

### III. EXISTING CONDITIONS, IMPACTS AND MITIGATION

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#### **A. Land Use, Zoning and Public Policy**

**A. Land Use, Zoning and Public Policy**

The Land Use, Zoning and Public Policy analysis presented in this section is divided into three sections: 1) Existing Conditions, 2) Potential Impacts and 3) Proposed Mitigation Measures. A definition of the study area is included in the first section. All three sections address land use and zoning together. The Existing Conditions section describes the current land uses in the study area, and an overview of the current zoning related both to the project site and the adjoining properties. The Potential Impacts section examines what, if any, impacts the Proposed Action would have on surrounding land uses, the cumulative impact of the Proposed Action on other planned projects, and the consistency of the Proposed Action with local and regional land use plans. The final section presents various aspects of mitigation related to the Proposed Action.

**1. Existing Conditions**

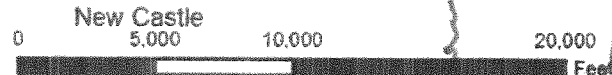
The proposed project is located in the Town of Yorktown in Westchester County, New York. The project site (Exhibit III.A-1a, 1b) comprises four parcels (Section-Block-Lots: 26.18-1-17, 26.18-1-18, 26.18-1-19 and 26.19-1-1) for a combined land area of 18.75 acres of land. The site is bounded by Route 202/35 to the south, Old Crompond Road to the west, vacant lands of the State of New York to the north and the Taconic State Parkway to the east.

The land use study area (Exhibit III.A-2) corresponds to the area within ½-mile radius of the project site where the Proposed Action may have the potential to affect existing land use and development patterns and trends. This study area is defined specifically for the Land Use section of the DEIS. The study area is bounded on the north by Barberry Road and Winding Court, on the west by Stoney Street and Linette Court, on the south by Ellen Lane and Edcris Road, and on the east by Loretta Street. The study area includes those properties fronting along the commercial corridor of Route 202 (Crompond Road) that may be influenced by the Proposed Action or elements of the Proposed Action.

*Darker*



Data Source: Westchester County GIS data



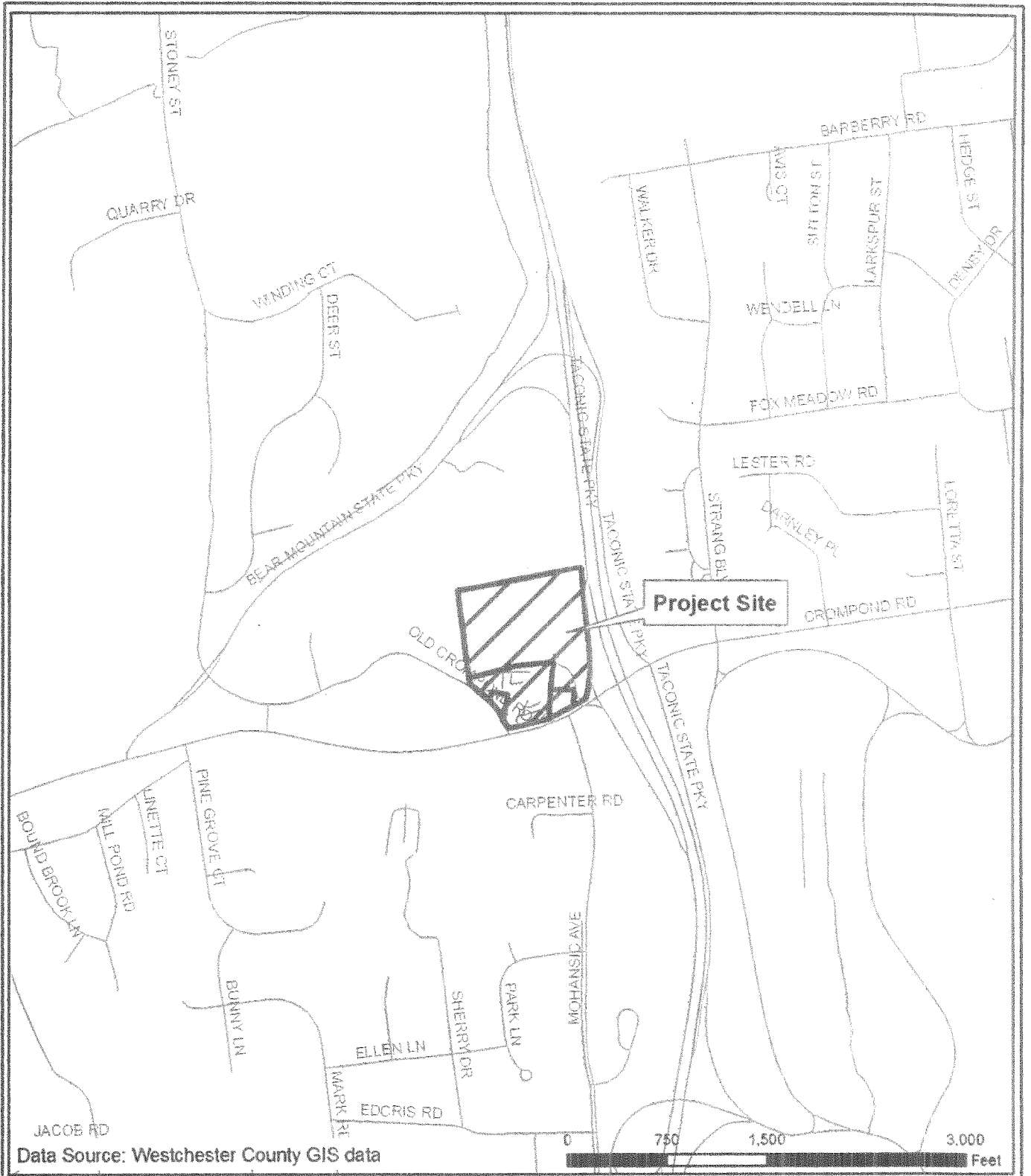
TRC Engineers, Inc.  
7 Skyline Drive  
Hawthorne, New York 10532

