

TOWN OF YORKTOWN PLANNING BOARD

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

PUBLIC MEETING AGENDA VIDEO CONFERENCE

May 10, 2021
7:00 PM

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

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

<https://us02web.zoom.us/meeting/register/tZMpceisrDIe9BsvgZavs6XIGeEfvunjWu>

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

1. Correspondence
2. Meeting Minutes – April 26, 2021

REGULAR SESSION

3. **Fusco Minor Subdivision
Request for Reapproval**

Location: 16.14-1-10; 3477 Stony Street

Contact: Laura DiGiovanni, property owner

Description: Approved 2-lot subdivision on 2.72 acres in the R1-20 zone, by Planning Board Resolution #19-11, dated May 20, 2019 and reapproved by Resolution #20-03 dated May 11, 2020.

4. **Village Traditions
Request for Reapproval**

Location: 15.16-1-32; 1821 East Main Street

Contact: Timothy Mallon, property owner

Description: Approved site plan by Planning Board Resolution #18-05, dated May 21, 2018.

5. **Albert French Subdivision
Decision Statement**

Location: 48.06-1-24; 1762 French Hill Road

Contact: Site Design Consultants

Description: Proposed 2 Lot subdivision where there are three existing residences. A Zoning Board decision from 1983 supports this subdivision.

6. **Taco Bell – Mohegan Lake
Adjourned Public Hearing Amended Site Plan & Special Use Permit for a Drive-Thru**

Location: 15.16-1-21; 3571 Mohegan Avenue

Contact: JMC Site Development Consultants

Description: Proposed Taco Bell restaurant and drive-thru on 0.83 acres in the C-2 zone, at the corner of East Main Street and Mohegan Avenue.

7. Par 3 Golf Course

Public Hearing

Location: 16.07-1-38; 795 Route 6

Contact: James Martorano Jr., Parks & Recreation Superintendent

Description: Proposed Par 3 golf course and clubhouse with restaurant on Town owned Parkland.

WORK SESSION

8. First Presbyterian Church of Yorktown

Discussion Lighting Plan

Location: 26.20-1-8; 2880 Crompond Road

Contact: AJI Electrical Solutions, Inc.

Description: Proposed lighting upgrades to the existing parking lots.

9. McTaggart Residence (Spano Subdivision Lot 1)

Discussion Site Plan

Location: 37.11-1-46.1; 2241 Saw Mill River Road

Contact: Fusion Engineering, P.C.

Description: Proposed changed to the approved subdivision improvement plan as a result of sewer being available.

10. Kitchawan Farm Solar Farm

Discussion Site Plan & Special Use Permit

Location: 70.06-1-2 & 3; 716 Kitchawan Road

Contact: Ecogy Kitchawan Community Solar Farm, LLC

Description: Proposed 2 MW ground mounted large-scale solar energy system.

11. Arcadia Farm Solar Farm

Discussion Site Plan & Special Use Permit

Location: 47.11-1-4; 1300 Baptist Church Road

Contact: Croton Energy Group

Description: Proposed 1.34 MW ground mounted large-scale solar energy system.

12. Town Board Referral

Purchase of town-owned property located on Meadowcrest Court.

Last Revised – May 8, 2021

Correspondence

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: May 10, 2021
Subject: Envirogreen
SBL: 15.16-1-30

RECEIVED
PLANNING DEPARTMENT
MAY 10 2021
TOWN OF YORKTOWN

Drawings Reviewed:

Title:	Date:	Produced By:
Architectural Plan	05-05-2021	Gene Vetrano, Architect

The Advisory Board on Architecture and Community Appearance reviewed the above referenced subject via video-conference at the Board meeting held on Tuesday, May 4, 2021. Gene Vetrano, Architect and Rick Cipriani, property owner were present. The ABACA has the following comments:

1. The Board had concerns about the lack of symmetry of the building and suggests for the recessed area of the floor plan and the large dormer be centered on the building.
2. The Board had several concerns about the mass and composition of the roof and the proposed dormers and requested for the applicant to study this further as follows:
 - o Possibly incorporate reverse gables to anchor the sides of the street facing roof.
 - o Modify the scale of the faux dormers.
 - o Modify the scale and composition of the windows on all the faux dormers.
 - o It was suggested to possibly incorporate hips to the dormers in lieu of the gabled dormers,
 - o If the design includes reverse gables and a large centered dormer or other components, perhaps the small dormers could be removed entirely.
 - o The Board suggested for the applicant to study the integration of a cupola or multiple cupolas as appropriate (*centered on the ridge, at each hip intersection or a hierarchy of scaled cupolas with one larger in the center and two smaller at the hip intersections, etc.*)
 - o The Board feels that there are many ways for the roof and its components to be composed and looks forward to seeing what the applicant develops in response to these comments and observations
3. The applicant is not interested in carving out a small rear facing flat roof to allow for mechanicals as previously recommended in order to maintain constructability and utilize a roof truss system, therefore has highlighted several possible site locations adjacent to the rear of the building to locate equipment to be determined.

The Board has no objections to this, but requested for this equipment to be appropriately screened with landscaping, a fence or a combination of the two.

4. The Board was concerned that the sign band may be too small like some of the adjacent buildings. The sign band as shown is 36" tall and proposes signs with 24" high letter, which seems to be acceptable.
5. The Board is concerned that the walkway in front of the storefronts is not wide enough to allow passage when storefront doors are opened, therefore encourages the applicant to increase the width of this walkway as required and feels that the planting bed is important and should remain. The applicant is proposing to extend the overhang to cover the walkway but the Board is concerned that if the overhang is too deep, it will make view of the signage difficult when in shade.

Upon further discussion, the Board feels that due to the challenges with the walkway depth and sign bands, that the sign band should be pulled out to the face of the overhang and for real columns to be incorporated to create a covered walkway with masonry planters or plant beds in between. This would allow for greater sign visibility, greater flexibility for the storefront layout, and protection for pedestrians from the elements and from vehicles.

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 – Envirogreen
May 10, 2021
Page 2

6. The applicant stated that at the suggestion of the ABACA, the base wall is now proposed to be faux stone in the color of gray. While the Board appreciates the integration of this additional material, it wants to make sure that materials and details are authentically used and incorporated.

The Board likes the general direction of the building materials and requests for the applicant to submit a material board with samples and color palette for review when determined.

7. The Board looks forward to seeing a site lighting plan with lighting levels and lighting specifications when developed. Lighting fixture selections for the site should be drawn from adjacent sites if possible and be related to lighting selections for the building.
8. The Board still feels that this building has the potential to be significant in the Mohegan Lake area and feels that outdoor seating could contribute to the buildings viability and prominence, especially if the building contains a restaurant tenant.
9. The applicant mentioned that the building will likely be tailored to coordinate with actual tenants to be determined prior to construction and will present building updates to the Board accordingly.

The Board does not object to a site plan approval for this project.

Christopher Taormina

Christopher Taormina, RA
Chairman

/nc

cc: Applicant

APR 29 2021

Nancy Calicchia

From: Sam Oliverio <soliverio@putnamvalley.com> TOWN OF YORKTOWN
Sent: Thursday, April 29, 2021 6:29 AM
To: Maureen Bellino; John Tegeder; Planning Department; Robyn Steinberg
Cc: Jeremy Luft; Jill Figarella; David Spittal; Board of Education
Subject: RE: Proposed Yorktown Solar Farm-Foothill Street

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.

Excellent!!! The Town of Putnam Valley is in full support of our School District's concerns as they pertain to this project. As was stated in our resolution that was sent to the Yorktown Planning Board and Supervisor; the negative impact on the Peekskill Watershed as well as the destruction of 100s of trees is not an acceptable trade-off for the construction of this Solar Farm. There are many open fields and abandoned farmland within Yorktown's perimeters. Those areas should be investigated and utilized before any massive and grand scale deforestation occurs on such an environmentally sensitive track of land.

Sincerely,

Sam Oliverio

Supervisor – Town of Putnam Valley
845-526-2121
Carpe Diem

From: Maureen Bellino [mailto:mbellino@pvcasd.org]
Sent: Wednesday, April 28, 2021 3:03 PM
To: jtegeder@yorktownny.org; planning@yorktownny.org; Robyn Steinberg <rsteinberg@yorktownny.org>
Cc: Sam Oliverio <soliverio@putnamvalley.com>; Jeremy Luft <jluft@pvcasd.org>; Jill Figarella <jfigarella@pvcasd.org>; David Spittal <dspittal@pvcasd.org>; Board of Education <g-boe@pvcasd.org>
Subject: Proposed Yorktown Solar Farm-Foothill Street

Attached please find correspondence from Dr. Luft regarding the proposed Yorktown Solar Farm at Foothill Street.

Thank you.

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

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APR 29 2021

TOWN OF YORKTOWN



Putnam Valley Central School District

**"The Child, First and Foremost...
Building a Foundation for the Future"**

April 28, 2021

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

The Putnam Valley Central School District would like to thank the members of the Town of Yorktown Planning Board for their time and consideration regarding the proposed solar farm off of Foothill Street. Specifically, for your consideration of the significant adverse impact this solar farm would have on the ground water management and visual landscape of the adjacent Putnam Valley School District property.

It may be difficult for the members of the planning board to fully understand the scope of the existing groundwater management issues we are already facing regarding water cascading down from Foothill and the adjacent Lockwood property or visualize the substantial alteration this project would have on the district's visual landscape. To that effect, the Putnam Valley Central School District would like to invite members of the Town of Yorktown Planning Board to visit our site and see firsthand the impact this solar farm would have on the school district. If interested in a site visit, Ms. Maureen Bellino, our district clerk, can assist you in scheduling a time that is convenient for you (mbellino@pvcsd.org or 845 528-8143 x1367)

In addition to offering a site visitation, the Putnam Valley Central School District is requesting that the Town of Yorktown Planning Board consider requiring the petitioners to provide the following information:

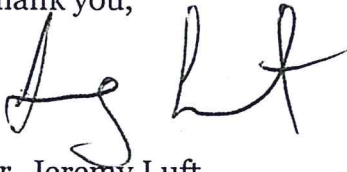
1. A full hydrogeological study to determine the impact that clear cutting hundreds of trees on the property adjacent to the school district will have on the groundwater management of our property.
2. A computer-generated rendering of the visual impact the proposed solar farm would have on the adjacent school district property. This rendering will dispute the ascertain that any visual impact could only be observed from the roof of our high school building; a statement the school district strongly rejects.

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

As noted in our previous communication, the Putnam Valley Central School District is a staunch supporter of renewable/alternative energy. In fact, much of our heating and cooling is conducted through the use of geothermal wells and many of our buildings utilize solar arrays on our roofs. We continue to support and encourage the development of renewable energy farms but ask the Town of Yorktown to consider alternative locations, preferably on already deforested land.

We thank you for your time and consideration on this matter.

Thank you,

A handwritten signature in black ink, appearing to read 'J Luft', written in a cursive style.

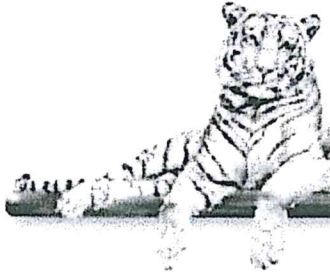
Dr. Jeremy Luft
Superintendent of Schools

Cc: John A. Tegeder, Director of Planning

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

APR 29 2021

TOWN OF YORKTOWN



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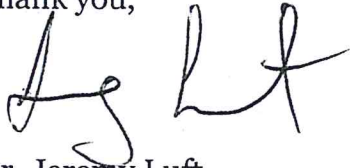
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We thank you for your time and consideration on this matter.

Thank you,

A handwritten signature in black ink, appearing to read 'J Luft', written in a cursive style.

Dr. Jeremy Luft
Superintendent of Schools

Cc: John A. Tegeder, Director of Planning

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

Draft Minutes

Fusco Subdivision

Laura Digiovanni
3477 Stony Street
Mohegan Lake, NY 10547

Mr. John Tegeder, RA
Director of Planning
Yorktown Planning Department
1974 Commerce Street
Yorktown Heights, New York 10598

RECEIVED
PLANNING DEPARTMENT
MAY 5 2021
TOWN OF YORKTOWN

May 5, 2021

Re: Fusco – Digiovanni Subdivision
Subdivision Application

Dear John:

The Planning Board, at its May 20, 2019 meeting adopted resolution (19-11) approving the Fusco Subdivision. The Planning Board at their May 11, 2020 meeting reapproved the subdivision, and subsequently granted two (2) 90-day time extensions. The conditions set forth in the approving resolution have not been satisfied, therefore I am respectfully requesting a reapproval of the subdivision. I reside on the property and have not made any changes to the property. The existing residence on the property is still being utilized as a single-family home. There should be no additional analysis pursuant to SEQRA required at this time.

Should you have any questions or require additional information, please call.

Sincerely,

Laura Digiovanni



**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION REAPPROVING
SUBDIVISION PLAT TITLED
FUSCO SUBDIVISION**

RESOLUTION NUMBER:

DATE:

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

WHEREAS, on behalf of the applicant, Laura DiGiovanni, a final plat entitled, “Preliminary Subdivision Plat Prepared for Laura Fusco” prepared by Ward Carpenter Engineers, Inc., by Daniel Ciarcia, of Ciarcia Engineering, P.C., dated and last revised November 5, 2018, to the Planning Board; and

WHEREAS the property owned by the Applicant is located at 3477 Stony Street, Yorktown Heights, also known as Section 16.14, Block 1, Lot 10 on the Town of Yorktown Tax Map (hereinafter referred to as “the Property”), and the applicant has represented to this board that they are the lawful owners of the land within said subdivision; and

WHEREAS said plat was approved by the Planning Board by Resolution #19-11 on **May 20, 2019**; and

WHEREAS said resolution expired on **November 20, 2019**; and

WHEREAS this resolution was granted two ninety (90) day time extensions; and

WHEREAS said extensions lapse on **May 18, 2020**; and

WHEREAS said reapproval expired on **November 18, 2020**; and

WHEREAS said plat was reapproved by the Planning Board by Resolution #20-03 on **May 11, 2020**; and

WHEREAS said resolution expired on **November 18, 2020**; and

WHEREAS this resolution was granted two ninety (90) day time extensions; and

WHEREAS said extensions lapse on **May 19, 2021**; and

WHEREAS no modifications have been made to the subdivision as stated in a letter from the property owner dated May 5, 2021; and

BE IT FURTHER RESOLVED that Resolution #05-21 is hereby reapproved; and

BE IT FURTHER RESOLVED this reapproval expires on **November 15, 2021**.

Village Traditions

Robyn Steinberg

From: Maria Mallon <michelbela@aol.com>
Sent: Wednesday, April 21, 2021 4:49 PM
To: Robyn Steinberg
Subject: Re: Village Traditions - PB Res #18-05

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.

P. O. Box 1054
Baldwin Place, NY 10505
(845) 721-6520
(845) 621-2233

June 11, 2019

Yorktown Planning Board
Yorktown Town Hall
363 Underhill Avenue
Yorktown Heights, NY 10598

RE: Sec 15.16 Blk 1 Lot 32

Dear Yorktown Planning Board,

Village Traditions, LLC requests a reapproval of Resolution #18-05, dated May 21, 2018 for an Amended Site Plan located at 1821 East Main Street, Mohegan Lake, NY 10547.

During the review process for the original site plan approval and then the amended site plan approval, the project impacts were assessed and each potential impact was carefully studied including traffic impacts, impacts due to stormwater runoff, wetland buffer impacts, impacts to the community, and other important impacts. In addition, all trees over 8 inches dbh were identified on the site and a Landscape Plan including the planting of trees was included in the signed site plan set. During this process and review, it was determined that the project as presented would not have a negative impact if implemented as approved. Subsequent to the approval granted for this project, there have been no changes in any laws, regulations or rules of any jurisdiction involved in the process that would change the Board's determination.

Thank you for your attention to this matter.

Sincerely,

Timothy Mallon
michelbela@aol.com
(845)721-6520

**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION REAPPROVING
SITE PLAN FOR
VILLAGE TRADITIONS**

RESOLUTION NUMBER: #

DATE:

On the motion of _____, seconded by _____, and unanimously voted in favor by Fon, LaScala, Bock, Garrigan, and Visconti, 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 an amended site plan titled "Village Traditions, LLC," prepared by John Karell Jr, P.E., dated February 1, 2017, and last revised January 22, 2018, was submitted to the Planning Board on behalf of Timothy Mallon (hereinafter referred to as "the Applicant"); and

WHEREAS said amended site plan was approved by the Planning Board by Resolution #18-05 on **May 21, 2018**; and

WHEREAS said resolution expired on **May 16, 2019**; and

WHEREAS this resolution was granted one one-year time extension that expired on **May 16, 2020**; and

WHEREAS the Applicant has not demolished or constructed the new proposed barn as shown on said approved site plan; and

WHEREAS pursuant to SEQRA, no environmental conditions have changed nor have there been any changes to environmental laws, regulations, or rules of any jurisdiction involved in the review process as stated in a letter from the applicant dated April 21, 2021; and

BE IT RESOLVED that a second one-year time extension is hereby granted and Resolution #18-05 is hereby reapproved; and

BE IT FURTHER RESOLVED that unless a building permit has been issued within one year, which is **May 16, 2022**, this approval will be null and void.

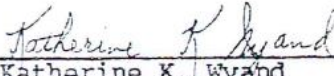
Albert French Subdivision

DECISION OF THE YORKTOWN ZONING BOARD OF APPEALS
August 1, 1974

RENZLER, BEATRICE

Application for variance to legalize existing structures (3) for Certificates of Occupancy to issue to modify Decision dated June 6, 1974. Premises located east side of French Hill Road aka/Sec. 12.11, Parcel 17, Lot 23 on the Tax Map of the Town of Yorktown.

The Board having considered all of the evidence submitted to it, including the reports of the Site Committee, Planning Director and Assistant Building Inspector, all as set forth in the Minutes of the Public Hearing of August 1, 1974 and the Board having reviewed the Minutes and evidence submitted for the meeting of June 6, 1974 and it having been determined that the applicant had demonstrated proof of practical difficulty and unusual hardship and to grant the requested relief would not be depreciative of neighborhood property values nor in derogation of the Town Development Plan, it is the decision of this Board that the existing structures consisting of three (3) dwellings have Certificates of Occupancy to issue therefor and the decision dated June 6, 1974 be so amended provided the applicant continue existing driveway to accommodate the third dwelling. This decision is predicated on the subject premises not being subdivided into more than two (2) parcels.



Katherine K. Wyand
Town Clerk

STATE OF NEW YORK
COUNTY OF WESTCHESTER
Office of the Clerk of the
TOWN OF YORKTOWN

} ss.

This is to certify that I, Katherine K. Wyand, Town Clerk of the Town of Yorktown in the said County of Westchester, have compared the foregoing copy of Decision of Zoning Board of Appeals

DECISION OF THE YORKTOWN ZONING BOARD OF APPEALS

January 27, 1983

FRENCH, ALBERT
#74/82

Application for variance to permit construction on two lots with 50 ft of frontage each where 100 ft is required (in conjunction with proposed subdivision). Premises located on east side of French Hill Road, aka/ Section 12.11 Parcel 17 Lot 23 on the Tax Map of the Town of Yorktown.

Upon reading and filing the Certificate of Notice, the reports of Superintendent of Highways dated November 15, 1982; Assistant Building Inspector dated December 1, 1982; Director of Planning dated December 1, 1982; The Affirmation of Albert Capellini in Support of the Application, a petition in opposition to the application, a prepared statement in opposition to the application and upon the report of the site committee and upon the testimony offered and received at the public hearing of this application, it is found and determined as follows:

The subject property consists of some 143,532 square feet off of French Hill Road where the required minimum lot size is 40,000 square feet. Applicant proposes to subdivide the subject property to create two lots, each with 50 feet of frontage where 100 feet is required.

An application for subdivision approval is currently being processed by the Planning Board, which previously rejected as unfeasible, applicant's request for three lots on the subject property. The Planning Board has preliminarily endorsed this two lot request.

The applicant, who is the contract vendee of this property, is also the owner of the adjoining property which contains some 100,800 square feet and three dwelling units. By a prior decision of this Zoning Board dated August 1, 1974, the three dwelling units on this adjoining lot were legalized, predicated on such property not being subdivided into more than two parcels.

The Board notes that the combined frontage of applicant's present and future holdings amounts to 801.77 feet, which is more than sufficient to accommodate the two new lots provided that the frontage of all applicant's holdings were allowed to be combined and that lot lines for a total of not more than four lots were drawn on applicant's combined holdings. Pursuant to the Zoning Board's 1974 decision, one of such lots would contain two dwelling units.

In deciding whether or not to grant variances, Zoning Boards are initially faced with the question of determining whether there are other means available other than a variance to overcome the difficulties presented. If the applicant were permitted to combine frontage by the partial amendment of this Board's 1974 decision, there would be no need for the variance requested in the instant application. The Planning Board could then set lot lines for applicant's combined holdings. This approach would seem to serve the dual purpose of orderly planning while at the same time avoiding the need for the variance.

The resultant lots will be in conformity with the neighborhood in terms of lot size and will not substantially effect the Town's ability to provide community services.

The Board's 1974 decision is accordingly amended to the extent of allowing the utilization of applicant's frontage on the adjoining lands conditioned upon the redefinition of appropriate lot lines of not more than four lots of the applicant's entire holding by the Planning Board. For the reasons above stated, it is not necessary to otherwise rule upon the variance request as submitted.

Filed on the 31st
day of January, 1983


GERALDINE SCHWALB, Town Clerk

Site Design Consultants

Civil Engineers • Land Planners

April 29, 2021

Mr. Richard Fon, Chairman
Members of the Yorktown Planning Board
1974 Commerce Street
Yorktown Heights, NY 10598

RECEIVED
PLANNING DEPARTMENT
APR 29 2021

TOWN OF YORKTOWN

Re: Albert French
1762 French Hill Road, Yorktown

Dear Chairman Fon and Members of the Planning Board:

Enclosed please find three copies of the Plan and Profile titled "Minor Subdivision" prepared for Al French, dated 4/29/21 and three copies of the Plan titled "Minor Subdivision" prepared for Al French, dated 12/28/20, last revised 4/29/21 Sheet 1.

As per the request made at the last Planning Board meeting on this matter, we have prepared an alternate driveway route for access to the rear two lots which are not part of this application. This is shown in plan and profile. As can be seen, to construct this driveway requires an extensive amount of fill and will be at the maximum grade of 10%. In comparison, the existing driveway is moderately sloped and provides a safer and easier access especially for emergency vehicles to the two residences.

In addition, we have modified the map to show the side yard dimension for the cottage, which is approximately 17' where 10' is required. The placement of this side property line is at the bottom of a slope providing the more usable area to the benefit of the cottage. We believe this responds to the open questions.

We will go over the Plans at the May 10th Planning Board meeting. Thank you.

