATION
 SCALE: AS INDICATED

DRAWN BY: NED
 CHECKED BY: PUH
 DRAWING NO.: C-1

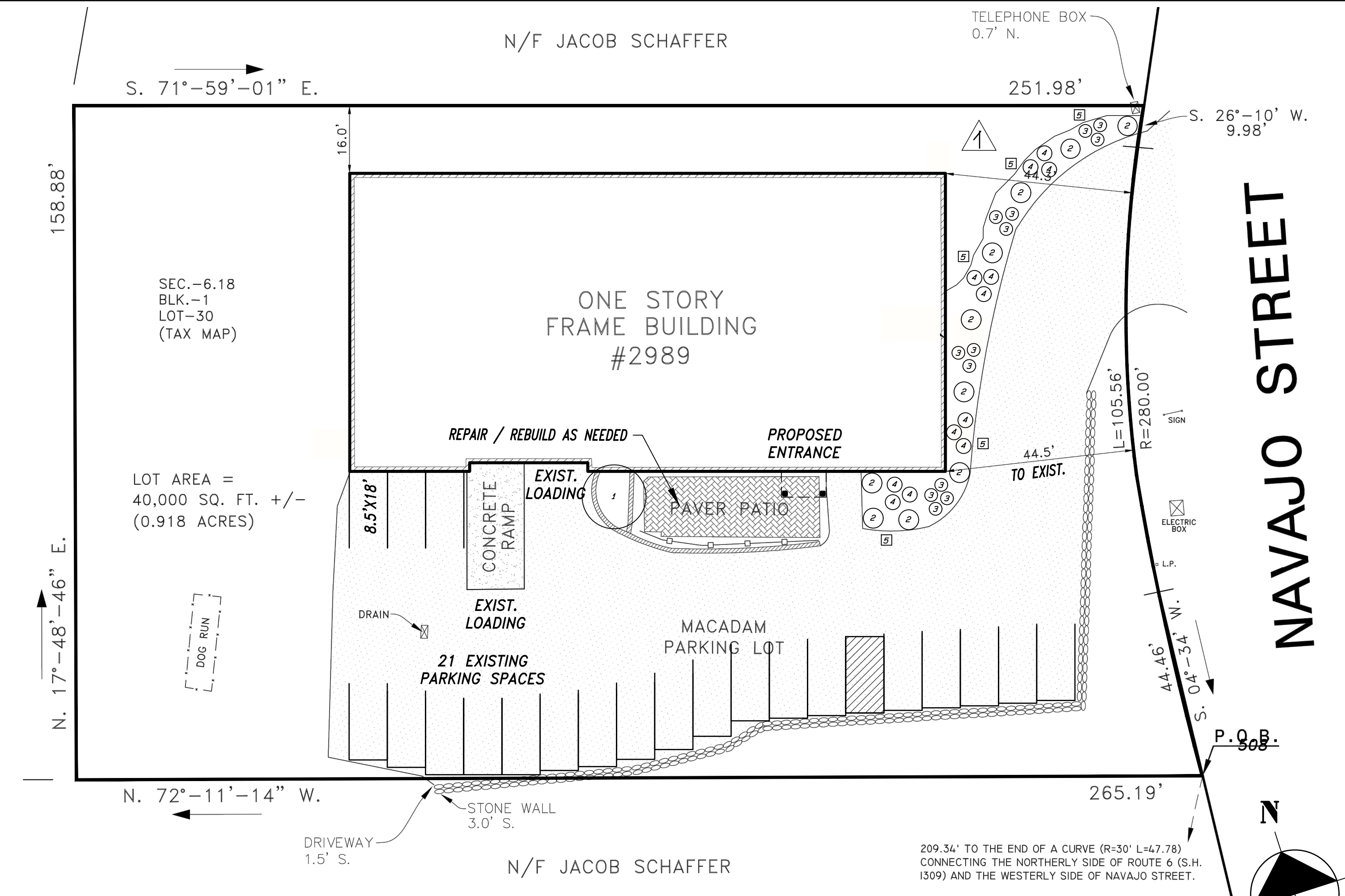
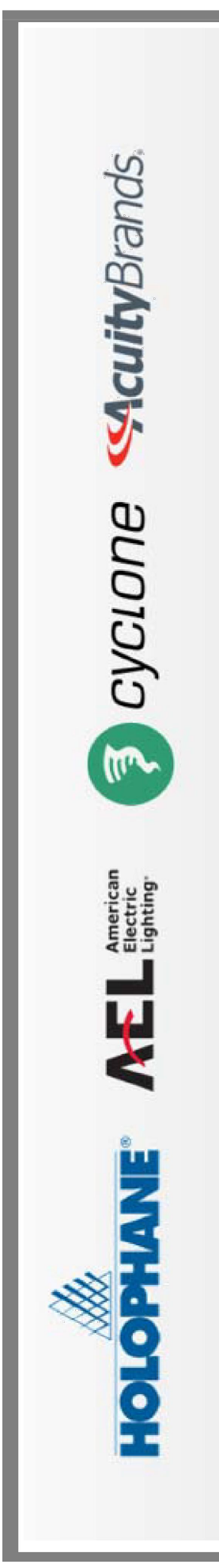
THE HELMES GROUP, LLP
 ARCHITECTURE • ENGINEERING
 PROJECT MANAGEMENT
 184 KATONAH AVENUE, KATONAH, NY 10536
 TEL: (914) 232-4633 FAX: (914) 232-0768
 EMAIL: thg@thelmesgroup.com

FILE NAME:
 PLOT SCALE:



SITE PHOTOMETRIC PLAN
SCALE: 1" = 20'-0"

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	1.5 fc	7.1 fc	0.0 fc	N/A	N/A



PROPOSED LANDSCAPE PLAN / UPGRADES
SCALE: 1" = 20'-0"

Symbol	Label	Image	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage	Plot
A			4	Holophane	HLWPC2 P20 30K XX T3M	Wallpack Full Cutoff LED, LED Performance Package P10, 3000 series CCT, Voltage, Type III Medium	1	5114	0.85	47	
B			8	Holophane	HLWPC3 P30 30K XX T4M	Wallpack Full Cutoff LED, LED Performance Package P10, 3000 series CCT, Voltage, Type IV Medium	1	7203	0.85	71	

PHOTOMETRIC PLAN AS PREPARED BY:
ANDREW ZETTERSTROM
ACUITY BRANDS / HOLOPHANE
TEL: 732-413-3114
EMAIL: ANDREW.ZETTERSTROM@ACUITYBRANDS.COM

LANDSCAPE PLAN	
FOUR SEASON MAINTENANCE SCHEDULE	
SPRING	General cleanup and maintenance to be performed around the entire property. Prune and maintain trees and shrubs as required to maintain the natural plant appearance. All fallen and dead branches are to be removed. Any dead plants are to be replaced. Fertilizer is to be used on the trees (<i>Ericaceous fertilizer on all Azaleas</i>). Shrub fertilization shall be performed using slow release, complete organic based products. Weed killer to be used on lawn as a pre-emptive effort to prevent growth.
SUMMER	Lawn is to be mowed as required to maintain a grass height of 3 inches. All fallen or dead branches to be removed as required. Any dead plants are to be replaced. All open lawn areas are to be watered as conditions dictate throughout the season.
FALL	General cleanup around property to be conducted as required. Leaves and branches are to be cleared from all open lawn areas. All bare spots on the lawn are to be fertilized and reseeded as necessary. Shrub fertilization shall be performed using slow release, complete organic based products.
WINTER	General cleanup and maintenance around property to be performed as necessary. Any and all dead or fallen branches to be removed from lawn.

Roadways, sidewalks, and parking areas should be swept clean weekly removing vegetation, debris, trash or garbage.

LANDSCAPE SCHEDULE					
KEY	QTY.	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
1	EXIST.	PENDULA ROSEA	WEeping CHERRY	8' DIA	EXISTING (LOCATED EAST OF LOADING AREA)
2	10	BUXUS	GREEN MOUNTAIN BOXWOOD	18 - 24 INCHES	---
3	13	PENNISETUM ALOPECUROIDES	DECORATIVE GRASS	3 GALLON	FINAL SELECTION OF GRASS AS DETERMINED BY OWNER / ARCHITECT PRIOR TO ORDERING FROM NURSERY
4	12	HYDRANGEA MACROPHYLLA - ENDLESS SUMMER	HYDRANGEA - COLOR BLUE	5 - GALLON	---
5	---	---	NEW EDGED MULCH PLANTING BED	---	MULCH COLOR TO BE DARK BROWN AS SELECTED BY OWNER

LANDSCAPE PLAN DEVELOPED IN CONSULTATION WITH JOSEPH ROTOLO, OWNER, BEDFORD HILLS NURSERY.
TEL: 914-666-0374
201 BEDFORD ROAD
BEDFORD HILLS NY 10607

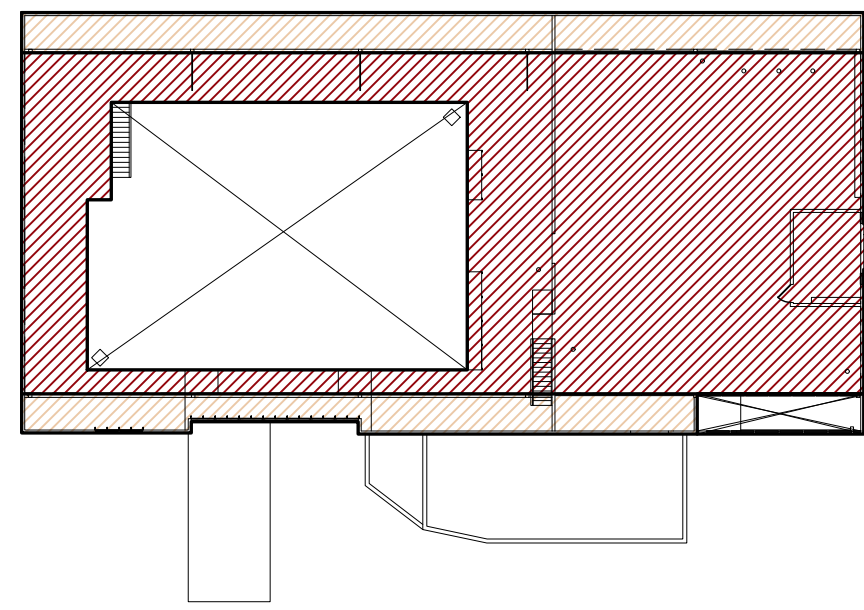
ISSUE DATES:	ALTERATIONS TO EXISTING BUILDING for: THERMODYNAMICS CORP. YORKTOWN HEIGHTS, NEW YORK 10598		
	2989 NAVAJO STREET	DRAWN BY: NED	
		CHECKED BY: PJH	
		DRAWING NO.:	
		C-2	

REGISTERED ARCHITECT
JOSEPH ROTOLO
STATE OF NEW YORK
No. 13099

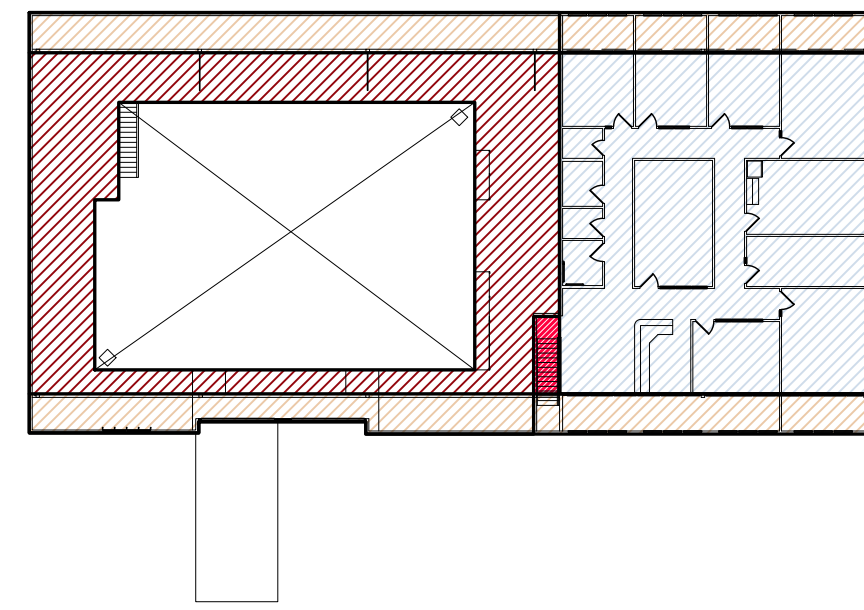
THE HELMES GROUP, LLP
ARCHITECTURE • ENGINEERING
PROJECT MANAGEMENT
184 KATONAH AVENUE, KATONAH, NY 10536
TEL: (914) 232-4633 FAX: (914) 232-0768
EMAIL: thg@thelmesgroup.com

FILE NAME:
PLOT SCALE:

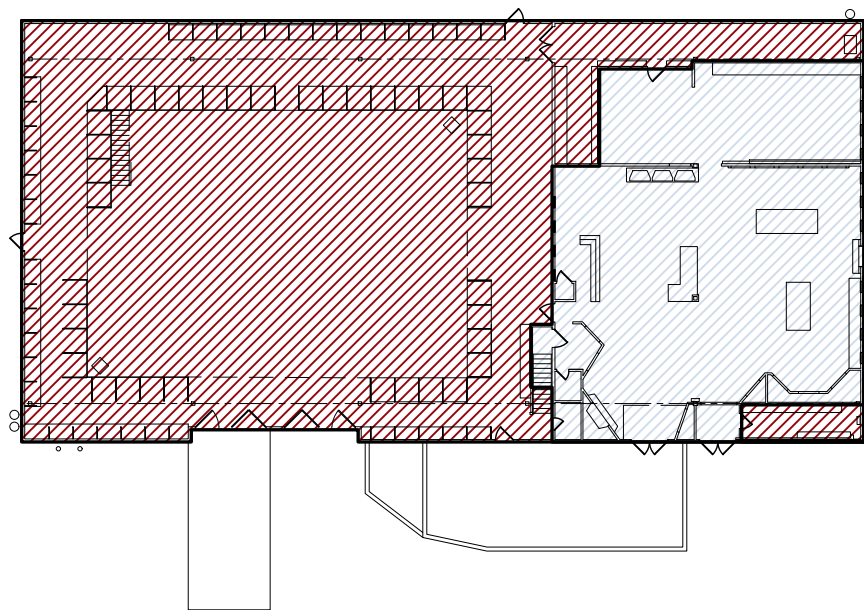
DIAGRAMMATIC FLOOR PLANS OF EXISTING & PROPOSED USES



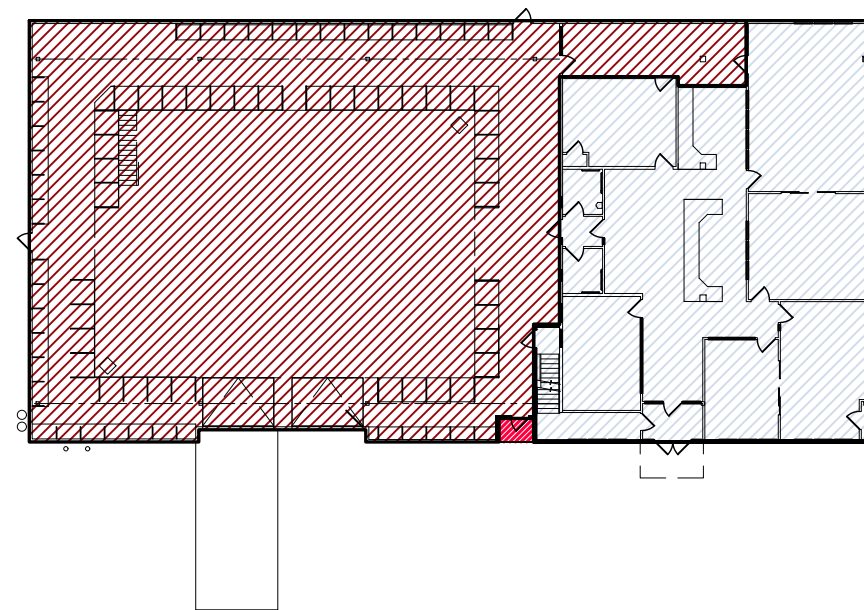
EXISTING MEZZANINE



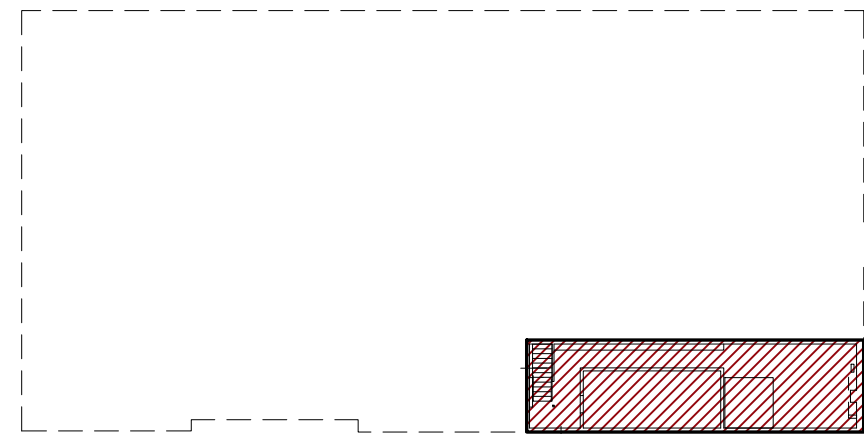
PROPOSED 2ND FLOOR



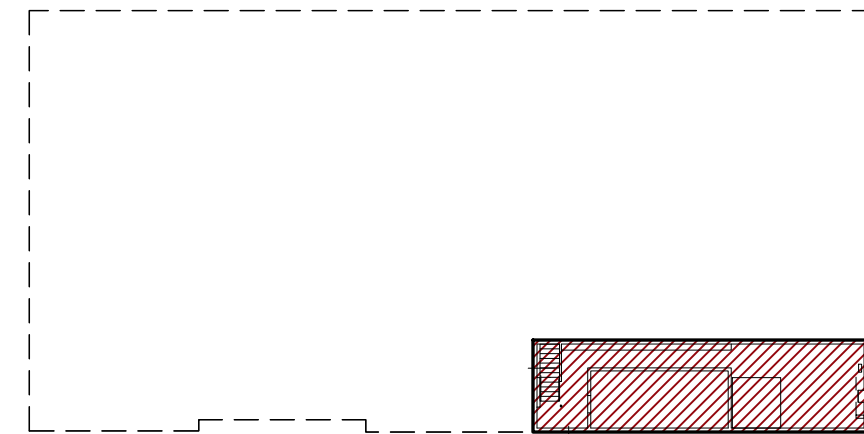
EXISTING 1ST FLOOR



PROPOSED 1ST FLOOR

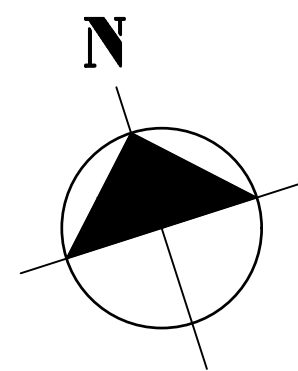


EXISTING BASEMENT

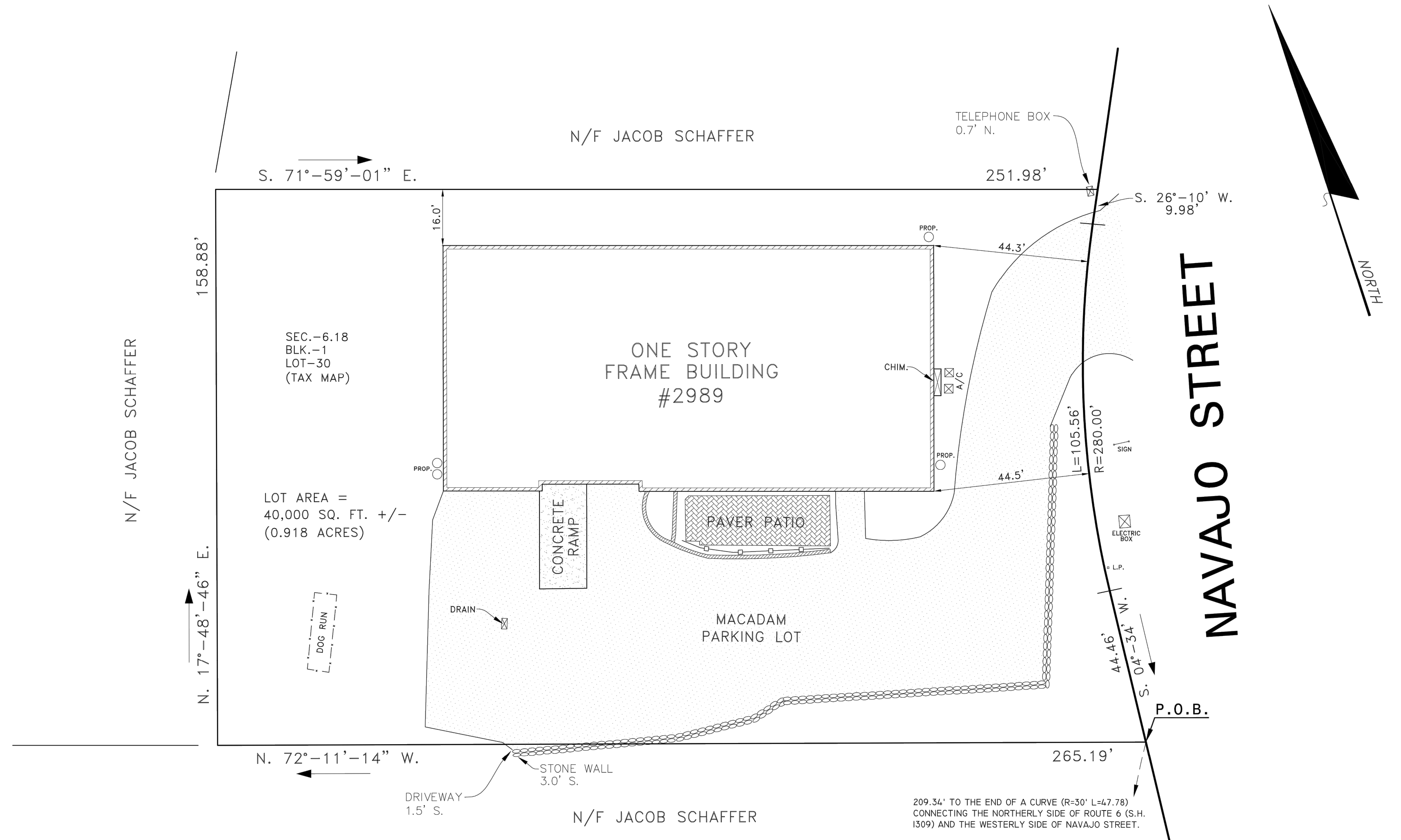


PROPOSED BASEMENT

LEGEND	
	Office Use
	Storage / Warehouse Use
	Un-usable areas located behind Bridge Truss
	Proposed minor exterior plan alterations



THIS LOCATION SURVEY WAS PREPARED FOR TITLE PURPOSES ONLY.
OFFSET DIMENSIONS ARE NOT TO BE USED FOR CONSTRUCTION.
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.



NAVAJO STREET

SURVEY OF PROPERTY
2989 NAVAJO STREET
LOT 30, BLOCK 1, SECTION 6.18
YORKTOWN HEIGHTS, WESTCHESTER CO., N.Y.

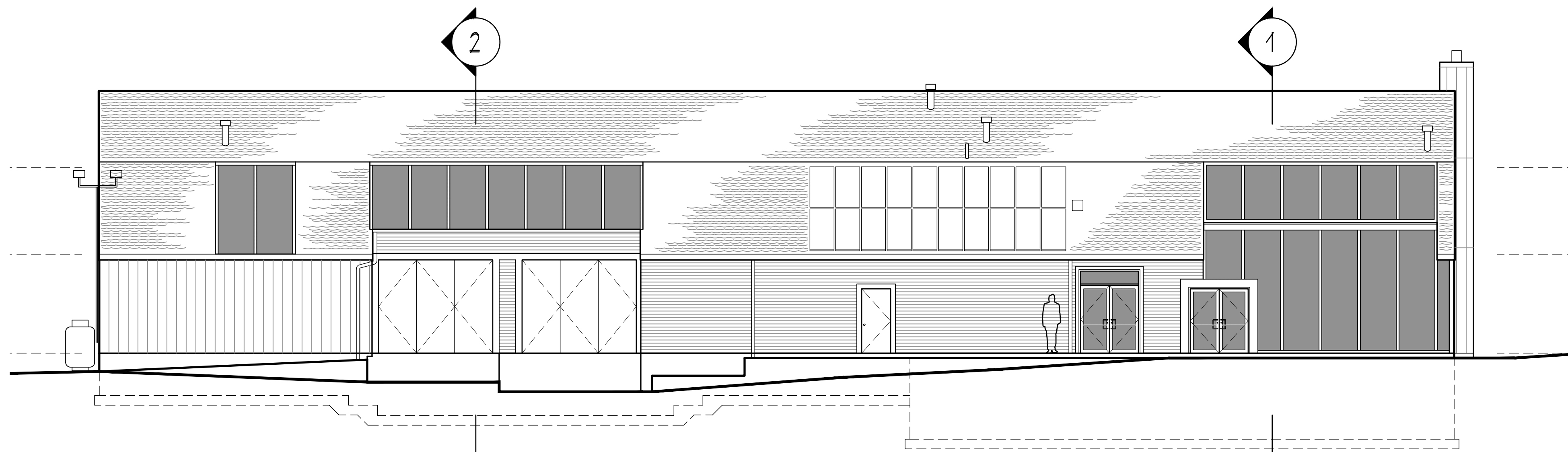
STEPHEN F. HOPPE, L.S. SCALE: 1" = 20'
LICENSED PROFESSIONAL LAND SURVEYOR
111 ROUTE 303 - TAPPAN, NY 10983
NY LIC. NO. 50539

DATE: MAR. 31, 2022
FILE NO: 6825-22
TITLE NO: BTA81251

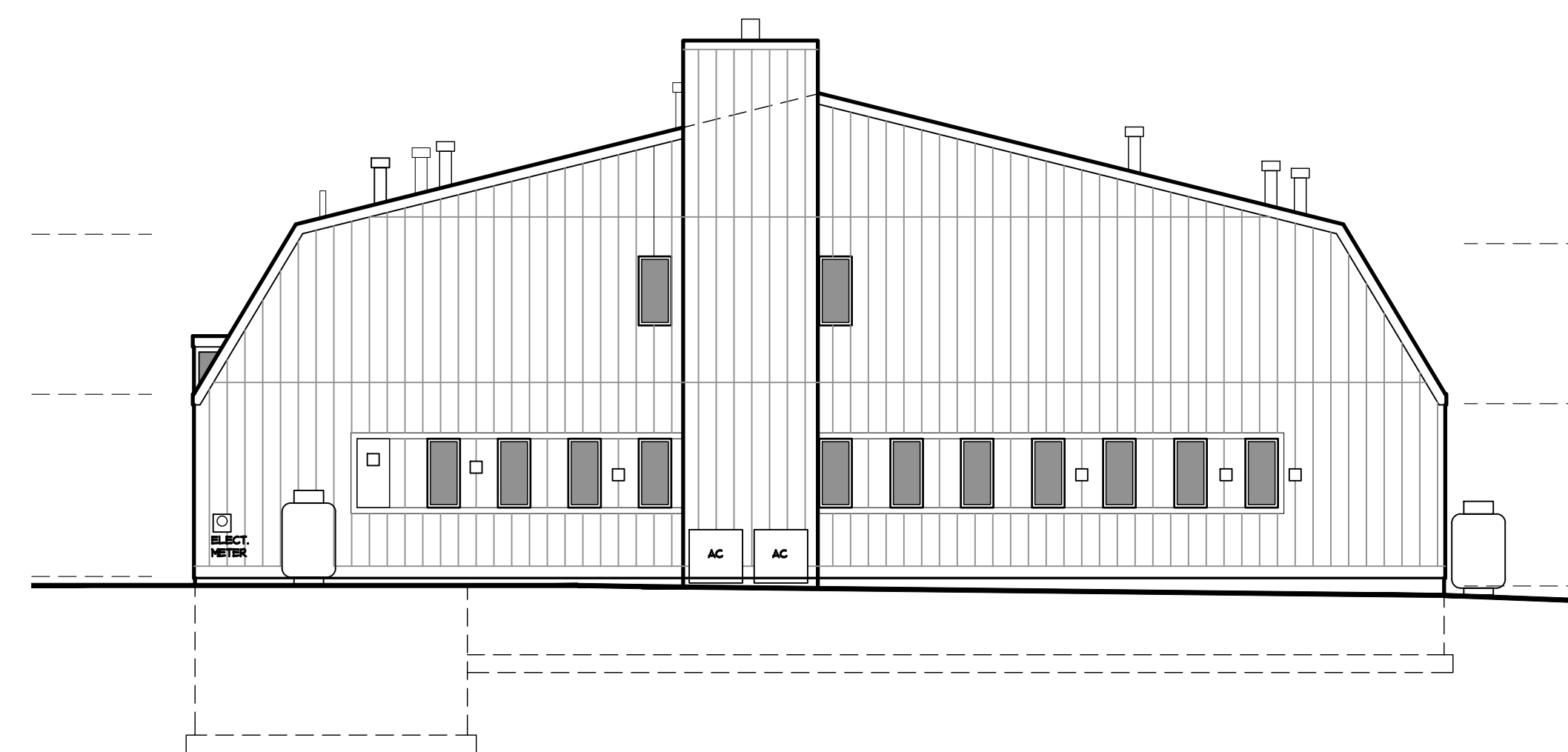
Reference: Tax Map.
Certified to: McBrothers Realty LLC ; First American Title
Insurance Company ; Benchmark Title Agency, LLC ;

ISSUE DATES:	ALTERATIONS TO EXISTING BUILDING for: THERMODYNAMICS CORP. YORKTOWN HEIGHTS, NEW YORK 10598	
	2989 NAVAJO STREET	PROPERTY SURVEY OF EXISTING CONDITIONS & DIAGRAMMATIC PLANS OF EXISTING & PROPOSED USES SCALE: AS INDICATED
		DRAWN BY: NED CHECKED BY: PJH DRAWING NO.:
		THE HELMES GROUP, LLP ARCHITECTURE • ENGINEERING PROJECT MANAGEMENT 184 KATONAH AVENUE, KATONAH, NY 10536 TEL: (914) 232-4633 FAX: (914) 232-0768 EMAIL: thg@thelmesgroup.com
8-11-22 ABACA REQMTS 8-5-22		C-3

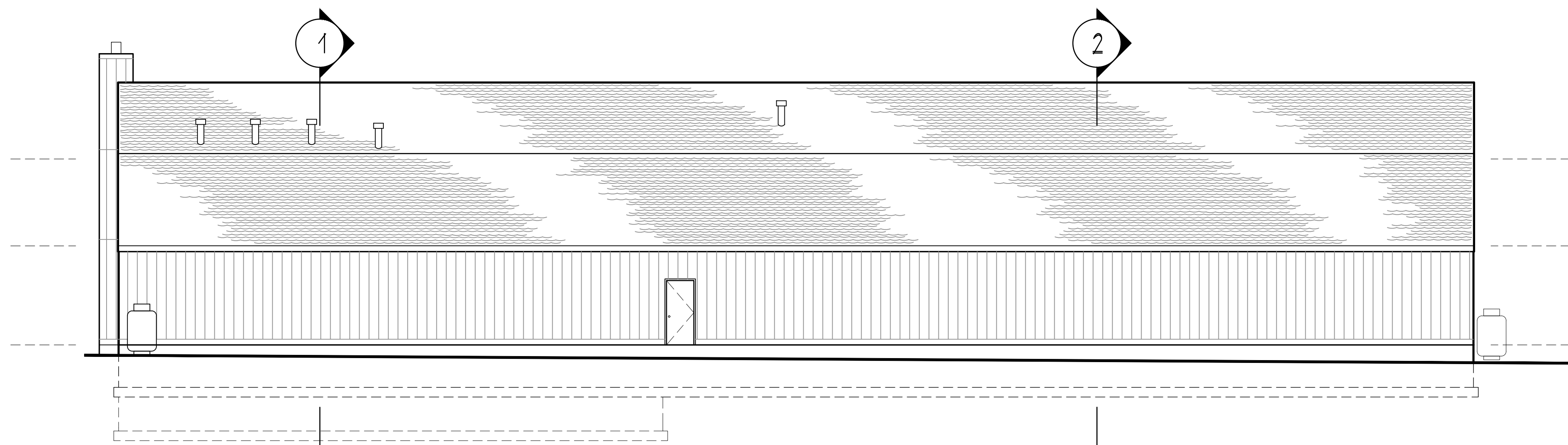
FILE NAME:
PLOT SCALE:



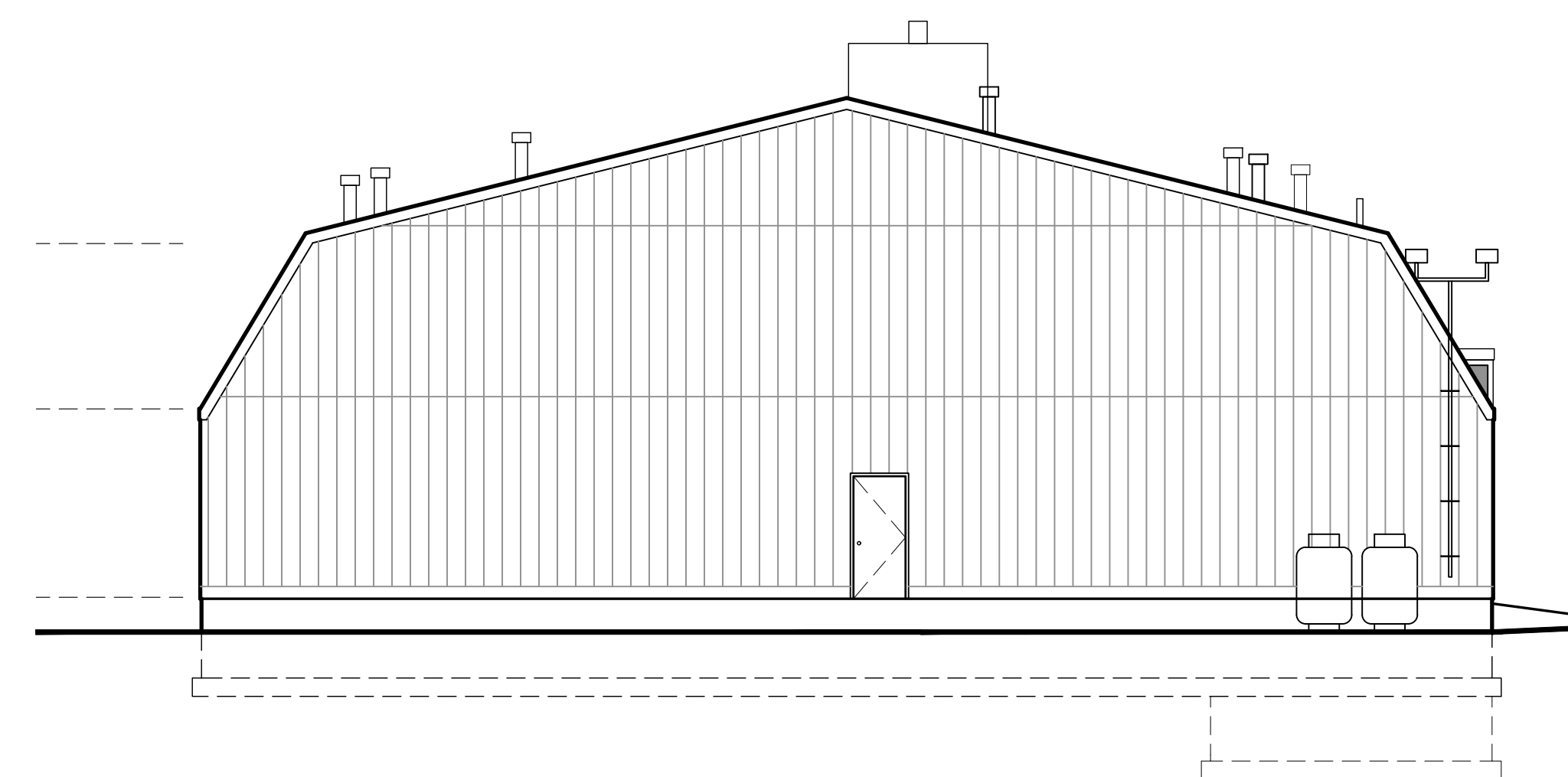
EXISTING FRONT (SOUTH) ELEVATION
SCALE: 1/8" = 1'-0"



EXISTING SIDE (EAST) ELEVATION
SCALE: 1/8" = 1'-0"



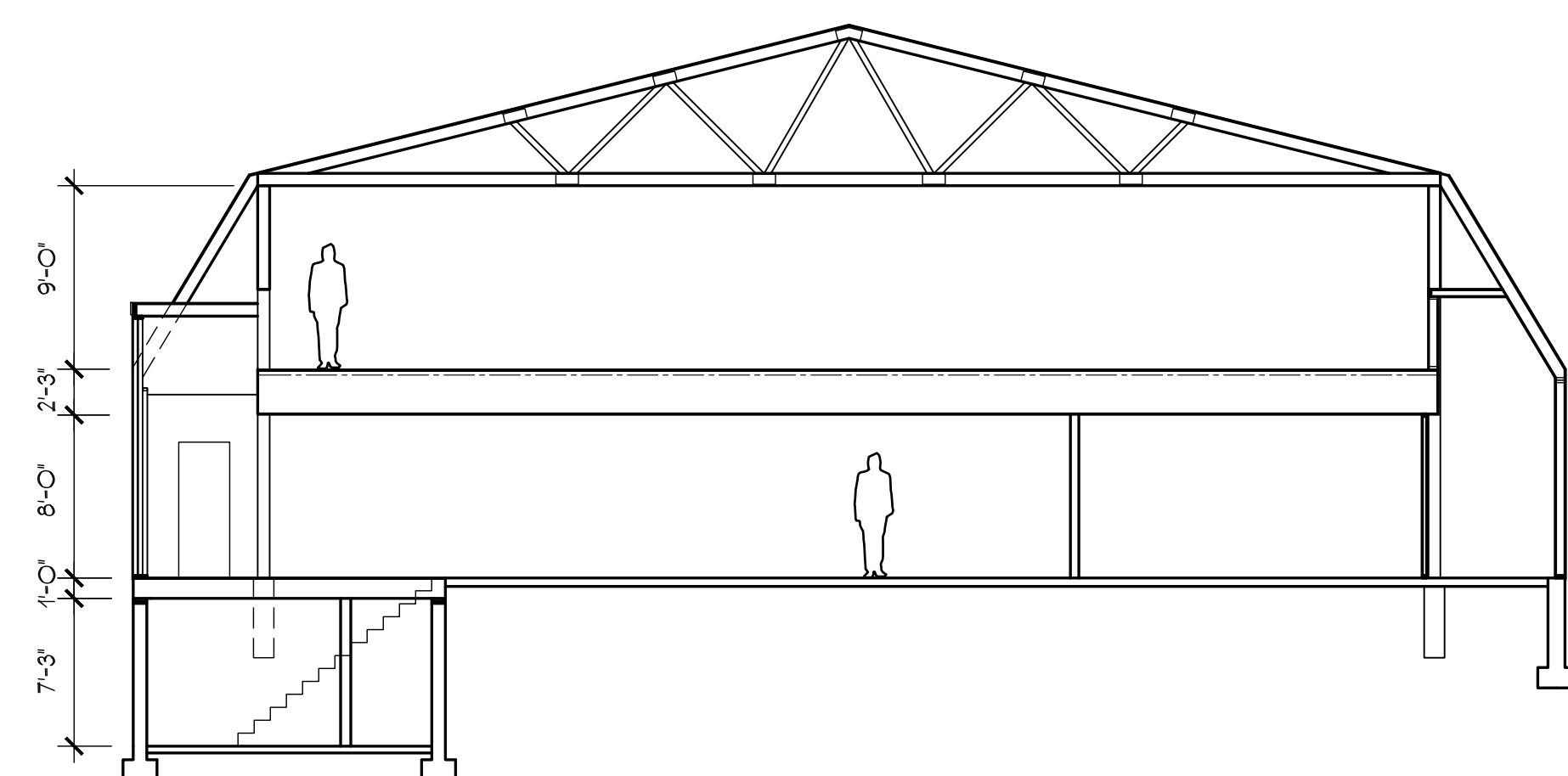
EXISTING REAR (NORTH) ELEVATION
SCALE: 1/8" = 1'-0"