Exhibit III.A-1a  
Project Site Location



Source: Ferrandino & Associates Inc., April 2011

COSTCO WHOLESALE  
Town of Yorktown, New York



Data Source: Westchester County GIS data

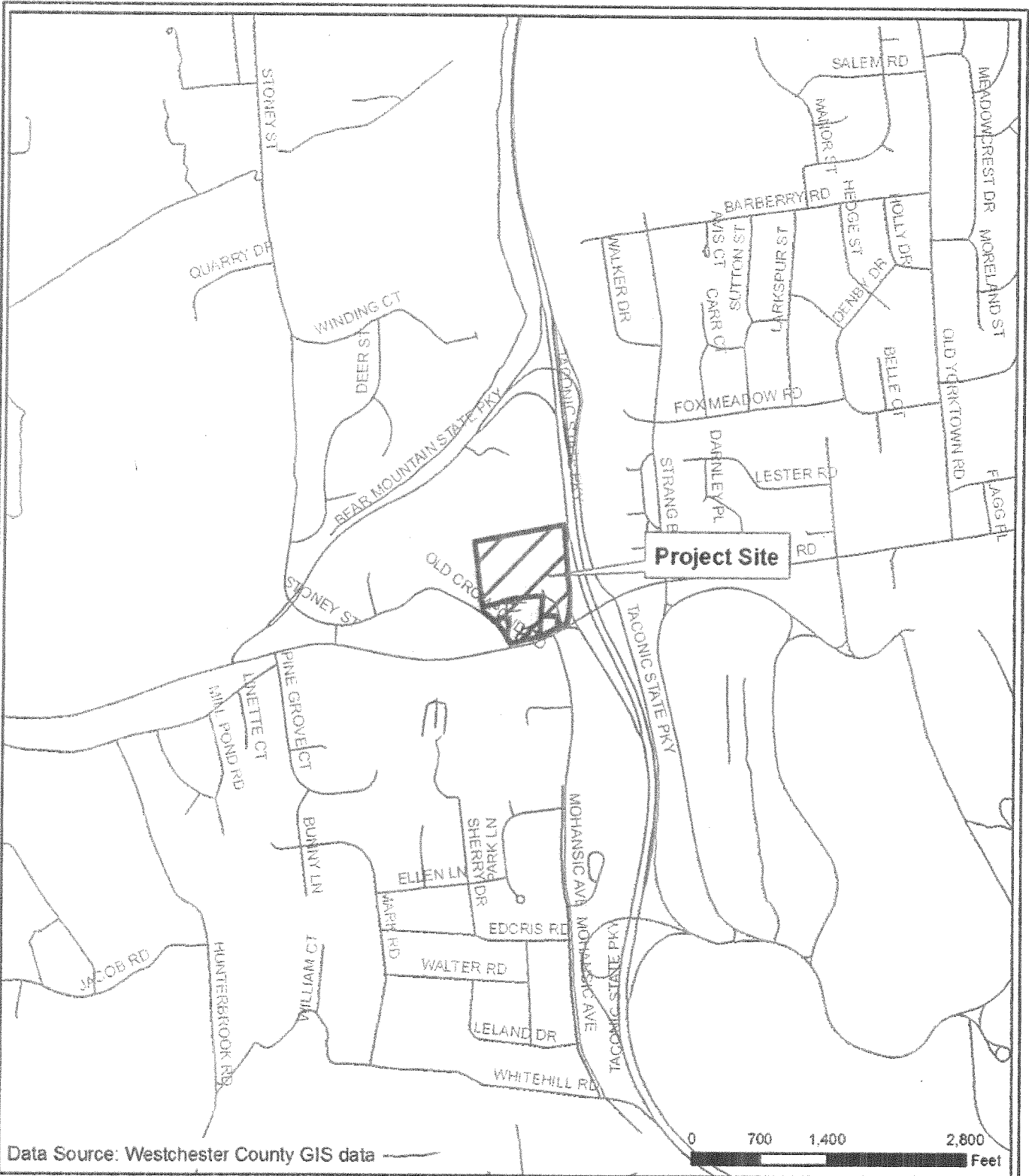
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 Hawthorne, New York 10532

**Exhibit III.A-1b**  
**Project Site Location**



Source: Ferrandino & Associates Inc., April 2011

**COSTCO WHOLESALE**  
 Town of Yorktown, New York



Data Source: Westchester County GIS data



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**Exhibit III.A-2**  
**Land Use Study Area**



Source: Ferrandino & Associates Inc., April 2011

**COSTCO WHOLESALE**  
 Town of Yorktown, New York

**a. Land Use**

**(1) Project Site**

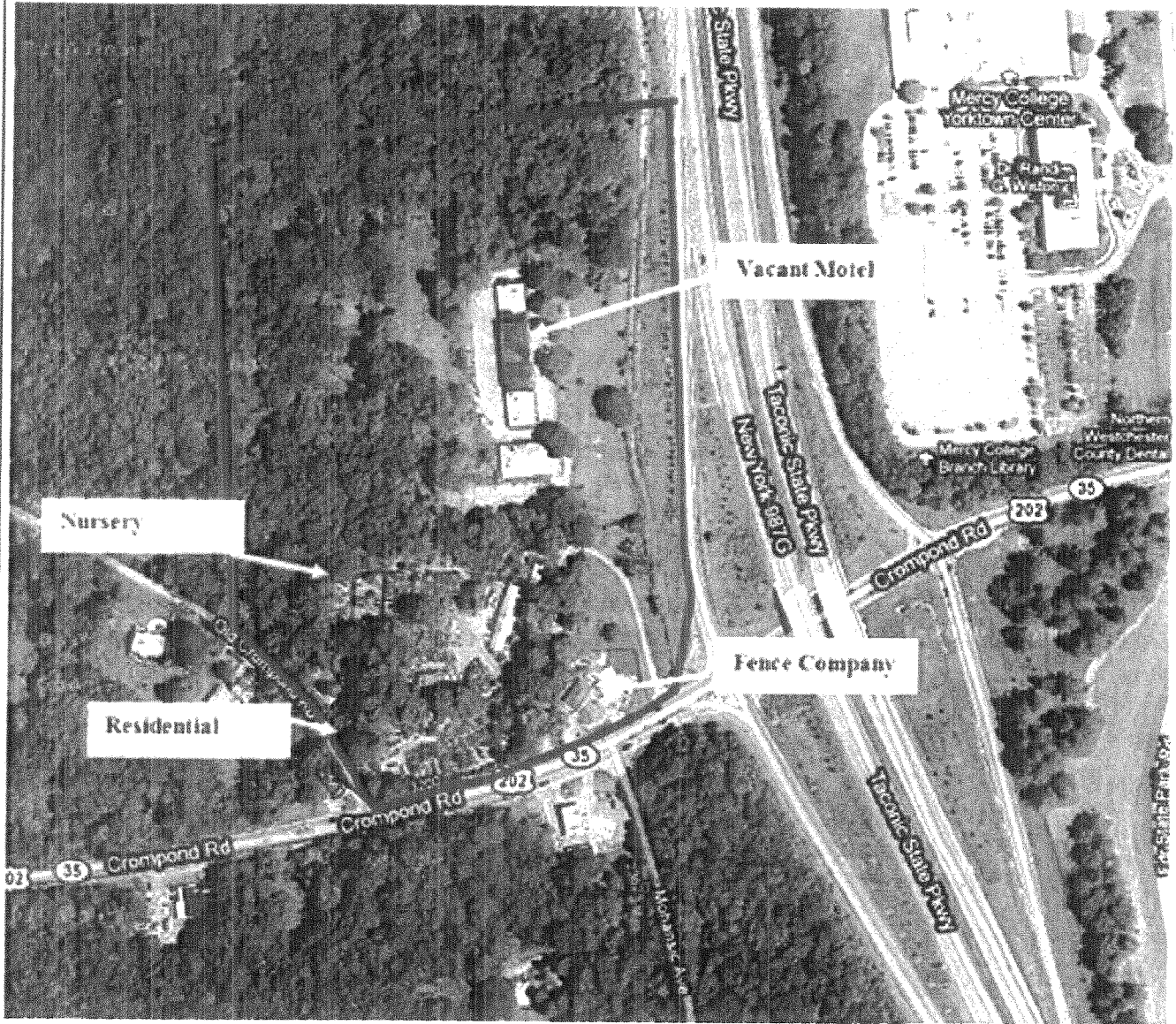
Existing land uses on the project site (Exhibit III.A-3) are as follows:

- parcel 26.18-1-17 (0.239 acres) is multi-family residential (two 2-story single family residences supported by a single driveway with access from Old Crompond Road);
- parcel 26.18-1-18 (4.277 acres) is Zino's Nursery (three wood-frame buildings with direct access from Route 202/35);
- parcel 26.18-1-19 (14.235 acres) is a vacant motel complex (two 2-story buildings, generator building, shed, circulation road, parking area and driveway access from Route 202/35); and
- parcel 26.19-1-1 (14.235 acres) was previously a gas station that is now used as a gate and fence supplier<sup>1</sup> (one-story brick building, paved access from Route 202/35, vehicular circulation area and onsite fence-enclosed storage area).

The existing developments include buildings, pavements and open landscaped areas. The undisturbed portions of the site remain wooded. Approximately 1.42 acres of the project site are wetlands. The site currently has one main access road forming a loop in the southeast corner, with entry and exit onto Crompond Road (Route 202/35).

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<sup>1</sup> Source: Town of Yorktown, Office of the Assessor, April 5, 2011.



Data Source: Westchester County GIS data,  
Google Map image; Site visit



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Exhibit III.A-3

**Project Site Existing Land Uses**



Source: Ferrandino & Associates Inc., April 2011

**COSTCO WHOLESALE**  
Town of Yorktown, New York



(2) Study Area

Existing land uses in the study area (Exhibit III.A-4) include a mix of residential, commercial and light industrial uses, as well as vacant and public park/parkway lands. The Taconic State Parkway and Parkway lands are adjacent to the site on the north and east. Immediately to the west of the site is single-family housing on minimum 1/2-acre parcels. Much of the land to the south and west of the site along Route 202 contains commercial/retail uses, along with some warehouse uses and vacant land. The land to the east of the site across the Taconic State Parkway contains office/research uses (currently the Mercy College Yorktown Campus). The balance of land in the northeast, northwest and southwest quadrants of the study area is primarily low and medium-low density residential uses. Detached single-family residences, with a minimum of 1/2-acre or 1-acre lot sizes, make up approximately 35 percent of all land uses in the study area.

→ but parcels are larger # parcels sizes

The Taconic State Parkway, running to the east of the project site, is a State designated Scenic Byway (1992). In 2005 the entire highway was also listed on the National Register of Historic Places. The Taconic State Parkway land covers about 137 acres of the study area. About 94 acres of land in the southeast quadrant of the study area, between Route 202 and Taconic State Parkway, is Franklin D. Roosevelt State Park land. The FDR State Park, along with other County and State park lands, is designated as a New York State Critical Environmental Area (CEA) because of its exceptional or unique character. The public park and parkway lands, together, comprise about 33 percent of land uses in the study area.

\* Add Town Open Space Park near Stony St.

Just park in radius of study area. Talk about entire park. what ones?

Section III.K.3.f.iii (Traffic and Transportation) of this DEIS addresses the potential for pedestrian and bike traffic connectivity. In association with the Proposed Action, widening of Route 202/35 between FDR Park and the Project Site will include providing a shoulder which can be utilized for pedestrian connectivity between the two facilities.