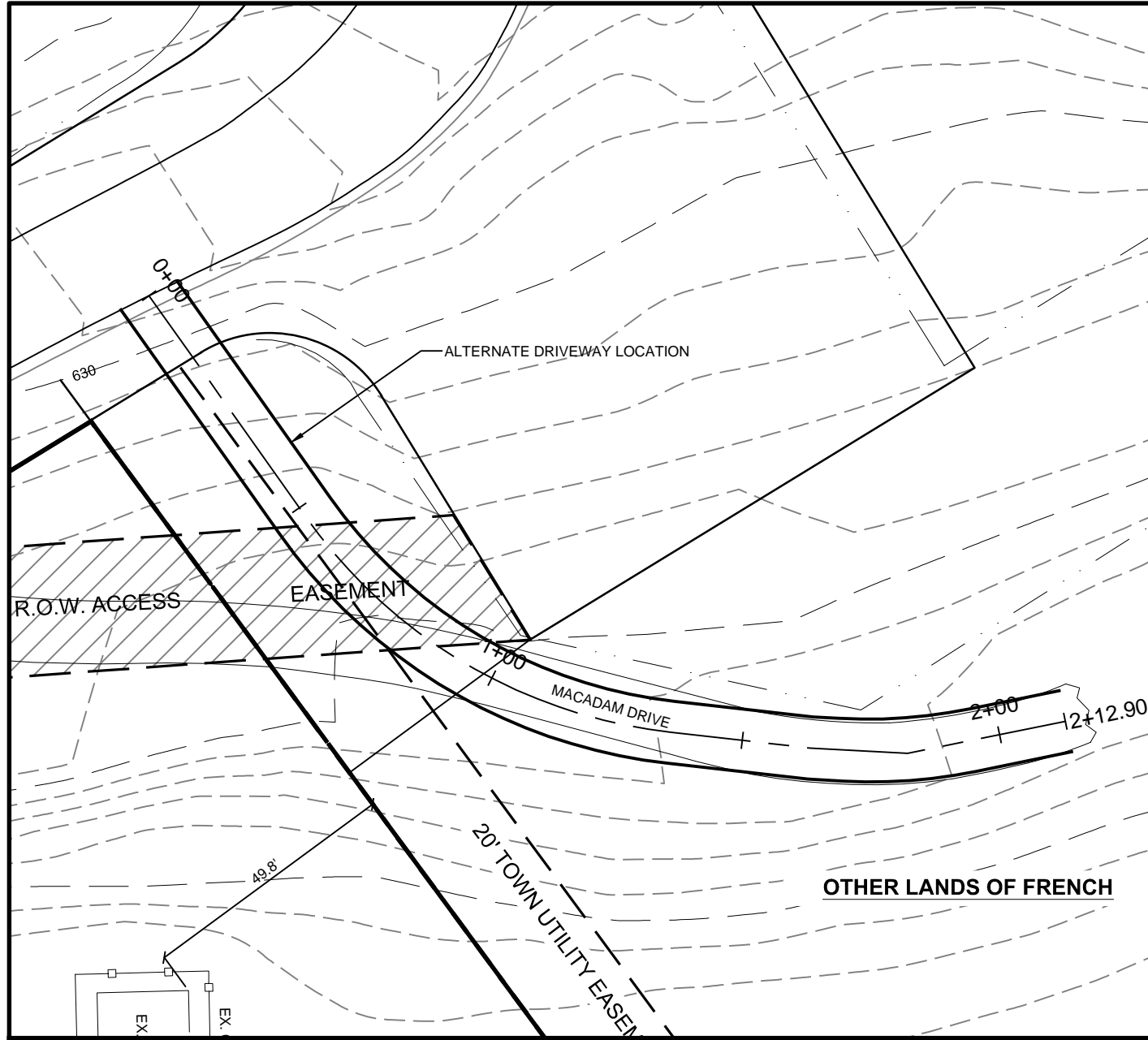
Sincerely,

Joseph C. Reina, P.E.

/cm/sdc 18-06

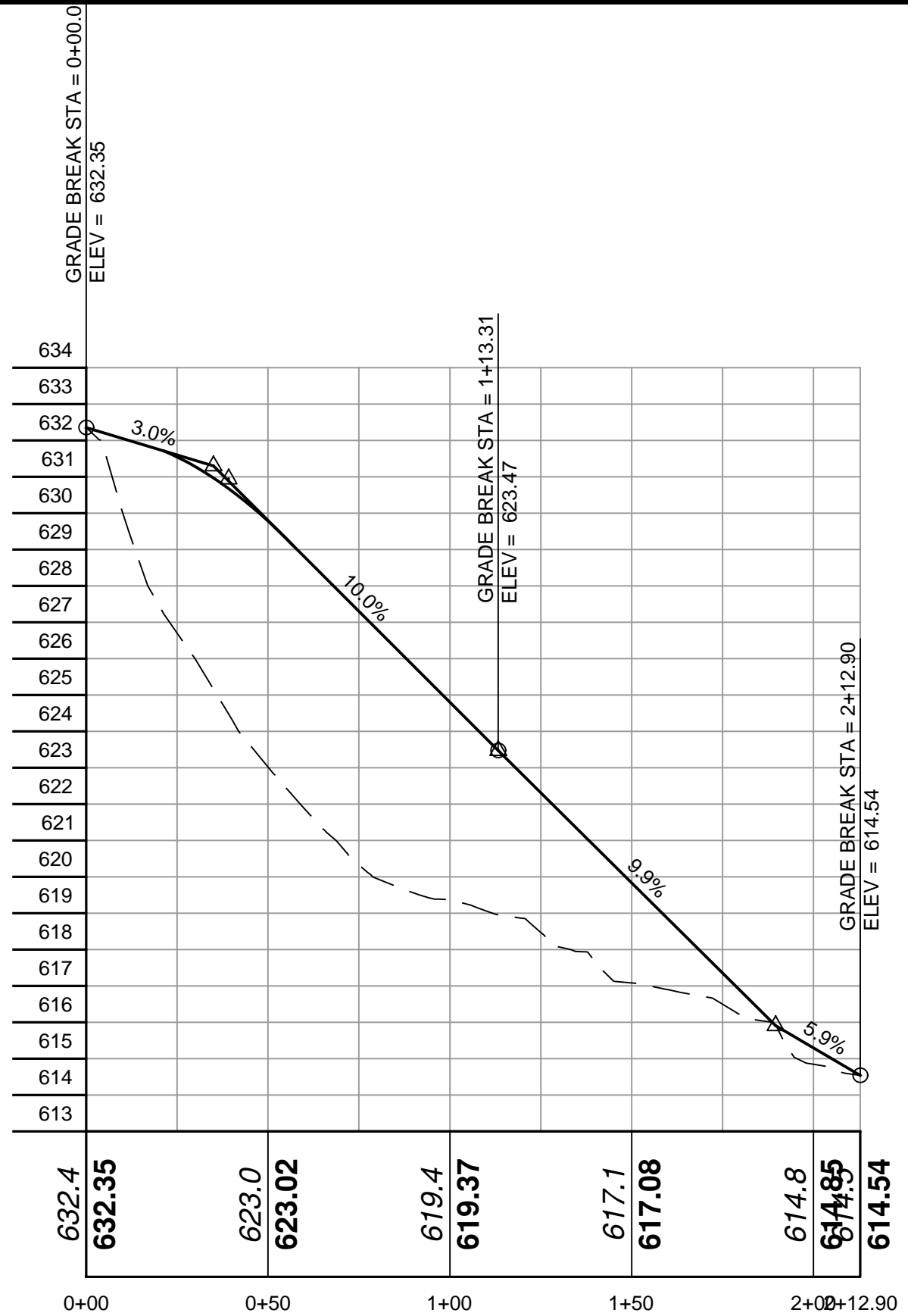


F:\2018\18-06 AL FRENCH\ENGINEERING\CAD\C3D-18-06 AL FRENCH\18-06 SITE PLAN.DWG 1/16/2017 3:19:52 PM



ALTERNATE DRIVEWAY PLAN VOEW

SCALE: 1"=30'



ALTERNATE DRIVEWAY PROFILE

SCALE: VERT. 1"= 4' / HORZ. 1"=40'

Site Design Consultants

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

MINOR SUBDIVISION
 PREPARED FOR
AL FRENCH
 1762 FRENCH HILL ROAD

Town of Yorktown

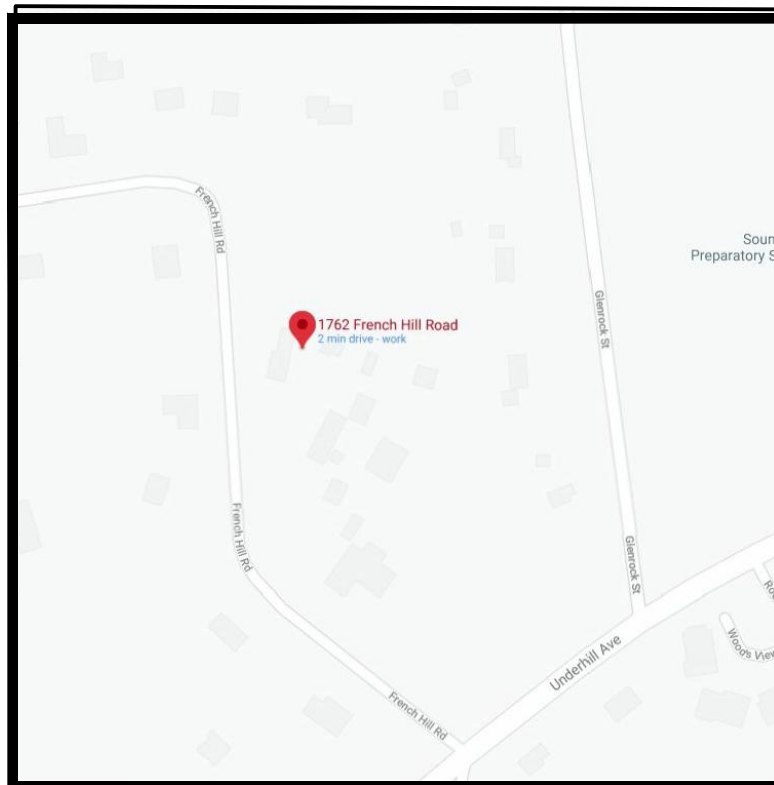
Westchester County, New York



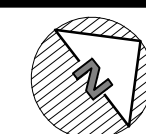
DATE: 4/29/21

COPYRIGHT © 2012 BY SITE DESIGN CONSULTANTS, ALL RIGHTS RESERVED

NOTE: UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.



LOCATION MAP
NOT TO SCALE

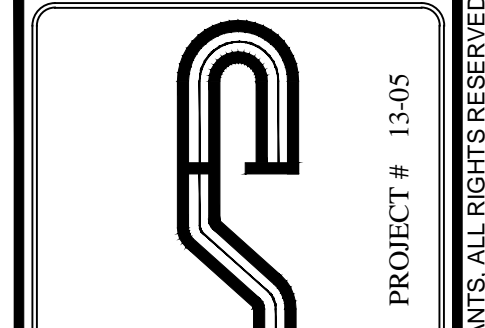


SITE DATA:

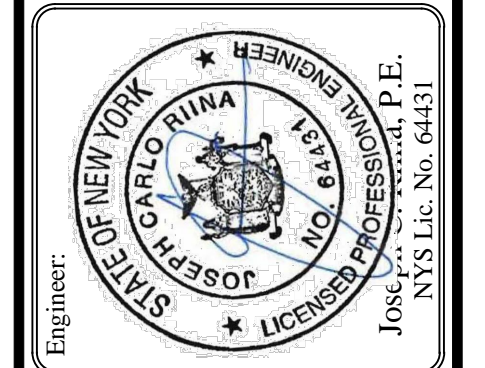
OWNER / DEVELOPER: AL FRENCH
1762 FRENCH HILL ROAD
YORKTOWN HEIGHTS, NY

PROJECT LOCATION: 1762 FRENCH HILL ROAD
YORKTOWN HEIGHTS, NY

EXISTING TOWN ZONING: R1-40 SINGLE FAMILY
PROPOSED USE: R1-40 SINGLE FAMILY
TOWN TAX MAP DATA: 2.182 ACRES (95,052 SF)
SEWAGE FACILITIES: SUBSURFACE SEWAGE DISPOSAL
WATER FACILITIES: PUBLIC WATER FACILITIES



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



Revisions:

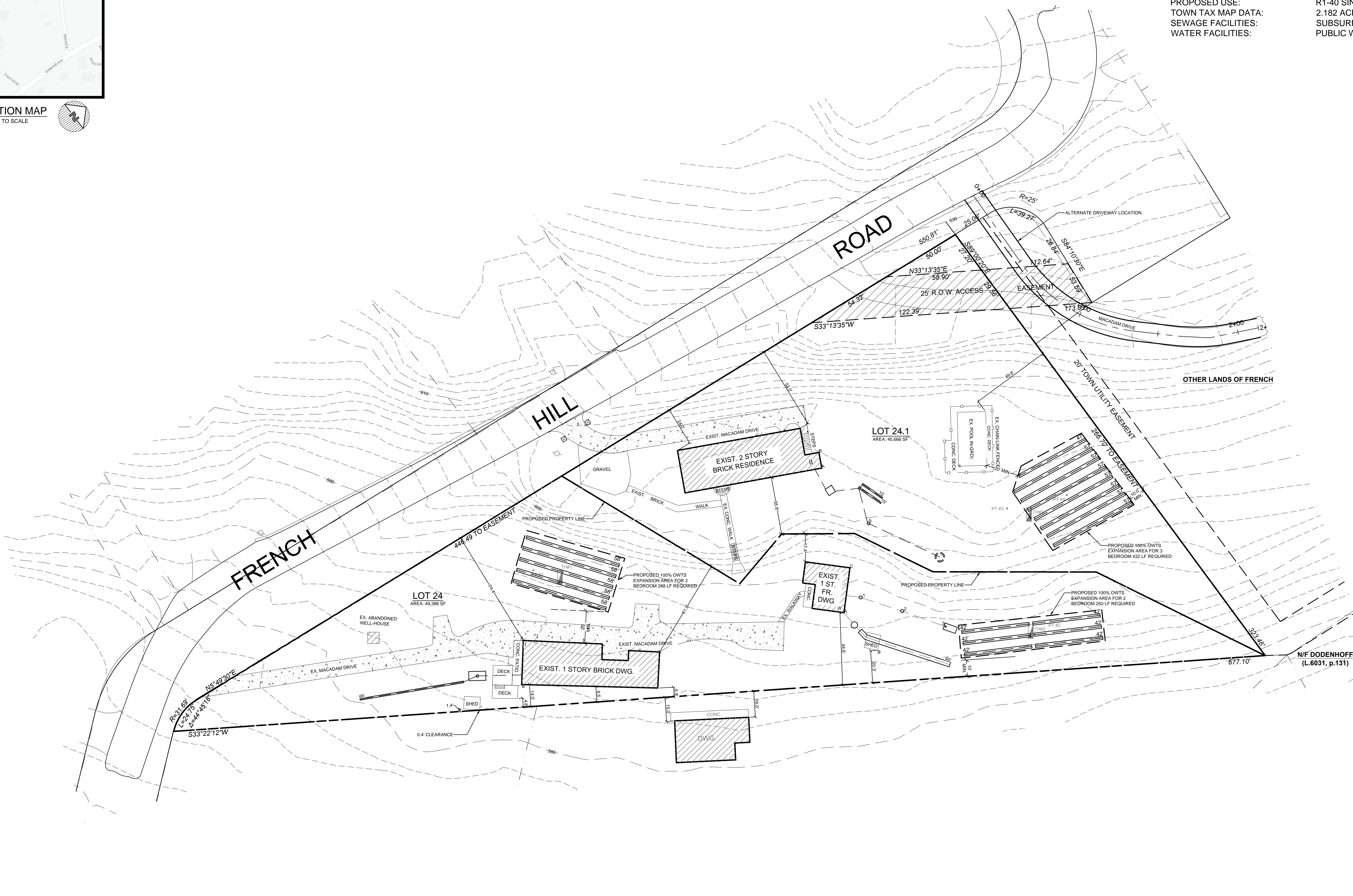
No.	Date	Comments
1	4/29/21	Site Y and Dim.

SCALE: 1" = 30'
DRAWN BY: KM
DATE: 12/28/20

SUBDIVISION PLAN

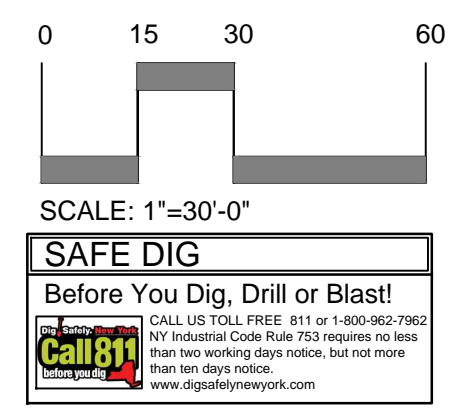
MINOR SUBDIVISION PREPARED FOR
AL FRENCH
1762 FRENCH HILL ROAD
Town of Yorktown
Westchester County, NY

Sheet 1 of 1



HEALTH DEPARTMENT SEPTIC SCHEDULE																				
LOT NO.	S.S.T.A. AREA (S.F.)	LOT AREA (S.F.)	TEST HOLE NO.	DEEP TEST PIT DESCRIPTION	TOTAL DEPTH	DEPTH TO WATER	DEPTH TO ROCK	PERCENT SLOPE AREA	PERC. TEST NO.	DESIGN DATA										
										MIN. DESIGN RATE	APPLICATION RATE (GPO/SF)	NO. OF BEDROOMS	DESIGN FLOW RATE	TANK SIZE	REQD. TRENCH LENGTH	BANK RUN FILL DEPTH	VOLUME	CURTAIN DRAIN DEPTH	REMARKS	
24	2,170 S.F.	49,386 S.F.	TH#1	0-6" T.SOIL, 6"-36" MOD. COMP. MED./FINE SANDY LOAM, 36"-84" MOD. TO TIGHT COMP. MED./FINE SANDS	7'-0"	---	---	---	PT#1	19 MIN.	16-20 MIN.	0.70	2 BRM	400 GPD	1000 GAL.	288 LF	---	---	---	---
24.1	1,755 S.F.	45,666 S.F.	TH#2	0-6" T.SOIL, 6"-42" MOD. COMP. MED./FINE SANDY LOAM, 42"-84" MOD. TO TIGHT COMP. MED./FINE SANDS	7'-0"	---	---	---	PT#2	15 MIN.	11-15 MIN.	0.80	1 BRM	200 GPD	1000 GAL.	125 LF	---	---	---	---
	3,050 S.F.		TH#3	0-6" T.SOIL, 6"-42" MOD. COMP. FINE SANDY LOAM, 42"-84" MOD. TO TIGHT COMP. MED./FINE SANDS	7'-0"	---	---	---	PT#4	19 MIN.	16-20 MIN.	0.70	3 BRM	500 GPD	1000 GAL.	432 LF	---	---	---	---

NOTE:
1. Required trench length taken from table in WCHD Rules and Regulations. (Based on Perc Test)
2. Percolation Test #3 abandoned.

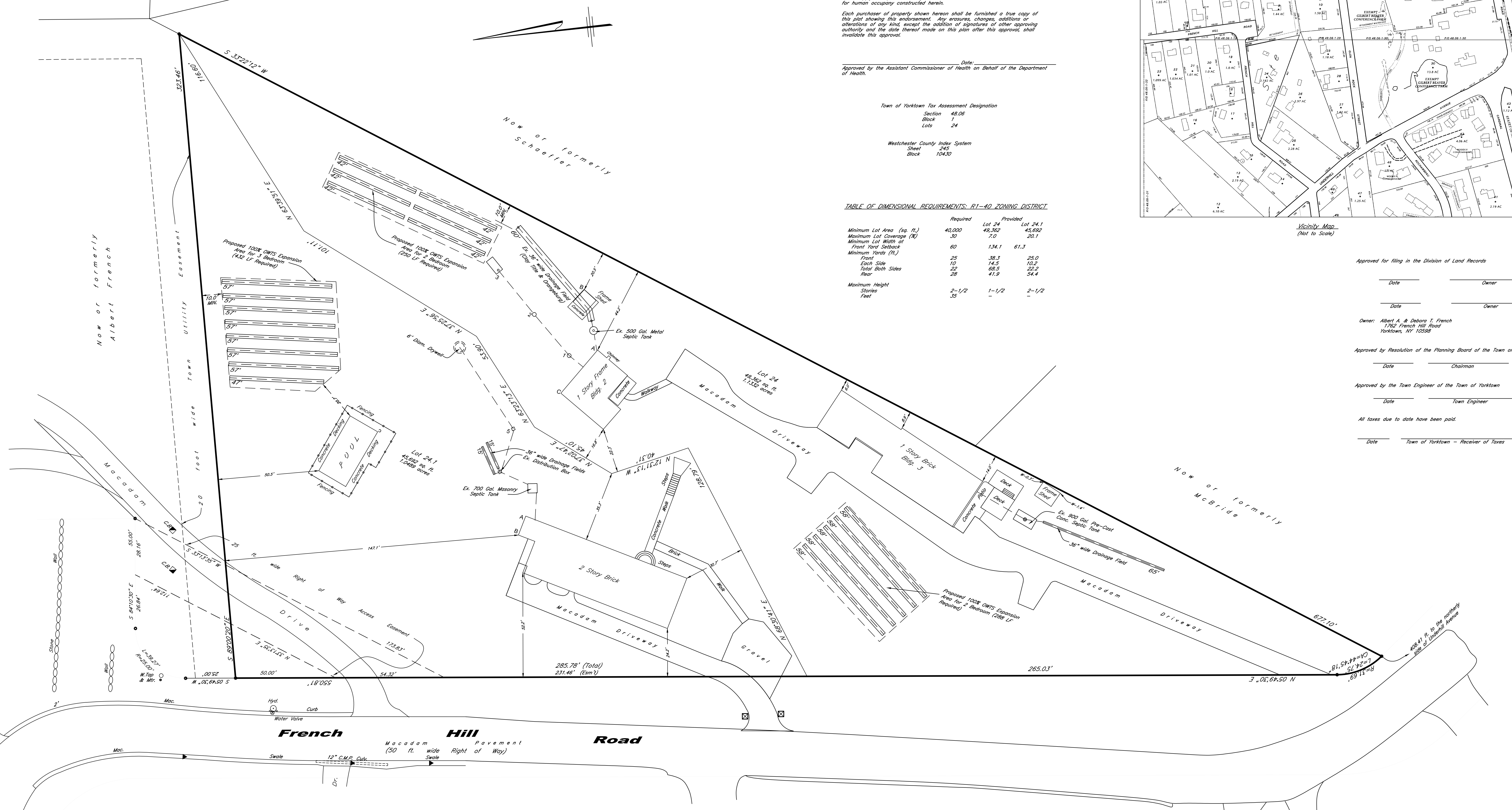


E:\2021\12\06\AL FRENCH\ENGINEERING\CADD\CD-18-06-AL FRENCH\18-06 SITE PLAN.DWG, 1/16/2021, 2:19:52 PM

NOTE: UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2) OF THE NEW YORK STATE EDUCATION LAW.

Now or formerly Dodenhoff

Now or formerly Garafolo



Westchester County Department of Health,
Mount Kisco, New York

Approved pursuant to Chapter 873, Article X, Sections 873.951 and 873.1021 of the Westchester County Sanitary Code subject to the provision of public water supply and public sanitary sewer facilities to serve all structures intended for human occupancy constructed herein.

Each purchaser of property shown hereon shall be furnished a true copy of this plan showing this endorsement. Any erasures, changes, additions or alterations of any kind, except the addition of signatures of other approving authority and the date thereon made on this plan after this approval, shall invalidate this approval.

Date: _____

Approved by the Assistant Commissioner of Health on Behalf of the Department of Health.