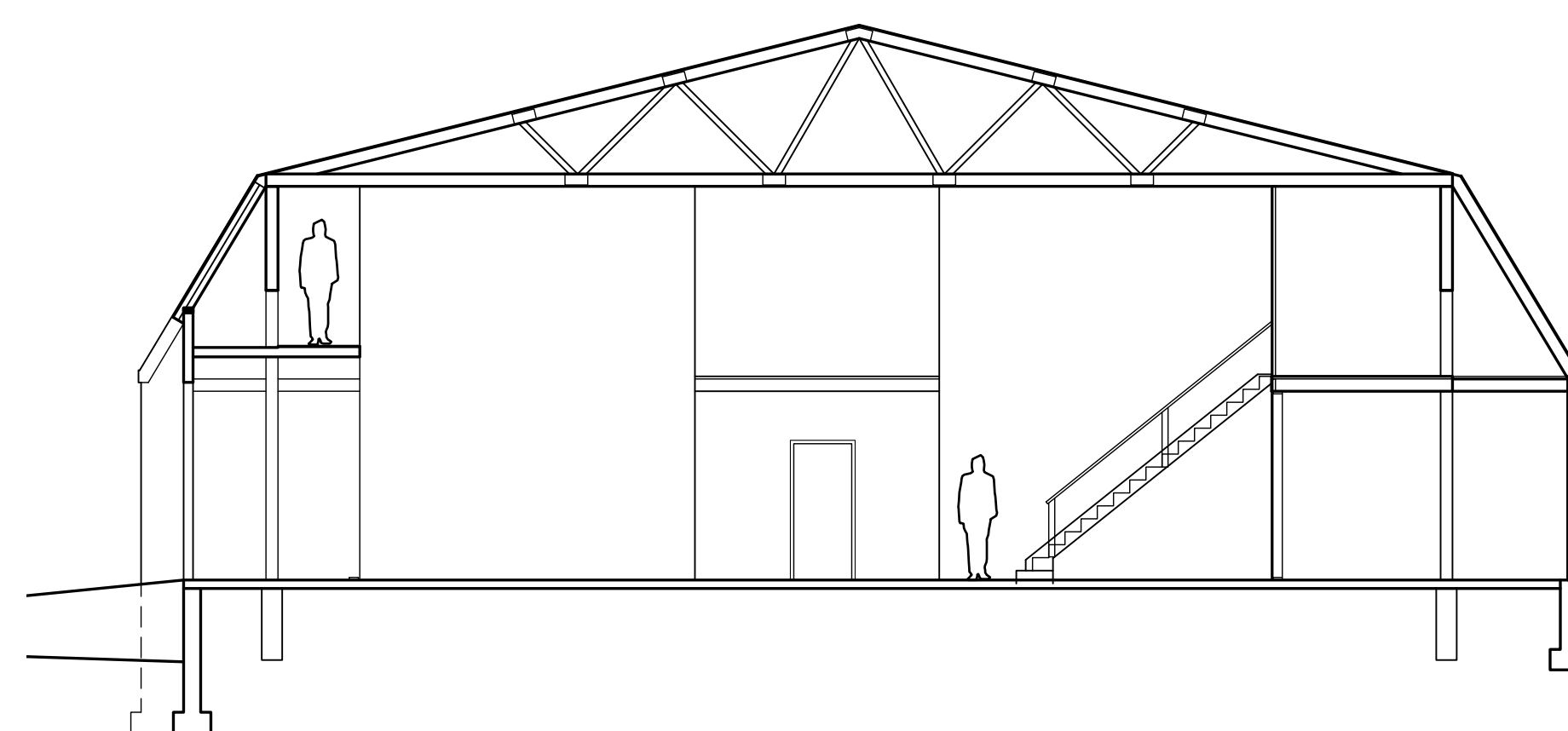
EXISTING SIDE (WEST) ELEVATION
SCALE: 1/8" = 1'-0"



REFERENCE PHOTOGRAPH

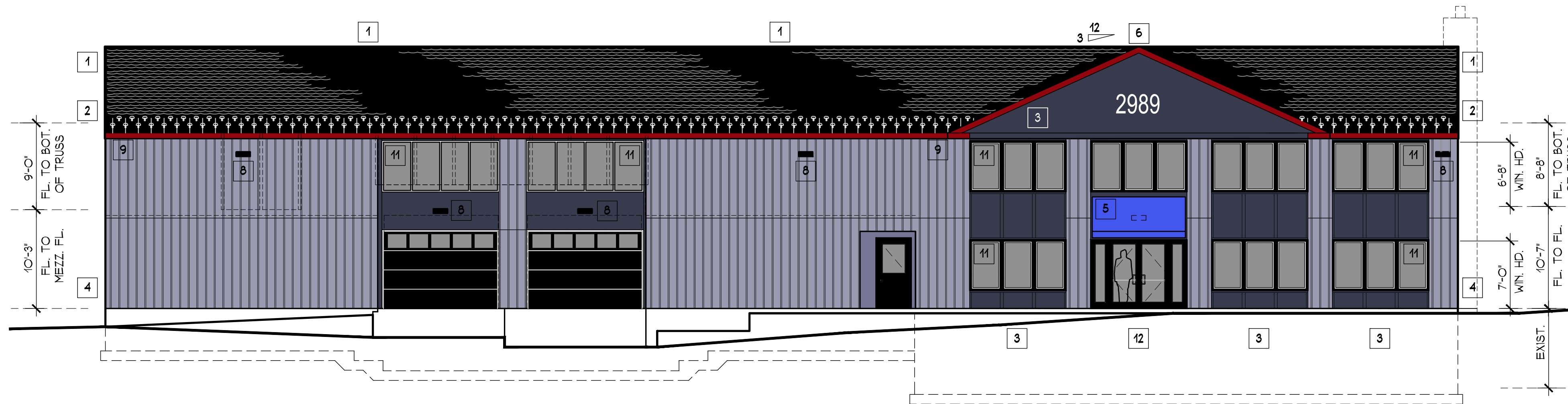


1 PROPOSED SCHEMATIC SECTION
SCALE: 1/8" = 1'-0"



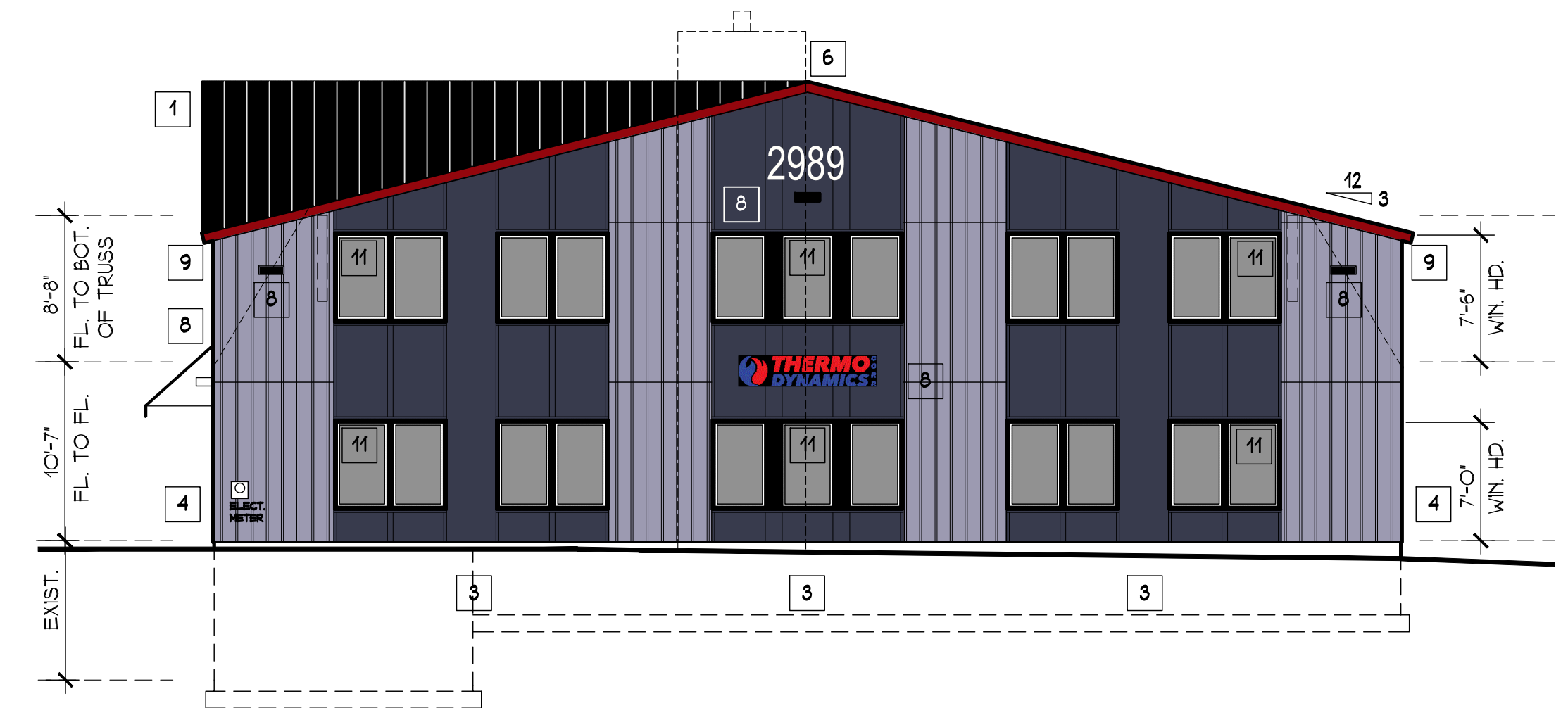
2 PROPOSED SCHEMATIC SECTION
SCALE: 1/8" = 1'-0"

ISSUE DATES: 8-11-22 ABACA REQMTS 8-5-22	ALTERATIONS TO EXISTING BUILDING for: THERMODYNAMICS CORP. 2989 NAVAJO STREET YORKTOWN HEIGHTS, NEW YORK 10598		DRAWN BY: NED
	EXTERIOR ELEVATIONS & CROSS SECTIONS EXISTING CONDITIONS SCALE: AS INDICATED		CHECKED BY: PJH
		THE HELMES GROUP, LLP ARCHITECTURE • ENGINEERING PROJECT MANAGEMENT 184 KATONAH AVENUE, KATONAH, NY 10536 TEL: (914) 232-4633 FAX: (914) 232-0768 EMAIL: thg@thelmesgroup.com	
			DRAWING NO.: EX-2



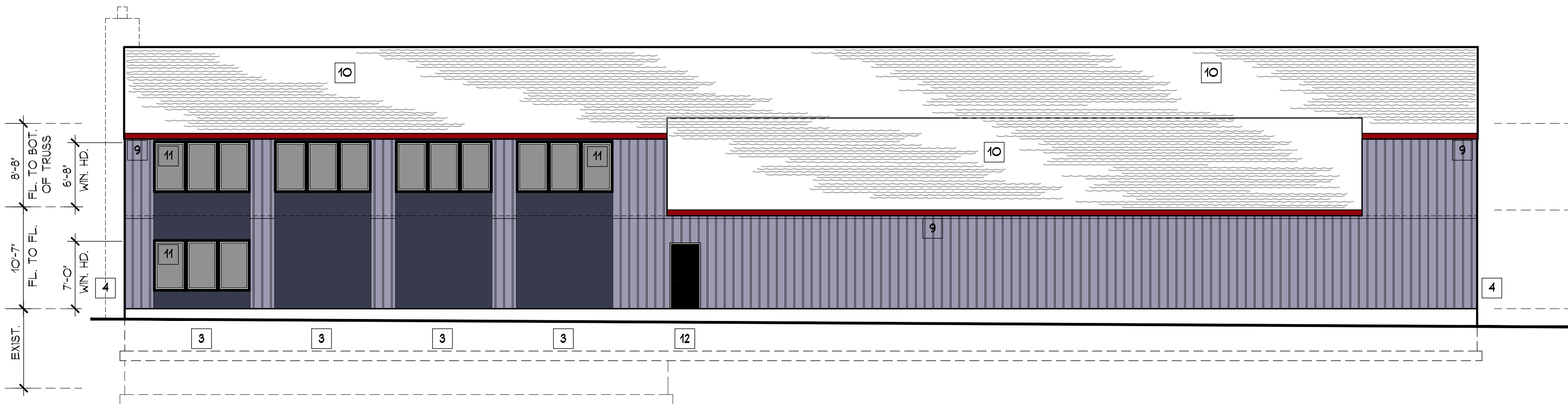
PROPOSED FRONT (SOUTH) ELEVATION

SCALE: 1/8" = 1'-0"



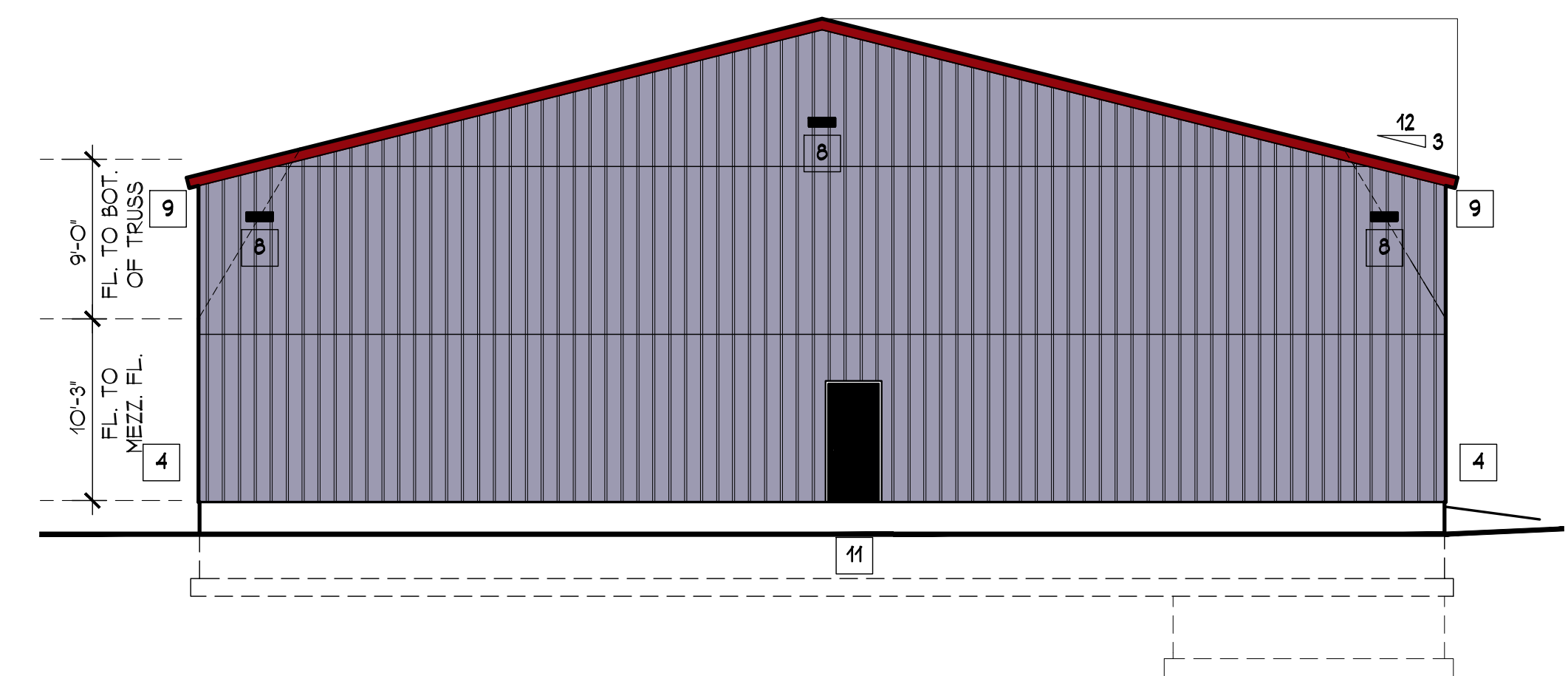
PROPOSED SIDE (EAST) ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED REAR (NORTH) ELEVATION

SCALE: 1/8" = 1'-0"



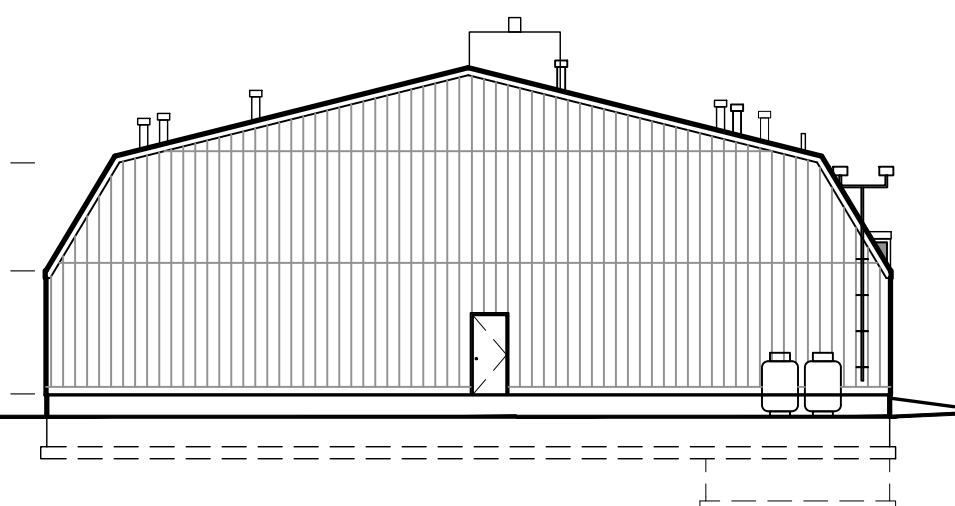
PROPOSED SIDE (WEST) ELEVATION

SCALE: 1/8" = 1'-0"



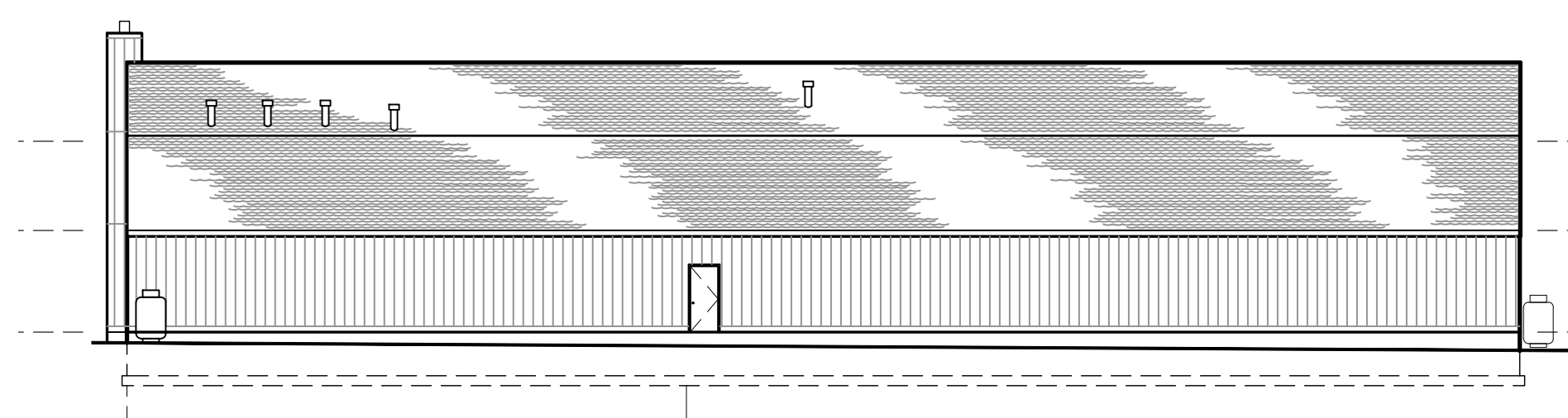
EXISTING FRONT (SOUTH) ELEVATION

SCALE: 1/16" = 1'-0"