\* Costco % of land use

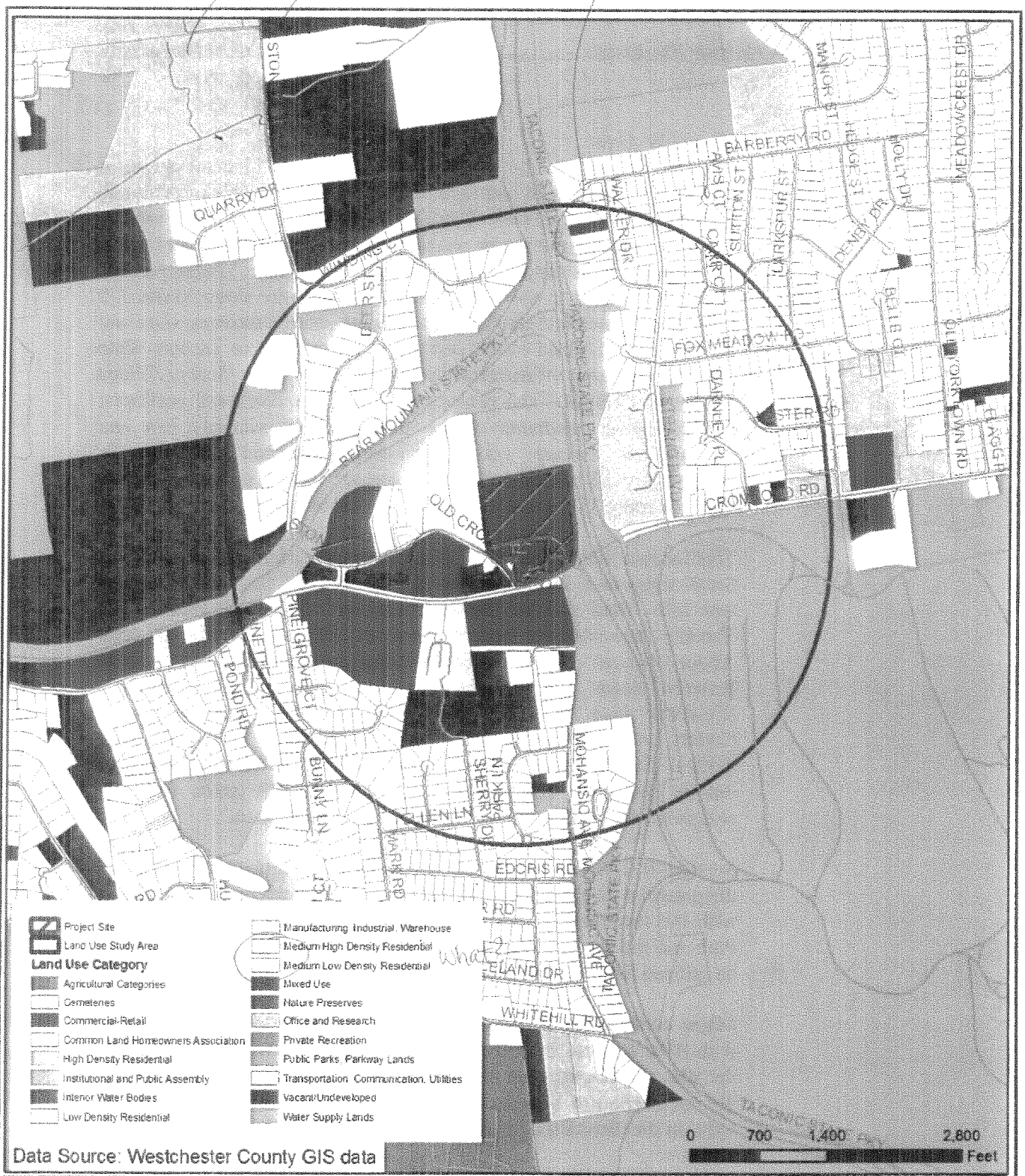
\* Mercy College Dr. Offices.

Major commercial uses in the study area include a shopping center with BJ's Wholesale Club on Route 202 (about 1/4 mile to the west of the site on the south side of Route 202), and a Mobil gas station near the intersection of Mohansic Avenue and Carpenter Road. Route 202 west, in the direction of Peekskill, contains primarily strip commercial uses.

202 leaving study area

Granite Knolls ?

zone



Data Source: Westchester County GIS data

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Exhibit III.A-4  
**Existing Land Use in Study Area**

**COSTCO WHOLESALE**  
 Town of Yorktown, New York

Source: Ferrandino & Associates Inc., April 2011

*Data of zones from before we sent City new zoning.*

There are five proposed projects in the study area (Table III.A.1). The first is a religious/institutional project proposed across from the project site on the south side of Route 202. The second is a mixed-use project on Old Crompond Road to the west of the project site that is currently under review. The third proposed project is a 4,761 sf addition to Adrian Auto Body located to the west of the project site, on the south side of Old Crompond Road. The fourth project is a “big box” retail development proposed along Route 202/35, which is still in the preliminary planning stage. In addition, there is a proposed institutional/residential project that is currently under review by the Town Board, located outside of the study area on Catherine Street to the southwest of project site.

**Table III.A.1  
Proposed Projects in and Around the Study Area**

#	Project Name	Location	SBL	Type	Size	Status
1	Temple Israel	3241 Crompond Road	36.06-2-72	Site Plan	40,110 SF Temple and school with 330 seat sanctuary	Approved in 2005. Not under construction.
2	Crompond Crossing	3372 Old Crompond Road	26.18-1-7	Commercial Site Plan Residential Site Plan Subdivision	8,500 SF & 4,200 SF retail 26 condominium units 29 lot subdivision	<del>In review process</del> <i>Approved</i>
3	Adrian Auto Body Addition	3330 Old Crompond Road	26.18-1-24	Amended Site Plan	4,761 SF addition	Approved 12/13/2010
4	Big box retail	Route 202 and Stoney Street		Big box retail	NA	Proposed, application not yet submitted
5	Field Home Expansion	Catherine Street	35.12-1-2 & 3	Residential Site Plan	102 senior independent units New skilled nursing facility	Under preliminary review

**b. Zoning**

**(1) Project Site**

Following adoption of the Town’s updated Comprehensive Plan on June 15, 2010, the Town implemented zoning ordinance changes on February 3, 2011. Previously, parcels 26.18-1-17 and 26.18-1-18 of the project site were zoned C-2 (Local Retail Business), and parcels 26.18-1-19 and 26.19-1-1 were zoned IN (Planned Interchange). Currently, all parcels of the project site are zoned C-3 (Commercial

*confirm*

Limited). Permitted principal uses and uses allowed by special permit in the C-3 District are described below.

*From  
Zoning  
code*

- [1] The same principal uses as for the C-2 District, which include:
  - [a] The same main uses as specified by Subsections C(8)(a)[1], [2], [3], [5], and [8] for the C-1 District:
    - [1] Stores or shops for the conduct of retail business, bank, post office, restaurant and other places serving food and beverages, professional and business offices, and personal service establishments including grooming of house pets, except that no use shall be permitted where any part of the service is conducted outside the premises unless a special use permit has been issued by the Planning Board after due notice and public hearing.
    - [2] Governmental building and use.
    - [3] Off-street parking area (not including any area for outdoor display or storage of any motor vehicle).
    - [5] Parks, parkways.
    - [8] Health clubs.
  - [b] The same main uses as specified by Subsections C(1)(a) [5], in the R1 District:
    - [5] Private and public parks, parkways and recreation facilities, but not including a commercial facility.
  - [c] Undertaking establishments.
  - [d] Single auditorium theaters and playhouses
- [2] The same special uses as for the C-2 District, except that no special permit need be obtained for any such use. These include:
  - [a] The same special uses as for the R1 District except as specified by Subsections C(1)(b)[2], [15], [16] and [17].
  - [b] Amusement centers as provided in § 300-77.
- [3] Wholesale and storage uses conducted entirely within a building, except that self storage buildings are not permitted.
- [4] Preparation or manufacture of goods or products for retail sale on the premises if not more than 10 persons are employed in such preparation at any one time.
- [5] Nurseries and Garden Centers

Principal uses permitted by special permit in the C-3 District include:

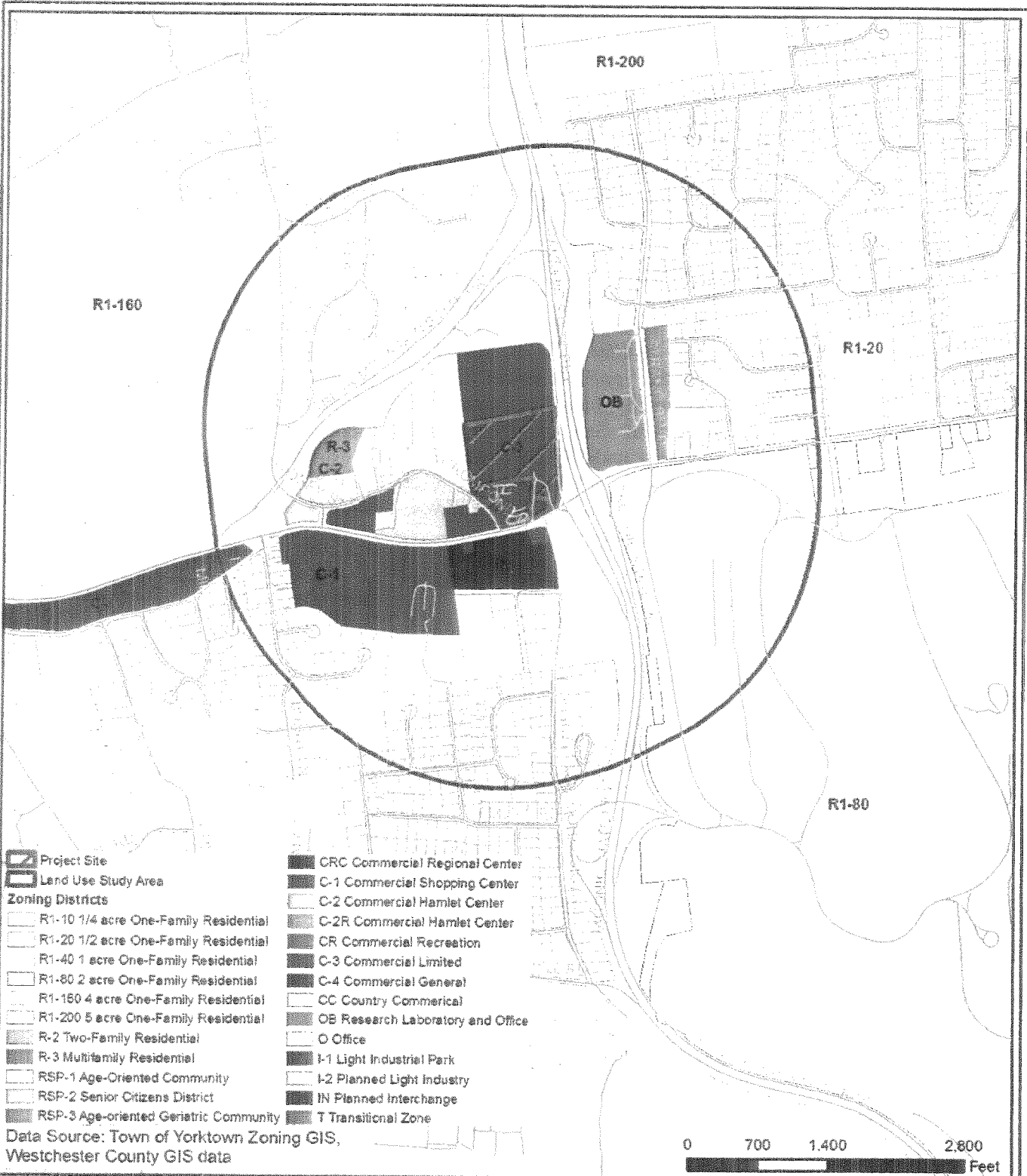
- [1] Drive-in theaters.
- [2] Motel or automobile courts or hotels; special permit to be granted by the Planning Board.
- [3] Transportation terminal and product transfer facilities.
- [4] Exterior storage yards.
- [5] Gasoline filling stations in accordance with the standards set forth in § 300-46.

- [6] Amusement centers as provided in § 300-77.
- [7] Automated car wash in accordance with the standards set forth in § 300-46, without a gasoline filling station.
- [8] Day-care facilities and nursery schools in accordance with the standards set forth in § 300-53.

**(2) Study Area**

The general zoning districts in the study area are depicted on Exhibit III.A-5. Over 57 percent of land in the study area contains residential zoning districts (R1-20, R1-40, R1-80, R1-160, and R-3). Non-residential zoning districts (C-1 Commercial Shopping Center, C-2 Commercial hamlet Center, C-3 Commercial Limited, C-4 Commercial General, IN Planned Interchange and OB Research Laboratory and Office) comprise about 18 percent of the study area land uses, including the length of the Route 202 corridor. Another 18 percent is the Taconic State Parkway Corridor Right of Way (ROW).

→ use this on map instead of densities.



- Project Site
- Land Use Study Area
- Zoning Districts**
- R1-10 1/4 acre One-Family Residential
- R1-20 1/2 acre One-Family Residential
- R1-40 1 acre One-Family Residential
- R1-80 2 acre One-Family Residential
- R1-160 4 acre One-Family Residential
- R1-200 5 acre One-Family Residential
- R-2 Two-Family Residential
- R-3 Multifamily Residential
- RSP-1 Age-Oriented Community
- RSP-2 Senior Citizens District
- RSP-3 Age-oriented Geriatric Community
- CRC Commercial Regional Center
- C-1 Commercial Shopping Center
- C-2 Commercial Hamlet Center
- C-2R Commercial Hamlet Center
- CR Commercial Recreation
- C-3 Commercial Limited
- C-4 Commercial General
- CC Country Commercial
- OB Research Laboratory and Office
- O Office
- I-1 Light Industrial Park
- I-2 Planned Light Industry
- IN Planned Interchange
- T Transitional Zone

Data Source: Town of Yorktown Zoning GIS,  
Westchester County GIS data



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7 Skyline Drive  
Hawthorne, New York 10532