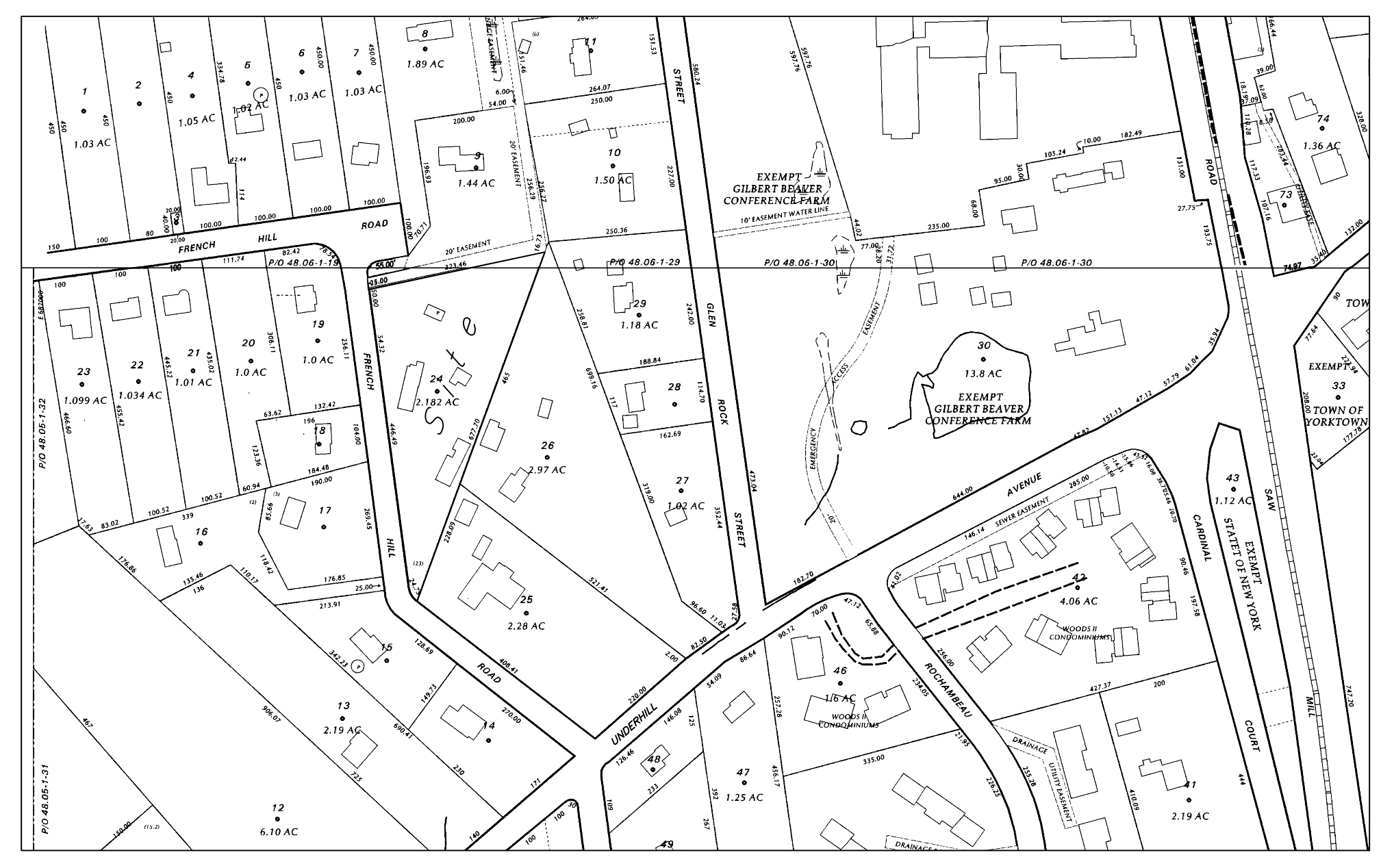
Town of Yorktown Tax Assessment Designation

Section 48.06
Block 1
Lots 24

Westchester County Index System
Sheet 24
Block 10430

TABLE OF DIMENSIONAL REQUIREMENTS: R1-40 ZONING DISTRICT

	Required	Lot 24 Provided	Lot 24.1 Provided
Minimum Lot Area (sq. ft.)	40,000	49,362	45,692
Maximum Lot Coverage (%)	30	32	29.1
Minimum Lot Width of Front Yard Setback	60	134.1	61.3
Minimum Yards (ft.)			
Front	25	30.5	25.0
Each Side	10	14.5	10.2
Total Both Sides	20	29.0	20.2
Rear	25	41.9	54.4
Maximum Height			
Stories	2-1/2	1-1/2	2-1/2
Feet	35	-	-



Approved for filing in the Division of Land Records

Date _____ Owner _____

Date _____ Owner _____

Owner: Albert A. & Debora T. French
1762 French Hill Road
Yorktown, NY 10598

Approved by Resolution of the Planning Board of the Town of Yorktown

Date _____ Chairman _____

Approved by the Town Engineer of the Town of Yorktown

Date _____ Town Engineer _____

All taxes due to date have been paid.

Date _____ Town of Yorktown - Receiver of Taxes _____

Preliminary Subdivision Map prepared for **Albert A. & Debora T. French** in the Town of **Yorktown** Westchester County, N.Y. Scale 1"=20' Feb. 8, 2021

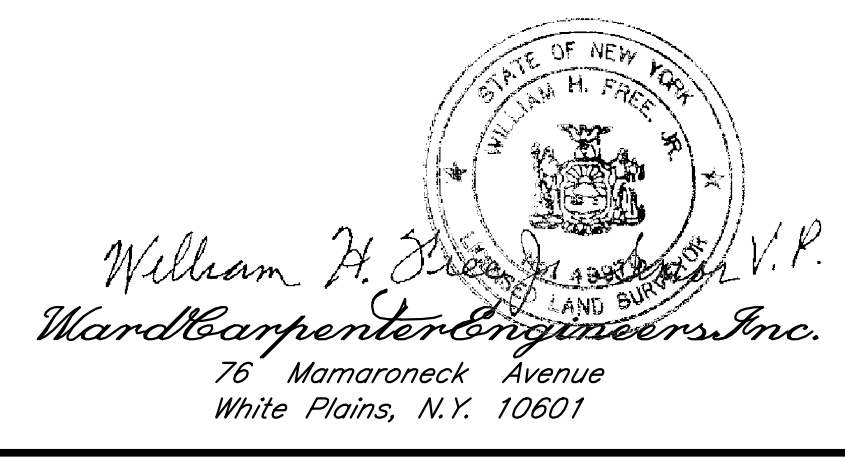
Site Utilities designed by:
Joseph C. Riina, P.E., President
New York State License No. 64431
Site Design Consultants
231-F Underhill Avenue
Yorktown Heights, NY 10598

HEALTH DEPARTMENT SEPTIC SCHEDULE																				
LOT NO.	S.T.A. AREA (S.F.)	LOT AREA (S.F.)	TEST HOLE NO.	DEEP TEST PIT DESCRIPTION	TOTAL DEPTH	DEPTH TO WATER	DEPTH TO ROCK	PERCENT SLOPE AREA	PERC TEST NO.	PERC RATE (MIN/IN)	PERC RATE (GPD/SF)	DESIGN DATA								
												MIN. DESIGN RATE (GPD/SF)	APPLICATION RATE (GPD/SF)	NO. OF BEDROOMS	DESIGN FLOW RATE (GPD)	TANK SIZE	RECD. TRENCH LENGTH	BANK RUN FILL DEPTH	CURTAIN DRAIN DEPTH	REMARKS
24	2,170 S.F.	49,386 S.F.	THW1	0-6" T.SOIL, 6'-36" MOD. COMP. MED./FINE SANDY LOAM, 36'-84" MOD. TO TIGHT COMP. MED./FINE SANDS	7'-0"	---	---	---	PT#1	19 MIN.	16-20 MIN.	0.70	2 BRM	400 GPD	1000 GAL.	288 LF	---	---	---	---
24.1	1,755 S.F.	45,666 S.F.	THW2	0-6" T.SOIL, 6'-42" MOD. COMP. MED./FINE SANDY LOAM, 42'-84" MOD. TO TIGHT COMP. MED./FINE SANDS	7'-0"	---	---	---	PT#2	15 MIN.	11-15 MIN.	0.80	1 BRM	200 GPD	1000 GAL.	125 LF	---	---	---	---
	3,050 S.F.		THW3	0-6" T.SOIL, 6'-42" MOD. COMP. FINE SANDY LOAM, 42'-84" MOD. TO TIGHT COMP. MED./FINE SANDS	7'-0"	---	---	---	PT#4	19 MIN.	16-20 MIN.	0.70	3 BRM	600 GPD	1000 GAL.	432 LF	---	---	---	---

NOTE:
1. Required trench length taken from table in WCHD Rules and Regulations.
(Based on Perc Test)
2. Percolation Test #3 abandoned.

The premises being Lot 23 as shown on a map entitled "Dehor Subdivision Map prepared for Albert A. & French dated Dec. 2, 1983, last revised July 11, 1984 and filed March 6, 1985 as County Clerk Map No. 21826. Also known as Lot 24, Block 1, Section 48.06 as shown on the official Tax Assessment Maps for the Town of Yorktown.

"Unauthorized alterations or additions to a survey map is a violation of section 7209, sub-division 2, of the New York State Education Law."
We, Ward Carpenter Engineers Inc., the Surveyors who made this map do hereby certify that the survey of property shown hereon was completed Dec. 23, 2020 and that this map was completed Feb. 8, 2021.



Reasons Supporting This Determination:

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

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:

Address:

Telephone Number:

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
SUBDIVISION PLAT TITLED
PRELIMINARY SUBDIVISION MAP
PREPARED FOR ALBERT A. & DEBORA T. FRENCH**

RESOLUTION NUMBER: #21-

DATE:

On motion of _____, seconded by _____, and unanimously voted in favor by Fon, LaScala, Bock, Garrigan, and Visconti, 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 subdivision plat titled, "Preliminary Subdivision Map prepared for Albert A. & Debora T. French," prepared by Ward Carpenter Engineers, Inc., dated February 8, 2021, was submitted to the Planning Board on behalf of Albert French (hereinafter referred to as "the Applicant"); and

WHEREAS, the property owned by the Applicant is located at 1762 French Hill Road, Yorktown Heights, also known as Section 48.06 Block 1, Lot 24 on the Town of Yorktown Tax Map (hereinafter referred to as "the Property"), and the applicant has represented to this Board that they are the lawful owners of the land within said subdivision; and

WHEREAS, an application fee of \$1,620 for a 2 lot subdivision covering 2.182 acres has been received by this Board; and

WHEREAS, pursuant to SEQRA:

1. The action has been identified as an Unlisted action.
2. The Planning Board has been declared lead agency on <DATE>.
3. A negative declaration has been adopted on <DATE> on the basis of a Short Environmental Assessment Form dated November 24, 2020.

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

1. A map, titled "Preliminary Subdivision Map prepared for Albert A. & Debora T. French," prepared by Ward Carpenter Engineers, Inc., dated February 8, 2021; and
2. A drawing, Sheet 1 of 1, titled "Minor Subdivision prepared for Al French," prepared by Site Design Consultants, dated December 28, 2020;

WHEREAS, the existing homes are on both lots of the proposed subdivision, therefore no increase in recreation needs is created by this subdivision; and

WHEREAS, the Zoning Board of Appeals Decision dated August 1, 1974 legalized the existing three structures provided the property is not subdivided into more than two parcels; and

WHEREAS, the Zoning Board of Appeals Decision dated January 27, 1983 amended the Board's 1974 decision to the extent of allowing the utilization of applicant's frontage on the adjoining lands conditioned upon the redefinition of appropriate lot lines of not more than four lots of the applicant's entire holding by the Planning Board; 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
Conservation Board	02/19/2021

WHEREAS, the requirements of this Board's Land Development Regulations, *inter alia* Town Code Chapter 195, have been met except that the applicant is proposing an irregularly shaped lot in order to accommodate existing structures on the Property; and

WHEREAS, a Public Informational Hearing was held in accordance with Town Code Section §195-22A(5) of the Yorktown Town Code on the said subdivision application and plat by Zoom video conference on March 22, 2021; and

WHEREAS, having reviewed all current site plans and comments from Town professional staff, the public, and other interested and involved agencies associated with the application before it; and having conducted a public hearing on the said subdivision application in accordance with Town Code Section §195-22E commencing and closing on April 26, 2021 by Zoom video conference;

WHEREAS, the driveway to the adjacent property also owned by the Applicant, known as Section 37.18, Block 1, Lot 9, is located in an existing 25 foot wide right-of-way access easement and to construct a new driveway to Lot 9 would require significant grading; and

BE IT THEREFORE NOW RESOLVED that the application of Albert French for approval of a subdivision plat titled "Preliminary Subdivision Map prepared for Albert A. & Debora T. French," prepared by Ward Carpenter Engineers, Inc., dated February 8, 2021, be approved subject to the following modifications and conditions and that the Chairman and Secretary of this board be and hereby are authorized to endorse this board's approval on said plat upon compliance by the applicant with such modification and additional requirements as noted. If

such modifications are not made and such conditions are not fulfilled within 180 days from the date of this resolution the plat shall be deemed disapproved; and

RESOLVED, the Planning Board finds that although it is not ideal to create irregularly shaped lots, in order to accommodate the existing residences on the Property the subdivision line is accepted as proposed; and

RESOLVED, the Planning Board finds that relocation of the existing driveway to Lot 9 would require significant construction that isn't necessary because a right-of-way access easement already exists; and

BE IT FURTHER RESOLVED, said plat map shall not be endorsed by the Planning Board until:

1. Submission of a statement signed by the Town's Tax Collector that all taxes due on this parcel have been paid.
2. Submission of fees as per town requirements in the form of separate checks made payable to the Town of Yorktown:

General Development	\$720.00
---------------------	----------

3. The plat has been reviewed by the Town Assessor.
4. Submission of the plat signed by the Westchester County Health Department.

BE IT FURTHER RESOLVED, that upon consideration by the Board the installation of street trees and sidewalks required by Town Code Sections §195-15 and §195-31 respectively, are hereby waived; and

BE IT FURTHER RESOLVED, that upon due consideration by the Board no other requirements of these regulations be modified; and

BE IT FURTHER RESOLVED, that the approved plat shall be recorded and filed in the County Clerk's office within 30 days from the signature on the plat, otherwise said approval shall become null and void.

Taco Bell
Mohegan Lake



Site Planning	Environmental Studies
Civil Engineering	Entitlements
Landscape Architecture	Construction Services
Land Surveying	3D Visualization
Transportation Engineering	Laser Scanning

April 21, 2021

Chairman Richard Fon
& Members of the Planning Board
Town of Yorktown Planning Board
1974 Commerce Street, Room 222
Yorktown, NY 10598

RECEIVED
PLANNING DEPARTMENT
APR 21 2021
TOWN OF YORKTOWN

RE: JMC Project 20045
Proposed Taco Bell Restaurant
3571 Mohegan Avenue
Town of Yorktown, NY

Dear Chairman Fon and Members of the Board:

On behalf of Keystone Mohegan Lake LLC, we are pleased to provide the following responses to comments discussed during the April 12th Public Hearing. Accordingly, herein we have provided materials and responses for your consideration.

Enclosed please find a copy of the below listed materials for your review:

I. JMC Drawings:

<u>Dwg. No.</u>	<u>Title</u>	<u>Rev. #/Date</u>
C-100	“Layout Plan”	3 04/21/2020

For the Board’s convenience, we have indicated each comment in italics, followed by the Applicant’s responses:

Comments Received during the April 12th Public Hearing

Comment No. 1

The proposed Taco Bell restaurant will share a parking lot with The Learning Experience day care facility. How will safety be ensured for the children who attend The Learning Experience?

Response No. 1

The Learning Experience, Hudson Valley Credit union, and the proposed Taco Bell restaurant will all share a driveway onto Mohegan Avenue but each building has its own parking lot. The Taco Bell restaurant has an independent access on the main access drive and does not conflict with the existing parking lot and drop off areas behind The Learning Experience building.

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC | JMC Site Development Consultants, LLC

Additionally, The Learning Experience closes at 6:30 PM during the week (Monday through Friday) and is closed on the weekends which further reduces potential conflicts between the two uses.

Comment No. 2

This segment of Route 6 becomes very congested during the peak hours. Many drivers run red lights and cut-through the adjacent shopping centers in order to bypass traffic.

Response No. 2

As discussed during the Public Hearing, an extensive traffic study was performed and significant roadway improvements were constructed in coordination with the New York State Department of Transportation (NYSDOT) to permit the original subdivision and site plan approvals. Additionally, a new traffic study was prepared in 2018 which analyzed the change from the approved bank use to a fast-food restaurant use. The Traffic Study concludes that there are no appreciable changes in delays in the studied intersections during all peak hours analyzed.

Comment No. 3

Has the applicant explored having an entrance on Route 6?

Response No. 3

A driveway on Route 6 would not be ideal and would likely not be permitted by the NYSDOT due to the proximity of a potential driveway to the intersection.

Comment No. 4

The queue at the Mohegan Avenue approach sometimes extends to the site driveway. How will this be impacted by the proposed development?

Response No. 4

The operations of the northbound Mohegan Avenue approach were studied as part of the 2018 traffic study that was previously prepared. Should the queue on Mohegan Avenue extend to the site driveway, vehicles exiting the site driveway will wait within the site driveway until there is room to turn onto Mohegan Avenue.

Comment No. 5

Can the applicant provide data from a comparable Taco Bell showing how many customers are expected during peak time on a typical weekday and weekend?

Response No. 5

The traffic study which was prepared in 2018 projected the number of vehicle trips for a fast-food restaurant with a drive-through window based on an industry standard publication from the

Institute of Transportation Engineers (ITE). The ITE publication is based on over 100 studies that were conducted during peak weekday and weekend hours at fast-food restaurants with drive-through windows.

Comment No. 6

What are the proposed hours of operation?

Response No. 6

The Taco Bell restaurant will be open from 7 AM until 2 AM.

Comment No. 7

Does the proposed restaurant require one or two Special Permits for the drive-thru / outdoor dining area.

Response No. 7

The proposed restaurant requires a Special Permit for the drive-thru aspect of the use. The outdoor dining area does not require a Special Permit from the Planning Board as it will contain 12 seats or less.

Comment No. 8

Does the outdoor dining area count toward the required parking calculation?

Response No. 8

We have confirmed with the Planning Department that the calculation of required parking does not include the outdoor dining area.

Comment No. 9

A loading area is not identified on the site plan.

Response No. 9

The proposed loading area has been delineated on JMC Drawing C-100, "Layout Plan", and is consistent with the truck turning maneuvers that were demonstrated within the plan set.

Comment No. 10

The Traffic Study was performed in 2018 and COVID has changed traffic patterns. A new study should be prepared.

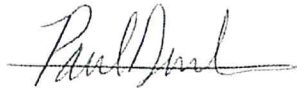
Response No. 10

This comment is noted. We acknowledge that the traffic patterns and levels as a result of the COVID-19 pandemic are different than what was observed in 2018. However, traffic engineers and reviewers (including the NYSDOT) are viewing this as a temporary condition which will eventually return to pre-COVID conditions. If a new study were prepared today, the NYSDOT would require that we either use prior roadway count data (adjusted using general growth factors) or would require that any counts conducted be factored up to pre-COVID levels.

We trust that this information is sufficient for you to continue your review of this Application and we look forward to discussing this matter with you further. If you have any questions or require additional information with regard to the information provided above, please do not hesitate to contact our office at 914-273-5225. Thank you for your consideration.

Sincerely,

JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

A handwritten signature in cursive script, appearing to read "Paul J. Dumont", written in black ink on a white background.

Paul J. Dumont, PE
Senior Designer II



Certificate of Mailing — Firm

Name and Address of Sender
James A. Ryan, RIA
JMC, PLLC
120 Bedford Road
Armonk, NY 10504
 RECEIVED
 PLANNING DEPARTMENT
 APR 21 2021
 TOWN OF YORKTOWN

TOTAL NO. of Pieces Listed by Sender: **6**

TOTAL NO. of Pieces Received at Post Office™: **6**

Postmaster, per (name of receiving employee): *ML*

USPS® Tracking Number
 Firm-specific Identifier

1. ST. MARY'S EPISCOPAL
 1836 E. MAIN ST.
 MOHEGAN LAKE, NY 10547

2. ROUTE 6 REALTY HOLDING,
 1791 EAST MAIN ST.
 MOHEGAN LAKE, NY 10547

3. OLD ST. GEORGE'S LLC
 10 GILEAD ROAD
 MAHOPAC, NY 10541

4. MOHEGAN VISTA PROPERTIES
 P.O. BOX 365
 JEFFERSON VALLEY, NY 10535

5. ROTTENKOLBER, JOHN & PATRICIA
 P.O. BOX 2
 GLENHAM, NY 12527

6. MOHEGAN VISTA PROPERTIES
 P.O. BOX 365
 JEFFERSON VALLEY, NY 10535

Affix Stamp Here
 Postmark with Date of Receipt.



U.S. POSTAGE PAID
 ARMONK, NY
 10504
 APR 21 21
 AMOUNT
\$11.88
 R2304M116414-32

0000

Address (Name, Street, City, State, and ZIP Code™)	Postage	Fee	Special Handling	Parcel Airlift
ST. MARY'S EPISCOPAL 1836 E. MAIN ST. MOHEGAN LAKE, NY 10547				
ROUTE 6 REALTY HOLDING, 1791 EAST MAIN ST. MOHEGAN LAKE, NY 10547				
OLD ST. GEORGE'S LLC 10 GILEAD ROAD MAHOPAC, NY 10541				
MOHEGAN VISTA PROPERTIES P.O. BOX 365 JEFFERSON VALLEY, NY 10535				
ROTTENKOLBER, JOHN & PATRICIA P.O. BOX 2 GLENHAM, NY 12527				
MOHEGAN VISTA PROPERTIES P.O. BOX 365 JEFFERSON VALLEY, NY 10535				



Certificate of Mailing — Firm


Name and Address of Sender
James A. Ryan, RLA
JMC, PLLC
120 Bedford Road
Armonk, NY 10504

TOTAL NO. of Places Listed by Sender: **6**

TOTAL NO. of Pieces Received at Post Office™: **6**

Postmaster, per (name of receiving employee): *MR*

Affix Stamp Here
 Postmark with Date of Receipt:



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



Certificate of Mailing — Firm


Name and Address of Sender
James A. Ryan, RLA
JMC, PLLC
120 Bedford Road
Armonk, NY 10504

TOTAL NO. of Pieces Listed by Sender: **3**

TOTAL NO. of Pieces Received at Post Office™: **6**

Postmaster, per (name of receiving employee): *ML*

Affix Stamp Here
 Postmark with Date of Receipt.



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

Instructions for Certificate of Mailing — Firm

This service provides evidence that the mailer has presented individual items to the Postal Service™ for mailing, and is available for the following products:

- Domestic services: First-Class Mail®, First-Class Package Service®, Priority Mail®, Media Mail®, Library Mail, Bound Printed Matter, Merchandise Return Service, Parcel Return Service, and USPS Retail Ground™.
- International services: First-Class Mail International® (unregistered items), First-Class Package International Service® (unregistered items), Free Matter for the Blind, and Airmail M-bags®.

The following instructions are for the preparation and use of PS Form 3665, *Certificate of Mailing – Firm* (including USPS-approved facsimiles):

1. Complete and print all forms in ink or ball point pen.
2. Enter the name and address of the sender at the top of the form.
3. Enter a complete return address on each article.
4. Ensure the articles are properly packaged.
5. In the appropriate column, enter the applicable postage and fees.
6. Insert a firm-specific identifier or account number if desired. (This number is for the sender's use only, and the Postal Service will not use it for identification.)
7. When describing and listing three or more individual pieces but not presenting the pieces in the order shown on the sheet, consecutively number each entry line on the sheet and number each piece to show both the corresponding sheet and line number.
8. Enter the total number of articles in the proper space at the top of the form.
9. Obliterate all unused portions of the "Address" column by drawing a diagonal line through the unused portion on the form.
10. When the number of articles presented exceeds the allotted space on the form, use multiple sheets, and in the provided blank spaces in the lower left of the form, number them consecutively to show sheet number and total number of sheets (such as "Page 1 of 4," "Page 2 of 4," etc.).

11. Present PS Form 3665 and the mailing as follows:

- When the mailing has fewer than 50 mailpieces and less than 50 pounds, present the form and mailing at a retail Post Office™ location.
- When the mailing has at least 50 mailpieces or at least 50 pounds, present the form and mailing at a business mail entry unit (BMEU) or USPS-authorized detached mail unit (DMU).

Privately Printed Forms: The Postal Service allows mailers to use USPS-approved privately printed or computer-generated firm sheets that are nearly identical in design elements and color to the USPS-provided PS Form 3665. See DMM 503 for details on the approval process.

The mailer must retain the original written approval granted by the Postal Service as evidence that the privately printed facsimile of PS Form 3665 has been approved by the Postal Service. The Postal Service does not retain records on the facsimile approvals. A mailer using privately prepared forms must periodically verify them against the USPS-provided version and, if necessary, make routine updates and obtain approval of the updated facsimile form.

A mailer using an approved privately printed form and wanting the form sheets postmarked by the Postal Service must present the forms with the articles to be mailed at a Post Office facility. The forms become the mailer's only receipt (the Postal service does not retain a copy).

NOTICE TO INTERESTED PARTIES

TO: _____

PLEASE TAKE NOTICE that the Town of Yorktown Planning Board will reconvene a **Public Hearing on Monday, May 10, 2020 at 7:00 pm** or as soon thereafter as possible on the following matter:

Application of Keystone Mohegan Lakes, LLC for approval of an amended site plan with submitted plans titled, "Proposed Taco Bell Restaurant," prepared by JMC Planning Engineering Landscape Architecture & Land Surveying PLLC, and last revised March 12, 2021.

The applicant has proposed to amend the site plan for Lot#1 for the approval known as Route 6 Office Development to construct a new 2,086 square foot Taco Bell Restaurant with a drive-thru. The site is located at the address 3571 Mohegan Avenue, Mohegan Lake, NY 10547, also known as Section 15.16, Block 1, Lot 21 on the Town of Yorktown Tax Map. The parcel consists of 0.83 acres in the C-2 zoning district.