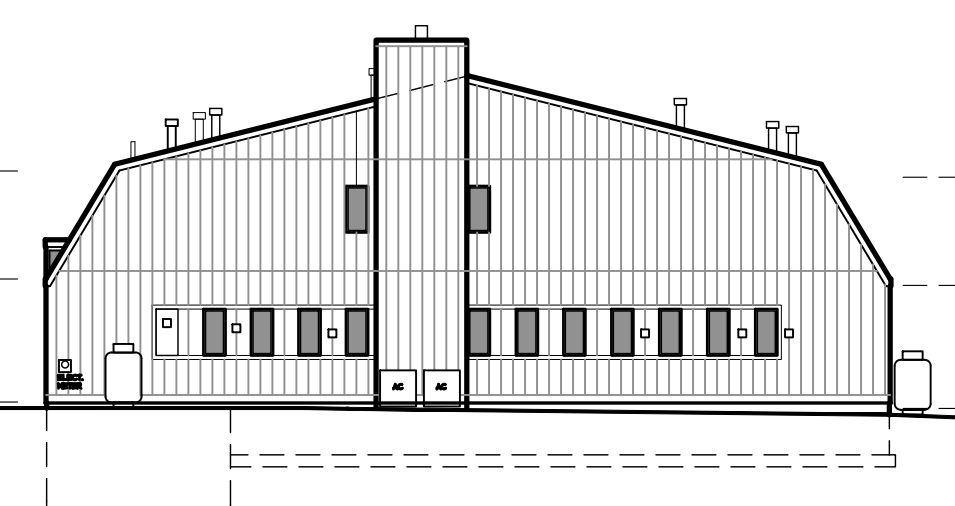
EXISTING SIDE (WEST) ELEVATION

SCALE: 1/16" = 1'-0"



EXISTING REAR (NORTH) ELEVATION

SCALE: 1/16" = 1'-0"



EXISTING SIDE (EAST) ELEVATION

SCALE: 1/16" = 1'-0"

Exterior Material Color Selections
 2989 Navajo Street, Yorktown Heights NY
 (For 8/9/22 ABACA Meeting)

Front Roof Architectural-Style Asphalt Shingles: "Charcoal" as manufactured by GAF Timberline - *See sample*

Front Roof Metal Standing Seam at Eaves: as Mfg. by: A.B. Martin Roofing Supply, LLC - Color: Charcoal" - *See sample*

Metal Gutters: 6-inch Heavy Duty as Mfg. by A.B. Martin Roofing Supply, LLC / Color: Bright Red - *See sample*

Metal Roof Leaders: 4-inch Heavy Duty as Mfg. by A.B. Martin Roofing Supply, LLC / Color: Slate Gray - *See sample*

Siding - Corrugated Metal: as Mfg. by: A.B. Martin Roofing Supply, LLC - Color Pewter Gray" - *See sample*

Siding - "Alternate" for Cement Fiber - Board & Batten as Mfg. by: James Hardie) Gray Slate" - *See sample*

Flush Board Siding Panels & Battens - Cement Fiber as Mfg. by: James Hardie) Color: Iron Gray" - *See sample*

Trim for Facias and Rake Boards: Boral - Smooth Side Out (Red Aluminum - Color to match Bright Red or Red Paint) *See Sample from AB Martin*

Aluminum Storefront Entrance - Color: "Black" As Mfg. by Kawneer or Equal - *See Aluminum storefront sample*

Aluminum Clad Windows - Awning-Type: "Black" As Mfg. by Marvin or approved equal - *See Aluminum storefront sample*

Canvas Awning: "Royal Blue Tweed" - As Fabricated by Durkin Awnings - *See sample*

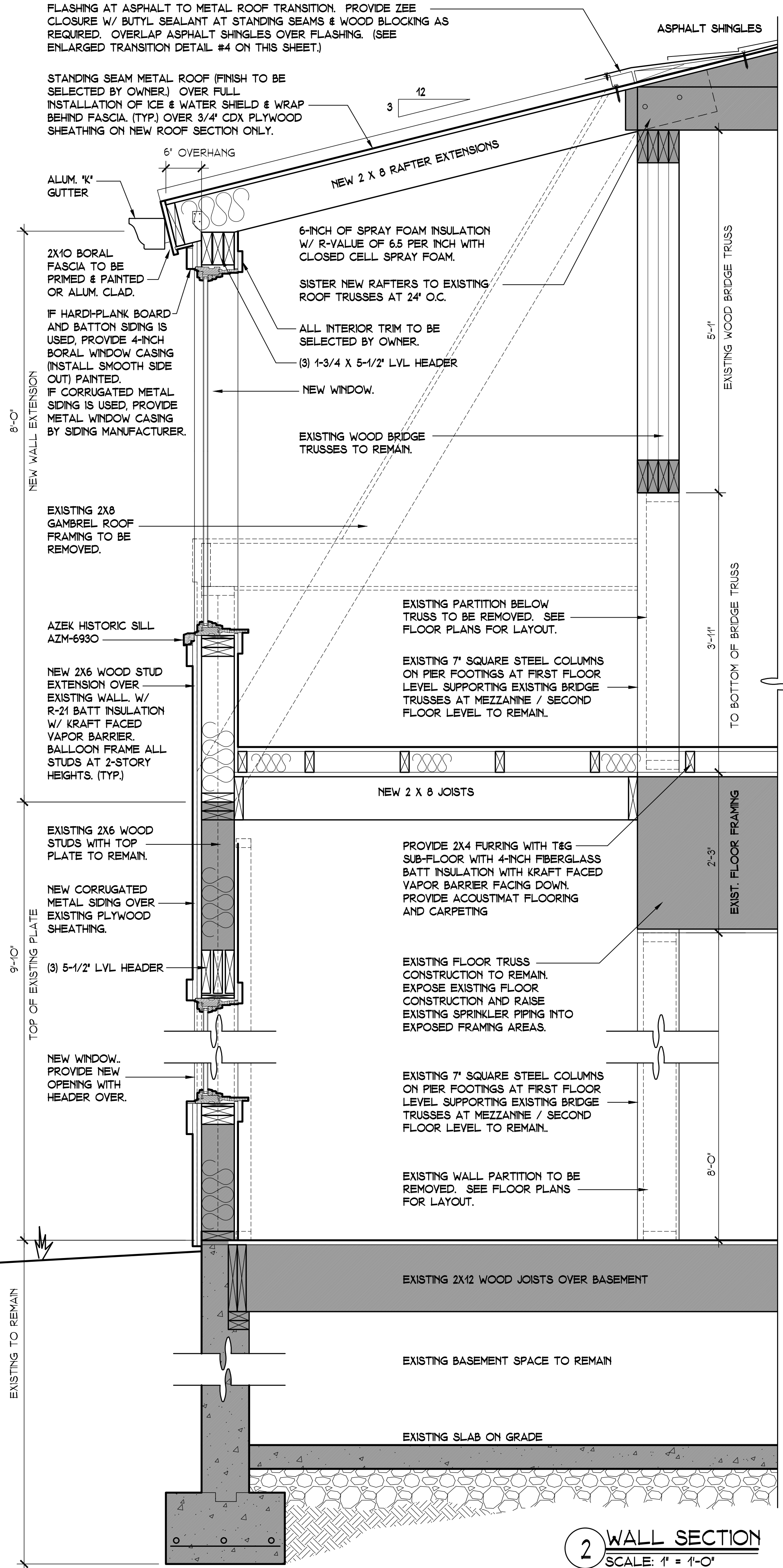
Exterior Wall-Mounted Light Fixtures - As Mfg. by: Holophane (Acuity Brands) Color Black. *Note: Lighting will be on timer from dusk to 10 p.m. then will automatically switch off yet will be set to motion detection with 15 min. run time.*

- LEGEND**
1. STANDING SEAM METAL ROOFING OVER ALL NEW ROOF AREAS ONLY: COLOR - GRAY AS SELECTED BY OWNER. PROVIDE NEW 30-YEAR BLACK ARCHITECTURAL STYLE ASPHALT SHINGLES FOR EXISTING FRONT ROOF ONLY.
 2. SNOW-GUARDS (2 ROWS OF INDIVIDUAL SNOW-GUARDS STAGGERED OR SNOW-RAILS AS SELECTED BY OWNER)
 3. VERTICAL CORRUGATED METAL SIDING : COLOR MEDIUM GRAY AS SELECTED BY OWNER.
 4. HARD-PLANK CEMENT FIBER BOARD & BATTEN SIDING W/ CORNERBOARDS OR CORRUGATED METAL SIDING PANELS: COLOR - DARK GRAY AS SELECTED BY OWNER.
 5. CANVASS OR METAL AWNING : COLOR ROYAL BLUE AS SELECTED BY OWNER
 6. BUILDING ADDRESS NUMBER : COLOR - WHITE OR SIMILAR CONTRASTING COLOR AS SELECTED BY OWNER
 7. SIGN AND LOGO FOR THERMODYNAMICS CORP.
 8. NIGHT-SKY COMPLIANT WALL MOUNTED LED FLOOD LIGHT : COLOR - DARK GRAY OR BLACK AS SELECTED BY OWNER.
 9. ALUMINUM GUTTERS AND FASCIA TRIM : COLOR - RED AS SELECTED BY OWNER. HOWEVER LEADER DRAINS TO BE MEDIUM GRAY TO MATCH SIDING
 10. EXISTING ASPHALT SHINGLE ROOFING TO REMAIN : COLOR - BROWN (OR REPLACE WITH NEW ROOFING AS DIRECTED BY OWNER. NOTE: THE ENTIRE REAR ROOF IS NOT VISIBLE SINCE IT IS ADJACENT TO A DENSELY WOODED AREA.
 11. EXTERIOR DOORS AND WINDOWS TO BE ALUMINUM OR OTHER METAL WITH DOUBLE PANE INSULATED GLASS CONFORMING TO CURRENT ENERGY CODE REQUIREMENTS. : COLOR - BLACK AS SELECTED BY OWNER

ISSUE DATES:		ALTERATIONS TO EXISTING BUILDING for:	
		THERMODYNAMICS CORP.	
		2989 NAVAJO STREET	YORKTOWN HEIGHTS, NEW YORK 10598
		PROPOSED EXTERIOR ELEVATIONS	
		SCALE: AS INDICATED	
		DRAWN BY: NED	CHECKED BY: PJH
		DRAWING NO.:	
8-11-22 ABACA REQMTS		8-5-22	

FLASHING AT ASPHALT TO METAL ROOF TRANSITION. PROVIDE ZEE CLOSURE W/ BUTYL SEALANT AT STANDING SEAMS & WOOD BLOCKING AS REQUIRED. OVERLAP ASPHALT SHINGLES OVER FLASHING. (SEE ENLARGED TRANSITION DETAIL #4 ON THIS SHEET)

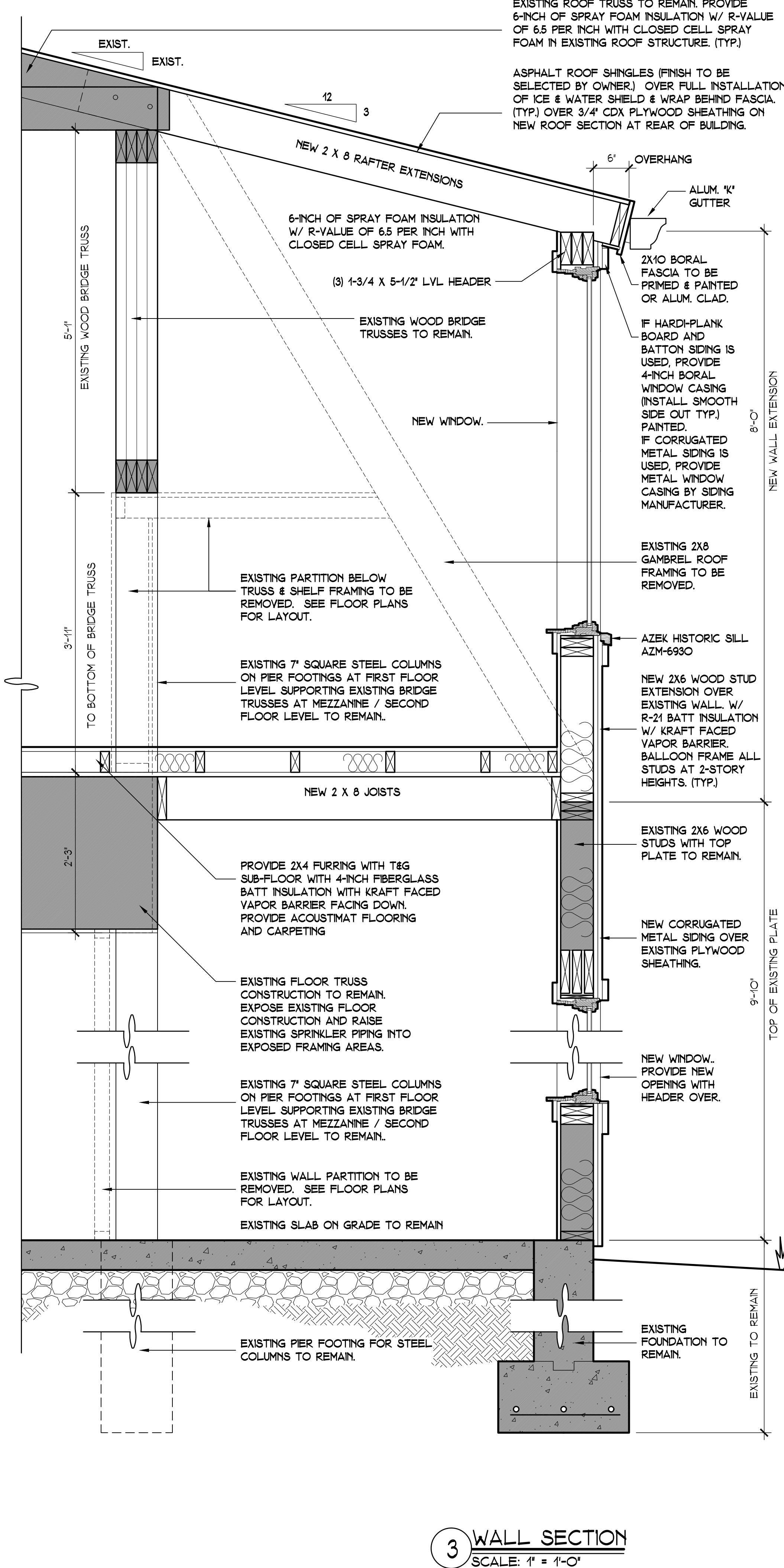
STANDING SEAM METAL ROOF (FINISH TO BE SELECTED BY OWNER) OVER FULL INSTALLATION OF ICE & WATER SHIELD & WRAP BEHIND FASCIA (TYP) OVER 3/4" CDX PLYWOOD SHEATHING ON NEW ROOF SECTION ONLY.



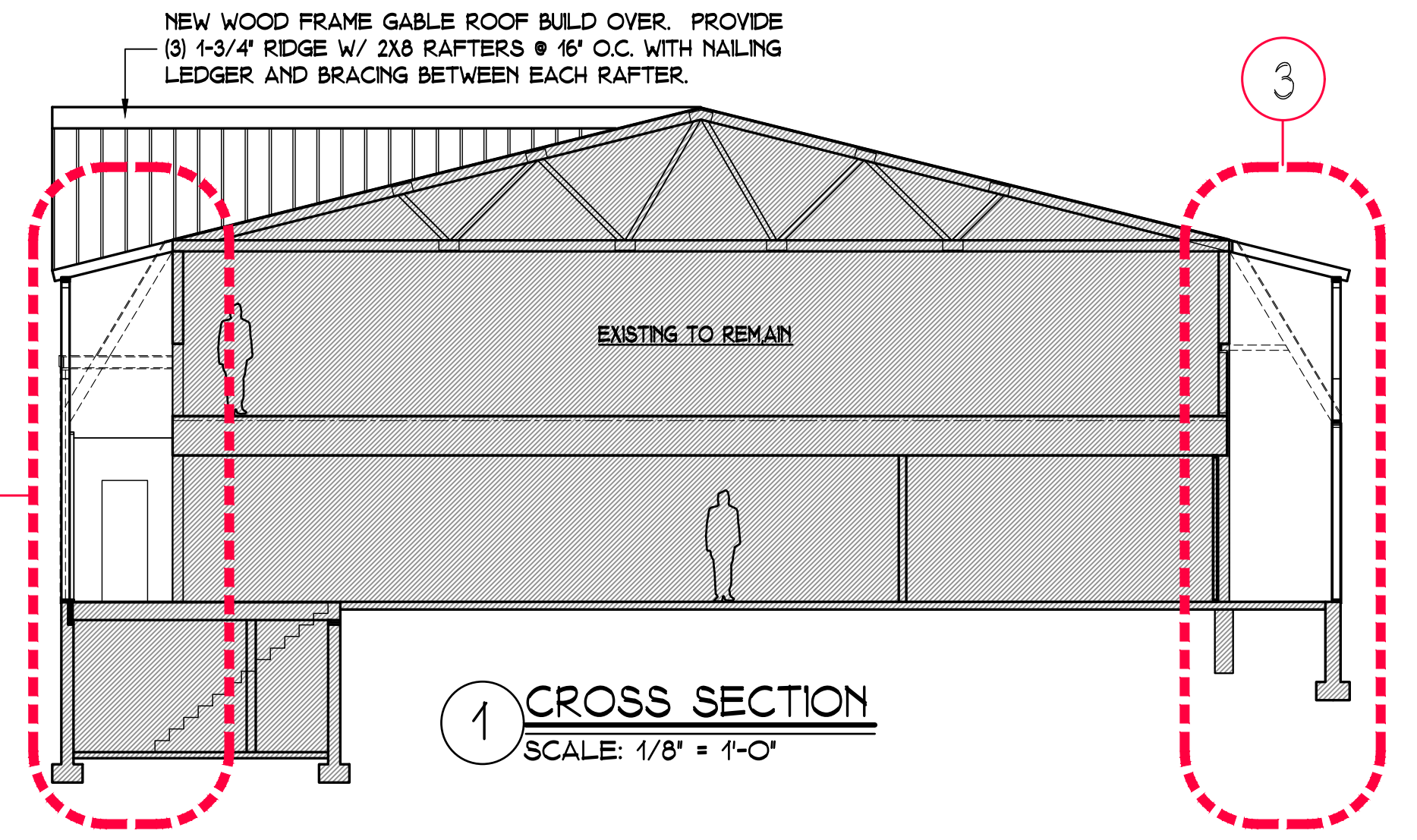
2 WALL SECTION
SCALE: 1" = 1'-0"

EXISTING ROOF TRUSS TO REMAIN. PROVIDE 6-INCH OF SPRAY FOAM INSULATION W/ R-VALUE OF 6.5 PER INCH WITH CLOSED CELL SPRAY FOAM IN EXISTING ROOF STRUCTURE. (TYP.)