Exhibit III.A-5  
**Study Area Zoning**

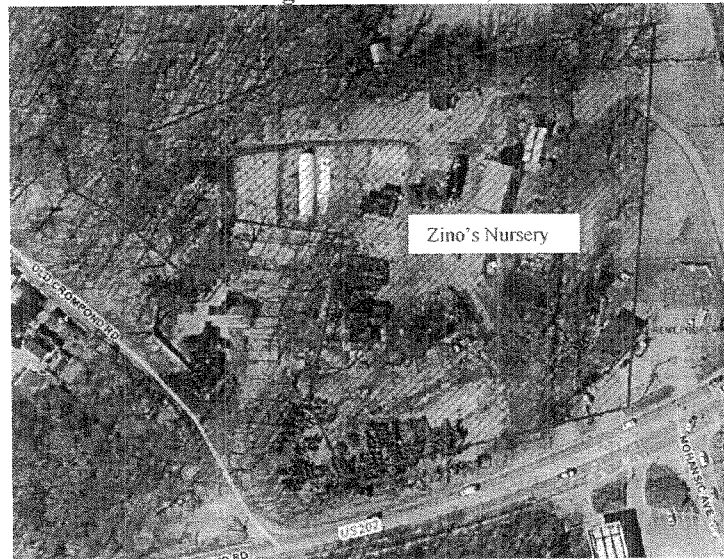


Source: Ferrandino & Associates Inc., April 2011

**COSTCO WHOLESALE**  
Town of Yorktown, New York

Zino's nursery property within the study area is located in Westchester County Agricultural District No. 1. The Agricultural Districts Law provides for reduced property tax bills for land in agricultural production if the land satisfies the eligibility requirements. In this case, the land is not used for agricultural production, and the property owner never applied for an agricultural assessment for the parcel. Since the landowner never received an agricultural assessment for the parcel, the land is not encumbered with an obligation to remain in agricultural use for five years, nor will it be subject to payment (to recapture the taxes foregone) for conversion to non-agricultural use.

**Agricultural District, Yorktown**



The entire study area is in the NYC New Croton Watershed, and is subject to review by the NYC Department of Environmental Protection. The project Site is tributary to the Hunter Brook which discharges into the New Croton Reservoir, part of the NYC watershed. NYCDEP is an involved agency and will review the proposed project for potential impacts.

**c. Public Policy**

The *Town of Yorktown Comprehensive Plan* was adopted on June 15, 2010. The Plan states that the Town's land use vision is for Yorktown to remain primarily low-density community, with a mix of retail, office, civic and residential uses in its five-hamlet business centers. According to the *Comprehensive Plan*, the purpose of the Commercial



Limited (CL or C-3) zoning district was modified to allow for small, freestanding, roadside commercial uses along major arterial roadways in the business hamlet centers, but exclude auto-oriented uses that generate heavy volumes of traffic. Typical land uses for this zone include retail stores, personal services and restaurants, but do not include auto-oriented uses such as car washes and auto dealerships. The *Comprehensive Plan* also provides the following design and development concepts for the C-3 District:

check  
comp plan +  
Yes

- Freestanding businesses
- Small minimum lot size
- Significant open space requirement (e.g., not less than 30 percent).
- Woodland buffers adjacent to single-family residential zones, and minimum 20-foot landscaping strips along street frontages. *Not showing*
- Cross-access agreements and consolidated entrances, wherever possible.
- Sidewalks along the street frontage, and walkways connecting store entrances on adjacent lots.
- Lighting standards should require outdoor light to be focused downward and away from residential areas. Standards should also strive to reduce glare effects.
- All areas should be subject to natural resource protection requirements relating to wetlands, water bodies, steep slopes, tree clearing, etc.

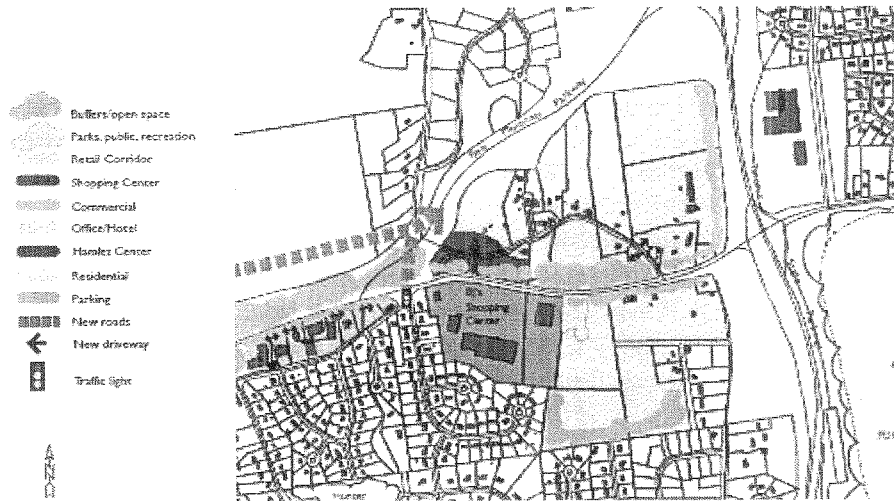
The *Comprehensive Plan* projects that the proposed completion of the Bear Mountain Parkway and planned improvements to Route 6 and 202 will create further opportunities to enhance the Mohegan Lake and Crompond business districts. The *Comprehensive Plan*, supplemented by findings of the *Sustainable Development Study*, calls for a mixed-use hamlet business center in the Bear Mountain Triangle within Crompond, where the proposed project is located.<sup>2</sup>

The Bear Mountain Triangle area includes the BJ's shopping center, the Route 202 corridor between BJ's and the Taconic State Parkway, and the area bounded by Route 202, the Bear Mountain Parkway (BMP) and the Taconic. The overall concept put forward in the *Comprehensive Plan* is to develop the Bear Mountain Triangle as a mixed-use center, while improving the corridor that stretches out to the west.

<sup>2</sup> Route 202/35/6 Bear Mountain Parkway: Sustainable Development Study: Linking Land Use and Transportation: 2004.



**Crompond Conceptual Design**



The economic development recommendations of the *Comprehensive Plan* suggest that the Bear Mountain Triangle is Yorktown's major opportunity site for a mix of housing, office and retail uses, and possibly a hotel or country inn, and that the commercial strip along Route 202 should be greened, along with preservation of open space over the north side of Route 202. Other recommendations for this area include the following:

- At the eastern end of the Crompond hamlet business center, promote retail and office uses with a regional draw. Create high-quality master-planned development while protecting wetlands and steep slopes.
- Working with property owners, businesses and residents, the Town should develop a Planned Design District for the Bear Mountain Triangle that specifies preferred uses and development patterns for the area. The overall concept for the area, to be further refined, is as follows:
  - On the north side of Route 202, adjoining the Taconic State Parkway, the underlying zoning should be maintained, with an overlay allowing office and/or hotel uses at the top of the hill, a "village center" with small stores and limited mixed-use at the bottom of the hill (with pedestrian amenities, parkland, and public spaces), and senior housing and office uses in between. These areas should be integrated, rather than having each element oriented only to Route 202. *Not Doing*

- This stretch of Route 202 should be a green corridor, with heavily landscaped buffers on both sides that hide the buildings and parking lots to the rear.