Due to public health and safety concerns related to COVID-19, the Town of Yorktown Planning Board will not be meeting in-person. In accordance with the Governor’s Executive Order 202.1, the May 10, 2021 Planning Board meeting will be held via video conferencing. The public will have an opportunity to see and hear the meeting live and provide comments. The meeting will also be available to view on the Town’s YouTube channel.

If any interested members of the public would like to provide comments on this application, written comments can be provided to the Board by mail sent to the Planning Department at 1974 Commerce Street, Yorktown Heights, NY 10598 or by email before the meeting to Robyn Steinberg at rsteinberg@yorktownny.org. Submitted written comments will be given to the Planning Board in advance of the meeting. Please check the meeting agenda posted on the town’s website www.yorktownny.org for information regarding joining the video conference and any additional updated information regarding this meeting.

The above listed site plan may be reviewed on the Town’s website at: <http://www.yorktownny.org/planning/public-hearings>.

This notice is being sent to you by regular first class mail pursuant to Section '195-39B of the Yorktown Town Code requiring the undersigned to notify all interested parties as defined thereunder.

Keystone Mohegan Lake, LLC
Name of Applicant

Paul J. Dumont, PE, JMC (As Agent)
By (Name and Title)

04/21/2021
Date

AUG 24 2020

TOWN OF YORKTOWN

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

APPLICATION FOR SITE PLAN APPROVAL

Date 07/22/2020

1. Name of Project: Proposed Taco Bell Restaurant

2. Tax Map Designation (Section, Block, Lot) 15.16-1-21

3. Zone: C-2 Total Acreage: 0.83

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

* Please refer to the 'Survey of Property', prepared by Ward Carpenter Engineers, Inc. *

5. Project narrative (brief description of proposed development):

Construction of a 2,090± square foot Taco Bell Restaurant. Associated site improvements are proposed including a dedicated drive-thru lane

and appurtenances, landscaping, signage, a trash enclosure, as well as portions of existing curb and pavement to be replaced.

6. Contact Person - CHOOSE ONLY ONE:

Applicant
 Attorney

Owner
 Engineer

Architect
 Surveyor

Wetland Scientist
 Landscape Architect

7. Applicant

Name Mr. Raghav Patel

Firm Keystone Mohegan Lakes LLC

Address 25 Route 59, Nyack, NY 10960

Phone (201) 315-3670

Fax _____

Email Raghav@Kai-RG.com

8. Owner of Record

Name Mr. Mark Ellman

Firm Celestial Route 6

Address 222 Bloomingdale Road, Suite 115, White Plains, NY 10605

Phone (646) 935-1200

Fax _____

Email MEllman@CelestialCapital.com

9. Attorney

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

10. Engineer

Name Diego Villareale, PE
Firm JMC Planning, Engineering, Landscape Architecture & Surveying, PLLC
Address 120 Bedford Road, Armonk, NY 10504
Phone (914) 273-5225
Fax (914) 273-2102
Email DVillareale@JMCPLLC.com
Lic. No. 084546

11. Surveyor

Name Steven J. Willard
Firm Ward Carpenter Engineers, Inc.
Address 76 Mamaroneck Avenue, White Plains, NY 10601
Phone (914) 949-6000
Fax (914) 949-1655
Email SWillard@WardCarpenter.com
Lic. No. 050054

12. Architect

Name Josiah Wiener, RA
Firm Wiener Architecture Group, LLC
Address 191 Central Avenue, Suite 228, Newark, New Jersey 07103
Phone (973) 933-6636
Fax (646) 607-8220
Email info@wag-architects.com
Lic. No. 029493

13. Wetland Scientist/Specialist

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

14. Landscape Architect

Name Paul R. Sysak, RLA, ASLA
Firm JMC Planning, Engineering, Landscape Architecture & Surveying, PLLC
Address 120 Bedford Rd, Armonk, NY 10504
Phone (914) 273-5225
Fax (914) 273-2102
Email PSysak@JMCPLLC.com
Lic. No. 002181-1

15. Is this project within 500 feet of the Town line? Yes No
16. Is this project within 500 feet of the Putnam County line? Yes No
17. Is this project within the Sustainable Development Study Area? Yes No

18. Is this project within 500 feet of:

- The right-of-way of any existing or proposed state or county road? Yes No
The boundary of an existing or proposed state or county park or any state or county recreation area? Yes No
The boundary of state or county-owned land on which a public building/ institution is located? Yes No
An existing or proposed county drainage line? Yes No
The boundary of a farm located in an agricultural district? Yes No

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

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

- Wetland Permit
 Stormwater Permit
 Tree Permit
 Planning Board special permit: Outdoor Service in Commercial Districts (Drive-Thru)
 Town Board variance or approval: _____
 Zoning Board of Appeals variance or special permit: _____

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

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

22. This parcel is in the following districts:

School District	<u>Lakeland Central</u>	Water District	<u>Yorktown Consolidated Water District #1</u>
Fire District	<u>Mohegan</u>	Sewer District	<u>Peekskill</u>

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

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

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

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

<p>-----</p> <p><i>Keystone Mohegan Lake LLC</i> Applicant</p> <p><u>Raghar Patel</u> NAME (PLEASE PRINT)</p> <p><u><i>Raghar Patel</i></u> SIGNATURE</p> <p><u>7/28/20</u> DATE</p>	<p>Owner of Record</p> <p><i>Celestial Route 6 Associates II, LLC</i> <u>Mark Ellman</u> NAME (PLEASE PRINT)</p> <p><u><i>[Signature]</i></u> SIGNATURE</p> <p><u>7/22/20</u> DATE</p>
--	--

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

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

REFER TO AFFIDAVITS ON THE FOLLOWING PAGES

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

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

Sworn before me this _____ date of _____, 20 __

Notary Public

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

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

Sworn before me this _____ date of _____, 20 __

Notary Public

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

manager of the owner

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

[Signature]

Sworn before me this 22nd date of July, 2020

Celestine Hill-Taylor
Notary Public

CELESTINE HILL-TAYLOR
Notary Public, State of New York
No. 31-4788772
Qualified in New York County
Commission Expires June 30, 2023

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

TOWN OF YORKTOWN PLANNING BOARD

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

SPECIAL USE PERMIT APPLICATION

If this application is not being made in conjunction with a request for site plan approval from the Planning Board, a site plan/plot plan and Short EAF must also be submitted with this application. The required fee is \$625.00 for new applications and \$312.00 for requests to renew an existing permit.

Date 07/22/2020

1. Tax Map Designation (Section, Block, Lot) 15.16-1-21

2. Property Address 3571 Mohegan Avenue

3. Zone: C-2 Total Acreage: 0.83

4. Indicate requested special use permit:

- §300-21(8)(a)[1] Outdoor service in commercial districts.
- §300-40 Bus passenger shelters.
- §300-54 Religious institutions, social, cultural, charitable and recreational nonprofit uses.
- §300-55 Parochial, private elementary and high schools, colleges and seminaries.
- §300-69 Valet parking at banquet halls.
- §300-71 New and/or used car automobile sales.
- §300-73.1(A)(2) Permanent seasonal outdoor sales in commercial districts.
- §300-75 Warehouse or storage in retail shopping centers.
- §300-78 Cemeteries.
- §300-79 Self-storage centers.
- §300-80 Sidewalk cafes. (outdoor dining for more than 12 seats)
- §300-81.1 Helistops.
- §300-238.1 Multifamily dwelling units in the Country Commercial Zone.

5. Description proposed use (if applying for outdoor dining, indicate proposed dining area square footage and number of seats):

Construction of a 2,090± square foot Taco Bell Restaurant. Associated site improvements are proposed including a dedicated drive-thru lane and appurtenances, landscaping, signage, a trash enclosure, as well as portions of existing curb and pavement to be replaced.

6. Applicant/Business Name:

Name Keystone Mohegan Lake LLC
Address 25 Route 59
Nyack, NY 10960
Phone (201) 315-3670
Email Raghav@kia-rg.com

7. Property Owner of Record:

Name Mr. Mark Ellman, Celestial Route 6
Address 222 Bloomingdale Road, Suite 407
White Plains, NY 10605
Phone (646) 935-1200
Email MEllman@CelestialCapital.com

In the event the permit is issued, the undersigned applicant will comply with all provisions of the Code of the Town of Yorktown and all other applicable laws, codes, rules and regulations of any Federal, State or County Government, bureau or department thereof, having jurisdiction over said premises and the use to be conducted thereat.

Keystone Mohegan Lake LLC

Applicant


SIGNATURE

Raghav Patel
PRINT NAME

7/28/20
DATE

Owner of Record

Celestial Route 6 Associates II, LLC


SIGNATURE

mark Ellman
PRINT NAME

7/28/20
DATE

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

F:\Office\WordPerfect\Application Forms\APP-SpecialPermit.wpd
This form last updated: February 2019

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

Section 15.16 RECEIVED
PLANNING DEPARTMENT **Approval Authority:** TE [] PB [] TB []
Block 1 AUG 24 2020 Application #: _____
Lot # 21 TOWN OF YORKTOWN Date Received: _____
 Date Issued: _____
 Date Expires: _____
 Fee Paid: \$ _____

Job Site Address: 3571 Mohegan Ave

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: Mr. Raghav Patel

COMPANY: Keystone Mohegan Lake LLC

ADDRESS: 25 Route 59

 Nyack, NY _____ ZIP 10960

PHONE: (201) 315-3670

EMAIL: Raghav@Kai-RG.com

OWNER:

YOUR NAME: Mr. Mark Ellman

COMPANY: Celestial Route 6 Associates II, LLC

ADDRESS: 222 Bloomingdale Road, Suite 407

 White Plains, NY _____ ZIP 10605

PHONE: (646) 935-1200

EMAIL: MEllman@CelestialCapital.com

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 checked="" 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 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 | <input type="checkbox"/> | Control area of lake/pond | <input type="checkbox"/> |
| b. Stream/River/Brook | <input type="checkbox"/> | Control area of stream/river/brook | <input type="checkbox"/> |
| c. Wetlands | <input type="checkbox"/> | Control area of wetlands | <input type="checkbox"/> |

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:

Construction of a 2,090± square foot Taco Bell Restaurant. Associated site improvements are proposed including a dedicated drive-thru lane and appurtenances, landscaping, signage, and a trash enclosure. dedicated drive-thru lane and appurtenances, landscaping, signage, and trash enclosure, as well as portions of existing curb and pavement to be replaced. The applicant proposes to utilize a stormwater management system that was installed for the previously approved bank site plan. Calculations have been prepared demonstrating that the existing system can accommodate this development although the site plan has changed.

3. Tree Removal:

Amount of trees and/or stumps to be removed: N/A

Sizes; approximate DBH: _____

Species of trees to be removed (i.e. Birch, Spruce - if known): _____

Reason for removal: _____

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

Tree removal contractor: _____

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, MARK ELLMAN hereby authorize Raghav Patel of Keystone Mohegan Lake LLC to apply for this Stormwater/Wetland Permit/Tree Permit on my behalf.

Signature: _____ Date: 7/22/20

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

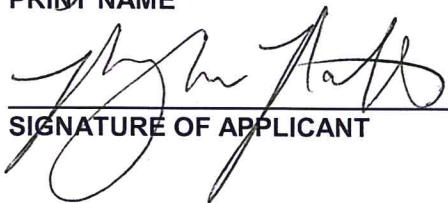
GENERAL CONDITIONS

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.

Keystone Mohegan Lake LLC

Raghav Patel

PRINT NAME



SIGNATURE OF APPLICANT

7/29/20

DATE

Short Environmental Assessment Form

Part 1 - Project Information

RECEIVED
PLANNING DEPARTMENT

AUG 24 2020

Instructions for Completing

TOWN OF YORKTOWN

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.

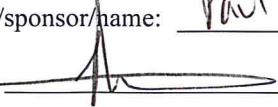
Part 1 – Project and Sponsor Information			
Name of Action or Project: Taco Bell Restaurant			
Project Location (describe, and attach a location map): 3571 Mohegan Avenue			
Brief Description of Proposed Action: Construction of a 2,090± square foot Taco Bell Restaurant. Associated site improvements are proposed including a dedicated drive-thru lane and appurtenances, landscaping, signage, a trash enclosure, as well as portions of existing curb and pavement to be replaced.			
Name of Applicant or Sponsor: Keystone Mohegan Lake LLC		Telephone: (201) 315-3670 E-Mail: Raghav@Kai-RG.com	
Address: 25 Route 59			
City/PO: Nyack		State: NY	Zip Code: 10960
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 type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input checked="" type="checkbox"/>
3. a. Total acreage of the site of the proposed action?		0.83 acres	
b. Total acreage to be physically disturbed?		0.44 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		0.83 acres	
4. Check all land uses that occur on, are adjoining or near the proposed action:			
5. <input checked="" type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): <input type="checkbox"/> Parkland			

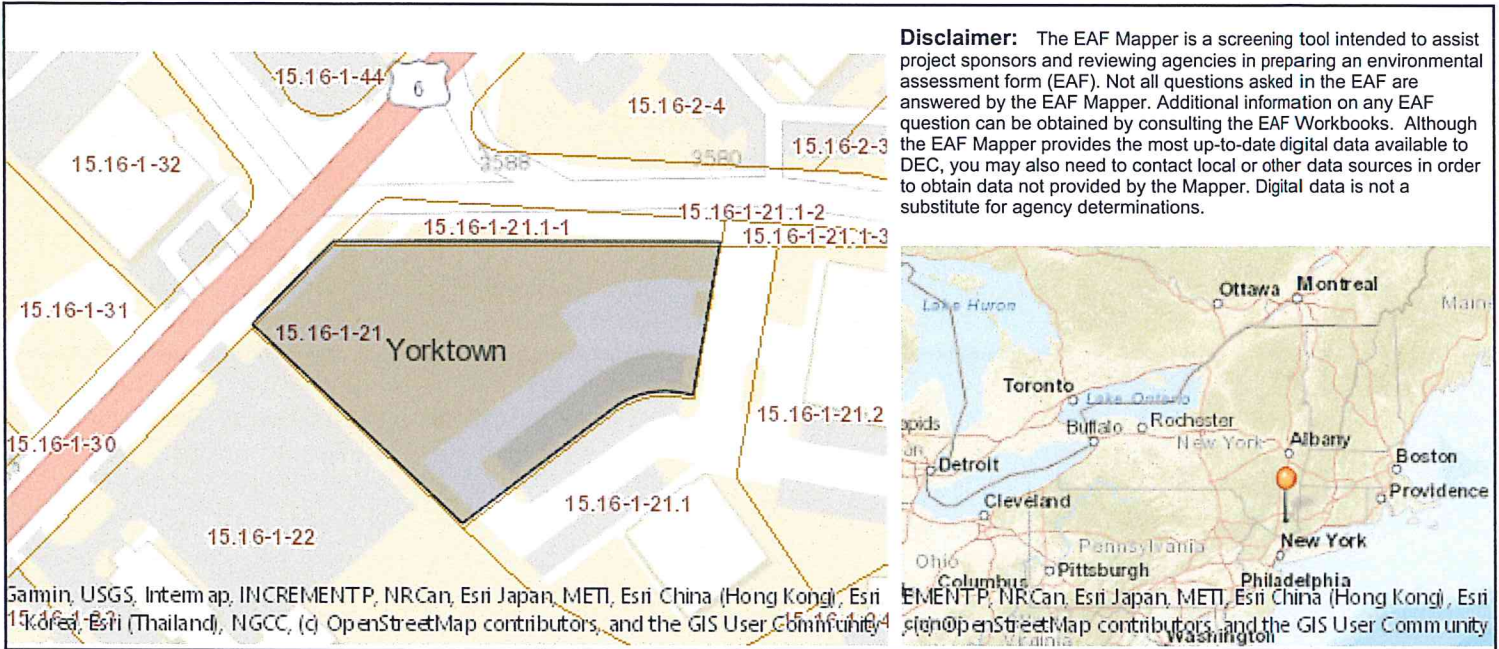
5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? 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 type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____	NO	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: _____ _____	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? * The property across Mohegan Avenue is part of the SHPO Archaeology Survey #01SR52058 * 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 type="checkbox"/>	<input checked="" 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? * The property next to the site lies adjacent to Mohegan Lake. * 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 type="checkbox"/>	<input checked="" 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 type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input checked="" type="checkbox"/> Wetland <input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
a. Will storm water discharges flow to adjacent properties?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If Yes, briefly describe:		

Stormwater discharges will be directed to the existing stormwater management system that was installed for the previously approved bank site plan.		
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: <u>The DEC Spill Incidents Database indicates that several spills occurred within 1,000' of the property (0404943, 0609734), though no spills were reported on the subject property.</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Paul J. Dumont, EIT (JMC)</u> Date: <u>8/21/2020</u> Signature: <u></u> Title: <u>Senior Designer</u>		



Garmin, USGS, Intermap, INCREMENTP, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri India, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

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]	No
Part 1 / Question 20 [Remediation Site]	Yes

NOV 12 2020

TOWN OF YORKTOWN

**STORMWATER CONTROL FACILITY
MAINTENANCE AGREEMENT WITH
THE TOWN OF YORKTOWN**

THIS AGREEMENT, entered into this ____ day of _____, 2020, by and between the Town of Yorktown, New York (“Town”), a municipal corporation organized and existing under the laws of the State of New York with offices at 363 Underhill Avenue, Yorktown Heights, New York 10598 and Keystone Mohegan Lake LLC (“Company”), a domestic limited liability company organized and existing under the laws of the State of New York with offices at 25 Route 59, Nyack, NY 10960;

WHEREAS, that the Town and the Company (collectively “Parties”), for the consideration hereinafter named, agree as follows:

WHEREAS, the Town and the Company wish to enter into an agreement to provide for the long term maintenance and continuation of stormwater control measures approved by the Town for the project located on 3571 Mohegan Avenue, Yorktown, NY and Section Block and Lot Number 15.16-1-16 (“Project”);

WHEREAS, the Town and the Company desire that the storm water control measures be built in accordance with the approved project plans and thereafter be maintained, cleaned, repaired, replaced and continued in perpetuity in order to ensure optimum performance of the components.

THEREFORE, the Town and the Company agree as follows:

1. This Agreement binds the Town and the Company, its successors and assigns, to the maintenance provisions depicted in the approved project plans which are attached as Schedule A of this Agreement.

2. The Company shall maintain, clean, repair, replace and continue the stormwater control measures depicted in Schedule A as necessary to ensure optimum performance of the measures to design specifications. The stormwater control measures shall include, but shall not be limited to, the following: drain inlets, pipes, vegetated swales, grassed swales, and level spreaders.

3. The Company shall be responsible for all expenses related to the maintenance of the stormwater control measures and shall establish a means for the collection and distribution of expenses among parties for any commonly owned facilities.

4. The Company shall provide for the periodic inspection of the stormwater control measures, not less than once in every five year period, to determine the condition and integrity of the measures. Such inspection shall be performed by a Professional Engineer licensed by the State of New York. The Professional Engineer shall prepare and submit to the Town Engineer within thirty (30) days of the inspection, a written report of the findings including recommendations for those actions necessary for the continuation of the stormwater control measures.

5. The Company shall not authorize, undertake or permit alteration, abandonment, modification or discontinuation of the stormwater control measures except in accordance with written approval of the Town.

6. The Company shall undertake necessary repairs and replacement of the stormwater control measures at the direction of the Town or in accordance with the recommendations of the Town Engineer.

7. This Agreement shall be recorded in the Office of the County Clerk, County of Westchester together with the deed for the common property and shall be included in the offering plan and/or prospectus in connection with the Project. The Company shall be responsible for payment of any fees in connection with the recording with the Office of the County Clerk.

8. If ever the Town determines that the Company has failed to construct or maintain the stormwater control measures in accordance with the project plan or has failed to undertake corrective action specified by the Town or by the Town Engineer, the Town shall serve on the Company the notice to cure on thirty (30) days' notice. If the Company fails to comply with the notice to cure to the discretion of the Town Engineer, the Company hereby consents to the Town undertaking such measures and steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures and to affix the expenses thereof as a lien against the property. In the event that the Town is required to undertake such measures as a result of the Company failing to comply with the notice to cure, the Company shall be required to deposit with the Town an escrow amount determined by the Town Engineer. Nothing in this Agreement prevents the Town from immediately undertaking such measures and steps as reasonably necessary for the preservation, continuation or maintenance of the stormwater control measures in the event of an emergency in the discretion of the Town Engineer and to affix the expenses thereof as a lien against the property.

9. Any and all notices required hereunder shall be addressed as follows, or to such other address as may hereafter be designated in writing by either party hereto:

To Town of Yorktown:

Town Clerk
Town Hall
363 Underhill Avenue
Yorktown, New York 10598

With a copy to:

Town Engineer
Town Hall
363 Underhill Avenue
Yorktown, New York 10598

Town Attorney
Town Hall
363 Underhill Avenue
Yorktown, New York 10598

To Company:

At the address first above written

9. The Company hereby agrees to indemnify and save harmless the Town, its officers, employees, elected officials, and agents from and against all liability, loss or damage the Town may suffer, arising directly or indirectly out of the contract between the Company and the Town. The Company further agrees to provide defense for and defend any claims or causes of action of any kind or character directly or indirectly arising out of this Agreement at its sole expense and agrees to bear all other costs and expenses relating thereto.

10. This Agreement constitutes the entire Agreement between the Parties in connection with the long term maintenance and continuation of stormwater control measures approved by the Town for the Project and supersedes any and all prior agreements, whether oral or written. If one or more of the provisions in this Agreement are deemed by a Court of competent jurisdiction to be void by law, then the remaining provisions will continue in full force and effect. This Agreement may not be amended or modified except by an instrument in writing signed by all Parties. There will be no presumption against any Party (or its counsel) on the ground that such Party (or its counsel) was responsible for preparing this Agreement or any part of it.

11. Each and every provision of law and clause required by law to be inserted in this Agreement shall be deemed to have been inserted herein. If any required contractual provision is not inserted, through mistake or otherwise, then upon the application of either party, this Contract shall be physically amended forthwith to make such insertion.

12. This Agreement shall be governed by and construed in accordance with the laws of the State of New York without giving effect to that State's choice of law rules. The Parties hereby submit to the exclusive jurisdiction of the Supreme Court of the State of New York, County of Westchester, in any action or proceeding arising out of or relating to this Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement:

TOWN OF YORKTOWN

Keystone Mohegan Lake LLC

By: _____

By: _____

Matthew Slater, Town Supervisor

Raghav Patel, Member

STATE OF NEW YORK)

) ss.:

COUNTY OF WESTCHESTER)

On the ____ day of March in the year 2020, before me, the undersigned, personally appeared Matthew Slater personally known to me or proved to me on the same basis of satisfactory evidence to be the individual(s) whose names(s) is (are) subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Commission Expires: _____

STATE OF NEW YORK)

) ss.:

COUNTY OF WESTCHESTER)

On the ____ day of March in the year 2020 before me, the undersigned, personally appeared Raghav Patel personally known to me or proved to me on the same basis of satisfactory evidence to be the individual(s) whose names(s) is (are) subscribed to the within instrument and acknowledge to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Notary Public

Commission Expires: _____

APPROVED AS TO FORM

Town Attorney

Robyn Steinberg

From: Vincent Eppner <veppner@gmail.com>
Sent: Monday, May 10, 2021 2:59 PM
To: Robyn Steinberg
Subject: Taco Bell Objection

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

Robyn Steinberg
Town Planner

I have been a resident of Mohegan Lake since October 2020. What attracted me to plan my long term in this community was specifically because it is a tight community and secluded.

The proposed location of Taco Bell on Mohegan Ave would be a huge mistake. Traffic congestion which is already at a halt on some days would certainly worsen. I have already learned the backroad ways to get to Mohegan Lake and the added congestion would make the surrounding areas also less safe.

The reason I also picked this community as my new home is to raise my teenager son around preservation and appreciate what lifes has to offer for his beauty and values that God created.

A men-made business, so close to the lake where teenagers will find themselves hanging-out is against all my beliefs. I am originally from Switzerland and Mohegan Lake (and the Hudson Valley) provide similar opportunities with lakes and hikes.

Surely there are vacancies in Yorktown Heights that would welcome a Taco Bell.