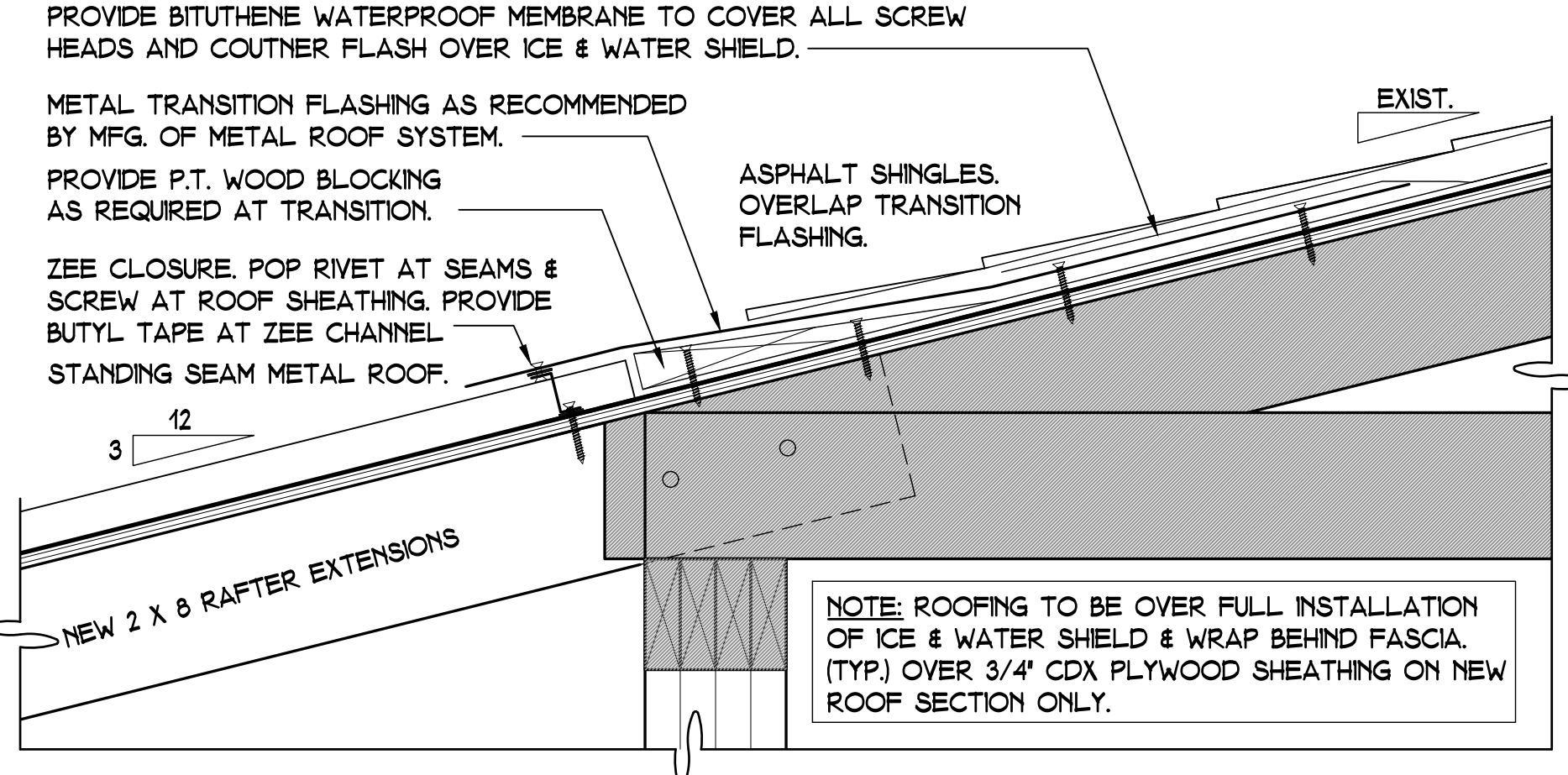
ASPHALT ROOF SHINGLES (FINISH TO BE SELECTED BY OWNER) OVER FULL INSTALLATION OF ICE & WATER SHIELD & WRAP BEHIND FASCIA (TYP) OVER 3/4" CDX PLYWOOD SHEATHING ON NEW ROOF SECTION AT REAR OF BUILDING.



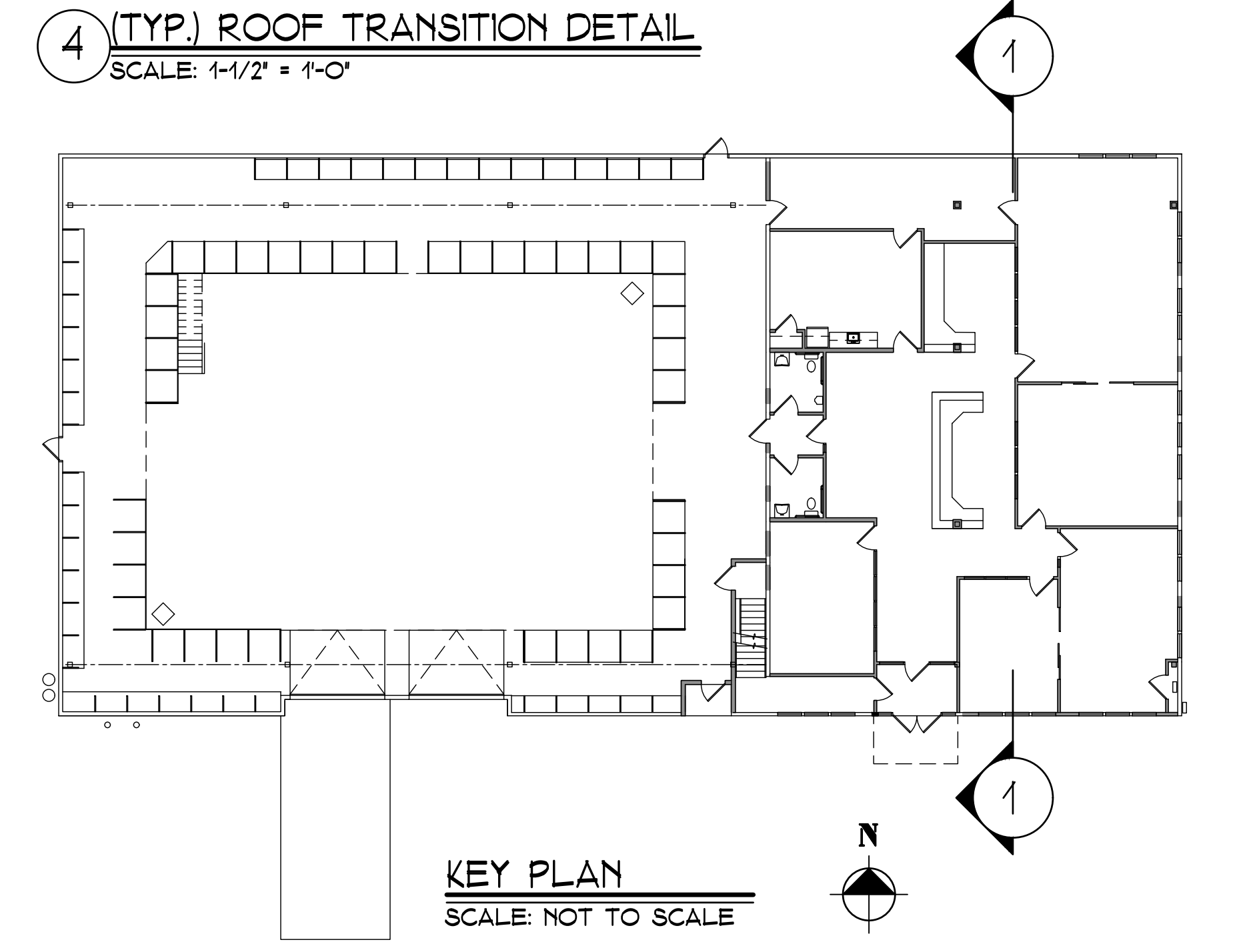
3 WALL SECTION
SCALE: 1" = 1'-0"



1 CROSS SECTION
SCALE: 1/8" = 1'-0"



4 (TYP.) ROOF TRANSITION DETAIL
SCALE: 1-1/2" = 1'-0"



KEY PLAN
SCALE: NOT TO SCALE

ISSUE DATES:	ALTERATIONS TO EXISTING BUILDING for: THERMODYNAMICS CORP.		DRAWN BY: NED
	2989 NAVAJO STREET	YORKTOWN HEIGHTS, NEW YORK 10598	CHECKED BY: PJH
	PROPOSED SECTIONS & DETAILS SCALE: AS INDICATED		DRAWING NO.:
			A-3
8-11-22 ABACA REQMTS 8-5-22	THE HELMES GROUP, LLP ARCHITECTURE • ENGINEERING PROJECT MANAGEMENT 184 KATONAH AVENUE, KATONAH, NY 10536 TEL: (914) 232-4633 FAX: (914) 232-0768 EMAIL: thg@thehelmesgroup.com		

FILE NAME:
PLOT SCALE:

Uncle Giuseppe's Marketplace

**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION APPROVING
INTERIOR SIDEWALK ALTERATIONS FOR THE
UNCLE GIUSEPPE'S MARKETPLACE AT 335 DOWNING DRIVE**

RESOLUTION NUMBER: #00-00

DATE:

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

WHEREAS in accordance with the Planning Board's Land Development Regulations, Town of Yorktown Town Code Chapter 195, adopted February 4, 1969 and as amended, a request was made to change the treatment of pedestrian crosswalks within a previously approved shopping center site plan with submitted plan titled, "Uncle Giuseppe's Marketplace Site Plan," prepared by Jarmel Kizel Architects and Engineers, Inc., dated October 4, 2021 and last revised August 9, 2022 was submitted to the Planning Board on behalf of the property owner, Oster Yorktown Properties, LLC (hereinafter referred to as "the Applicant"); and

WHEREAS the property owned by Oster Yorktown Properties, LLC is known as Section 37.18, Block 2, Lot 56 on the Town of Yorktown Tax Map (hereinafter referred to as "the Property"); and

WHEREAS the property owner has requested to remove existing concrete pedestrian crosswalks approved by the Planning Board and replace them with customary asphalt and white striping; and

WHEREAS as part of this request the following plan was submitted:

A drawing, Sheet C-200R, titled "Uncle Giuseppe's Marketplace Site Plan," prepared by Jarmel Kizel Architects and Engineers, Inc., dated October 4, 2021 and last revised August 9, 2022; and

RESOLVED the Planning Board accepted the removal of the pedestrian crosswalks to be replaced with asphalt and white striping as proposed on the plan listed herein; and

RESOLVED the site plan titled "Uncle Giuseppe's Marketplace Site Plan," prepared by Jarmel Kizel Architects and Engineers, Inc., dated October 4, 2021 and last revised August 9, 2022, be approved; and

BE IT FURTHER RESOLVED the property owner will work with the Planning Department to create a plan to replace the remaining pedestrian crosswalks on the site that are also in disrepair.

From: John Tegeder
Sent: Tuesday, August 16, 2022 10:30 AM
To: Eden Kongoli
Cc: John Landi; Richard Fon (richfon@aol.com); Gerry Gesario; Nancy Calicchia; Dan Ciarcia
Subject: Uncle Guiseppes

Eden, per put recent phone call, I've spoken to the Building Inspector and learned that he will not be able to issue a Temporary Certificate of Occupancy without the Town Board's acceptance. The Town Board is not meeting again until September. As an alternative, we can accept a cash bond that will facilitate the store opening without disruption to the schedule. I suggest that you submit to the Town a cash bond in the amount of \$7500.00 which will be returned to you upon adoption of the Planning Board resolution on September 12.

In the meantime, the Planning Board at their meeting last evening, determined that the modification of the pedestrian walkways and crosswalks from concrete to striped asphalt, in the subject area and as represented on the submitted plan, is acceptable. The Board further determined to allow installation of these to continue prior to formal adoption of the resolution in September, in order that the schedule is not disrupted.

Please endeavor to submit the Bond as soon as possible to eliminate any potential delay.

Let me know of any questions and concerns.

John A. Tegeder, R.A.
Director of Planning
Town of Yorktown, N.Y.
1974 Commerce Street
Yorktown Heights, N.Y. 10598
Tel. (914)962-6565 x 326
Fax (914)962-3986
www.yorktownny.org
jtegeder@yorktownny.org



August 2, 2022

via e-mail to: jtegeder@yorktownny.org

John A. Tegeder, R.A.

Director of Planning
Town of Yorktown, N.Y.
1974 Commerce Street
Yorktown Heights, N.Y. 10598
Tel. (914)962-6565 x 326

**RE: UGM Yorktown
Pedestrian Walks
Jarmel Kizel Project Number: UNCLEG-S-21-132**

Dear Mr. Tegeder,

This letter is in response to inquiries made regarding the existing pedestrian walks within the parking areas at 335 Downing Drive, more specifically, fronting the proposed Uncle Giuseppe's Marketplace. As you know, on January 10, 2022, our office presented to the Yorktown Planning Board a construction plan to amend a portion of the parking lot in front of the proposed Uncle Giuseppe's which was being undertaken to improve the grade pursuant to ADA requirements. Subsequent to the approval by the Town Board, the concrete pedestrian paths that traverse sections of the parking lot and access drives, were observed to be in a state of disrepair. As such, the owner has proposed removal of the existing concrete pedestrian paths and reconstruction of the paths with full depth asphalt supplemented with sufficient crosswalk striping\pavement markings to delineate the new walks. The width\locations of the new pedestrian paths will match the existing paths.

Should you have any questions or require additional information at this time, please do not hesitate to contact our office.

Very truly yours,
Jarmel Kizel Architects and Engineers, Inc.

A handwritten signature in black ink, appearing to read 'Gerard P. Gesario', is written over a light blue horizontal line.

Gerard P. Gesario, PE
Director of Civil Engineering

S:\Projects\UNCLEG-S-21-132 335 Downing Dr. Yorktown Heights, NY\Construction\2022-08-02 Director of Planning Letter.docx

ARCHITECTURE
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INTERIOR DESIGN
IMPLEMENTATION SERVICES

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NJ STATE BOARD OF
ARCHITECTS CERTIFICATE OF
AUTHORIZATION NUMBER 161

NJ STATE BOARD OF
PROFESSIONAL ENGINEERS
AND LAND SURVEYORS
CERTIFICATE OF
AUTHORIZATION NUMBER
GA278177

42 Okner Parkway
Livingston, NJ 07039

TEL: (973) 994-9669
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www.jarmelkizel.com

SURVEY REFERENCE:

- BOUNDARY & TOPOGRAPHY INFORMATION IS BASED ON A SURVEY TITLED "BOUNDARY & TOPOGRAPHIC SURVEY, 331-379 DOWNING DRIVE, SECTION 3718, BLOCK 2, LOT 56, TOWN OF YORKTOWN, COUNTY OF WESTCHESTER, NEW YORK," BY SUBURBAN ENGINEERING, 7 COKEBURY CALIFORN ROAD, LEBANON, NJ, DATED DECEMBER 16, 2020, WITH NO REVISION DATE.
- ORTHOPHOTOGRAPHY - NY STATE DIGITAL ORTHOMAGERY PROGRAM (NYS DOP), OFFICE OF GEOGRAPHIC INFORMATION SYSTEMS (OGIS), AND U.S. GEOLOGICAL SURVEY, 20160224, NEW YORK 2018 HIGH RESOLUTION ORTHOPHOTOGRAPHY, NAD83(2011) NY STATE PLANE COORDINATE SYSTEM (FEET).

GENERAL NOTES:

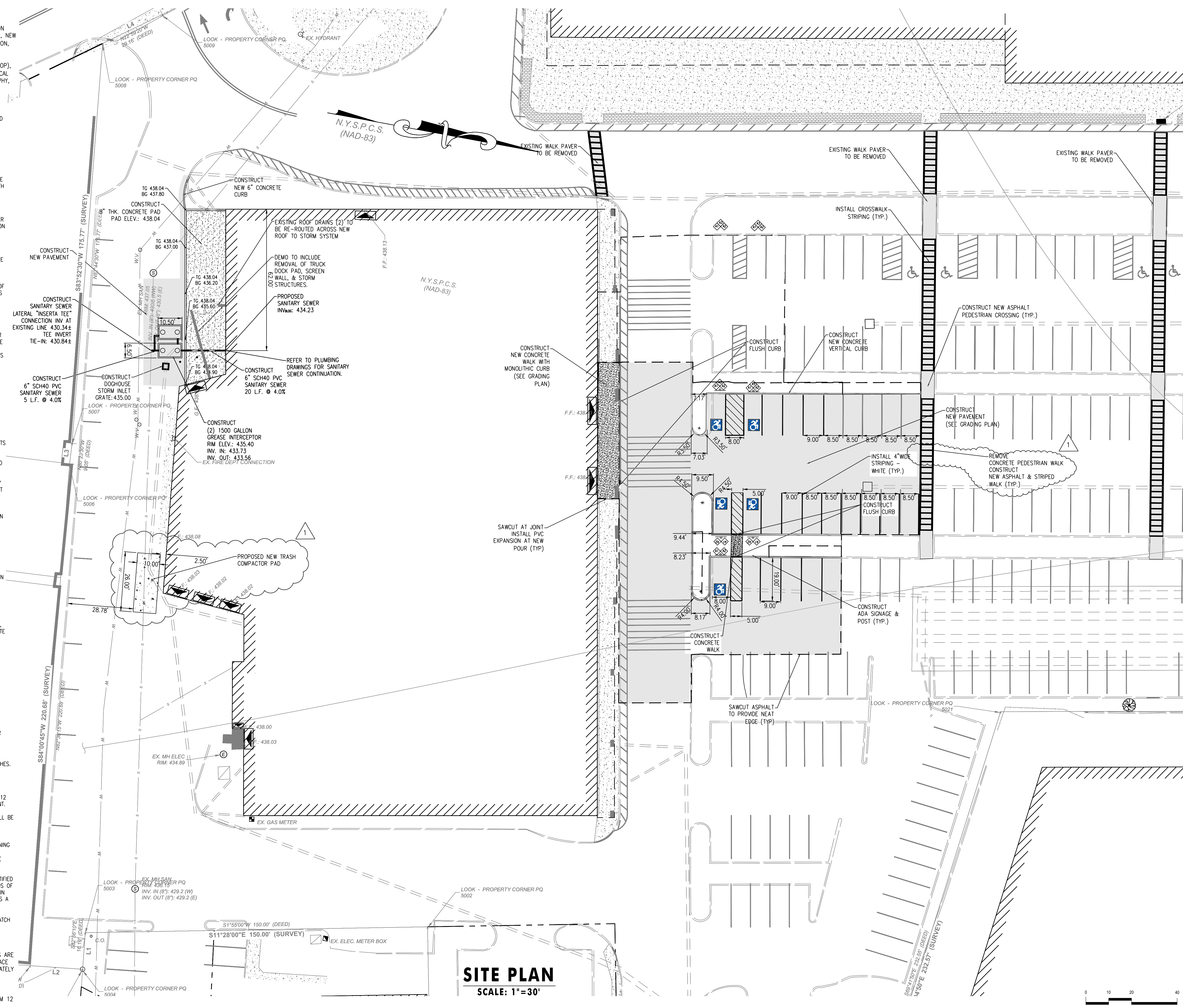
- CONSTRUCTION MATERIALS AND METHODS NOT OTHERWISE SPECIFIED OR SHOWN HEREIN SHALL CONFORM TO NYSDOT STANDARD SPECIFICATIONS (LATEST EDITION AND AMENDMENTS).
- THESE PLANS DEPICT THE SITE WORK IMPROVEMENTS FOR THIS PROJECT. THE CONTRACTOR SHALL FURNISH, INSTALL, TEST AND COMPLETE ALL WORK TO THE SATISFACTION OF THE ENGINEER AND OWNER IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR MEANS AND METHODS, TECHNIQUES, SEQUENCE OF CONSTRUCTION AND JOB SITE SAFETY. AS SUCH, THESE PLANS ARE NOT INTENDED TO REPRESENT SPECIFIC INSTRUCTIONS REQUIRED FOR SITE WORK CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE TO CONSTRUCT ALL IMPROVEMENTS DEPICTED ON THESE PLANS IN ACCORDANCE WITH ALL APPLICABLE RULES, REGULATIONS AND LAWS IN EFFECT AT THE TIME OF CONSTRUCTION.
- THE CONTRACTOR SHALL ACCEPT THE SITE AS IS. THE CONTRACTOR SHALL ASSESS CONDITIONS, AND THE KIND, QUALITY AND QUANTITY OF WORK REQUIRED. THE OWNER MAKES NO GUARANTEE IN REGARD TO THE ACCURACY OF ANY AVAILABLE INFORMATION WHICH WAS OBTAINED DURING INVESTIGATIONS. THE CONTRACTOR SHALL MAKE A THOROUGH INSPECTION OF THE SITE IN ORDER TO REVEAL EXISTING CONDITIONS, CORRELATE CONDITIONS WITH THE DRAWINGS AND RESOLVE ANY POSSIBLE CONSTRUCTION CONFLICTS WITH THE OWNER AND ENGINEER PRIOR TO BIDDING. ORDERING MATERIALS, AND COMMENCEMENT OF WORK. THE CONTRACTOR SHALL MAKE ADDITIONAL TOPOGRAPHIC SURVEYS IF HE DETERMINES NECESSARY, PROVIDED THEY ARE COORDINATED WITH THE OWNER. ANY CONDITIONS DETERMINED BY THE CONTRACTOR THAT DIFFER FROM THE INFORMATION SHOWN ON THE DRAWINGS THAT ARE NOT BROUGHT TO THE ATTENTION OF THE OWNER AND ENGINEER PRIOR TO THE START OF WORK SHALL NOT BE CONSIDERED GROUNDS FOR ADDITIONAL PAYMENT OR CHANGES TO THE CONTRACT DURATION, OR ANY OTHER CLAIMS AGAINST THE OWNER OR OWNER'S ENGINEER.
- THE CONTRACTOR SHALL PROVIDE WRITTEN REQUESTS FOR INFORMATION (RFIS) TO THE OWNER AND ENGINEER PRIOR TO THE CONSTRUCTION OF ANY SPECIFIC SITE WORK ITEM. THE (RFI) SHALL BE IN A FORM ACCEPTABLE TO OWNER AND ENGINEER AND SHALL ALLOW FOR A MINIMUM OF TWO WORK DAYS OR ADDITIONAL REASONABLE TIME FOR A WRITTEN REPLY. RFIS SHALL BE NUMBERED CONSECUTIVELY BY DATE SUBMITTED. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SITE WORK ITEMS CONSTRUCTED DIFFERENTLY THAN INTENDED OR AS DEPICTED ON THE PLANS.
- THE CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK, USING THE CONTRACTOR'S BEST SKILL AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE AND HAVE CONTROL OVER CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND JOB SITE SAFETY.
- THE CONTRACTOR MUST NOTIFY THE DESIGN ENGINEER OF ANY CONDITION OF CONFLICTS THAT WILL ALTER THE INTENT OF THE DESIGN HEREIN.
- CONTRACTOR IS RESPONSIBLE FOR THE DEMOLITION, REMOVAL AND DISPOSING IN A LEGAL MANNER IN A LOCATION APPROVED BY ALL GOVERNING AUTHORITIES, OF ALL CONCRETE PADS, ASPHALT PARKING, CURBS, ETC. SUCH THAT ALL THE IMPROVEMENTS SHOWN ON THE REMAINING PLANS CAN BE CONSTRUCTED.
- CONTRACTOR SHALL KEEP THE JOB FREE OF DEBRIS AND MAKE FINAL CLEAN UP TO THE SATISFACTION OF THE OWNER.
- CONTRACTOR SHALL CARRY OUT THE WORK OF THIS CONTRACT PLACING THE SAFETY AND PROTECTION OF THE SURROUNDING COMMUNITY AND PROPERTY AT THE HIGHEST PRIORITY.
- THE CONTRACTOR SHALL IMPLEMENT ALL NECESSARY MEASURES TO PROTECT ADJACENT AND ON-SITE PROPERTY, STRUCTURES AND UTILITIES THAT ARE TO REMAIN INTACT WHILE PERFORMING THE SPECIFIED WORK.
- THE CONTRACTOR SHALL ENSURE FREE AND SAFE PASSAGE OF PERSONS AROUND THE AREA OF THE DEMOLITION AS DIRECTED BY THE OWNER AND THE MUNICIPAL OFFICIALS. THE OWNER'S REPRESENTATIVE IS NOT RESPONSIBLE FOR JOBSITE SAFETY.
- ALL SIDEWALK, CURBS, DRIVEWAYS, PIPES, STRUCTURES TO REMAIN SHALL BE PROTECTED FROM DAMAGE BY THE CONTRACTOR. ANY DAMAGE DURING CONSTRUCTION SHALL BE RESTORED, RECONSTRUCTED OR REPLACED BY THE CONTRACTOR AT HIS EXPENSE.
- IF ANY HAZARDOUS MATERIALS ARE ENCOUNTERED THE OWNER/ENGINEER SHALL BE NOTIFIED IMMEDIATELY.
- CONTRACTOR SHALL BE RESPONSIBLE EACH DAY TO INSPECT AND REMOVE ALL DIRT, GRAVEL AND LOOSE MATERIAL DUMPED, SPILLED, ETC FROM THE CONSTRUCTION SITE ONTO OTHER SITES, ROW, PUBLIC OR PRIVATE STREET.
- SHOULD CONSTRUCTION ACTIVITIES DAMAGE FENCING, CURBING, PAVEMENT, LIGHTING AND/OR STORM INLETS STRUCTURES, THEN THE CONTRACTOR SHALL PROVIDE NEW MATERIALS/STRUCTURES IN ACCORDANCE WITH THE CONTRACT DOCUMENTS. ALL CONSTRUCTION MATERIALS SHALL BE NEW.
- THE INFORMATION SHOWN ON THIS DRAWING CONCERNING THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES IS NOT GUARANTEED TO BE ACCURATE OR ALL INCLUSIVE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIS OWN DETERMINATION AS TO THE TYPE AND LOCATION OF UNDERGROUND AND OTHER UTILITIES AS IS NECESSARY TO AVOID DAMAGE THERETO, TO PROVIDE FOR THE PROPOSED USE. THE LOCATIONS OF EXISTING UTILITIES SHOWN ARE APPROXIMATE BASED ON DESIGN DRAWINGS, NOT AS-BUILTS. THE CONTRACTOR MUST VERIFY THE EXACT LOCATIONS OF ALL EXISTING UTILITIES INCLUDING THOSE THAT ARE CUSTOMER OWNED.

CONSTRUCTION NOTES AND SPECIFICATIONS:

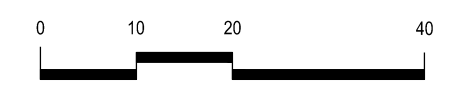
- MILLING AND/OR PAVEMENT REMOVAL SHALL BE TO A MINIMUM DEPTH OF 2 INCHES.
- CONTRACTOR SHALL SAW CUT ASPHALT TO PROVIDE A NEAT EDGE WHERE NEW ASPHALT WILL MEET EXISTING ASPHALT.
- AREAS OF FULL DEPTH RECONSTRUCTION SHALL BE BOXED OUT A MINIMUM OF 12 INCHES AND MAXIMUM OF 18 INCHES BEYOND LIMITS OF DETERIORATED PAVEMENT.
- AFTER MILLING, ANY SURFACE CRACKS IN THE REMAINING ASPHALT COURSE SHALL BE SEALED WITH A RUBBERIZED COLD-APPLIED ASPHALT EMULSION CRACK SEALANT SUCH AS "SEALMASTER" POURABLE CRACK SEALANT OR EQUAL.
- AFTER MILLING AND PRIOR TO APPLYING THE SURFACE COURSE, EXISTING REMAINING ASPHALT COURSE SHALL RECEIVE AN EMULSIFIED ASPHALT TACK COAT (RS-1) APPLIED AT A RATE OF 0.15 GALLONS PER SQUARE YARD. TACK COAT SHALL BE APPLIED ONLY TO AREAS TO BE PAVED IN THE SAME DAY.
- AFTER MILLING, CONTRACTOR SHALL INSTALL AN HMA LEVELING COURSE AT IDENTIFIED LOW SPOTS. CONTRACTOR SHALL PROVIDE A SEPARATE PRICE FOR SQUARE YARDS OF LEVELING COURSE. FOR BIDDING, CONTRACTOR SHALL PROVIDE A PRICE BASED ON 500 SQUARE YARDS OF LEVELING COURSE INSTALLED. FEE WILL BE ADJUSTED AS A CREDIT OR EXTRA DEPENDING ON THE ACTUAL QUANTITY OF CONSTRUCTION.
- STRIPING SHALL BE LATEX PAINT, TWO (2) COATS APPLIED IN THE COLOR TO MATCH EXISTING.

SOIL NOTES:

- DURING EXCAVATION FOR PLACEMENT OF THE GREASE TRAPS, IF ORGANICS ARE DISCOVERED IN THIS AREA, IT WILL BE NECESSARY TO REMOVE AND REPLACE THE ORGANIC MATERIAL WITH NEW FILL. THE ORGANIC LAYER IS APPROXIMATELY 5 FEET BELOW EXISTING GRADE.
- IF GROUNDWATER IS ENCOUNTERED, EXCAVATION AREA SHALL BE OVER-EXCAVATED, DEWATERED, AND FILLED WITH 1/2" CLEAN STONE, MINIMUM 12 INCHES THICK, PRIOR TO PLACEMENT OF THE GREASE TRAPS.



SITE PLAN
SCALE: 1"=30'



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ISSUE

NO.	DATE	DESCRIPTION	INT.
1	11-30-2021	FOR BUILDING PERMIT	GPG
2	07-13-2022	FOR FIELD CHANGE	GPG
3	08-02-2022	PED WALK APPROVAL	GPG
4	08-09-2022	FOR 8.15.22 TOWN BOARD MEETING	GPG

REVISION

NO.	DATE	DESCRIPTION	INT.
1	07-13-2022	ADDED DIMENSIONS	GPG
2	08-02-2022	ADDED PED WALK WORK	GPG

PRINCIPALS
MATTHEW B. JARMEI, AIA, MBA
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DAVID L. LESLIE, P.E.
KAROLINA PODKONOWICZ, AIA
CHERYL SCHWEIKER, AIA

Project:
UNCLE GIUSEPPE'S MARKETPLACE
335 DOWNING DRIVE
TOWN OF YORKTOWN
WESTCHESTER COUNTY, NEW YORK
SECTION 37.18, BLOCK 2, LOT 56

Project Number: UNCLG-S-21-132
Scale: 1" = 30'
Drawn By: A.P.P.
Approved By: G.P.G.

Drawing Name:
SITE PLAN

Drawing Number:
C-200R
8A OF 8

Initial Date: OCTOBER 4, 2021

ENGINEER OF RECORD

RICHARD A. JARMEI, PE
NY LIC 073898-1 EXP. 10/31/22

S:\PROJECTS\UNCLG-S-21-132-335 DOWNING DR. YORKTOWN HEIGHTS, NY\CAD\21-132-C-200R-SITE PLAN.DWG - MSRBG - PLOTTED: 8/10/2022 9:58 AM

Granite Knolls Solar Farm

AUG 30 2022

TOWN OF YORKTOWN

From: Darius Chafizadeh <DChafizadeh@HarrisBeach.com>
Sent: Tuesday, August 30, 2022 9:17 AM
To: John Tegeder <jtegeder@yorktownny.org>
Cc: Susan Brodie <sbrodie@hespsolar.com>; Robyn Steinberg <rsteinberg@yorktownny.org>;
Redding, Eric <eredding@BERGMANNPC.com>; Adam Rodriguez <ARodriguez@bpslaw.com>
Subject: **HESP/Granite Knolls**

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.

John:

Great speaking with you. We will have all submissions to the Town as discussed at the last meeting and on the phone with you earlier by the deadline next week. As mentioned, in order for the construction to begin in November, our clients will need all approvals from the Planning Board on September 12, 2022. Otherwise, my client will not be able to order the necessary materials and mobilize the contractors in time. As you and the Board are aware, HESP Solar has significantly reduced the project scope based on public comment and also agreed to the stormwater management requested by the Town.

We don't believe there are any other issues and respectfully request that a resolution of approval be considered and granted on September 12, 2022.

Please feel free to contact me with any questions or comments. If additional information is needed, please call me and we will ensure that the information is provided forthwith.

Thanks.

Darius

Darius Chafizadeh
Partner

445 Hamilton Avenue
Suite 1206
White Plains, NY 10601
914.683.1212 Direct
914.393.6802 Mobile
914.683.1210 Fax
914.683.1200 Main



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Newark, NJ | Washington, D.C.

August 30, 2022

Robyn A. Steinberg, AICP, CPESC
Town of Yorktown Planning Department
1974 Commerce Street, Room 222
Yorktown Heights, New York 10598

RECEIVED
PLANNING DEPARTMENT
AUG 31 2022
TOWN OF YORKTOWN

Re: Granite Knolls Park Solar Project – HESP Solar, LLC
Planning Department Submission
Parcel I.D. No. 26.09-1-22

Dear Robyn:

Please accept the following for the Granite Knolls Park Solar Project for discussion at the Planning Board meeting on September 12, 2022:

- Eight (8) copies of the updated Site Plan dated, August 26, 2022
- Eight (8) copies of the updated photosimulations dated, August 26, 2022
- Eight (8) copies of the updated Tree Mitigation Plan dated, August 26, 2022
- Eight (8) copies of the updated Tree Permit

We have made a number of changes to the plans including the following:

- Eliminated the ground mounted solar array.
- Eliminated the battery storage component.
- Added gutters along the drip edge of the solar carport canopies that connect to downspouts for stormwater management.
- Lighting under the solar carport canopies will be fully shielded.

We believe that these revisions satisfactorily address each of the comments provided by the general public and the Planning Board at the last Planning Board meeting. Please do not hesitate to contact me at (518) 556-3631, or via email at eredding@bergmannpc.com, should you have any questions or regarding this submission.

Sincerely,



Eric Redding, PE, LEED AP
Discipline Leader, Bergmann

August 26, 2022

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

RECEIVED
PLANNING DEPARTMENT
AUG 31 2022
TOWN OF YORKTOWN

Re: Mitigation Plan for Proposed Granite Knolls Park Solar Project
HESP Solar, LLC
Town of Yorktown, Westchester County, New York

Dear Mr. Fon:

The proposed 0.999 MW AC Granite Knolls Park Solar project ("Project") is located on Westchester County Parcel 26.09-1-22, which is a Town of Yorktown Park, consisting of sports field and wooded/grassed areas. The project will involve the proposed removal of 33 trees. As per The Town of Yorktown's Tree Law, a mitigation plan and Tree Permit is required for the Project. The Tree Permit Application is included as Enclosure A of this mitigation plan.

The mitigation measures provided below are based upon the options provided in the Tree Law, as well as items deemed likely to be important to the Town.

Tree Survey:

The tree survey was performed by certified arborist, Bartlett Tree Experts, which included a completed inventory of the 107 trees within the project area of which 96 qualify as protected trees. Trees were not surveyed in the areas outside of the proposed project boundary.

Each tree was tagged and is identified by number and categorized by condition ("dead", "poor", "fair", or "good") on the tree inventory list. Trees that are considered "poor" are falling apart, hazardous, and beyond salvaging. There is a total of 96 protected trees within the surveyed areas. Of these 96 surveyed protected trees, 74 are to remain, 10 are in either on "poor" condition or dead, resulting in 12 protected trees being cut and requiring mitigation measures to compensate for the impact of their removal.

See table below for a summary of the trees surveyed on the project property:

Total trees surveyed	107
Total trees to be removed	33
Total trees with a DBH greater than 8" to be removed	22
Less: dead/poor trees to be removed	10
Total protected trees to be removed	12
Average DBH of protected trees	13.32"



Mitigation Plan:

In accordance with the Town's Tree Law, we are proposing mitigation measures outline in section 270-10(D)(4) of the tree ordinance. First, we are proposing planting 44 new evergreen trees. See the detailed mitigation plan measures provided below.

New tree plantings:

The Landscaping Plan for the project involves 44 new evergreen trees across selected parts of the property. This includes the front yard along Stoney Street, along the entrance driveway north of the project location, and adjacent to the solar carport canopy system. All the trees planted will be evergreen species in order to provide year-round coverage, including White Fir, White Spruce, Canadian Hemlock and Colorado Spruce. These trees have installed heights ranging from 6 to 8 feet high and mature sizes ranging from 50 to 75 feet.

Planting of pollinator Friendly Seed Mix:

A pollinator friendly seed mix will be spread on the disturbed area at the Project site at the completion of construction in an effort to support a diverse ecosystem and habitat for pollinators within the project site.

Proposed Solar Farm Carbon Offset:

The EPA Greenhouse Gas Calculator was utilized to determine the positive environmental impacts that the proposed 0.999 MW AC Project will have. At peak capacity, the Project can save approximately 909 Metric Tons of Carbon Dioxide emissions per year. This is equivalent to the Carbon Dioxide sequestered by 1,076 acres of U.S. forests, 196 passenger vehicles driven per year or the offset of residential home electricity generated by 115 homes per year. Over the 25-year lifespan of the Project, the carbon offset will result in an enormously positive environmental impact by its carbon offset alone.

Suggestions from Tree Conservation Advisory Commission, Conservation Board, Planning Board and Public:

Any suggestions from the Tree Conservation Advisory Commission, Conservation Board, Planning Board and the Public will be considered for this Project. These suggestions may include additional mitigation opportunities, or any other measures deemed necessary for a complete Mitigation Plan for the Project.

We look forward to your consideration of this Mitigation Plan. It is our goal to cooperate with the Town as much as possible to ensure this Projects construction and completion. The clean, renewable, energy provided by this Project will be a great benefit to the Town and its citizens, allowing for a successful partnership for all involved parties for the life of this Project.