The Westchester County *Patterns for Westchester: the Land and the People*(1996) regional plan offers a broad policy framework to guide the County's future physical development, by establishing strategies "through which County and municipal governments may implement their common goals for serving people, conserving land and water and assuring economic growth." In terms of land use, *Patterns* indicates that Centers, Corridors and Open Space are the three building blocks of Westchester County's pattern of development. It is centered on the strategy for conserving the environment and nurturing the economy by strengthening existing centers and corridors of development.

Centers consist of "a commercial or mixed-use core and surrounding residential and industrial sectors, and are likely to have the principal commercial services on which most communities depend, and often provide a range of housing opportunities that outlying areas may lack. The density and mix of uses in centers distinguish these places sharply in form and appearance from surrounding areas." The proposed project site does not fall within a Center. Not far from the project site, however, is Yorktown Heights, which is identified as an *Intermediate Center*, characterized by unmistakable urban activity and well-developed infrastructure systems, and providing essential services to the surrounding area. In addition to the services and facilities found in local centers, intermediate centers are likely to have mid and high-rise apartments, large-scale retail stores, office buildings and, often, light manufacturing.

Corridors are defined as the "historic paths of movement and development", with three functions (transportation, development and scenic) that sometimes overlap. Some corridors provide critical links to the surrounding region, while in-county traffic is more likely to use New York State, County and local roads. Development along corridors is encouraged to "be consistent with County policy on transportation, housing, waste disposal and watershed protection." Existing corridor development can be enhanced to improve their function and economic vitality and make maximum use of the public investment in infrastructure. The Taconic Parkway, which borders the project site, is identified as a Corridor serving a scenic function. Route 202/Route 35 in Yorktown (part of the stretch between Peekskill and South Salem) is also identified as a Corridor.

2. Potential Impacts

a. Land Uses

The proposed project has access to regional highways (Taconic State Parkway, Bear Mountain State Parkway and Route 202), and is adaptable to the land that is currently developed with commercial uses. Because the proposed project is a destination project that will draw new visitors to the area, it is anticipated that the development will enhance existing businesses in the study area by providing new customers. The project has been designed as regional destination retail and is not expected to adversely impact smaller, local businesses along Route 202 in the study area since the customer base is broad and will attract new clientele to the area from throughout the region (refer to Section III.Q).

Impacts to TSP & FDR

Costco has several facilities in which they operate within a close proximity to BJs. Examples include their facilities in Melville, NY, which is within 1 mile of BJs, in Waterbury, CT, which is within 1.5 miles of BJs and in Edison and Manahawkin, NJ, which are within 1 mile of BJs. Costco management indicates their facilities are operating successfully and that there is no indication that BJ's is negatively impacted.

↑ Connection ↓

Why?

The proposed project is located between two regional highways, providing convenient access from the area. It is anticipated that the character of the neighborhood will not change significantly, as the "neighborhood" is a suburban setting adjacent to an existing highway. The proposed project is also consistent with the type of existing development along the Route 202 commercial corridor in the vicinity of the site. The Applicant believes that the proposed project will complement local businesses and is likely to provide new customers to the area who are likely to patronize other businesses in the study area.

subsidies

no backup

Warehouse  
Retail  
(not Destination)  
Retail

The future without the project would leave the existing blighted conditions (boarded-up windows and graffiti-covered buildings) at the project site. The undeveloped property would not benefit from the proposed improvements. There are five proposed projects that may be developed in the study area, which are identified in Table 1 above. These include a religious/institutional project on the south side of Route 202; a mixed-use project on Old Crompond Road to the west of the project site; a 4,761 sf addition to Adrian Auto Body located to the west of the project site, on the south side of Old Crompond Road; a retail development proposed along Route 202/35; and a proposed

not enough impacts.

institutional/residential project, located outside of the study area on Catherine Street to the southwest of project site.

**b. Zoning**

The proposed project includes the construction of a 151,092 SF Costco wholesale warehouse and a Costco members-only fuel facility with three (3) pump islands. Within the proposed Costco warehouse store will be a sales floor, a 4-bay loading dock, and a tire center with 4 service bays and an office/waiting area. The current zoning on the site permits wholesale and storage uses. The proposed fueling station, however, will require a gas filling station special permit from the Yorktown Town Board. Table III.A-2 summarizes the zoning requirements of the C-3 District and the proposed project compliance. The Proposed Action includes a special permit for a gas filling station. Table III.A-3 lists required permits, reviews and approvals by involved and interested agencies.

\* Buildout map  
What will it look like when builtout?

Table III.A.2  
Zoning Compliance

Zoning District	C3 – Highway Commercial	
ITEM	PERMITTED/REQUIRED	PROPOSED/PROVIDED
Lot Area	10,000 SF min	816,806 SF
Frontage at Street Line	100 FT min	610 FT
Minimum Required Yard Areas		
Front Yard	75 FT	341.6 FT
Side Yard	10 FT	29.0 FT
Side Yard (Adjoins R District)	50 FT	389.8 FT
Rear Yard	30 FT	189.8 FT
Maximum Building Height	35 FT	30.67 FT
Gross Floor Area	245,042 SF	151,092 SF
Maximum Building Coverage	30%	18.5%
Off-Street Loading	1 space per first 4,000 SF plus 1 space for each 40,000 SF	1 space per first 4,000 SF plus 1 space for each 40,000 SF
No. of Loading Spaces	5 spaces	5 spaces
Loading Space	12' x 25'	12' x 60' 12' x 40'
Off-Street Parking	5 spaces per 1,000 SF of gross floor area	5 spaces per 1,000 SF of gross floor area
No. of Spaces @ 9' x 18.5'		219 spaces
No. of Spaces @ 9' x 20'		25 spaces
No. of Spaces @ 10' x 18.5'		332 spaces
No. of Spaces @ 10' x 20'		22 spaces
No. of Accessible Spaces		12 spaces
Sub-Total No. of Spaces		610 spaces
25% Reduction		
Total No. of Spaces	756 spaces	610 spaces (see note)
Parking Dimensions	24 FT	24 FT
Aisles Width	9' x 18.5'	9' x 18.5'
Parking Space: Large Cars		9' x 20' 10' x 18.5' 10' x 20'
Accessible Parking Space	96-in wide with 96-in aisle for every 2 spaces per NYS Building Code	96-in wide with 96-in aisle for every 2 spaces per NYS Building Code
<p>Note: Parking required by Code is 756 spaces. Costco claims that based on years of experience with similar projects throughout the region, they require substantially less parking than that required by Code. Accordingly, this plan proposes 610 parking spaces, which is within the typical range for similar size Costco uses.</p>		

With Roof Top Units?