Thank you

Vincent Eppner
Lakeshore Drive
Mohegan Lake

Robyn Steinberg

From: Manny DeMagistris <mandemag@optonline.net>
Sent: Monday, May 10, 2021 2:34 PM
To: Robyn Steinberg
Subject: Taco Bell Objection

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

Robyn Steinberg
Town Planner

I have been a resident of Mohegan Lake since 1982. I have raised a family and have seen much overdevelopment in the area.

The proposed location of Taco Bell on Mohegan Ave would be a huge mistake. Traffic congestion which is already at a halt on some days would certainly worsen. Currently I am often blocked by cars caught between traffic lights at the Audi dealer.

I also remember when CVS plaza was built and that had a huge impact on the environment. Suddenly I was picking up garbage that had found its way from the shopping area into the lake. Also if you drive down Mohegan ave on a weekend night you will find McDonalds bags tossed from cars into the street. We're not that close to either McDonalds. I have even seen a KFC bag.

Lastly I would like to refer to the town motto "Progress with Preservation" When the Credit Union plaza was built a large amount of lakefront adjoining trees were bulldozed in one day. I came home to a empty lot. It was very sad seeing nature destroyed. The Bald Eagle that I had seen on the lake had less trees to perch on. Over the years the landscaping has improved the appearance of the property and it blends in as good as it can. I think there are many other businesses that are more in keeping with this beautiful lake community than fast food.

Surely there are vacancies in Yorktown Heights that would welcome a Taco Bell.

Thank you

Manny DeMagistris

APR 12 2021

Nancy Calicchia

TOWN OF YORKTOWN

From: Jaclyn Guerra <jaclynguerra@gmail.com>
Sent: Tuesday, April 13, 2021 12:55 PM
To: John Tegeder; Robyn Steinberg; Nancy Calicchia; Matthew Slater; Planning Department
Subject: Evidence to Support Restricting Taco Bell's Late Night Hours

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

Dear Members of the Board;

I have included below evidence for why Taco Bell in Mohegan Lake should not be allowed to stay open later than 9 pm.

First is an article from Business Insider.
[Business Insider article](#)

The very first sentence of the article calls "drunk customers", Taco Bell's most important demographic. It goes on to state that they are a "key part of Taco Bell's business model".

It even provides data:

According to Foursquare's data, 14.8% of Taco Bell's customers visited between 10 p.m. and 4 a.m., [QSR Magazine reported](#) in October. For comparison, the late-night crowd made up 11.1% of McDonald's customers and 3.5% of Qdoba's customers.

I have also included one of many articles that discuss drunk drivers passed out and arrested at Taco Bell.

[Drunk Drivers Passed out Drunk in Taco Bell Drive-thru with child in car](#)

There is even a thread on Reddit.com (it's an online community where people can discuss practically anything) where a Taco Bell worker asks how he should handle drunk customers in the Drive-thru.

[Taco Bell workers asks for advise on drunk customers](#)

Mohegan Lake is a very old beach community turned residential. As a result, many of our streets are narrow and dangerous. They are so narrow people drive in the middle of the road regularly. The last thing we need is an increase in intoxicated drivers on our streets.

Thank you for your time. I hope this will be taken into consideration.

Sincerely,
Jaclyn Guerra

APR 21 2021

TOWN OF YORKTOWN

From: Stacy Williams <stacyjwilliams@gmail.com>

Sent: Wednesday, April 21, 2021 3:26 PM

To: John Tegeder <jtegeder@yorktownny.org>; Robyn Steinberg <rsteinberg@yorktownny.org>; Planning Department <planning@yorktownny.org>; Matthew Slater <m Slater@yorktownny.org>; Thomas Diana <tdiana@yorktownny.org>; Ed Iachterman <elachterman@yorktownny.org>; vishnuv@optonline.net; alicerok472@outlook.com

Subject: Petition: Mohegan Lake Taco Bell

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

Dear Yorktown Planning Board, Supervisor Slater, and Members of the Town Board,

Attached to this email is a petition, currently signed by 455 people, which voices serious concerns about the proposed drive-thru Taco Bell at the corner of Route 6 and Mohegan Lake. The following is an excerpt from the petition. We thank you for allowing our voices to be heard on this matter, and we thank you for all the work you do for our town.

"We are concerned that the drive-thru will:

- increase traffic along the Route 6 corridor that is already overwhelmed and plagued with accidents (tragically, one was recently fatal).
- increase litter in Lake Mohegan and the surrounding wetlands, two of Yorktown's most ecologically vulnerable areas.
- increase the risk (in the form of car accidents) to children of the Learning Experience, which shares the same entrance/exit onto Mohegan Avenue and the same parking lot as the proposed drive-thru Taco Bell.
- increase the number of cars turning at an intersection where accidents already happen regularly.
- increase the cut-through traffic of cars avoiding this often-gridlocked section of Route 6 by speeding through the residential neighborhood to reach Lexington Avenue. This is already a popular cut-through, and we are concerned for the safety of the pedestrians, young children, and pets that frequently recreate on these roads."

Sincerely,
Stacy Williams-Kerr, Ph.D.
3383 Lakeshore Drive, Mohegan Lake

Stacy J. Williams-Kerr, Ph.D.
Writer | Editor | Sociologist
stacyjwilliams.com
T: @swilliamsphd
I: @swilliamsphd
she/her/hers

April 21, 2021

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

We are concerned that the drive-thru will:

- increase traffic along the Route 6 corridor that is already overwhelmed and plagued with accidents (tragically, one was recently fatal).
- increase litter in Lake Mohegan and the surrounding wetlands, two of Yorktown's most ecologically vulnerable areas.
- increase the risk (in the form of car accidents) to children of the Learning Experience, which shares the same entrance/exit onto Mohegan Avenue and the same parking lot as the proposed drive-thru Taco Bell.
- increase the number of cars turning at an intersection where accidents already happen regularly.
- increase the cut-through traffic of cars avoiding this often-gridlocked section of Route 6 by speeding through the residential neighborhood to reach Lexington Avenue. This is already a popular cut-through, and we are concerned for the safety of the pedestrians, young children, and pets that frequently recreate on these roads.

We would like to know:

- has a Taco Bell **without** a drive-thru been considered for this site?
- can an independent traffic study be completed **during the evening rush hour** (which is when peak Route 6 traffic, The Learning Experience pickup, and dinner rush for Taco Bell coincide) that takes into account expected commute traffic post-COVID?
- has the developer explored a separate entrance /exit for the drive-thru Taco Bell that would allow for direct access from Route 6?
- if the drive-thru is approved, what will the developer and town do to increase the safety of the intersection, ease the increased traffic on Route 6, and discourage cars from cutting through the residential neighborhood?
- if the drive-thru is approved, what will the developer and town do to prevent litter from entering Lake Mohegan and the surrounding wetlands?

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

Signed,
455 Concerned Citizens for Mohegan Lake (see below)

Name	City	State	ZIP	Signed On	Comment
1. Carmen Luisa Rodriguez	San Juan	PR	00926	3/27/21	
2. Kirk Hesemeyer	Natick	MA	01760	4/6/21	
3. Ben Puff	Cambridge	MA	02139	4/12/21	
4. Maura Costello	Plainville	CT	06062	4/17/21	
5. Melisa Clinton	New Haven	CT	06511	4/7/21	
6. Karen Spano	New Haven	CT	06512	4/5/21	
7. Frank Hughes	Union	NJ	07083	3/25/21	
8. Rachel Raffaele	Englishtown	NJ	07726	3/26/21	
9. Diane Byrne	New York	NY	10010	3/31/21	"Mohegan Lake shouldnt become a fast food destination. The traffic is bad enough on rte 6. We already have enough garbage food options in the CVS shopping center and down the road at the cortlandt town center."
10. Marcy Kahn	New York	NY	10011	4/1/21	
11. Leonard Perlson	New York	NY	10014	3/28/21	
12. Barbara Lewis	New York	NY	10016	4/1/21	
13. Brian Sadak	New York	NY	10016	4/12/21	
14. William Makar	New York	NY	10016	4/9/21	
15. Brianna Frey	New York	NY	10017	3/27/21	"That is an absolutely horrible spot for a drive through, not to mention not safe for the children coming in and out of the day care in that parking lot. People already run that light and it's a nightmare Do not put a drive through there."
16. Casey Fahey	New York	NY	10021	4/7/21	
17. Jhuriko Then	New York	NY	10022	4/12/21	
18. Roberto A.	New York	NY	10022	4/12/21	
19. Kathy Jewell	New York	NY	10023	4/8/21	
20. Adele Sadak	New York	NY	10024	4/12/21	
21. Naomi Steinberger	New York	NY	10024	4/7/21	

22.	Susan Silberman	New York	NY	10024	4/1/21
23.	Rachel Fisher	New York	NY	10025	4/1/21
24.	Marianne Kolesar	New York	NY	10026	3/25/21
25.	Lillian Falcone	New York	NY	10027	3/25/21
26.	Terry Matos	New York	NY	10027	4/15/21
27.	Cory Kruger	New York	NY	10028	4/6/21
28.	Patricia Dalarme	New York	NY	10029	4/6/21
29.	Gino Dushku	New York	NY	10030	4/8/21
30.	Elizabeth Rice	New York	NY	10034	4/7/21
31.	Kim Caroppoli	New York	NY	10035	4/8/21
32.	Wendy Frank	New York	NY	10039	3/25/21
33.	Jenna Feldman	New York	NY	10075	3/26/21
34.	Lynn Somerstein	New York	NY	10128	4/1/21
35.	Pete McHugh	New York	NY	10128	3/25/21
36.	Theresa Asperti	Staten Island	NY	10305	4/8/21
37.	Elizabeth Raum	Mahopac	NY	10441	4/13/21
38.	John Palmaffy	Bronx	NY	10451	4/7/21
39.	Talia Ocasio	Bronx	NY	10453	4/6/21
40.	Karime Soto	Bronx	NY	10456	3/26/21
41.	Manuel Baez	Bronx	NY	10456	4/8/21
42.	Wendy Zamora	Bronx	NY	10457	4/14/21
43.	Barbara Mckeon	New York	NY	10457	4/2/21
44.	Adam Brooks	Bronx	NY	10462	4/8/21
45.	Liann Gutierrez	Bronx	NY	10462	4/13/21
46.	Cathy Caroppoli	Bronx	NY	10465	4/8/21
47.	LuAnn Yaeger	Bronx	NY	10465	4/12/21
48.	Yessi Crespo	Bronx	NY	10465	4/12/21
49.	Allasondra Papell	Bronx	NY	10466	4/12/21

50.	Jeanne Gilholm	Baldwin Place	NY	10505	4/7/21	"Too many fast-food restaurants in this entire area! Traffic is horrible in the very area proposed! Litter is everywhere from fast-food joints already here and this will just make it worse. The intersection is already so dangerous, especially to pedestrians, and this will make that worse as well! If you want to keep building to kill any open space, at least build sensibly!"
51.	Maria Vaglica	Bedford Hills	NY	10507	3/26/21	
52.	Nora L	Bedford Hills	NY	10507	4/14/21	
53.	Cathy Hightower	Carmel	NY	10512	4/5/21	
54.	Kerie Elias	Cold Spring	NY	10516	4/7/21	
55.	Anne Coleman	Crompond	NY	10517	4/14/21	
56.	Christine Sotmary	Crompond	NY	10517	4/7/21	"Traffic concerns and healthy food concerns"
57.	Jenny Stack	Cross River	NY	10518	3/25/21	
58.	Alison Appleby	Croton On Hudson	NY	10520	3/31/21	
59.	Arlene Fontanez	Croton On Hudson	NY	10520	4/7/21	
60.	Jessica Berkowe	Croton On Hudson	NY	10520	3/25/21	
61.	John O'Connell	Croton On Hudson	NY	10520	4/7/21	
62.	Maria Trinidad	Croton On Hudson	NY	10520	4/20/21	
63.	Richard Vesperman	Jefferson Valley	NY	10535	4/20/21	
64.	Amanda Basile	Katonah	NY	10536	3/25/21	
65.	Chrystie Johnson	Katonah	NY	10536	4/13/21	
66.	Christine Palmeri	Lake Peekskill	NY	10537	4/14/21	
67.	Yelena Huntington	Lake Peekskill	NY	10538	4/12/21	"There is a children's day care center right behind the proposed building lot called "The Learning Experience." The intersection is known to be accident prone, too. Imagine what will happen when you increase the number of cars passing through there, and they will be even

closer to where children play and get picked up on the daily. This building proposal is simply outrageous!!"

68.	Sandra Gizzo	Carmel	NY	10541	3/26/21	
69.	Amber L	Mahopac	NY	10541	4/12/21	
70.	Andrew Lombardi	Mahopac	NY	10541	4/13/21	
71.	Brandon Raum	Mahopac	NY	10541	4/13/21	
72.	Debra Grandinetti	Mahopac	NY	10541	4/8/21	
73.	Doniele Curley	Mahopac	NY	10541	3/25/21	
74.	Erin Ogrady	Mahopac	NY	10541	4/11/21	
75.	Fabiola Lambert	Mahopac	NY	10541	3/26/21	
76.	John Caroppoli	Mahopac	NY	10541	4/8/21	
77.	John Iniguez	Mahopac	NY	10541	4/12/21	
78.	Karen Frey	Mahopac	NY	10541	4/7/21	"That stretch of Rt 6 is crazy busy now without adding a drive thru. There are so many other places in Mohegan Lake that would make more sense"
79.	L. V.	Mahopac	NY	10541	4/6/21	
80.	Mackenzie Lennon	Mahopac	NY	10541	4/8/21	
81.	Mallory Noguerras	Mahopac	NY	10541	4/7/21	
82.	Vincent Todino	Mahopac	NY	10541	4/1/21	
83.	Maria Moya	Yorktown Heights	NY	10541	4/12/21	
84.	Domenica Rinaldi	Mamaroneck	NY	10543	4/12/21	
85.	Linda Caffrey	Cortlandt Manor	NY	10547	3/26/21	
86.	Abby Luby	Mohegan Lake	NY	10547	3/28/21	
87.	Aimee Haicken	Mohegan Lake	NY	10547	4/6/21	
88.	Alexandra Ramos	Mohegan Lake	NY	10547	4/6/21	
	Cumiskey					
89.	Allyson Soliz	Mohegan Lake	NY	10547	4/1/21	

90.	Andrew Kerr	Mohegan Lake	NY	10547	3/25/21
91.	Andy Mantell	Mohegan Lake	NY	10547	4/12/21
92.	Anna Zelek	Mohegan Lake	NY	10547	4/12/21
93.	Anthony Aromando	Mohegan Lake	NY	10547	4/6/21 "My children go to George Washington elementary school, and I frequent cvs often. The traffic at 4:15, when I pick my kids up from after school is atrocious!!! There is absolutely no reason to put a drive thru fast food place in this area at all."
94.	Artur Pepaj	Mohegan Lake	NY	10547	4/1/21
95.	Ashley DiDomizio	Mohegan Lake	NY	10547	4/7/21
96.	Aurelki Wyman	Mohegan Lake	NY	10547	4/1/21
97.	Bernadette Acevedo	Mohegan Lake	NY	10547	4/5/21
98.	Brian O'Keeffe	Mohegan Lake	NY	10547	4/13/21
99.	Brian Tompkins	Mohegan Lake	NY	10547	4/5/21
100.	Bryan Ekelund	Mohegan Lake	NY	10547	4/7/21
101.	Christinaa Ann	Mohegan Lake	NY	10547	4/12/21
102.	Christine Burke	Mohegan Lake	NY	10547	4/1/21
103.	Christopher Bugeya	Mohegan Lake	NY	10547	4/15/21
104.	Christopher Raum	Mohegan Lake	NY	10547	4/13/21
105.	Daniel Starling	Mohegan Lake	NY	10547	4/12/21
106.	Danielle Radeljic	Mohegan Lake	NY	10547	4/8/21
107.	Dawn Chiappa	Mohegan Lake	NY	10547	3/29/21
108.	Deborah Sansone	Mohegan Lake	NY	10547	4/7/21
109.	Denise Gaynor	Mohegan Lake	NY	10547	4/11/21
110.	Elaine Zedda	Mohegan Lake	NY	10547	4/7/21
111.	Elizabeth Grogan	Mohegan Lake	NY	10547	4/6/21 "I live on the residential neighborhood discussed. I have a four year old daughter that is learning to ride her bike and likes to come with me when I walk our dog. The traffic and garbage"

112.	Elizabeth Merriam	Mohegan Lake	NY	10547	4/15/21	
113.	Ellen Sugrue	Mohegan Lake	NY	10547	4/14/21	
114.	Eugene McGrath	Mohegan Lake	NY	10547	4/6/21	
115.	Fahd Sultan	Mohegan Lake	NY	10547	4/6/21	
116.	Hesky Fisher	Mohegan Lake	NY	10547	4/1/21	
117.	Idrissa Sparks-Tillman	Mohegan Lake	NY	10547	4/9/21	
118.	James Birka	Mohegan Lake	NY	10547	4/7/21	
119.	Janina Rubinowitz	Mohegan Lake	NY	10547	4/7/21	
120.	Jason Lelyveld	Mohegan Lake	NY	10547	3/28/21	
121.	Jeanine Sciarra	Mohegan Lake	NY	10547	4/5/21	
122.	Jen Trip	Mohegan Lake	NY	10547	4/20/21	
123.	Joanne Erenberg	Mohegan Lake	NY	10547	4/7/21	"I live on Lakeland St. and we struggle with massive litter. I fill a bag every week. The last thing we need is a rat attracting low class Food chain. If you build it I will end up picking up taco wrappers along with the liquor bottles and Dunkin cups. Until I move."
124.	John Ramos	Mohegan Lake	NY	10547	4/7/21	
125.	Jose Trinidad	Mohegan Lake	NY	10547	4/20/21	
126.	Joseph DiSisto	Mohegan Lake	NY	10547	3/26/21	
127.	Joyce Piesco	Mohegan Lake	NY	10547	4/17/21	
128.	Judy Hassan	Mohegan Lake	NY	10547	4/10/21	
129.	Julia O'Keefe	Mohegan Lake	NY	10547	4/12/21	
130.	Karen Raum	Mohegan Lake	NY	10547	4/12/21	
131.	Karen Zedda	Mohegan Lake	NY	10547	4/7/21	
132.	Kathy Avitabile	Mohegan Lake	NY	10547	4/7/21	
133.	Keenan Grover	Mohegan Lake	NY	10547	3/30/21	
134.	Keri Ramirez	Mohegan Lake	NY	10547	4/4/21	
135.	Kirsten Neczesny	Mohegan Lake	NY	10547	4/11/21	"I am signing because a drive thru Taco Bell or any similar business is not appropriate for this location. This will add to already congested and

dangerous conditions on Mohegan Ave and Rte 6."

136.	Larry Moskowitz	Mohegan Lake	NY	10547	4/8/21	
137.	Laura Bugeya	Mohegan Lake	NY	10547	4/15/21	
138.	Laura Lee Chotalal	Mohegan Lake	NY	10547	4/14/21	
139.	Laura Rice	Mohegan Lake	NY	10547	4/7/21	
140.	Laura Wert-Snyder	Mohegan Lake	NY	10547	3/25/21	
141.	Lauren Batiste	Mohegan Lake	NY	10547	3/26/21	
142.	Lauren Hauck	Mohegan Lake	NY	10547	4/7/21	
143.	Lauren Sangalli	Mohegan Lake	NY	10547	4/7/21	
144.	Lawrence Scoones	Mohegan Lake	NY	10547	3/29/21	
145.	Leonard Colasuonno	Mohegan Lake	NY	10547	4/12/21	
146.	Lisa DeVito	Mohegan Lake	NY	10547	4/7/21	
147.	Lisa Wojda	Mohegan Lake	NY	10547	3/25/21	
148.	Loren Williams	Mohegan Lake	NY	10547	3/26/21	
149.	Lori Robblee	Mohegan Lake	NY	10547	4/6/21	
150.	Lorraine Simmons	Mohegan Lake	NY	10547	4/17/21	
151.	Lourdes Santiago	Mohegan Lake	NY	10547	4/8/21	
152.	Luca Cuniberti	Mohegan Lake	NY	10547	4/8/21	
153.	Lynn Grote	Mohegan Lake	NY	10547	4/5/21	
154.	Lynne Withers	Mohegan Lake	NY	10547	4/15/21	
155.	Malcolm Foulk	Mohegan Lake	NY	10547	3/25/21	
156.	Marc Wyman	Mohegan Lake	NY	10547	4/1/21	
157.	Margaret McGrail	Mohegan Lake	NY	10547	3/26/21	
158.	Mariann Bassani	Mohegan Lake	NY	10547	3/26/21	
159.	Marisa Ragonese	Mohegan Lake	NY	10547	3/25/21	
160.	Marurose Hart	Mohegan Lake	NY	10547	4/7/21	"It is an absolutely terrible idea. The traffic is already excessive and dangerous, with people driving through the red light regularly."