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

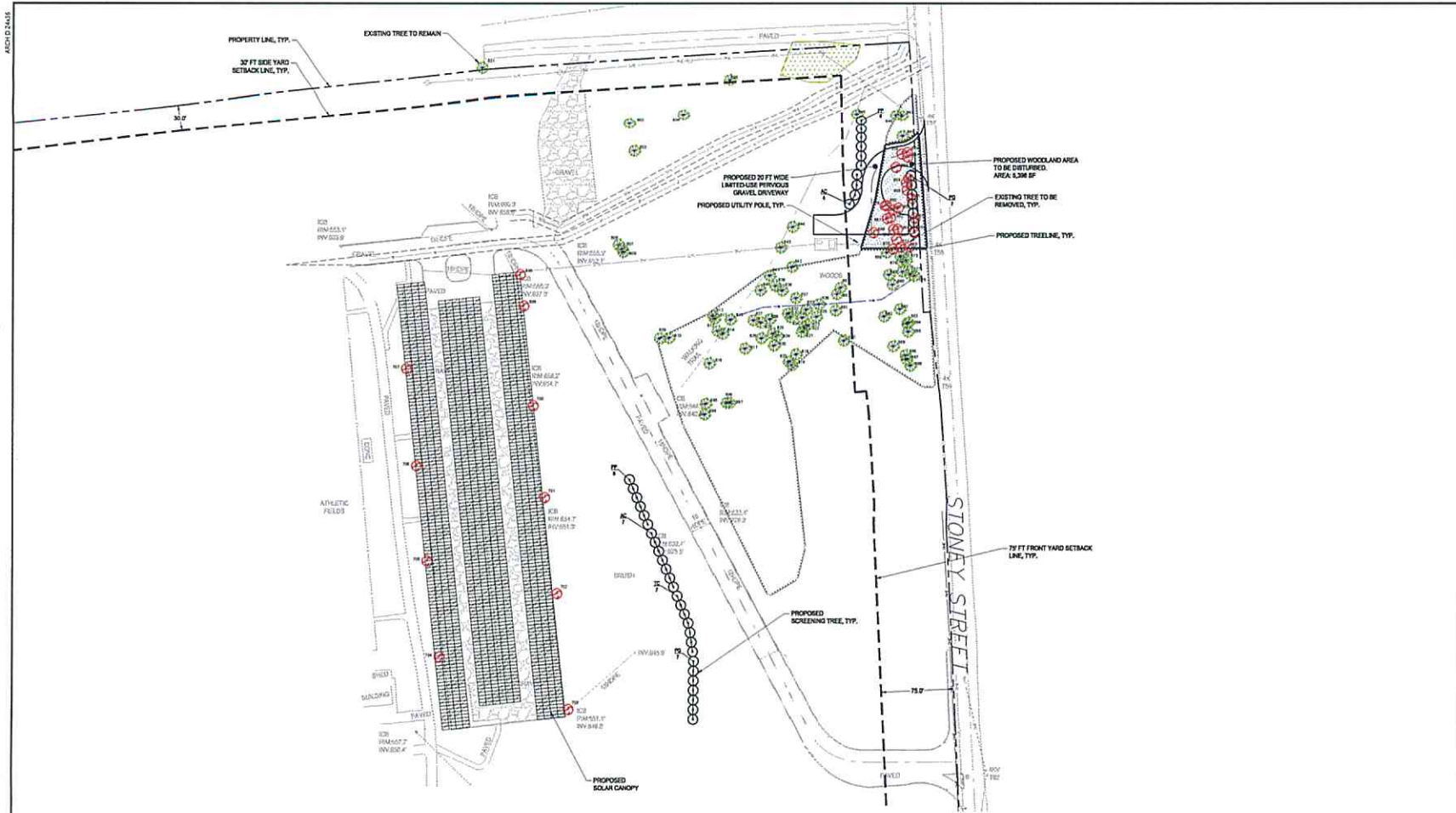
Sincerely,

Eric Redding, PE, LEED AP
Discipline Leader, BERGMANN

Enclosures:

- Enclosure A: Tree Mitigation Site Plan
- Enclosure B: US EPA Greenhouse Gas Equivalency Calculator
- Enclosure C: Tree Inventory

A01012-2416



LEGEND

	PROPERTY LINE		EXISTING EDGE OF ASPHALT
	SET BACK LINE		APPROXIMATE EXISTING TREELINE
	STONE WALL		PROTECTED WOODLAND AREA TO BE DISTURBED
	ADJACENT PROPERTY LINE		EXISTING WETLAND (PEM - NON WOTUS)
	ROAD RIGHT-OF-WAY		EXISTING UTILITY POLE
	EXISTING ROAD CENTERLINE		PROPOSED UTILITY POLE
	EXISTING OVERHEAD WIRE		EXISTING TREE TO BE REMOVED
	EXISTING STREAM CENTERLINE		EXISTING TREE TO REMAIN
	PROPOSED FENCE LINE		PROPOSED SCREENING TREE
	EXISTING FENCE LINE		
	PROPOSED OVERHEAD UTILITY LINE		
	PROPOSED UNDERGROUND UTILITY LINE		
	PROPOSED SWALE		
	PROPOSED TREELINE		
	SWALE CENTERLINE		
	EXISTING BUILDING		

TREE MITIGATION DATA TABLE

TREES TO BE REMOVED	TREES TO REMAIN	PROTECTED WOODLAND AREA DISTURBED (SF)
33	74	5306

PLANT LIST

Qty	Qty	Botanical Name	Common Name	Height	Spread	Soil Req.	Condition	DBH
Evergreen Trees								
AC	11	Alum Crataegus	White Fl.	35-55'	35-50'	F.F.H.	SAS	7"
PG	14	Pinus strobus	White Spruce	42-60'	10-20'	F.H.	SAS	7"
TC	7	Taxus canadensis	Canadian Hemlock	45-75'	25-35'	F.H.	SAS	7"
PP	12	Pinus pungens	Colonial Spruce	35-60'	10-20'	F.F.H.	SAS	7"
TOTAL	44							



2 Winans Circle, Suite 102
 Albany, NY 12205
 www.bergmann.com
 office: 518.862.0025

HESP SOLAR, LLC

**GRANITE KNOLLS
 PARK SOLAR PROJECT**

2975 STONEY STREET
 MOHEGAN LAKE, NY 10547

Date Revised	Description
10/27/2021	REVISED PER CLIENT COMMENTS
11/09/2021	REVISED PER CLIENT COMMENTS
01/06/2022	REVISED PER CLIENT COMMENTS
03/01/2022	REVISED PER TOWN COMMENTS
04/08/2022	REVISED PER TOWN COMMENTS
05/26/2022	REVISED PER TOWN COMMENTS

NOT FOR
CONSTRUCTION

Project Manager BCS	Discipline Lead BCS
Designer JSL	Reviewer JSL
Date Issued 05/15/2021	Project Number 18111.000


**LANDSCAPING/TREE
 MITIGATION SITE PLAN**


Drawing Number
C008


05/20/2022 2:38 PM


909 Metric Tons of Carbon Dioxide (CO₂) equivalent

This is equivalent to greenhouse gas emissions from:


196 gasoline-powered passenger vehicles driven for one year 


<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#vehicles> 

2,257,532 miles driven by an average gasoline-powered passenger vehicle 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#miles> 

This is equivalent to CO₂ emissions from:

102,339 gallons of gasoline consumed 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#gasoline> 

89,340 **gallons of diesel consumed** (?)

<<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#diesel>>



1,006,264 **pounds of coal burned** (?)

<<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#lbscoal>>



12 **tanker trucks' worth of gasoline**

(?) <<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#tankers>>




115 **homes' energy use for one year**

(?) <<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#houseenergy>>



177 homes' electricity use for one

year  <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#houseelec>


**5 railcars' worth of coal burned** 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#railcars>

**2,106 barrels of oil consumed** 

<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#oil>


**37,139 propane cylinders used for home**

barbeques  <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#propane>



0.0002 **coal-fired power plants in one year**  [<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#coalplant>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#coalplant)




0.002 **natural gas-fired power plants in one year**  [<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#gasplant>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#gasplant)





110,632,313 **number of smartphones charged**  [<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#smartphones>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#smartphones)







This is equivalent to greenhouse gas emissions avoided by:

315 **tons of waste recycled instead of landfilled**  [<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#recycle>](https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#recycle)



45 **garbage trucks of waste recycled**
instead of landfilled  <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#gtrucks> 

39,368 **trash bags of waste recycled**
instead of landfilled  <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#trash> 

0.247 **wind turbines running for a year**
 <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#wind> 

34,470 **incandescent lamps switched to LEDs**  <https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#leds> 

calculator-calculations-and-references#lights>

This is equivalent to carbon sequestered by:

15,038 tree seedlings grown for 10 years
? <<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#seedlings>>



1,076 acres of U.S. forests in one year
? <<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#pineforests>>



6.1 acres of U.S. forests preserved from conversion to cropland in one year ?
<<https://epa.gov/energy/greenhouse-gases-equivalencies-calculator-calculations-and-references#deforestation>>



GRANITE KNOLLS PARK SOLAR PROJECT TREE INVENTORY

Tree ID	Common Name	Genus	Species	DBH	Stems	Condition Class	
601	Juniper-Eastern Redcedar	Juniperus	virginiana	22	2	Fair	(remain)
602	Crabapple	Malus	sp	13	2	Poor	
603	Cherry	Prunus	sp	28	1	Fair	
604	Ash-Green	Fraxinus	pennsylvanica	8	1	Poor	
605	Honeylocust-Thornless Common	Gleditsia	triacanthos var. inermis	18	1	Good	
606	Crabapple	Malus	sp	9	1	Poor	
607	Crabapple	Malus	sp	11	3	Fair	
608	Crabapple	Malus	sp	8	2	Fair	
609	Locust-Black	Robinia	pseudoacacia	12	1	Fair	
610	Locust-Black	Robinia	pseudoacacia	17	1	Good	
611	Locust-Black	Robinia	pseudoacacia	8	1	Fair	
612	Locust-Black	Robinia	pseudoacacia	16	1	Good	
613	Hickory-Pignut	Carya	glabra	9	1	Good	
614	Maple-Red	Acer	rubrum	7	2	Fair	
615	Maple-Red	Acer	rubrum	8	3	Fair	
616	Tree of Heaven	Ailanthus	altissima	28	1	Poor	
617	Oak-Swamp White	Quercus	bicolor	9	1	Good	
618	Oak-Swamp White	Quercus	bicolor	13	1	Good	
619	Locust-Black	Robinia	pseudoacacia	17	1	Poor	
620	Locust-Black	Robinia	pseudoacacia	17	1	Poor	
621	Locust-Black	Robinia	pseudoacacia	25	1	Fair	
622	Maple-Sugar	Acer	saccharum	9	1	Poor	
623	Maple-Sugar	Acer	saccharum	8	1	Fair	
624	Maple-Sugar	Acer	saccharum	13	1	Good	
625	Maple-Sugar	Acer	saccharum	8	1	Good	
626	Maple-Red	Acer	rubrum	18	3	Poor	
627	Maple-Sugar	Acer	saccharum	12	2	Good	
628	Maple-Sugar	Acer	saccharum	10	1	Fair	
629	Cherry	Prunus	sp	8	1	Fair	
630	Locust-Black	Robinia	pseudoacacia	13	1	Fair	
631	Maple-Sugar	Acer	saccharum	11	1	Good	
632	Maple-Sugar	Acer	saccharum	8	1	Good	
633	Maple-Sugar	Acer	saccharum	12	1	Good	
634	Locust-Black	Robinia	pseudoacacia	11	1	Fair	
635	Locust-Black	Robinia	pseudoacacia	8	1	Poor	
636	Locust-Black	Robinia	pseudoacacia	26	1	Poor	
637	Maple-Sugar	Acer	saccharum	13	1	Good	
638	Maple-Sugar	Acer	saccharum	9	1	Good	
639	Maple-Sugar	Acer	saccharum	9	1	Poor	
640	Maple-Sugar	Acer	saccharum	23	1	Good	
641	Locust-Black	Robinia	pseudoacacia	22	1	Fair	
642	Locust-Black	Robinia	pseudoacacia	14	1	Poor	
643	Ash-Green	Fraxinus	pennsylvanica	11	1	Dead	
644	Crabapple	Malus	sp	32	1	Poor	
645	Locust-Black	Robinia	pseudoacacia	20	1	Good	
646	Locust-Black	Robinia	pseudoacacia	16	1	Poor	
647	Locust-Black	Robinia	pseudoacacia	16	2	Fair	
648	Maple-Sugar	Acer	saccharum	13	1	Good	
649	Maple-Sugar	Acer	saccharum	12	1	Fair	Removed
650	Maple-Sugar	Acer	saccharum	12	1	Good	Removed
651	Maple-Sugar	Acer	saccharum	9	1	Fair	Removed
652	Locust-Black	Robinia	pseudoacacia	13	1	Poor	Removed
653	Locust-Black	Robinia	pseudoacacia	12	1	Poor	Removed
654	Locust-Black	Robinia	pseudoacacia	14	1	Poor	Removed
655	Locust-Black	Robinia	pseudoacacia	11	1	Poor	Removed
656	Maple-Sugar	Acer	saccharum	9	1	Poor	Removed

657	Locust-Black	Robinia	pseudoacacia	13	1	Fair	Removed
658	Locust-Black	Robinia	pseudoacacia	14	1	Fair	Removed
659	Locust-Black	Robinia	pseudoacacia	15	1	Poor	Removed
660	Maple-Sugar	Acer	saccharum	8	1	Fair	Removed
661	Maple-Sugar	Acer	saccharum	9	1	Fair	Removed
662	Locust-Black	Robinia	pseudoacacia	14	1	Poor	Removed
663	Maple-Red	Acer	rubrum	13	1	Poor	Removed
664	Maple-Sugar	Acer	saccharum	10	1	Fair	Removed
665	Maple-Sugar	Acer	saccharum	11	1	Good	Removed
666	Locust-Black	Robinia	pseudoacacia	13	1	Fair	Removed
667	Locust-Black	Robinia	pseudoacacia	15	1	Fair	Removed
668	Hickory-Pignut	Carya	glabra	9	1	Good	Removed
669	Cherry	Prunus	sp	8	1	Fair	
670	Maple-Sugar	Acer	saccharum	3	1	Fair	Removed
671	Maple-Sugar	Acer	saccharum	10	1	Fair	Removed
672	Maple-Sugar	Acer	saccharum	14	1	Fair	Removed
673	Locust-Black	Robinia	pseudoacacia	14	1	Fair	
674	Locust-Black	Robinia	pseudoacacia	14	1	Fair	
675	Locust-Black	Robinia	pseudoacacia	12	1	Poor	
676	Maple-Sugar	Acer	saccharum	9	1	Fair	
677	Maple-Sugar	Acer	saccharum	8	1	Fair	
678	Locust-Black	Robinia	pseudoacacia	21	1	Dead	
679	Maple-Sugar	Acer	saccharum	10	1	Fair	
680	Maple-Sugar	Acer	saccharum	13	1	Good	
681	Maple-Sugar	Acer	saccharum	12	1	Good	
682	Maple-Sugar	Acer	saccharum	15	1	Good	
683	Maple-Sugar	Acer	saccharum	10	3	Fair	
684	Maple-Sugar	Acer	saccharum	14	1	Fair	
685	Maple-Sugar	Acer	saccharum	14	1	Fair	
686	Locust-Black	Robinia	pseudoacacia	14	1	Fair	
687	Maple-Sugar	Acer	saccharum	13	1	Fair	
688	Locust-Black	Robinia	pseudoacacia	13	1	Poor	
689	Maple-Sugar	Acer	saccharum	13	1	Poor	
690	Maple-Red	Acer	rubrum	16	1	Good	
691	Locust-Black	Robinia	pseudoacacia	14	1	Fair	
692	Maple-Sugar	Acer	saccharum	12	1	Fair	
693	Locust-Black	Robinia	pseudoacacia	13	1	Poor	
694	Maple-Sugar	Acer	saccharum	18	1	Fair	
695	Maple-Norway	Acer	platanoides	18	1	Good	
696	Locust-Black	Robinia	pseudoacacia	13	1	Poor	
697	Locust-Black	Robinia	pseudoacacia	12	1	Poor	
698	Oak-Northern Red	Quercus	rubra	3	1	Fair	Removed
699	Oak-Northern Red	Quercus	rubra	3	1	Good	Removed
700	Oak-Northern Red	Quercus	rubra	4	1	Good	Removed
701	Oak-Northern Red	Quercus	rubra	3	1	Poor	Removed
702	Oak-Northern Red	Quercus	rubra	3	1	Fair	Removed
703	Oak-Northern Red	Quercus	rubra	3	1	Fair	Removed
704	Maple-Sugar	Acer	saccharum	3	1	Fair	Removed
705	Oak-Pin	Quercus	palustris	3	1	Fair	Removed
706	Oak-Pin	Quercus	palustris	3	1	Fair	Removed
707	Oak-Pin	Quercus	palustris	3	1	Poor	Removed

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

Section 26.09
Block 1
Lot # 22

Approval Authority: TE [] PB [] TB []
Application #: _____
Date Received: _____
Date Issued: _____
Date Expires: _____
Fee Paid: \$ _____

Job Site Address: 2975 Stoney Street

City/State/Zip: Mohegan Lake, NY 10547

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

APPLICANT:

YOUR NAME: Susan Brodie
COMPANY: HESP Solar, LLC
ADDRESS: 400 Rella Boulevard, Suite 160
Suffern, NY ZIP 10901
PHONE: (845) 405-0600
EMAIL: sbrodie@hespsolar.com

OWNER:

YOUR NAME: Town of Yorktown Parkland
COMPANY: Town of Yorktown Parkland
ADDRESS: 2975 Stoney Street
Mohegan Lake, NY ZIP 10598
PHONE: (N/A) _____
EMAIL: N/A

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

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

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

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

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

- a. Lake/pond _____ Control area of lake/pond _____
- b. Stream/River/Brook _____ Control area of stream/river/brook _____
- c. Wetlands _____ Control area of wetlands _____

2a. Description of activity in the wetland and/or wetland buffer. Describe the proposed work including the following: i.e. maintenance, construction of dwelling, addition, driveway, culverts, including size and location.

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

Proposed driveway will be graded, 33 trees will be removed and 44 new trees will be planted.

3. Tree Removal:

Amount of trees and/or stumps to be removed: 33

Sizes; approximate DBH: 13.32"

Species of trees to be removed (i.e. Birch, Spruce - if known): see attached tree inventory

Reason for removal: Carport Solar Farm and Entrance driveway

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

Tree removal contractor: TBD

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

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

I, _____ hereby authorize Bergmann to apply for this Stormwater/Wetland Permit/Tree Permit on my behalf.

Signature: _____ Date: _____
Must be original signature. Digital signatures not accepted.

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

GENERAL CONDITIONS

1. The permittee is responsible for maintaining an active application. If no activity occurs within a six (6) month period, as measured from the date of application, the application will become null and void. Applications fees are non-refundable.
2. The Town of Yorktown reserves the right to modify, suspend or revoke this permit at any time after due notice when:
 - a. Scope of the project is exceeded or a violation of any condition of the permit or provision of the law pertinent regulations are found; or
 - b. Permit was obtained by misrepresentation or failure to disclose relevant facts; or
 - c. Newly discovered information or significant physical changes are discovered.
3. The permittee is responsible for keeping the permit active by requesting renewal from the Approval Authority. Any supplemental information that may be required by the Approval Authority, including forms and fees, must be submitted 30 days prior to the expiration date. The expiration date is one year from the date the bond is paid to the Engineering Department. In accordance with Chapter 178 of the Town Code, Freshwater Wetlands, Section 178-16 -Expiration of a Permit.
4. This permit shall not be construed as conveying to the applicant any right to trespass upon private lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing the impairment of any right, title or interest in real or personal property held or vested in person not party to this permit.
5. The permittee is responsible for obtaining any other permits, approvals, easements and right-of-way, which may be required.
6. Any modification of this permit granted by the Approval Authority must be in writing and attached hereto.
7. Granting of this permit does not relieve the applicant of the responsibility of obtaining any other permission, consent or approval from the U.S. Army Corps of Engineers, N.Y.C. Department of Environmental Protection, N.Y.S. Department of Environmental Conservation or local government, which may be required.

Susan Brodie

PRINT NAME



SIGNATURE OF APPLICANT

8/26/22

DATE

Must be original signature. Digital signatures not accepted.

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: Granite Knolls Park Solar Project		
Project Location (describe, and attach a general location map): 2975 Stoney Street, Mohegan Lake, NY 10547		
Brief Description of Proposed Action (include purpose or need): The proposed project consists of a 1.51± acre 0.999 MW DC solar canopy system with a Tier 2 battery storage system (Granite Knolls Park Solar Project). The proposed community solar project will provide significant local sustainability and carbon reduction benefits to the Town of Yorktown. The system will also increase local grid resiliency and help to facilitate New York State's broader renewable energy goals.		
Name of Applicant/Sponsor: Susan Brodie	Telephone: (845) 405-0600	E-Mail: sbrodie@hespsolar.com
Address: 400 Rella Boulevard, Suite 160		
City/PO: Suffix	State: New York	Zip Code: 12585
Project Contact (if not same as sponsor; give name and title/role): Bergmann c/o Eric Redding, PE as Agent for Applicant	Telephone: (518) 556-3631	E-Mail: eredding@bergmannpc.com
Address: 2 Winners Circle, Suite 102		
City/PO: Albany	State: NY	Zip Code: 12205
Property Owner (if not same as sponsor): Town of Yorktown Parkland	Telephone: N/A	E-Mail: N/A
Address: 2975 Stoney Street		
City/PO: Mohegan Lake	State: New York	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 Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Yorktown Planning Board - Site Plan Approval and Special Use Permit	
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input type="checkbox"/> No		
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Yorktown Parks and Recreation Department	
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSERDA - Incentives	
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

C. Planning and Zoning

C.1. Planning and zoning actions.	
Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed?	<input 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 checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes, identify the plan(s): Open Space Plan (Private Institutions) _____ _____ _____	

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?
R-160 - One Family 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? _____

C.4. Existing community services.