→ why?

<b>Table III.A.3 Required Permits, Reviews and Approvals</b>	
<b>Involved Agencies</b>	
<u>Agency</u>	<u>Permits and Approvals</u>
Town of Yorktown Planning Board	<ul style="list-style-type: none"> <li>• SEQRA Review as Lead Agency</li> <li>• Site Plan Approval</li> <li>• Parking Waiver</li> <li>• Parking Area Lighting Waiver</li> <li>• Wetlands and Excavation Permit</li> </ul>
Town of Yorktown Town Board	<ul style="list-style-type: none"> <li>• Approval for Expansion/Extension of the local Hunter Brook Sewer District</li> <li>• Special Use Permit for Fueling Station</li> </ul>
Town of Yorktown Engineering Dept.	<ul style="list-style-type: none"> <li>• Designated MS4 Review and Acceptance of Storm Water Pollution Prevention Plan(SWPPP)</li> </ul>
Westchester County Department of Health	<ul style="list-style-type: none"> <li>• Public Sewer Extension Public Water Main Extension</li> <li>• Petroleum Bulk Storage Permit</li> <li>• Backflow Prevention Device Permit</li> </ul>
Westchester County Board of Legislators	<ul style="list-style-type: none"> <li>• Approval of Petition and Supporting Documentation – Expansion/Extension of Peekskill Sanitary Sewer District</li> </ul>
NYC Department of Environmental Protection (NYCDEP)	<ul style="list-style-type: none"> <li>• Review and approval of SWPPP for construction of an impervious surface in the East of Hudson Watershed within a Designated Main Street Area</li> </ul>
NYS Department of Environmental Conservation (NYSDEC)	<ul style="list-style-type: none"> <li>• Acceptance of Notice of Intent (NOI) - SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-10-001)</li> </ul>
NYS Department of Transportation (NYSDOT)	<ul style="list-style-type: none"> <li>• Highway Work Permit for Utility Work</li> <li>• Highway Work Permit for Non-Utility Work</li> <li>• Sign Restriction Waiver</li> <li>• Review and Acceptance of Landscape Planting within Parkway R/W</li> </ul>
NYS Office of Parks, Recreation and Historic Places (OPRHP)	<ul style="list-style-type: none"> <li>• Determination of project’s effect on cultural resources</li> </ul>
<b>Interested Agencies</b>	
Town of Yorktown Building Department	<ul style="list-style-type: none"> <li>• Building Permit</li> </ul>
Town of Yorktown Environmental Conservation Board	<ul style="list-style-type: none"> <li>• Environmental Review</li> </ul>
Town of Yorktown Advisory Board on Architecture & Community Appearance (ABACA)	<ul style="list-style-type: none"> <li>• Building Architecture Review</li> </ul>
Westchester County Department of Environmental Facilities (WCDEF)	<ul style="list-style-type: none"> <li>• Review of Petition and Supporting Documentation – Expansion/Extension of Peekskill Sanitary Sewer District</li> </ul>
Westchester County Planning Department	<ul style="list-style-type: none"> <li>• Referral Review under GML Section 239</li> </ul>
NYS Department of Agriculture	<ul style="list-style-type: none"> <li>• Section 303a Review</li> </ul>
US Army Corps of Engineers	<ul style="list-style-type: none"> <li>• Wetland Jurisdictional Review</li> </ul>

c. Public Policy

The proposed project is consistent with goals described in regional and local planning documents. For example, it utilizes a property that is currently under-developed and blighted, has access to infrastructure, and will have access from major highway systems.

The proposed project is consistent with the goals articulated in existing land use policy documents, including the *Town of Yorktown Comprehensive Plan*, by furthering improvements and establishing retail services in the Bear Mountain Triangle area. Since it will be a retail destination with different merchandise and a regional draw, the national retailer is not anticipated to have a significant adverse impact on existing local stores along the Route 202 commercial corridor. Also, the proposed Costco is believed to serve a different demographic than BJ's Club, and the two are known to co-exist successfully in other areas. Further, the Proposed Action complies with goals set forth in the *Westchester County Patterns for Westchester*.

no explanation  
which one  
NYS DOT  
Bike & Ped

The proposed project is appropriately sited along a developed corridor and advances the regional goals for appropriate development in Westchester County. *Patterns* classifies the project site as Medium Density Suburban Area (MDS 3-5), with an FAR range of 0.1-0.4 and Gross Residential Density (GRD) range of 3-13. The proposed project provides re-use of a property that is currently under-developed along an existing County transportation corridor, and has existing infrastructure in place to support the project. Additionally, the proposed project is expected to enhance economic vitality through new taxes as well as both short-term and long-term employment opportunities for Yorktown residents.

\* Sustainable Dev Study  
\* Comp Plan  
which ones?

*Patterns* cautions that while a project may be located in the appropriate development corridor and/or center, it could generate traffic, overburden existing infrastructure, markedly alter an existing community character, or have adverse economic impacts on existing centers. The proposed project is located on a developed transportation corridor, and with significant commercial development adjacent or nearby along Route 202. Given that the proposed project will be buffered by the Taconic State Parkway from nearby residential neighborhoods, it is not expected to have significant adverse impacts on the surrounding land uses, and the character of the neighborhoods will not change significantly.

what about from Old Crompond?

**3. Proposed Mitigation**

The Proposed Action involves demolishing and redeveloping the uses that currently occupy the project site. The Town of Yorktown *Comprehensive Plan* designates the project site as C-3 zoning; therefore the proposed project is permitted as-of-right and is consistent with the Town's long-term vision. The Proposed Action will not adversely impact surrounding land uses. A landscaping buffer will be employed to provide screening from the Taconic State Parkway and surrounding residential uses. A special permit will be required for the proposed project's fueling station. Otherwise, the proposed project meets the requirements outlined in the C-3 District and does not require mitigation measures associated with zoning.

no buffer on west side

that was village-like