161.	Mary Ann Knight	Mohegan Lake	NY	10547	4/12/21	"The last thing we need is another national chain restaurant in our already too crowded area. As a resident for nearly forty years, the sprawl is heartbreaking. Enough, already!!!"
162.	Maureen Hughes	Mohegan Lake	NY	10547	3/25/21	
163.	Maureen Santiago	Mohegan Lake	NY	10547	3/25/21	
164.	Meagan Santavicca	Mohegan Lake	NY	10547	3/26/21	
165.	Megan Hall	Mohegan Lake	NY	10547	4/12/21	
166.	Melissa McCarthy	Mohegan Lake	NY	10547	3/25/21	
167.	Michael Bueti	Mohegan Lake	NY	10547	3/31/21	
168.	Michael Chiappa	Mohegan Lake	NY	10547	4/7/21	
169.	Michael Simmons	Mohegan Lake	NY	10547	4/17/21	
170.	Mike Burke	Mohegan Lake	NY	10547	4/19/21	
171.	Mike DeFrancesco	Mohegan Lake	NY	10547	4/5/21	
172.	Mike Marthaler	Mohegan Lake	NY	10547	4/1/21	
173.	Mill Lau	Mohegan Lake	NY	10547	4/14/21	
174.	Nancy Haggerty	Mohegan Lake	NY	10547	4/7/21	
175.	Natasha Ramsay	Mohegan Lake	NY	10547	4/1/21	
176.	Nick Belenko	Mohegan Lake	NY	10547	3/28/21	
177.	Nik Dedvukaj	Mohegan Lake	NY	10547	4/6/21	
178.	Niurka Rodriguez	Mohegan Lake	NY	10547	4/7/21	
179.	Olga Imhoff	Mohegan Lake	NY	10547	4/14/21	
180.	Patrick Byrne	Mohegan Lake	NY	10547	3/30/21	
181.	Paul Guerra	Mohegan Lake	NY	10547	3/26/21	
182.	Philip Nouvion	Mohegan Lake	NY	10547	4/14/21	
183.	Richard Iriarte	Mohegan Lake	NY	10547	4/7/21	
184.	Rick Lee	Mohegan Lake	NY	10547	4/7/21	
185.	Robert Servedio	Mohegan Lake	NY	10547	4/5/21	
186.	Russ Passig	Mohegan Lake	NY	10547	3/26/21	
187.	Ryan Sikdar	Mohegan Lake	NY	10547	4/6/21	
188.	Sara Schoenwetter	Mohegan Lake	NY	10547	3/26/21	

189.	Sarah santoiemma	Mohegan Lake	NY	10547	4/14/21
190.	Shou-Ling Peng	Mohegan Lake	NY	10547	4/7/21
191.	Stacey Keiler Torchio	Mohegan Lake	NY	10547	4/7/21
192.	Stacy Williams-Kerr	Mohegan Lake	NY	10547	3/24/21 "I was in a car accident at that intersection—a car hit me as I tried to turn left onto Mohegan. My 11-month-old son was in the car. Thankfully, everyone walked away. I have since witnessed several other accidents at that intersection. Building a drive-thru on this corner and increasing the number of cars turning onto Mohegan will endanger the safety of anyone who drives through that intersection, which is nearly all of Northern Westchester."
193.	Stuart Ramsay	Mohegan Lake	NY	10547	4/1/21
194.	Sylvia Lehmann	Mohegan Lake	NY	10547	4/6/21
195.	Tara Rose	Mohegan Lake	NY	10547	3/25/21
196.	Theresa Kwiecinski	Mohegan Lake	NY	10547	4/7/21
197.	Tom Gravgaard	Mohegan Lake	NY	10547	4/6/21
198.	Vincent Eppner	Mohegan Lake	NY	10547	4/5/21
199.	Vinko Kotiga	Mohegan Lake	NY	10547	4/5/21 "I have lived in Mohegan Lake since 1962. The entire is overpopulated and over commercialized. There are many empty retail spaces spread around the area. In the 80s I use to rent the home that was on this lot. When the CVS shopping center was just a field for dirt bikes. Must we build more expensive retail space?"
200.	Wayne Poland	Mohegan Lake	NY	10547	3/26/21
201.	Wini BonamicoWini	Mohegan Lake	NY	10547	4/12/21
202.	Yonka Cevallos	Mohegan Lake	NY	10547	4/8/21
203.	Bill Chestnut	Mount Kisco	NY	10547	3/28/21

204.	Doris Cummings	Mount Kisco	NY	10547	4/7/21
205.	L Bushkin	Montrose	NY	10548	4/7/21
206.	Anthony Venezia	Mount Vernon	NY	10550	3/26/21 "Don't want anymore fast food places in our neighborhoods."
207.	Samantha Mandara	North Salem	NY	10560	4/17/21
208.	Jaclyn Guerra	Mohegan Lake	NY	10562	3/25/21
209.	Lorraine Miro	Ossining	NY	10562	4/7/21
210.	Matthew Hawley	Ossining	NY	10562	4/5/21
211.	Laura Leguia	Cortlandt Manor	NY	10566	4/6/21
212.	Brian Bagot	Peekskill	NY	10566	4/7/21
213.	Faten Nairi	Peekskill	NY	10566	4/6/21
214.	James Spry	Peekskill	NY	10566	4/12/21
215.	John Watson	Peekskill	NY	10566	4/7/21
216.	Karen Sanchez	Peekskill	NY	10566	4/12/21
217.	Melissa Schmitt	Peekskill	NY	10566	4/7/21
218.	Miria Sanchez	Peekskill	NY	10566	4/12/21
219.	Rachel Zenteno	Peekskill	NY	10566	4/14/21
220.	Scott Purificato	Peekskill	NY	10566	4/7/21
221.	Shanon Walsh	peekskill	NY	10566	4/7/21
222.	Stephanie Keith	Peekskill	NY	10566	3/26/21
223.	Tara Kamna	Peekskill	NY	10566	3/26/21
224.	Charles Von Hollen	Yorktown	NY	10566	4/12/21
225.	Jennifer Cole	Cortlandt	NY	10567	4/6/21 "We don't need another fast food restaurant!"
226.	Alexandra Butler	Cortlandt Manor	NY	10567	4/10/21
227.	Alison Olsen	Cortlandt Manor	NY	10567	4/13/21 "I do not want this so near a school - for many reasons."
228.	AnnMarie Bauer	Cortlandt Manor	NY	10567	4/7/21
229.	Besjana Ugrinaj	Cortlandt Manor	NY	10567	4/12/21
230.	Bethany Zurheide-Smith	Cortlandt Manor	NY	10567	4/6/21
231.	Brett Erenberg	Cortlandt Manor	NY	10567	4/7/21
232.	Carol Merle-Fishman	Cortlandt Manor	NY	10567	4/12/21

233.	Carolyn Kruger	Cortlandt Manor	NY	10567	4/6/21
234.	Catherine Camley	Cortlandt Manor	NY	10567	4/15/21
235.	Catherine Polcari	Cortlandt Manor	NY	10567	3/26/21 "The traffic on 6 and behind where everyone cuts through is already insane. Forget when Nabby opens (they send several emails asking their parents to remember they are in a neighborhood and to drive slow) taco bell will not do that, along with it probably going out of business and then what takes over that building? Nothing , because it looks like taco bell. Tell them to take over Moe's empty space."
236.	Cristina Defrancesco	Cortlandt Manor	NY	10567	4/5/21
237.	Elissa Velazquez	Cortlandt Manor	NY	10567	4/12/21
238.	Erika A. Leslie	Cortlandt Manor	NY	10567	4/8/21 "I agree. This is not the location for any drive thru."
239.	Evan Bray	Cortlandt Manor	NY	10567	4/7/21
240.	Felicia Berenson-Reinhardt	Cortlandt Manor	NY	10567	4/6/21
241.	Jacqueline Bufi	Cortlandt Manor	NY	10567	3/26/21
242.	Jeffrey Comparetto	Cortlandt Manor	NY	10567	4/12/21 "Already crowded traffic in this area, but more importantly, a parent of TLE children. Concerned for crowds at all hours of the day in and around the property."
243.	Jennifer Alfinito	Cortlandt Manor	NY	10567	3/26/21
244.	Jennifer Donohue	Cortlandt Manor	NY	10567	3/25/21
245.	Jenny Downs	Cortlandt Manor	NY	10567	3/26/21
246.	Jenny Menendez	Cortlandt Manor	NY	10567	4/10/21
247.	John Snyder	Cortlandt Manor	NY	10567	3/25/21
248.	Joyce Raum	Cortlandt Manor	NY	10567	4/13/21
249.	K D	Cortlandt Manor	NY	10567	4/6/21

250.	Kathleen Leo	Cortlandt Manor	NY	10567	4/15/21
251.	Keri Fiore	Cortlandt Manor	NY	10567	3/26/21
252.	Larry Del Casale	Cortlandt Manor	NY	10567	4/5/21
253.	Laura DelGardo	Cortlandt Manor	NY	10567	3/25/21
254.	Laura Quaile	Cortlandt Manor	NY	10567	4/12/21
255.	Laurie Tostanoski	Cortlandt Manor	NY	10567	3/26/21
256.	Linda Kerkam	Cortlandt Manor	NY	10567	4/15/21
257.	Lisa ZARKOWER	Cortlandt Manor	NY	10567	4/17/21
258.	Lourdes Rodriguez	Cortlandt Manor	NY	10567	3/28/21
259.	Lyndsay Hoop	Cortlandt Manor	NY	10567	4/6/21
260.	Mary Eberling	Cortlandt Manor	NY	10567	4/12/21 "Traffic is already awful, we do NOT need to make it worse!"
261.	Maureen Gavigan	Cortlandt Manor	NY	10567	4/14/21
262.	Melissa J	Cortlandt Manor	NY	10567	4/7/21
263.	Michele DeMicco	Cortlandt Manor	NY	10567	4/7/21
264.	Nicole Stagg	Cortlandt Manor	NY	10567	3/25/21
265.	Nicole Munroe	Cortlandt Manor	NY	10567	4/7/21
266.	Paul Taxter	Cortlandt Manor	NY	10567	4/7/21
267.	Raina Rabinowitz	Cortlandt Manor	NY	10567	4/12/21
268.	Rosalie Dalessandro	Cortlandt Manor	NY	10567	4/6/21
269.	Sharon Sutherland	Cortlandt Manor	NY	10567	3/26/21
270.	Yenny Toone	Cortlandt Manor	NY	10567	4/6/21
271.	Abigail Gravgard	Mohegan Lake	NY	10567	3/29/21
272.	Lina Bueti	Mohegan Lake	NY	10567	4/7/21
273.	Kristina Von Hollen	Peekskill	NY	10567	4/12/21
274.	Lyndsay Roy	Peekskill	NY	10567	3/25/21
275.	corrine Lombardi	Putnam Valley	NY	10579	4/13/21
276.	Holly Beloff-Davis	Putnam Valley	NY	10579	4/8/21
277.	James Van Develde	Putnam Valley	NY	10579	4/13/21
278.	Jessica Paradis	Putnam Valley	NY	10579	3/25/21

279.	John Paap	Putnam Valley	NY	10579	4/12/21	"There is absolutely no value to be added in adding a fast food establishment on this site, let alone a unhealthy one. The street is already completely overwhelmed and dangerous and adding this place will only exacerbate the existing problems. Not to mention, there is a daycare in the same plaza and the last thing needed is dangerous volumes going in and out that will result in increase danger to children and families."
280.	Kimberly Paap	Putnam Valley	NY	10579	4/12/21	
281.	Kristen Tramaglino	Putnam Valley	NY	10579	4/6/21	
282.	Peg Posimato	Putnam Valley	NY	10579	3/28/21	
283.	Rachel Casatelli	Putnam Valley	NY	10579	4/10/21	
284.	Cassie McGlynn	Shrub Oak	NY	10588	3/27/21	
285.	Dana Doyle	Shrub Oak	NY	10588	4/10/21	
286.	Glenn Kara	Shrub Oak	NY	10588	3/26/21	
287.	Heather Healy	Shrub Oak	NY	10588	4/12/21	
288.	Jacqueline Mcdonald	Shrub Oak	NY	10588	3/26/21	
289.	Marcia Stone	Shrub Oak	NY	10588	4/11/21	
290.	Michele Beatty	Shrub Oak	NY	10588	3/26/21	
291.	Sara Numme	Shrub Oak	NY	10588	3/25/21	
292.	Veronica Mcgrath	Shrub Oak	NY	10588	3/25/21	"I think Taco Bell is disgusting, artificial food that is leading to everyone's problems with nutrition and obesity."
293.	K McDonough	Yorktown	NY	10588	3/26/21	"Already a heavily congested corner in a very tight corridor of Route 6."
294.	Amanda Fitzpatrick	South Salem	NY	10590	3/26/21	
295.	Regina Russo	Cortlandt	NY	10591	3/25/21	
296.	Jason Imhoff	Tarrytown	NY	10591	4/14/21	
297.	Chevon Deierlein	Valhalla	NY	10595	3/26/21	

298.	Elijah Dabbs	Valhalla	NY	10595	4/12/21
299.	Gaby Cowen	Valhalla	NY	10595	3/26/21
300.	Kirsten Ostiguy	Verplanck	NY	10596	4/7/21 "I live in this area and it is so clogged with traffic on rt 6 that I do use the alternate route through the neighborhoods and see people speeding through there already to avoid rt 6 and lexington. The entire area is already too congested and dangerous in some parts."
301.	Edward Wilkowski	Mohegan Lake	NY	10598	4/7/21
302.	Justine Rae	Mohegan Lake	NY	10598	4/7/21
303.	Allison Goldberg	New York	NY	10598	4/10/21
304.	Jacob Steinmann	Yorktown	NY	10598	4/10/21
305.	Karen Menduni	Yorktown	NY	10598	4/14/21
306.	Leia Rodman	Yorktown	NY	10598	4/10/21
307.	Richard Michelutti	Yorktown	NY	10598	4/16/21
308.	Sean Rowan	Yorktown	NY	10598	4/8/21 "I am sign because I do not believe that this a good location for a fast food restaurant with a drive through."
309.	Terry Dugan	Yorktown	NY	10598	4/13/21
310.	Alissa Phillips	Yorktown Heights	NY	10598	3/26/21
311.	Amanda Grieve	Yorktown Heights	NY	10598	4/15/21
312.	Amanda Puff	Yorktown Heights	NY	10598	4/13/21
313.	Ana Silveira	Yorktown Heights	NY	10598	3/26/21
314.	Andrew Cross	Yorktown Heights	NY	10598	4/12/21
315.	Barbara Cummaro	Yorktown Heights	NY	10598	4/12/21
316.	Besa Gashi	Yorktown Heights	NY	10598	3/26/21
317.	Brandi Lopez	Yorktown Heights	NY	10598	4/12/21
318.	Catalina Tyndal	Yorktown Heights	NY	10598	4/14/21
319.	Christine Gogola	Yorktown Heights	NY	10598	4/10/21
320.	Dan Almeida	Yorktown Heights	NY	10598	4/19/21

321.	Dana Paulstich	Yorktown Heights	NY	10598	4/7/21 "The town is becoming a fast food town. Terrible for the people that live here for years."
322.	Deborah Scales	Yorktown Heights	NY	10598	4/11/21
323.	Elaine Griffiths	Yorktown Heights	NY	10598	4/7/21
324.	Elise Blumberg Graham	Yorktown Heights	NY	10598	4/13/21
325.	Emily Sunaz	Yorktown Heights	NY	10598	4/13/21
326.	Felicity Arengo	Yorktown Heights	NY	10598	3/25/21
327.	Flora McManus	Yorktown Heights	NY	10598	4/8/21
328.	Fran Higgins	Yorktown Heights	NY	10598	3/26/21
329.	Harriet Weitzman	Yorktown Heights	NY	10598	4/7/21
330.	Helena Amorim	Yorktown Heights	NY	10598	4/10/21 "We don't need more traffic and more junk food places to cause more sickness"
331.	J Sun	Yorktown Heights	NY	10598	3/25/21 "As a customer of CVS in Mohegan Lake and of Camp Nabby, and a previous patron of Dance for Joy nearby - I know just how busy and frequented this area is. I have also witnessed countless accidents in this vicinity as well. A drive thru Taco Bell or anything else has NO business being in this area."
332.	Jamie Imperati	Yorktown Heights	NY	10598	4/16/21
333.	Jill Hoffman	Yorktown Heights	NY	10598	4/13/21
334.	Joe Ascanio	Yorktown Heights	NY	10598	4/14/21
335.	John Flynn	Yorktown Heights	NY	10598	4/19/21
336.	John Raum	Yorktown Heights	NY	10598	4/12/21
337.	Karen Healy	Yorktown Heights	NY	10598	4/12/21
338.	Kate Gang	Yorktown Heights	NY	10598	4/14/21
339.	Kathleen Law-Imperato	Yorktown Heights	NY	10598	4/18/21
340.	Kathryn Como	Yorktown Heights	NY	10598	4/14/21
341.	Kerri Sadak	Yorktown Heights	NY	10598	4/12/21
342.	Kerry Rao	Yorktown Heights	NY	10598	3/26/21
343.	Khalil Eldana	Yorktown Heights	NY	10598	4/14/21

344.	Laura Greenberg	Yorktown Heights	NY	10598	3/25/21
345.	Lauren Hirsch	Yorktown Heights	NY	10598	4/19/21
346.	Lauren McCormack	Yorktown Heights	NY	10598	4/6/21
347.	Laurie Noonan	Yorktown Heights	NY	10598	4/9/21 "Route 6 is too congested now, the location is at a very busy intersection, and we don't need another Taco Bell in Town!!!!"
348.	Lawrence Klein	Yorktown Heights	NY	10598	4/13/21
349.	Linda Von Toussaint	Yorktown Heights	NY	10598	4/7/21
350.	Lindsay Feller	Yorktown Heights	NY	10598	4/10/21
351.	Lisa Nero	Yorktown Heights	NY	10598	4/5/21
352.	Lisa Vukaj	Yorktown Heights	NY	10598	4/6/21
353.	Lynn Martucci	Yorktown Heights	NY	10598	4/1/21
354.	Maria Cavarretta	Yorktown Heights	NY	10598	4/13/21
355.	Maria Micciari	Yorktown Heights	NY	10598	4/15/21
356.	Maria Vaglica	Yorktown Heights	NY	10598	4/12/21
357.	Mariamarta OConor	Yorktown Heights	NY	10598	4/6/21
358.	Mark Crumm	Yorktown Heights	NY	10598	4/14/21
359.	Mark Lieberman	Yorktown Heights	NY	10598	4/5/21
360.	MaryLouise Santoro	Yorktown Heights	NY	10598	4/13/21
361.	Maysea McShane	Yorktown Heights	NY	10598	3/26/21
362.	Melissa Eckersdorff	Yorktown Heights	NY	10598	4/6/21
363.	Michael Casatelli	Yorktown Heights	NY	10598	4/12/21
364.	Michael Gannon	Yorktown Heights	NY	10598	4/13/21
365.	Michael Keegan	Yorktown Heights	NY	10598	3/29/21
366.	Michael Perusse	Yorktown Heights	NY	10598	4/13/21
367.	Miriam Curtin	Yorktown Heights	NY	10598	4/7/21
368.	Nicole Longi	Yorktown Heights	NY	10598	4/12/21
369.	Ralph Pasacrita	Yorktown Heights	NY	10598	4/17/21
370.	Renato Loscric	Yorktown Heights	NY	10598	4/5/21
371.	Robert Palumbo	Yorktown Heights	NY	10598	4/12/21
372.	Rosa Chiulli	Yorktown Heights	NY	10598	3/25/21

373.	Samuel Sadak	Yorktown Heights	NY	10598	4/12/21	
374.	Sharon Memis	Yorktown Heights	NY	10598	3/26/21	
375.	Stephanie Hessler	Yorktown Heights	NY	10598	4/10/21	
376.	Timothy Lenane	Yorktown Heights	NY	10598	4/13/21	
377.	Toni Linton	Yorktown Heights	NY	10598	4/12/21	
378.	Victoria Cahill	Yorktown Heights	NY	10598	4/6/21	
379.	Will Moya	Yorktown Heights	NY	10598	4/12/21	
380.	Stephanie Mondello	White Plains	NY	10605	4/12/21	
381.	Elizabeth Signore	Yonkers	NY	10701	4/6/21	
382.	Jasmine Chandoo	Yonkers	NY	10701	4/12/21	
383.	Marisa Romano	Yonkers	NY	10701	4/6/21	
384.	Viviana Moreno	Yonkers	NY	10703	3/27/21	
385.	Jessenia Cursio	Yonkers	NY	10704	3/26/21	"My child attends The Learning Experience. Traffic in that area is already treacherous during the busy evening pick up time which happens to be when Taco Bell would be at its busiest. Increasing the potential for a tragic accident is not worth the risk for a fast food, unhealthy establishment."
386.	Joann Pertuz	Yonkers	NY	10704	4/6/21	
387.	Lucy Ciruzzi	Yonkers	NY	10704	3/25/21	"Moved here and dont want or need more traffic"
388.	Leia Rodman	Yorktown	NY	10705	4/7/21	
389.	Pamela Speidell	Eastchester	NY	10709	4/9/21	
390.	Amy Straehle	New Rochelle	NY	10801	3/26/21	
391.	Ann Marie Brady	New Rochelle	NY	10801	3/26/21	
392.	Frances Sanfratello	New Rochelle	NY	10801	3/26/21	
393.	Siobhan McDermott	New Rochelle	NY	10801	3/26/21	
394.	Catherine Parker	Congers	NY	10920	4/7/21	
395.	Julia Albertie	Middletown	NY	10940	4/13/21	
396.	MIke M.	New York	NY	10956	4/7/21	

397.	Sharon Esposito	Westtown	NY	10998	4/14/21
398.	Charles Downs	Astoria	NY	11105	3/26/21
399.	Angela Panetta	Brooklyn	NY	11211	3/26/21
400.	Theresa Zerrle	Brooklyn	NY	11211	4/5/21
401.	Joy Rich	Brooklyn	NY	11218	4/7/21
402.	Stephanie Ortega	Brooklyn	NY	11218	4/16/21
403.	Alexis Rivera	Brooklyn	NY	11221	4/12/21
404.	Maria Miranda	Brooklyn	NY	11222	4/6/21
405.	John Fitzpatrick	Brooklyn	NY	11233	3/26/21
406.	Christie Olmsted	Queens	NY	11355	3/26/21
407.	Anna Marie Giannico	Queens	NY	11420	4/7/21
408.	Arthur Fredericks	Hempstead	NY	11549	4/7/21
409.	Katherine Quiroz	Levittown	NY	11756	4/12/21
410.	adrienne ferretti	Ronkonkoma	NY	11779	4/7/21
411.	Gabrielle Tuller	Ronkonkoma	NY	11779	4/8/21
412.	Richard Zack	Troy	NY	12180	3/25/21
413.	Sarah Duggan	Albany	NY	12211	4/7/21
414.	Alyssa Shepanik	Dover Plains	NY	12522	4/11/21
415.	Louis Leahy	Fishkill	NY	12524	4/12/21
416.	Melissa Leahy	Fishkill	NY	12524	4/12/21
417.	Suzanne Coluccio	Lagrangeville	NY	12549	4/12/21
418.	Alison Filosa	Newburgh	NY	12550	4/7/21
419.	Rachel Frederick	New Paltz	NY	12561	4/11/21
420.	James Banahan	Wassaic	NY	12592	4/9/21
421.	Cathy Seale	Syracuse	NY	13212	4/13/21
422.	Barbara Waters	Syracuse	NY	13214	4/8/21
423.	Janice Bauer	Ilion	NY	13357	4/13/21
424.	Diane Neczesny	Morris	NY	13808	4/11/21
425.	Jake Moran	Pittsburgh	PA	15201	4/15/21
426.	Paula Libbey	Pittsburgh	PA	15205	4/15/21
427.	Samuel Irizarry	Philadelphia	PA	19142	4/20/21

428.	Kim Garay	Oley	PA	19547	4/7/21
429.	Meghan Flores	Washington	DC	20019	4/12/21
430.	Jeanne Garcia	Silver Spring	MD	20904	3/27/21
431.	Taylor Rourke	Charlotte	NC	28211	3/26/21
432.	Itiana Smith	Atlanta	GA	30093	4/12/21
433.	Pj Walsh	Woodstock	GA	30189	3/26/21
434.	Susan Rosen	Palm Beach Gardens	FL	33410	4/13/21
435.	Amy Chodera	Jupiter	FL	33458	4/7/21
436.	Corey Meyers	Lakeland	FL	33809	4/8/21
437.	Donna Manzares	Crystal River	FL	34429	4/8/21
438.	Sally Staltare	New Port Richey	FL	34654	4/8/21
439.	Steven Morris	Sharps Chapel	TN	37866	4/9/21
440.	Ashley Guy	Eastlake	OH	44095	4/15/21
441.	Meredith Madeley	Valparaiso	IN	46383	4/8/21
442.	Janet Peterson	Troy	MI	48084	4/8/21
443.	Isabelle	Urbandale	IA	50322	4/8/21
444.	Abdallah Mobaini	Chicago	IL	60645	3/28/21
445.	Keturah Gray	Forney	TX	75126	4/13/21
446.	Jeannine DeAngelis	Chandler	AZ	85248	4/8/21
447.	Allison Timmons	Covina	CA	91723	3/27/21
448.	Susan Ulloa	Crestline	CA	92325	4/15/21
449.	Matthew Florio	San Francisco	CA	94102	4/13/21
450.	Rena Biek	Haiku	HI	96708	4/14/21
451.	Jean Chagnon	Montréal	H2K		4/15/21
452.	Norman Jacobs	Jerusalem			4/7/21
453.	Jody Pallak				4/7/21
454.	Letisha & Corey McIntosh				4/12/21 "I'm a resident of the area and already have difficulty with traffic during peak hours on Rte. 6. This will only make it worse. I also worry about the safety of children and families at The

Learning Experience with this added traffic.
Other locations should definitely be explored!"

455. Maggie May

4/10/21

RECEIVED
PLANNING DEPARTMENT

APR 12 2021

TOWN OF YORKTOWN

From: Amanda puff <amandajpuff@gmail.com>
Sent: Monday, April 12, 2021 6:20 PM
To: Robyn Steinberg
Subject: Questions regarding Taco Bell

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

Hi Robyn

As a parent of two very young children that attend TLE. I am deeply concerned about a Taco Bell being built that close to our daycare.

The amount of children I have seen dart out into the Parking lot at daycare itself makes this very hazardous. As parents at TLE we are always watching for children running but the type of people Taco Bell is going to attract are not going to watch for our children.

That being said the type of people that Taco Bell generally attracts I feel shouldn't be allowed around children. Young teens who don't follow speed guidelines, people high on substances and not the most upstanding citizens of the community.

I guess my number one question is if Taco Bell is allowed to be built how are you going to guarantee the safety of my children on a daily basis?

Thank you
Amanda Puff

Sent from my iPhone

RECEIVED
PLANNING DEPARTMENT

APR 12 2021

TOWN OF YORKTOWN

From: Carolyn & Cory Kruger <thekrugers626@gmail.com>
Sent: Monday, April 12, 2021 5:38 PM
To: Robyn Steinberg
Subject: Taco Bell In Mohegan Lake

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

Good evening,

We are writing as extremely concerned parents and members of the community in Cortlandt Manor and Mohegan Lake. We are long term parents at The Learning Experience who are worried about now only things like increased congestion on route 6, but also risks of physical safety to our children caused by putting in a Taco Bell in the same parking lot as our daycare.

What drew us to our daycare was their academic focus, but also the environmental safety surrounding the school. Knowing that it is a relatively quiet spot reduces the risk of people driving accidents and even unwanted strangers who may want to prey upon children.