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

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

c. Which fire protection and emergency medical services serve the project site?
Mohegan F.D.

d. What parks serve the project site?
Granite Knolls Park, Sylvan Glen Town Preserve, Mcgregor Pond Preserves

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)? Residential

b. a. Total acreage of the site of the proposed action? _____ 73.17 acres
b. Total acreage to be physically disturbed? _____ 0.32 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 73.17 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)? % _____ TBD Units: _____ TBD

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: _____ 6± 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 3
 ii. Dimensions (in feet) of largest proposed structure: 19 height; 40 width; and N/A length
 iii. Approximate extent of building space to be heated or cooled: 0 square feet

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

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

D.2. Project Operations

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

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

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

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

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? Yes No
 If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____

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

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No

If Yes, describe: _____

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

If Yes:

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

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

If Yes:

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

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

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

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

If Yes:

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

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

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

If Yes:

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

• 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: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

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

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

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. _____

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

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

• Will stormwater runoff flow to adjacent properties? Yes No

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

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? Yes No
 If Yes:
 i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:
 • _____ Tons/year (short tons) of Carbon Dioxide (CO₂)
 • _____ Tons/year (short tons) of Nitrous Oxide (N₂O)
 • _____ Tons/year (short tons) of Perfluorocarbons (PFCs)
 • _____ Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
 • _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (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 1/2 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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ 7:00 a.m. - 6:00 p.m. _____ • Saturday: _____ 7:00 a.m. - 6:00 p.m. _____ • Sunday: _____ N/A _____ • Holidays: _____ N/A _____ 	<p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ N/A _____ • Saturday: _____ N/A _____ • Sunday: _____ N/A _____ • Holidays: _____ N/A _____
--	---

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:
 Noise levels will temporarily increase during construction due to construction equipment during the hours of 7:00 a.m. - 6:00 p.m., Monday - Saturday. Construction duration will not exceed 6± months. No significant impact with respect to noise is anticipated during operations. Work will conform to local noise ordinance.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: existing vegetation will remain around the boundary of the project site.

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 (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

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

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? Yes No

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): Recreational

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.17±	2.17±	0.00
• Forested	47.22±	47.10±	- 0.12±
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	23.72±	23.84±	+0.12±
• Agricultural (includes active orchards, field, greenhouse etc.)	0.00	0.00	0.00
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.01±	0.01±	0.00
• Wetlands (freshwater or tidal)	0.05±	0.05±	0.00
• Non-vegetated (bare rock, earth or fill)	0.00	0.00	0.00
• Other Describe: _____	0.00±	0.00±	0.00

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:
Shrub Oak International School _____

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? _____ 3.51 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:

<u>Paxton Fine Sandy Loam (3-8%)</u>	<u>36.6</u> %
<u>Paxton Fine Sandy Loam (8-15%)</u>	<u>33.8</u> %
<u>Woodbridge Loam (8-15%)</u>	<u>14.2</u> %

d. What is the average depth to the water table on the project site? Average: _____ 2.49 feet

e. Drainage status of project site soils:

<input checked="" type="checkbox"/> Well Drained:	<u>73.7</u> % of site
<input checked="" type="checkbox"/> Moderately Well Drained:	<u>20.5</u> % of site
<input checked="" type="checkbox"/> Poorly Drained	<u>5.7</u> % of site

f. Approximate proportion of proposed action site with slopes:

<input checked="" type="checkbox"/> 0-10%:	<u>62.65</u> % of site
<input checked="" type="checkbox"/> 10-15%:	<u>34.45</u> % of site
<input checked="" type="checkbox"/> 15% or greater:	<u>2.8</u> % 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 TBD Classification NON WOTUS
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name TBD Approximate Size 0.5 Acres
- Wetland No. (if regulated by DEC) _____

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? 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: _____ Various Migratory Birds _____ Typical Northeastern Wildlife _____	_____ _____ _____
n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Species and listing: _____ _____	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No i. If Yes: acreage(s) on project site? <u>68.41 Acres</u> ii. Source(s) of soil rating(s): <u>NCRS Soil Survey</u>	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> 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?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: <u>Westchester County GIS, Granite Knolls Park</u>	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): <u>Local Park</u>	
<i>iii.</i> Distance between project and resource: _____ 0 miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

F. Additional Information

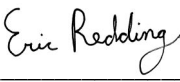
Attach any additional information which may be needed to clarify your project.

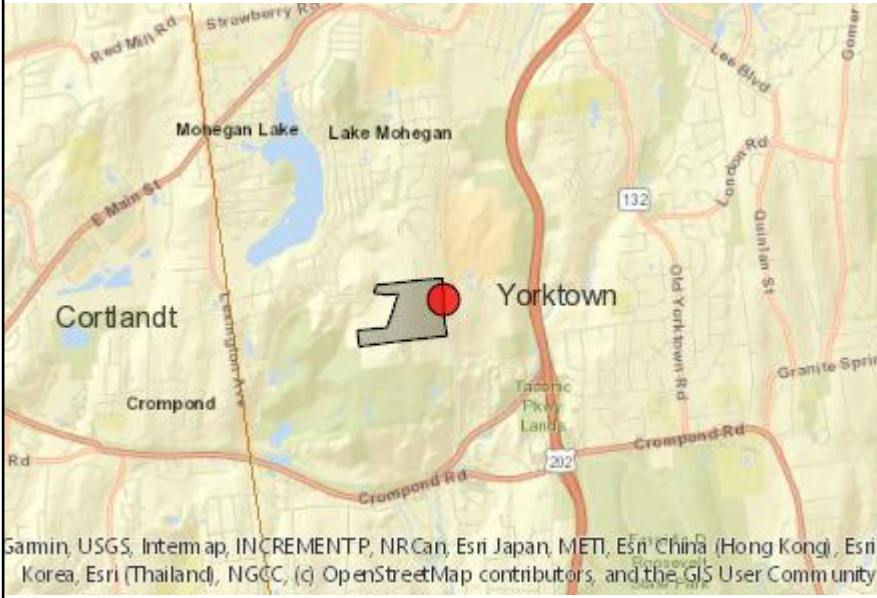
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

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

Applicant/Sponsor Name HESP Solar, LLC c/o Susan Brodie Date 09/09/2022

Signature  Bergmann c/o Eric Redding, PE as Agent for Applicant Title Discipline Leader



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



B.i.i [Coastal or Waterfront Area]	No
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook.
C.2.b. [Special Planning District - Name]	NYC Watershed Boundary
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No

E.2.p. [Rare Plants or Animals]	No
E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	No
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	Yes
E.3.i. [Designated River Corridor]	No



December 14, 2021

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

Re: **Notice of Intent to be Lead Agency
Granite Knolls Park Solar Project
Stoney Street
Town of Yorktown; Westchester County, NY
Tax Map #: 26.09-1-22
DEP Log #: 2021-CNC-0870-SQ.1**

*Vincent Sapienza P.E.
Commissioner*

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

465 Columbus Avenue
Valhalla, NY 10595

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

Dear Ms. Steinberg and Members of the Planning Board:

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

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

The proposed action consists of a 1.4 acre ground mounted solar array with battery storage and 1.5 acre solar canopy system. Site access is via Stony Street.

DEP's status as an involved agency stems from its review and approval of a Stormwater Pollution Prevention Plan (SWPPP) will be required in accordance with Section 18-39(b) of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations).

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

1. The EAF is lacking in information and must be revised to be consistent with the project plans. For instance, Part D.1 of the EAF indicates that there will be no ground disturbance for this project and no impervious surfaces involved which is inaccurate and should be corrected.

2. The extent and nature of soil disturbance associated with the panel installation must be provided. For example, a breakdown of all new access road disturbances, trenching activities anticipated for the installation of MC cable, pad-mounted utility meter, generator, transformer pad, and staging area, etc. must be considered and accounted for.
3. Since this proposal is in the same location as the DEP-approved Granite Knolls Park SWPPP wherein construction was recently completed, it should be noted that this project is considered an amendment to that existing SWPPP requiring DEP review and approval.
4. Although the EAF indicates that no impervious surfaces are involved in this proposal, the concrete equipment pad, battery storage system, and the canopy system (as it is to be installed over an existing pervious gravel parking lot), are considered new impervious surfaces in accordance with the Watershed Regulations. DEP discussed this proposal in a previously held meeting with Town representatives and noted that post-construction stormwater management practices that incorporate runoff reduction must be utilized for managing runoff from any newly proposed impervious areas.
5. The applicant's representative is encouraged to schedule a pre-application meeting with DEP and may contact Mariyam Zachariah via email at mzachariah@dep.nyc.gov or at (914) 749-5357.
6. The access from Stony Street to the battery storage and equipment pad is labeled as "gravel." Gravel is considered pervious in accordance with the Watershed Regulations. However, if asphalt pavement is proposed for any portion including the apron, stormwater runoff must be captured and treated accordingly.
7. The project plans shows the proposed battery storage system within proximity to the existing stream. The 100-foot limiting distance to the watercourse should be shown on the plan. Please be aware that the Watershed Regulations generally prohibit the construction of impervious surfaces within 100 feet of any DEP delineated watercourses.
8. A local wetland has been identified on the northern portion of the project site. To validate the presence and status of any watercourses, the project applicant should schedule a site walk with DEP and may contact Mariyam Zachariah to make arrangements.
9. Due to the extent of the existing NRCS soil type (Paxton), which are limited for infiltration, and the degree of steep slopes where the panels are ground-mounted, achieving proper runoff reduction may be challenging. Soil testing is required and must be witnessed by DEP for any proposed stormwater best management practices. The applicant's representative may contact Mariyam Zachariah to witness testing and schedule the site visit.
10. According to SPDES General Permit GP-015-002, Table 1 in Appendix B, solar arrays are considered as an environmental enhancement project. However, based on the

proposal, it appears that this project may, in fact, alter the hydrology from pre to post-development conditions. Per the Watershed Regulations Section 18-39(b)(3)(ii), the applicant's representative must demonstrate whether the project will alter the hydrology and whether post-construction stormwater controls are required.

11. The driveway profile shows the access road at a grade from 0 to 10%. As such, the project sponsor may wish to contact the responsible fire department officials to determine whether emergency response vehicles can adequately access the project site via a gravel road and determine the maximum allowable grade for emergency access under all-weather conditions.
12. Although the drip line edge of the level spreaders/dissipators are shown parallel to the contours, they are situated in perpendicular to the south facing panels which may cause rills to form thereby producing concentrated flows converging to the nearest watercourse. This condition must be avoided to reduce erosion and downgradient sedimentation. The applicant is advised to follow NYSDEC's 2018 solar installation guidance regarding installations with slopes between 5% and 10%. Moreover, the contours are not labeled on the site plans. As such, the slopes cannot be determined.

As referenced in NYSDEC's guidance, page 1 of the Maryland's stormwater guidance includes the following criteria: "Installations on slopes greater than 10% will require an engineered plan that ensures adequate treatment and the safe and non-erosive conveyance of runoff to the property line or downstream stormwater management practice (SMP)." In conclusion., it appears the proposed layout of the level spreaders/dissipators do not follow the Maryland Guidance and will require post construction stormwater management.

13. Sequence of Construction note 11 and Erosion & Sediment Controls note 8 on drawing C001 should be consistent with the SPDES GP-020-001, Part 1B.1.b for EOH watershed projects.
14. The stabilization notes on drawing C010 calls for soil amendments. Generally, the majority of soils in the region are suitable for planting without the added use of chemical fertilizers. Within the NYC watershed, it is recommended that a certified soil lab that tests for fertility test the soil before any fertilizer is added.

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

Sincerely,



Cynthia Garcia, Supervisor
SEQRA Coordination Section

X: J. Petronella, NYSDEC Region 3
N. Drummond, WCPD
E. Redding, Bergmann P.C.

[Handwritten signature]

**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION APPROVING A SITE PLAN, SPECIAL USE PERMIT
FOR A LARGE-SCALE SOLAR ENERGY SYSTEM, AND TREE PERMIT
FOR THE GRANITE KNOLLS SOLAR PROJECT**

RESOLUTION NUMBER: #22-00

DATE:

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

WHEREAS in accordance with the Planning Board's Land Development Regulations, Town of Yorktown Town Code Chapter 195, adopted February 4, 1969 and as amended, a formal application for the approval of a site plan and special use permit for a large-scale solar power generation system with submitted plans titled, "Preliminary Development Plans for Proposed Granite Knolls Park Solar Development," prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022, was submitted to the Planning Board on behalf of HESP Solar, LLC (hereinafter referred to as "the Applicant"); and

WHEREAS the Applicant has entered an agreement with the Town Board and is proposing to construct a 0.999 MWdc capacity solar canopy system over an existing parking area within Granite Knolls Park located at 2975 Stony Street, Mohegan Lake in the Town of Yorktown and owned by the Town of Yorktown, also known as Section 26.09, Block 1, Lot 22 on the Town of Yorktown Tax Map (hereinafter referred to as "the Property"), and in the R1-160 zoning district; and

WHEREAS pursuant to SEQRA, the action has been identified as a Type II action because it is the installation of a solar array over an existing parking lot and therefore no further review is required; and

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

Site Plans

1. A drawing, sheet C000, titled "Cover Sheet," prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
2. A drawing, sheet C001, titled "General Notes," prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15,

- 2021, and last revised August 26, 2022; and
3. A drawing, sheet C002, titled “Area Parcel Plan,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 4. A drawing, sheet C003, titled “Existing Conditions,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 5. A drawing, sheet C004, titled “Overall Site Plan,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 6. A drawing, sheet C005, titled “Site Plan,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 7. A drawing, sheet C006, titled “Grading Plan,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 8. A drawing, sheet C007, titled “Grading Plan Details,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 9. A drawing, sheet C008, titled “Landscaping/Tree Mitigation Plan,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 10. A drawing, sheet C009, titled “Lighting Plan,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 11. A drawing, sheet C010, titled “Details I,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and
 12. A drawing, sheet C011, titled “Details II,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022; and

13. A drawing, sheet LOS, titled “Line of Sight Profile Site Plan,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated December 17, 2021, and last revised April 8, 2022; and
14. A drawing, sheet LOS-1, titled “Line of Sight Profile 1,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated December 17, 2021, and last revised March 1, 2022; and
15. A drawing, sheet LOS-2, titled “Line of Sight Profile 2,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated December 17, 2021, and last revised April 8, 2022; and

Additional Documents

16. A Construction Schedule and Phasing Plan submitted on March 1, 2022; and
17. A Tree Mitigation letter, prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., and dated August 26, 2022;
18. Visual Renderings, prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., and dated August 26, 2022; and

WHEREAS this project proposes removal of 33 trees, where 12 of these are defined as protected trees, and 44 total new trees are proposed to be planted on site as shown on the Landscaping/Tree Mitigation Plan, sheet C-008, listed herein; 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
Advisory Committee on Open Space	01/24/21, 07/28/21
Conservation Board	02/18/22, 03/17/22
Recreation Commission	10/25/21, 12/13/21, 04/25/22
Tree Conservation Advisory Commission	02/09/22, 03/07/22, 04/21/22
Westchester County Planning Board	12/06/21
NYC DEP	12/14/21

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

RESOLVED the Planning Board finds the proposed site plan meets all the requirements and special use permit standards set forth in § 300-81.4 Solar power generation systems except the

height of the solar canopy, which is over 15 ft in a residential zone and requires a variance from the Zoning Board of Appeals; and

WHEREAS a Public Informational Hearing was held in accordance with §195-39(B)(1) of the Yorktown Town Code on the said site plan application at Town Hall in Yorktown Heights, New York, commencing and closing on October 18, 2021; and

WHEREAS having reviewed all current site plans, building plans, environmental plans and reports, comments and reports from Town professional staff, the public, and other interested and involved agencies associated with the application before it; and having conducted a public hearing held in accordance with §195-39(B)(2) of the Yorktown Town Code on the said site plan application commencing on April 25, 2022 and continuing and closing on September 12, 2022 at Town Hall in Yorktown Heights, New York;

BE IT THEREFORE NOW RESOLVED that the application of HESP Solar, LLC for the approval of a site plan and special use permit for a Large-Scale Solar Power Generation System with submitted plans titled “Preliminary Development Plans for Proposed Granite Knolls Park Solar Development,” prepared by Bergmann Associates, Architects, Engineers, Landscape Architects & Surveyors, D.P.C., dated September 15, 2021, and last revised August 26, 2022, be approved subject to the modifications and conditions listed below, and that the Chairman of this Board be and hereby is authorized to endorse this Board's approval of said plan upon compliance by the applicant with such modifications and requirements as noted below:

Modify plans to show:

1. Revise the Project Schedule & Phasing Plan to reflect construction of the solar canopy only.
2. Revise the Lighting Plan to ensure all fixtures are shielded from view to the greatest extent possible.
3. _____
4. _____

RESOLVED the Applicant will plant 44 new trees on the site as shown on the Landscaping/Tree Mitigation Plan, sheet C-008, listed herein to provide both tree mitigation and screening for the proposed solar canopy; and

Additional requirements prior to signature of the Site Plan and Stormwater Pollution

Prevention Plan & Tree Permit by the Planning Board Chairman:

1. Submission of fees as per town requirements in the form of separate checks made payable to the Town of Yorktown:

ABACA Fee \$250.00
2. Obtain a variance from the Zoning Board of Appeals to allow a solar panel height over 15 ft in a residential zone.
3. Incorporation of appropriate stormwater runoff controls to ensure concentrated flows are not created as a result of the canopy installation to the satisfaction of the Town Engineer and Planning Board.
4. If required, approval of a stormwater permit from the New York City Department of Environmental Protection.
5. Submission of any applicable inspection fees and security, in a form satisfactory to the Town Attorney, to the Engineering Department as required by the Town Engineer. Fees to be determined after Planning Board approval and a complete final set of drawings are submitted to the Town Engineer.

Additional requirements prior to Issuance of a Building Permit:

6. Submission of a decommissioning bond in an amount sufficient to cover the cost of decommissioning the system.

Additional requirements:

7. The Applicant shall ensure to the satisfaction of the Superintendent of Parks & Recreation the park's security camera system still provides sufficient park security.
8. The owner, operator, or manager of the solar power generation system must conduct annual inspections of the site's approved landscaping, screening, and any other required vegetative plantings to ascertain the health, effectiveness, condition, and viability of said plantings and submit these findings annually to the Town Engineer. Any dead or diseased vegetative material or any other deficiencies must be promptly replaced or repaired.
9. Solar Energy Systems shall comply with all applicable laws, including, as applicable, the Fire Code of the State of New York and Applicant must obtain all necessary permits from outside agencies.

BE IT FURTHER RESOLVED that in accordance with Town Code Chapter 270 Trees, the application of HESP Solar, LLC for the approval of a Tree Permit is approved subject to the conditions listed therein; and

BE IT FURTHER RESOLVED if a stormwater pollution prevention plan permit is required in accordance with Town Code Chapter 248 Stormwater Management and Erosion and Sediment Control, the Applicant must return to the Planning Board to amend the Tree Permit to include a Stormwater Pollution Prevention Plan approval; and

BE IT FURTHER RESOLVED the owner, operator or manager of the solar power generation system must conduct annual inspections of the site's approved landscaping, screening, buffering, and any other required vegetative plantings or structures required under this approval. The inspection shall ascertain the health, effectiveness, condition and viability of such landscaping, screening, buffering, and any other required vegetative plantings or structures. The findings of each annual inspection shall be reported to the Town Engineer as a written report with photographs where necessary. Any dead or diseased vegetative material or any other deficiencies shall be promptly replaced or repaired by the site owner, operator, or manager. If such diseased, dead or deficient material is not promptly replaced or repaired to the satisfaction of the Town Engineer, the Town Engineer shall exercise enforcement action pursuant to Section §300-193 of the Town Code; and

BE IT FURTHER RESOLVED the approval of the Planning Board is not valid until the conditions of this resolution are met and the Site Plan and all environmental permits are signed by the Planning Board Chairman; and

BE IT FURTHER RESOLVED that unless a building permit has been issued within one year of the date of this resolution, **September 12, 2023**, or a time extension has been granted by the Planning Board, this approval will be null and void; and

BE IT FURTHER RESOLVED the special use permit granted by this resolution for a large-scale solar power generation system shall run with the site plan approval and all improvements shall be completed within 24 months once a building permit is obtained.