Adding in a fast food restaurant righty on that strip will inevitably bring immense traffic which will make safely picking up our children much more difficult. It likely will mean people try to park in that parking lot also making us walk very small children farther and run the risk of them getting hit by a car higher. And lastly it draws more attention to the daycare and provides those who might want to prey on children a great excuse as to why they are hanging around - " just waiting for their food".

We are certainly all for economic development, but not at the risk of the safety of children. Please take this into consideration when deciding on approving this development as it could actually result in another business going out of business.

--

Best,

Carolyn & Cory

Robyn Steinberg

From: Charles Von Hollen <charlesvonhollen@gmail.com>
Sent: Monday, April 12, 2021 5:20 PM
To: Robyn Steinberg
Subject: Taco Bell

Follow Up Flag: Follow up
Flag Status: Flagged

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

Good evening,

I hope this email finds you well. I am writing to voice my concern over the proposed Taco Bell on route 6 by the Audi Dealership. As the corridor is already highly congested (30 minutes Friday from Taconic to that intersection) why would this proposal be considered? How about the mall? How about passing it off to Cortlandt Town center with the many empty store fronts? I applaud the creativity of the Yorktown Planning Board in finding solutions to stabilize the commercial tax base, but this seems to be a troubling proposal on many levels. What about the impacts to the surrounding buildings? As we have seen with Popeye's, fitting in a chain restaurant into a small space can have extremely negative effects. I implore you to try to relocate this proposal. As is, that corridor is a place to avoid. I think something like this will push it and force us to avoid completely - the opposite of what you are trying to accomplish. Thank you for listening as always.

Charles Von Hollen

Sent from my iPhone

RECEIVED
PLANNING DEPARTMENT

APR 12 2021

TOWN OF YORKTOWN

From: Felicia Berenson Reinhardt <felicia.berenson.reinhardt@gmail.com>
Sent: Monday, April 12, 2021 5:51 PM
To: Robyn Steinberg
Subject: Taco Bell drive through proposal

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

Good evening,

As a member of the community, and a parent of a child attending The Learning Experience (TLE), I am strongly opposed to the proposed Taco Bell.

The driveway into TLE is incredibly narrow. There are already times when the driveway is very tight for two cars to pass, and the driveway is congested. There are also times the light is backed up past the TLE driveway. There are also times the CVS drive through backs up onto the main road. I can only imagine what that backup would look like with a drive through restaurant in such a narrow spot.

Additionally, building a drive through restaurant right next to a daycare center, in a very narrow parking lot, is a safety risk. Children come and go out of that building all day long. Parents and caregivers drive carefully in the area. Customers of a drive through are not going to be exhibiting the same care. In an already tight, narrow parking lot, this is no place for a drive through, fast food restaurant.

In a town with so many empty buildings and so many local restaurants that are struggling due to Covid, why is building a new fast food joint a priority? This is not something our area needs; it puts children at risk, and will cause horrible traffic congestion.

Thank you for your consideration.

Sincerely,
Felicia, Matthew and Charlotte Reinhardt

Robyn Steinberg

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

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

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

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

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

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

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

Thank you for your time
John

Robyn Steinberg

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

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

Hello,

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

Please do not hesitate to contact me at any time.

Thank you,

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

Par 3 Golf Course

Superintendent
Jim Martorano Jr.
Assistant Superintendent
Dan Walczewski

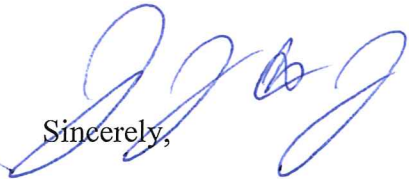
MEMO

May 10, 2021

Dear Planning Board,

Please be advised that I sent out the notice of public hearing to the attached list, post marked, April 27th 2021. They were notified that the R. C. Recreation public hearing for approval of their site plan will re-open at the May 10th, 2021 meeting at 7pm. Furthermore they were notified of the Covid-19 restrictions and the meeting will take place via video conference.

Sincerely,



James J. Martorano Jr.
Yorktown Parks & Recreation
Superintendent
Office: 914-245-4650 x26
Fax: 914-245-1608

CC: John Tegeder
CC: Robyn Steinberg

NOTICE TO INTERESTED PARTIES

TO: _____

PLEASE TAKE NOTICE that a **Public Hearing** will be continued by the Planning Board of the Town of Yorktown on **Monday, May 10, 2021 at 7:00 pm** or as soon thereafter as possible on the following matter:

Application of R.C. Recreation Development Corp. for approval of a site plan with submitted plans titled, “Valley Fields Golf Course,” prepared by P.C.D. Associates, and dated April 7, 2021 and a Tree Mitigation Plan titled, “Shallow Creek Golf Learning Center,” dated April 26, 2021.

The applicant has proposed to renovate the abandoned 9-hole par 3 golf course and clubhouse building for use as a restaurant. The site is located at the address 795 Route 6, Shrub Oak, NY 10588, also known as Section 16.07, Block 1, Lot 38 on the Town of Yorktown Tax Map. The parcel consists of 13.9 acres in the CR zoning districts.

Due to public health and safety concerns related to COVID-19, the Town of Yorktown Planning Board will not be meeting in-person. In accordance with the Governor’s Executive Order 202.1, the May 10, 2021 Planning Board meeting will be held via video conferencing. The public will have an opportunity to see and hear the meeting live and provide comments. The meeting will also be available to view on the Town’s YouTube channel.

If any interested members of the public would like to provide comments on this application, written comments can be provided to the Board by mail sent to the Planning Department at 1974 Commerce Street, Yorktown Heights, NY 10598 or by email before the meeting to Robyn Steinberg at rsteinberg@yorktownny.org. Please check the meeting agenda posted on the town’s website www.yorktownny.org for information regarding joining the video conference and any additional updated information regarding this meeting.

ALL PERSONS INTERESTED in the above matter may appear before the Board in person, by agent or attorney and will be heard before any final determination is made

This notice is being sent to you by registered or certified mail, return receipt requested, under Section §195-39B of the Yorktown Town Code requiring the undersigned to notify all interested parties as defined thereunder.

Town of Yorktown Parks & Recreation Dept
Name of Applicant

James Martorano, Jr. Superintendent
By (Name and Title)

October 13, 2020
Date

16.07-11-32, 33
LOIS, ROBERT A. & DORIS A.
768 OLD ROUTE 6
SHRUB OAK, NY 10588

16.11-1-60
PERVIZI, DANIEL & CARMELLA
3666 OLD YORKTOWN RD
SHRUB OAK, NY 10588

16.11-1-78
VAIMBERG, SHARON
3660 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.07-1-40
STATE OF NEW YORK D.O.T.
4 BURNETT BLVD.
POUGHKEEPSIE, NY 12603

16.12-1-13
PERLMAN, MAGDALENA LIFE
ESTATE
3608 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-1-71
MAGNANI, JOSEPH &
MARGARET
3714 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-1-75
PROMISEL, MARTIN S.
MARITAL TRUST
3680 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-1-83
MAURNO, JAMES & AILEEN
3624 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.12-2-1
JAMES, MICHAEL & GRANT,
MELISSA M.
3609 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.08-1-18 & 16.12-1-24
MALL GROUND PORTFOLIO, LLC
21500 BICAYNE BLVD. STE 700
AVENTURA, fl 33180

16.07-1-34
KEMPTER, JESSIE
P.O. BOX 368, OLD RTE 6N
SHRUB OAK, NY 10588

16.11-1-76
MASON, WILLIAM & CORRINE
3672 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-1-79
SCOTT, N & HESLIN, S
3652 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-2-14
GLASS, STEWARD M & BRENDA T
845 SWED CR.
YORKTOWN HGTS., NY 10598

16.11-1-69
GJELOSHI, ANTON &
DELATORRE, CHRISTINA
3726 WILDWOOD ST.
YORKTOWN HGTS., 10598

16.11-1-73
RONAGHAN, FLORENCE
3700 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-1-81
HESS, CHRISTOPHER
3638 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.12-1-11
PISACRETA, MICHAEL &
DAWN
3597 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.12-1-14
DEBIQUE, JAMEL &
MULLINGS, JAREN
3600 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.08-1-19
HERSH, ERIC H.
27-1 BEECHWOOD LANE
YORKTOWN HGTS., NY 10598

16.07-1-42
ROC-SHRUB OAK ASSOCIATE
C/O HAMPTON MGMT CO., LLC
135 EAST 57TH ST.-22ND FL
NEW YORK, NY 10022

16.11-1-77
HAMZAJ, AFRIM
3666 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-1-80
BELLANTONI, ANTHONY & LISA
3646 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-2-26
O'CONNOR, DENISE M 2019
IRREVOCABLE TRUST
3675 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-1-70
KENNEALLY, T & O'NEILL, S
3722 WILDWOOD ST.
YRKTOWN HGTS., NY 10598

16.11-1-74
ESTEVEZ, L & CALDERON, Y
3690 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.11-1-82
BASTONE, GIANFRANCO &
DANIELLE
3632 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.12-1-12
ARYEE, AUGUSTUS &
THERESA
3616 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

16.12-1-15
FORCELLI, JOSEPH &
MARIANNE
3592 WILDWOOD ST.
YORKTOWN HGTS., NY 10598

5.19-1-15
CONTRACTORS REGISTER, INC
800 EAST MAIN ST.
JEFFERSON VALLEY, NY
10535

MAY 10 2021

TOWN OF YORKTOWN

To: Yorktown Planning Board
From: Yorktown Tree Conservation Advisory Commission (TCAC)
Date: May 10, 2021
cc: Yorktown Planning Dept. (N. Calicchia, J. Tegeder, R. Steinberg); Engineering Dept. (L. Kobiliak); Conservation Board (K. Hughes); Town Supervisor (M. Slater); Town Clerk (D. Quast); Superintendent of Parks & Recreation (J. Martorano, Jr.)

Re: TCAC comments on mitigation plan for 9-hole golf course

Dear Chairman Fon and members of the Planning Board:

Our unanimous opinion is that the mitigation plan presented is inadequate and needs additional work. There are a number of reasons for this, including excessive use of non-native species in new plantings such as forsythia and Norway spruce, failure to adequately compensate for the function of the 90 protected trees removed and lack of clarity in the mitigation document submitted. For example, it is not clear what in the plan is mitigation to restore the function of the removed trees and what is landscaping to enhance the golf experience.

We note that the Town's golf course licensee claims the majority of the trees removed were dead, dying or "rotten." This is at variance with what the TCAC was told before the trees were cut down. In addition, TCAC members who visited the site when the trees were in leaf before the removals were done noted that most of the trees appeared healthy. Resolving the question of the status of the removed trees is not possible as an inventory of removed trees showing location, species and size appears not to have been performed.

Building and managing a golf course has the potential to cause significant harm to the environment through habitat destruction and pollution caused by excessive pesticide and herbicide use. Golf courses can also benefit the environment if plantings are ecologically appropriate, chemical application is minimized and riparian habitats and stream quality are maintained. The TCAC's original memo on the golf course project (submitted to the Planning Board on Sept. 9, 2020) outlined examples of successful golf course mitigation around the country and provided some source materials that could be relevant for the specifics of Yorktown's 9-hole course.

Preparing a mitigation plan for this large property is beyond the scope of the TCAC. The tree ordinance requires the use of properly credentialed specialists to create mitigation plans. The complexity of the issues involved in mitigation for this property clearly points to the need for the use of a qualified expert to prepare the mitigation plan.

Sincerely,

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

Tree & Shrub
PLANTING PLANS

for the

“OLD SHALLOW CREEK”

GOLF COURSE

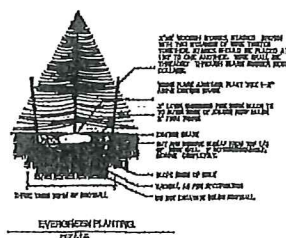
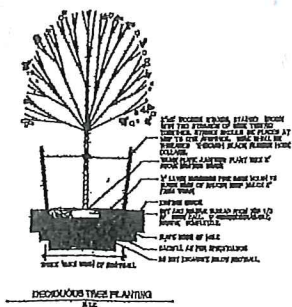
“2021”

Planting Plans for "Shallow Creek" Golf Course

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

GENERAL PLANTING NOTES :

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








Proposed Planting Schedule:

<u>Sym.</u>	<u>Botanical Name</u>	<u>Common Name</u>	<u>Size Root</u>	<u>Size</u>	<u>Qty.</u>
RC	Queues rubra	Red Oak	B&B	1" caliber	23
RB	Betula nigra	River Birch	B&B	6'-8'	10
HE	Tsuga Canadensis	Hemlock	B&B	4'-5'	4
NS	Picca abies	Norway Spruce	B&B	4'-5'	30
ARB	Thuja Plicata	Giant Green Arborvitae	B&B	4'-5'	11
H	Llex x meservae	Holly "Princess"	7 gal.	3'	4
FR	Wolfram Alpha	Forsythia	B&B	3'-6'	9

In this proposed planting schedule there will also be ornamental plants and shrubs that will be planted to bring out the beauty of the golf course and also there will be a safety compensate incorporated into this planting for the players .There will be additional plantings as soon as the above are planted and we see what we need for the safety and the beautification of the course. The only invasive species planting will be is the Forsythia. The soil that we will be using will be from the course itself as to avoid bringing any outside elements on to the course.

Color Code for Existing Trees:

-  Oak 'Queercus'
-  Ash 'Fraxinus'
-  Maple 'Acer platanoides'
-  Hemlocks 'Tsuga' ^{Blue}
-  Pine 'Pinus'

All trees to be planted are marked 'key on map' will indicate where and what type of trees.

Tree Key Notes:

Indicates new Trees to be planted.

Indicates all existing trees on property.

All trees on site have been marked. Notes will be in paper work booklet indicating what trees and types will be planted and where. The trees that are still existing have been marked and the ones to be planted are also marked and where they will be planted. All existing trees will be color coded "asked to be color coded by town". As the planting starts there may be some variations. We must take into account the safety of the golfers.

General Notes:

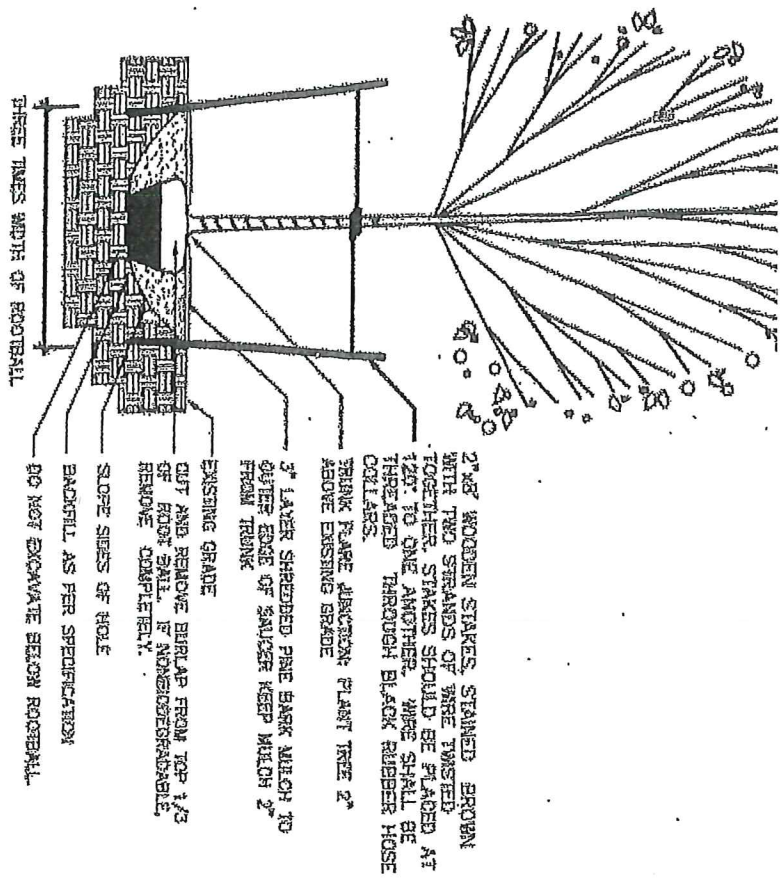
We have chosen specific types of trees and shrubs that will complement the course and grow strong and thrive in this environment.

Specimens:

<u>SYM</u>	<u>Botanical Name</u>	<u>Common Name</u>
RC	Queues rubra	Red Oak
RB	Betula nigra	River Birch
He	Tsuga Canadensis	Hemlock
Ns	Picca abies	Norway Spruce
Arb	Thuja Plicata	Giant Green Arborvitae
H	Llex xmeservae	Holly "Princess"
FR	Wolfram Alpha	Forsythia

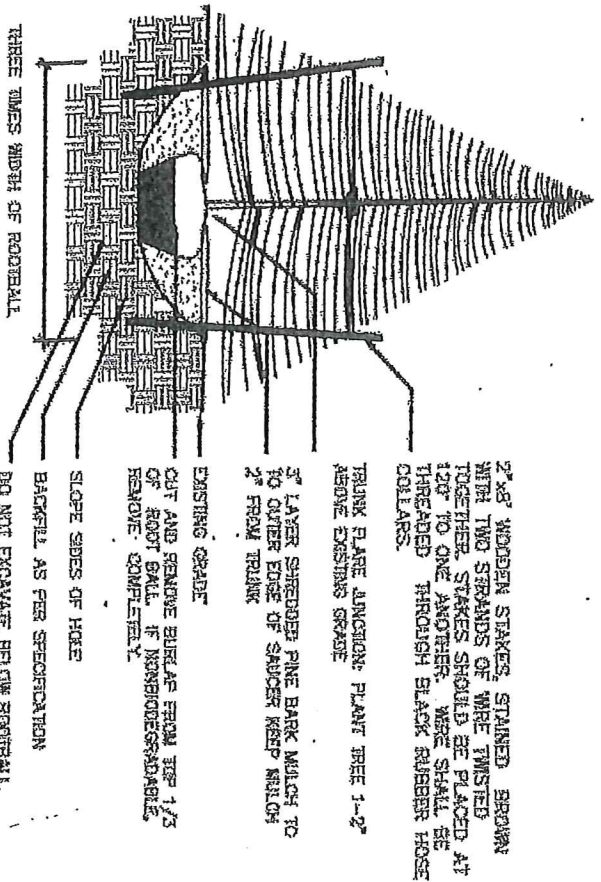
Soil and Seed Notes:

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



DECIDUOUS TREE PLANTING

N.T.S.



EVERGREEN PLANTING

N.T.S.

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

TOWN OF YORKTOWN PLANNING BOARD

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

APPLICATION FOR SITE PLAN APPROVAL

Date _____

1. Name of Project: RC Recreation Development Corp LLC

2. Tax Map Designation (Section, Block, Lot) 16.07 - 1 - 38

3. Zone: CR Total Acreage: 13.9

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

5. Project narrative (brief description of proposed development):

Revitalization of an old run down par 3 9 hole
golf course.

6. Contact Person - CHOOSE ONLY ONE:

Applicant

Owner

Architect

Wetland Scientist

Attorney

Engineer

Surveyor

Landscape Architect

7. Applicant

Name Larry Nussbaum

Firm RC Recreation Development Corp LLC

Address PO Box 346 TallPinesValley NY 10535

Phone 201-218-4988

Fax _____

Email _____

8. Owner of Record

Name Town of Yorktown

Firm _____

Address _____

Phone _____

Fax _____

Email _____

9. Attorney

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

10. Engineer

Name Steven Acosta / Pat Coustible
Firm _____
Address _____
Phone _____
Fax _____
Email _____
Lic. No. _____

11. Surveyor

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

12. Architect

Name Pat Coustible
Firm PCD Associates
Address _____
Phone _____
Fax _____
Email _____
Lic. No. _____

13. Wetland Scientist/Specialist

Name Dave Pellitter
Firm JAD Engineer
Address 14 Ridgcrest Dr Wingdale NY 12594
Phone _____
Fax _____
Email _____

14. Landscape Architect

Name Arnold Palmer / Steven Kay
Firm Arnold Palmer Design Co.
Address 9000 Bay Hill Blvd. FL 32819
Phone 407-876-1068
Fax _____
Email _____
Lic. No. _____

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

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

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

18. Is this project within 500 feet of:

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

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

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

An existing or proposed county drainage line? Yes No

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

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

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

Wetland Permit

Stormwater Permit

Tree Permit

Planning Board special permit: _____

Town Board variance or approval: yes

Zoning Board of Appeals variance or special permit: NO

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

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

22. This parcel is in the following districts:

School District Lakeland Water District Yorktown
 Fire District Lake Mohogan Sewer District Peekskill

A Long Form/Full EAF with the original signature of the applicant must be attached to this application when submitted. The signature of the applicant's design professional or attorney is not acceptable.

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

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

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

This application shall be considered complete when all plans and data required by Town of Yorktown Town Code Chapter 195: Land Development Regulations, including final reports from the Director of Planning and Town Engineer, are received by the Board.

<p>Applicant</p> <p><u>Larry Rusbauer</u></p> <p>NAME (PLEASE PRINT)</p> <p><u>Larry Rusbauer</u></p> <p>SIGNATURE</p> <p>_____</p> <p>DATE</p>	<p>Owner of Record</p> <p>_____</p> <p>NAME (PLEASE PRINT)</p> <p>_____</p> <p>SIGNATURE</p> <p>_____</p> <p>DATE</p>
---	---

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

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

REFER TO AFFIDAVITS ON THE FOLLOWING PAGES

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

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

Sworn before me this _____ date of _____, 20__

Notary Public

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

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

Sworn before me this _____ date of _____, 20__

Notary Public

AFFIDAVIT TO BE COMPLETED BY AGENT OF OWNER

L. Nussbaum


STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

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

Larry Nussbaum

Sworn before me this 13 date of MARCH, 2020

Paul Revans
Notary Public

PAUL REVANS
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RE6123598
Qualified in Westchester County
My Commission Expires March 07, 2021 

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

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

**Please Submit to the Engineering Department:
Original Signed Application, Applicable Fees,
**Short or Long Environmental Assessment Form,
Two (2) Sets of Plans / Maps****

**Please Email an Additional Set of the Plans / Maps to:
louise@yorktownny.org**

**If your project is before the Planning Board or Town Board
for any type of new construction, site plan or subdivision, all
of the above must be submitted to the
Engineering Department.**

**Submission to any other department will delay the
application review and permit issuance process.**

**Please contact us at 962-5722, ext. 220 or 219
with any questions.**

Thank you for your cooperation.

RECEIVED
PLANNING DEPARTMENT

FEB 28 2020

TOWN OF YORKTOWN

RECEIVED
PLANNING DEPARTMENT
FEB 28 2020
TOWN OF YORKTOWN

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

Section 16.07
 Block 1
 Lot # 38
 Job Site Address: 795 Rt. 6
 City/State/Zip: SHRUB OAK
NY 10588

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

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

APPLICANT:

YOUR NAME: Larry Nussbaum
 COMPANY: R.C. Recreation Development Corp.
 ADDRESS: P.O. Box 346
Jefferson Valley NY ZIP 10535
 PHONE: (201) 218-4988
 EMAIL: Larry.Nussbaum.1@gmail.com

OWNER:

YOUR NAME: James J. Martorano Jr.
 COMPANY: Yorktown Parks & Rec.
 ADDRESS: 176 Granite Springs Rd
Yorktown ZIP 10598
 PHONE: (845) 803-2875
 EMAIL: JMartorano@YorktownNY.org

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 checked="" 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 checked="" 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 | <input checked="" type="checkbox"/> | Control area of lake/pond | <input checked="" type="checkbox"/> |
| b. Stream/River/Brook | <input checked="" type="checkbox"/> | Control area of stream/river/brook | <input checked="" type="checkbox"/> |
| c. Wetlands | <input checked="" type="checkbox"/> | Control area of wetlands | <input checked="" type="checkbox"/> |

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.

We are bringing back to life an old now down Par 3 of Hole golf course. We are not changing anything we will be raising Tee Boxes and re doing all greens and bunkers

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

We will be reconstructing all greens & bunkers and Tee Boxes Removing all unsafe trees.

3. Tree Removal:

Amount of trees and/or stumps to be removed: _____
Sizes; approximate DBH: under
Species of trees to be removed (i.e. Birch, Spruce - if known): Swamp maples
Reason for removal: unsafe
Trees marked in field (trees must be marked prior to inspection): Yes: No:
Tree removal contractor: self

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 _____ to apply for this Stormwater/Wetland Permit/Tree Permit on my behalf.

Signature: _____ Date: _____

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.

Larry Nussbaum

PRINT NAME

Larry Nussbaum

SIGNATURE OF APPLICANT

DATE

FEB 28 2020

TOWN OF YORKTOWN

617.20

Appendix B

Short Environmental Assessment Form

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: R.C. Recreation Development Corp LLC / Friends of Valley Fields			
Project Location (describe, and attach a location map): FRIENDS OF Valley Fields 795 Rt 6 Shrub Oak NY 10588			
Brief Description of Proposed Action: Revitalization of an old abandoned 9 hole par-3 golf course We will be staying with the same foot print and only raising tee boxes, re doing greens and bunkers			
Name of Applicant or Sponsor: R.C. Recreation Devel. Corp LLC		Telephone:	
Address: PO Box 346		E-Mail:	
City/PO: Jefferson Valley		State: N.Y.	Zip Code: 10535
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	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
Health Dept. DEC		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		13.9 acres	
b. Total acreage to be physically disturbed?		4.44 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, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input checked="" type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input checked="" type="checkbox"/> Parkland			

RESET

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

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

Applicant/sponsor name: Larry Nussbaum Date: _____
 Signature: Larry Nussbaum

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

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

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

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

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

RESET

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Water, Region 3
100 Hillside Avenue, Suite 1W, White Plains, NY 10603
P: (914) 803-8157 | F: (914) 428-0323
www.dec.ny.gov

July 24, 2020

Town Supervisor
Town of Yorktown
363 Underhill Avenue
Yorktown, NY 10598

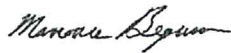
**Re: Valley Fields Golf Course
795 US 6 Shrub Oak NY 10598
Construction Stormwater Inspection**

Dear Town Supervisor:

The Department has received documentation that the above referenced construction site has gained coverage under this department's SPDES General Permit for Stormwater Discharges from Construction Activity. The Cease and Desist Directive issued on March 3, 2020 is hereby lifted. Please be reminded that the Stormwater Pollution Prevention Plan must remain on site and must be implemented in accordance with GP-0-20-001.

If you have, please contact me at (914) 803-8134 or by email at manoara.begum@dec.ny.gov.

Thank you,



Manoara Begum, P.E.
Assistant Engineer

ecc: Natalie Browne, NYSDEC
Town Board
James Martorano, Superintendent, Yorktown Parks & Recreation

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

Project Number

Date:

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:

Par 3 Golf Course aka Valley Fields Golf Course

SEQR Status: Type 1
Unlisted

Conditioned Negative Declaration: Yes
 No

Description of Action:

Restoration and renovation of existing Par 3 golf course and clubhouse.

Premises located along 795 Route 6 Shrub Oak, NY

Section 16.07 Block 1 Lot 38

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

795 Route 6 Shrub Oak, 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 last revised February 28, 2020.
- 2) The plan conforms to the Town's Land Use and Zoning Policies.
- 3) The site is an existing par 3 golf course and clubhouse.
- 4) The Applicant has proposed a tree and shrub planting plan to mitigate the trees that were removed to renovate the golf course tees.
- 5) After evaluating the relevant areas of environmental concern, the Planning Board concludes that there will be no significant adverse impacts on the environment as a result of the approval of the proposed development of the subject site.

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
SITE PLAN, STORMWATER POLLUTION PREVENTION PLAN,
WETLAND PERMIT AND TREE PERMIT FOR THE
TOWN OF YORKTOWN PAR 3 GOLF COURSE
AKA VALLEY FIELDS GOLF COURSE**

RESOLUTION NUMBER: #00-00

DATE:

On motion of _____, seconded by _____, and unanimously voted in favor by Fon, LaScala, Bock, Garrigan, and Visconti, 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 titled "Valley Fields Golf Course," prepared by Revans Design, P.E., P.C., dated April 7, 2021, was submitted to the Planning Board on behalf of R. C. Recreation Development Corp., LLC (hereinafter referred to as "the Applicant"); and

WHEREAS the property owned by the Town of Yorktown is located at 795 Route 6, Shrub Oak, also known as Section 16.07, Block 1, Lot 38 on the Town of Yorktown Tax Map (hereinafter referred to as "the Property"); and

WHEREAS on August 5, 2014, the Town Board adopted Resolution #321 awarding the request for proposals to renovate, manage, operate and maintain the Valley Field Golf Course and Restaurant Concession to RC Recreational Development, LLC; and

WHEREAS on August 12, 2014, the Town Board adopted Resolution #353 authorizing the Supervisor to sign agreements for the renovation, management, operation and maintenance of Valley Field Golf Course (formerly known as shallow creek); 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 Full EAF dated February 28, 2020.

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

1. A parking plan, Sheet 1 of 1, titled "Valley Fields Gold Course," prepared by Revans Design, P.E., P.C., dated April 7, 2021; and

2. A tree mitigation plan, titled “Tree & Shrub Planting Plans for Old Shallow Creek Golf Course 2021” that includes a tree & shrub planting plan titled, “Shallow Creek Golf Learning Center,” dated April 26, 2021; and
3. A survey, titled “Topographic Survey for R C Development LLC,” prepared by Badey & Watson Surveying & Engineering, P.C., dated January 20, 2016 and last revised February 3, 2016; and
4. A drawing titled, “Valley Fields Golf Course,” prepared by Golf Course Designs, LLC, and dated December 9, 2014; and
5. A drawing, sheet 1 of 6, titled, “Master Plan,” prepared by Arnold Palmer Design Company, and dated June 30, 2016; and
6. A drawing, sheet 2 of 6, titled, “Stripping Plan,” prepared by Arnold Palmer Design Company, and dated June 30, 2016; and
7. A drawing, sheet 3 of 6, titled, “Grading & Drainage Plan,” prepared by Arnold Palmer Design Company, and dated June 30, 2016; and
8. A drawing, sheet 4 of 6, titled, “Grassing Plan,” prepared by Arnold Palmer Design Company, and dated June 30, 2016; and
9. A drawing, sheet 5 of 6, titled, “Miscellaneous Details,” prepared by Arnold Palmer Design Company, and dated June 30, 2016; and
10. A drawing, sheet 6 of 6, titled, “Miscellaneous Details,” prepared by Arnold Palmer Design Company, and dated June 30, 2016; and

WHEREAS the applicant must provide at least five parking spaces for each hold, plus one space for each two employees, thereby requiring a total of 50 parking spaces, and the applicant has shown on the site plan 47 parking spaces within the existing parking lot and 2 parking spaces within an existing garage for a total of 49 parking spaces and the site is adjacent to an existing commuter parking lot where at least 1 additional parking space is available; and

WHEREAS the Town obtained a change of use approval from the Westchester County Board of Health approval for a full service food service establishment subject to the conditions listed in their letter dated August 17, 2015, which included the condition that the restaurant is permitted to have 42 seats; and

WHEREAS the Applicant must propose tree mitigation for the trees that were removed during the renovation of the golf course and this mitigation is shown on the Tree & Shrub

Planting Plans listed herein; and

WHEREAS the Applicant obtained coverage under SPDES General Permit for Stormwater Discharges from Construction Activity and the Stormwater Pollution Prevention Plan must be implemented in accordance with GP-0-20-001; 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
Conservation Board	
Planning Department	08/07/20
Town Engineer	09/10/20
Tree Conservation Advisory Commission	09/13/18
NYS DEC	07/24/20
Westchester County Planning Board	10/30/20

WHEREAS the requirements of this Board's Land Development Regulations, Town Code Chapter 195, have been met; 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 on September 14, 2020, October 26, 2020, and May 10, 2021 by video conferencing;

BE IT NOW RESOLVED that the application of RC Recreational Development, LLC for the approval of the plans listed herein, 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. _____
2. _____

Additional requirements prior to signature by the Planning Board Chairman:

1. _____

2. _____
3. _____

Additional requirements:

1. Proposed plan must comply with all current applicable ADA standards.
2. Prior to the issuance of a building permit, submission of all legal documents to effectuate the offers of cession, road dedications, easement, and other agreements set forth on the map or its notes, in form satisfactory to the Town Attorney.
3. Applicant must obtain all necessary permits from outside agencies.
4. Upon completion of the project, the Applicant must submit an as-built survey, on paper and in digital AutoCAD DWG readable format, showing all improvements on the site.

BE IT FURTHER RESOLVED, that in accordance with Town Code Chapter 178, Chapter 248, and Chapter 270, the application of RC Recreational Development, LLC for the approval of a Wetland, Stormwater Pollution Prevention Plan, and Tree Permit **#WP-FSWPP-T-000-00** is approved subject to the conditions listed therein; and

RESOLVED, Permit **#WP-FSWPP-T-000-00** shall not be valid until it has been signed by the Chairman of this Board;

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

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

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

First Presbyterian Church Lighting Plan

From: Katharine Frase [<mailto:kfrase98@gmail.com>]

Sent: Monday, May 10, 2021 12:28 PM

To: Robyn Steinberg <rsteinberg@yorktownny.org>

Cc: Richard Seymour <reelmagic@optimum.net>; Vinny Wallace <vincentwallace95@yahoo.com>; Bud Coccodrilli <budcoccodrilli@gmail.com>; John Tegeder <jtegeder@yorktownny.org>

Subject: First Presbyterian Church 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.

Robyn,

Please leave us on the agenda for the Planning Board tonight, to discuss the proposed lighting project. We do still want to proceed with the project, but have changed our electrical contractors, moving from Irizarry to Delta Electric.

Katharine Frase
Capital Campaign Project Management Team, FPCY

YORKTOWN INSPECTION - ANY DAY
CALL OFFICE AS AL WEIN IS OUT

ELECTRIC PERMIT ISSUED
5/03/21 # 7569-E

FAXED
4/26/2021

NEW YORK ELECTRICAL INSPECTION SERVICES

DO NOT WRITE HERE - FOR OFFICE USE ONLY

150 White Plains Road
Tarrytown, N.Y. 10591

Phone: 914-347-4390

Fax: 914-347-4394

TEMP #	DATE	BUILDING PERMIT NO.
--------	------	---------------------

CITY OR VILLAGE YORKTOWN HEIGHTS	ZIP CODE 10598	TOWNSHIP	COUNTY WESTCHESTER
STREET AND NO. OR ROAD 2880 CROMPOND ROAD		POLE NUMBER	
BETWEEN WHAT TWO CROSS STREETS IS PREMISES LOCATED?		SECTION 4.21	BLOCK 66
OCCUPANT'S NAME FIRST PRESBYTERIAN CHURCH		BUILDING OCCUPANCY WORSHIP	
OWNER'S NAME AND ADDRESS		HOME TELEPHONE NUMBER	
CURRENT SUPPLIED BY		WORK TELEPHONE NUMBER 914-391-7076	

LIST BELOW ALL EQUIPMENT WHICH YOU INSTALLED

LOCATION	NUMBER OF OUTLETS		NO. OF FIXTURES & LAMP RECEPTACLES		MOTORS		HEATERS		OFFICE USE ONLY INSPECTION
	SIDEWALL	SWITCH	INCADE	FLUORE	NO.	H.P. EACH	NO.	WATTS EACH	
OUTSIDE									
BASEMENT									
1 ST FL.									
2 ND FL.									
3 RD FL.									

REMARKS: LIST OTHER ELECTRICAL DEVICES NOT SET FORTH ABOVE:

INSTALL SIX (6) PARKING LOT LIGHT POLES - TEN FOOT WITH ONE 50WATT LED LIGHT FIXTURE PER POLE

INSTALL FOUR (4) BOLLARDS 24WATT ALONG WALKWAY. THROUGH FOR CONTROL

THIS APPLICATION IS INTENDED TO COVER THE ABOVE LISTED ITEMS TO BE INSPECTED. IF AT ANY TIME OF INSPECTION ADDITIONAL ITEMS HAVE BEEN INSTALLED, YOU ARE AUTHORIZED TO MAKE THE INSPECTION AND ADJUST THE FEE FOR THE ADDITIONAL ITEMS INSPECTED AS PROVIDED BY THE APPLICANT. THE APPLICANT DECLARES THAT THERE IS NO OPEN APPLICATIONS FOR THE ABOVE WITH ANY OTHER INSPECTION COMPANY. NYEIS, INC. IS NOT LISTING, LABELING UNDERWRITING OR CERTIFYING ANY EQUIPMENT, MATERIALS OR DEVICES WHICH ARE PERFORMED BY OTHER CERTIFIED TESTING AGENCIES OR INSPECTION COMPANIES. THE APPLICANT, OWNER, OR AUTHORIZED AGENT AGREES TO ALL THE ABOVE TERMS AND CONDITIONS AS SET FORTH FOR THE APPLICATION.

SIZE OF SERVICE	CASE NO.
CHARACTER OF WORK NEW <input type="checkbox"/> ADDITIONAL <input type="checkbox"/> EXPOSED <input type="checkbox"/> CONCEALED <input type="checkbox"/>	MUST ENTER APPLICANTS IDENTIFICATION NUMBER 7000668
SERVICE ENTERS BUILDING OVERHEAD <input type="checkbox"/> UNDERGROUND <input type="checkbox"/>	
AVOID DELAYS BY GIVING FULL AND ACCURATE INFORMATION. ALL SPACE MUST BE FILLED IN OR APPLICATION MAY BE RETURNED.	

NAME OF COMPANY DELTA ELECTRIC, INC	DATE OF APPLICATION	SIGNATURE OF APPLICANT <i>MacMalin</i>
STREET ADDRESS P.O. BOX 1010	TELEPHONE NO. 914-376-5911	
CITY OR POST OFFICE YONKERS, NEW YORK	ZIP CODE 10704	LICENSE NO. WHEN APPLICABLE 456

2880 Crompond Rd
Yorktown Heights, NY

Lighting Layout
Version 2



Prepared By:
Damin Sales
28 Brunswick Avenue
Edison, NJ 08817
P: 732-985-8866
F: 732-985-5521

Job Name:
2880 Crompond Rd
Yorktown Heights, NY

Lighting Layout
Version 2

Scale: as noted

Date: 4/27/2021

Case:

Filename: 2880n Crompond Rd - Yorktown Heights - Vers 2.AGI

Drawn By: Aaron Boyce

Lighting Design Disclaimer

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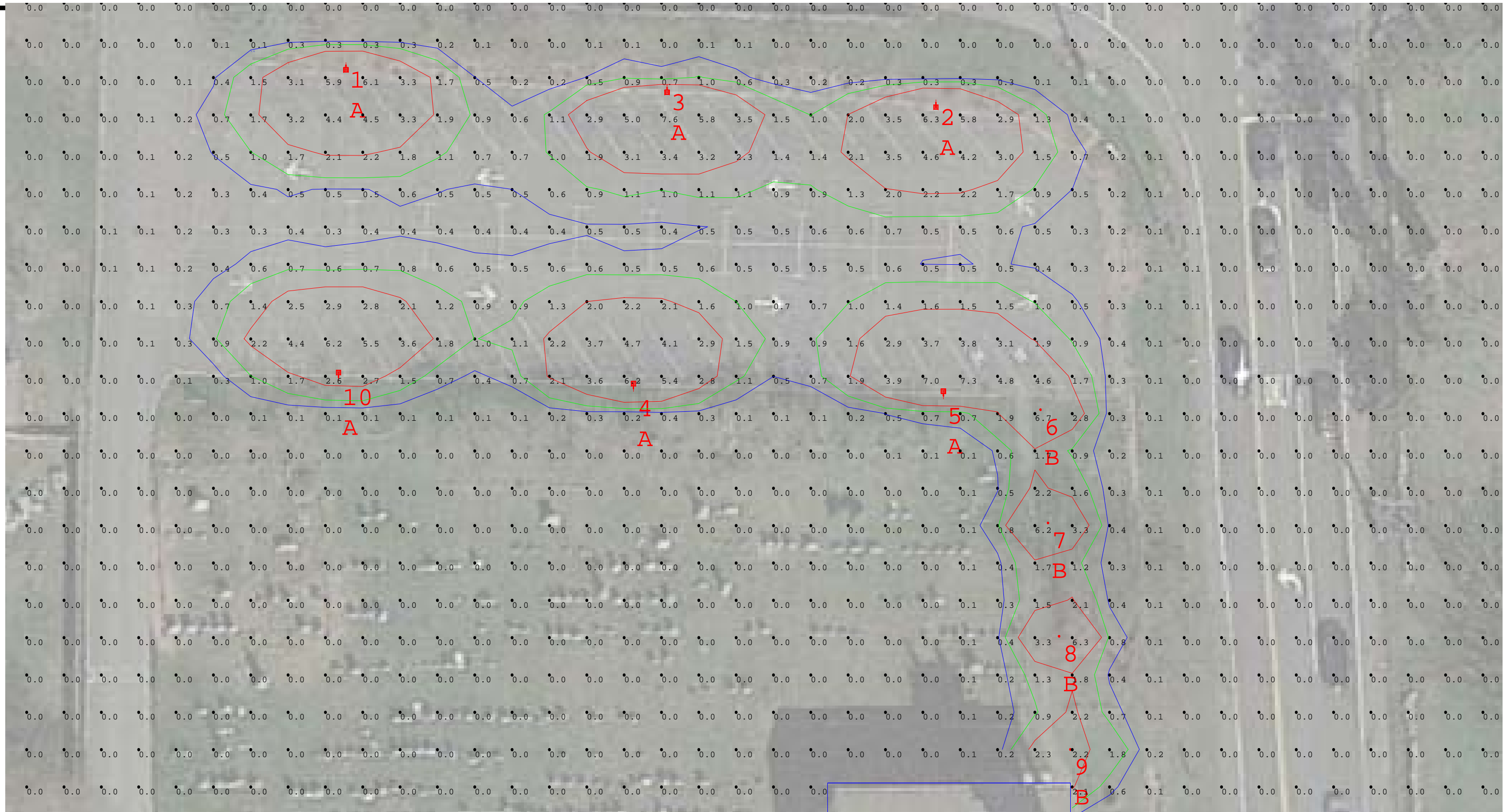
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Luminaire Schedule										
Tag	Symbol	Qty	Label	Arrangement	Lum. Lumens	LLF	Description	Lum. Watts	Arr. Watts	Total Watts
A		6	ALED3T50Y	SINGLE	6208	1.000	Pole Mount - Type III	54.5	54.5	327
B		4	BDLEDR24Y	SINGLE	2174	1.000	Bollard	22.8	22.8	91.2

Calculation Summary											
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description	PtSpcLr	PtSpcTb	Meter Type
Site	Illuminance	Fc	0.16	7.6	0.0	N.A.	N.A.	Readings Taken At 0' 0" AFG	10	10	Horizontal

NOTES:




* The light loss factor (LLF) is a product of many variables, only lamp lumen depreciation (LLD) has been applied to the calculated results unless otherwise noted. The LLD is the result (quotient) of mean lumens / initial lumens per lamp manufacturers' specifications.

* Illumination values shown (in footcandles) are the predicted results for planes of calculation either horizontal, vertical or inclined as designated in the calculation summary. Meter orientation is normal to the plane of calculation.

* The calculated results of this lighting simulation represent an anticipated prediction of system performance. Actual measured results may vary from the anticipated performance and are subject to means and methods which are beyond the control of Damin Sales.

* Mounting height determination is job site specific, our lighting simulations assume a mounting height (insertion point of the luminaire symbol) to be taken at the top of the symbol for ceiling mounted luminaires and at the bottom of the symbol for all other luminaire mounting configurations.

* Damin Sales luminaire and product designs are protected under U.S. and International intellectual property laws. Patents issued or pending apply.

Isoline Legend	
Illuminance (Fc)	
Color	Value
	0.5
	1
	2



Prepared By:
Damin Sales
28 Brunswick Avenue
Edison, NJ 08817
P: 732-985-8866
F: 732-985-5521

Job Name:
2880 Crompond Rd
Yorktown Heights, NY

Lighting Layout
Version 2

Scale: N.T.S.

Date: 4/27/2021

Case:

Filename: 2880n Crompond Rd - Yorktown Heights - Vers 2.AGI

Drawn By: Aaron Boyce

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Luminaire Location Summary		
LumNo	Label	Mounting Height
1	ALED3T50Y	13
2	ALED3T50Y	13
3	ALED3T50Y	13
4	ALED3T50Y	13
5	ALED3T50Y	13
6	BDLEDR24Y	3.75
7	BDLEDR24Y	3.75
8	BDLEDR24Y	3.75
9	BDLEDR24Y	3.75
10	ALED3T50Y	13

Luminaire Location Summary		
LumNo	Label	Mounting Height

Luminaire Location Summary		
LumNo	Label	Mounting Height

NOTES:

* The light loss factor (LLF) is a product of many variables, only lamp lumen depreciation (LLD) has been applied to the calculated results unless otherwise noted. The LLD is the result (quotient) of mean lumens / initial lumens per lamp manufacturers' specifications.

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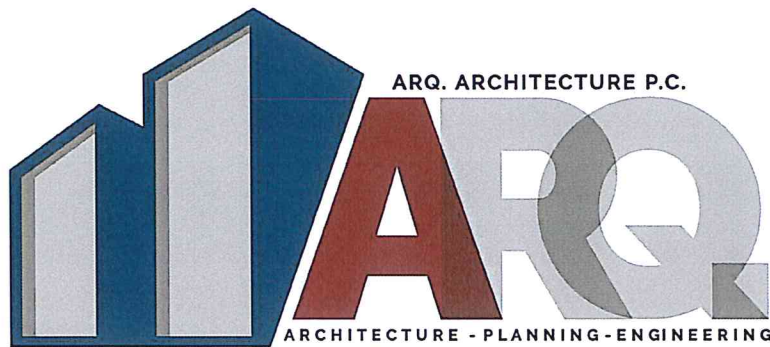
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McTaggart Residence
Spano Sub Lot 1



March 12, 2021

Louise Kobiliak
Town of Yorktown
Engineering Department
363 Underhill Avenue
Yorktown Heights NY 10598

RECEIVED
PLANNING DEPARTMENT
APR 2 2021
TOWN OF YORKTOWN

Re: McTaggart Residence
Proposed Site plan
2241 Sawmill River Road
Mr. Kobiliak,

Attached please find 5 sets of the Site Plans for the proposed single family development of 2241 Sawmill River Road.

Please note as of January 1, 2021, work previously performed by Fusion Engineering PC is now being executed under my direction at ARQ PC. Other than the change to the title block, all information remains consistent with what has been approved for this development.

As this parcel was part of a previous subdivision, formerly known as the Spano Subdivision, we understand the Planning Board must review and approve this Site Plan. Although the original Site Plan included an onsite septic system design, the Town sewer main has since been extended and constructed to serve this lot.

A comment was raised regarding the contour elevations from the latest survey not matching the contours shown on the original Spano Subdivision Plan. To the best of our knowledge, no modifications to the elevations have occurred since the lot has been subdivided. A note has been added to the plans correlating contour elevation 106, shown on the northwest corner of the lot, to contour elevation 422 shown on the original Spano Subdivision.

Please feel free to contact me with any questions.

Sincerely,
ARQ PC



Paul Berté,

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

Section 37.11
Block 1
Lot # 46.1

Approval Authority: TE [] PB [] TB []
Application #: FSWPPP-060-17
Date Received: _____
Date Issued: _____
Date Expires: _____
Fee Paid: \$1,500

Job Site Address: 2241 Sawmill River Road
City/State/Zip: Yorktown, NY 10598

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

APPLICANT:

YOUR NAME: Azim Aliriza
COMPANY: Fusion Engineering PC
ADDRESS: 600 North Broadway Suite 215
White Plains NY ZIP 10603
PHONE: (914) 358 5009
EMAIL: azim@fusionepc.com

OWNER:

YOUR NAME: Donny McTaggart
COMPANY: _____
ADDRESS: 2241 Sawmill River Road
Yorktown NY ZIP 10598
PHONE: (914) 906 4144
EMAIL: dmcfilms@aol.com

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

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

Application fees are doubled with issuance of a Stop Work Order 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:

Construction of a new single family home, walkways, Driveway, patio and deck. Installation of an underground stormwater detention system.

3. Tree Removal:

Amount of trees and/or stumps to be removed: 0
Sizes; approximate DBH: N/A
Species of trees to be removed (i.e. Birch, Spruce - if known): N/A
Reason for removal: _____
Trees marked in field (trees must be marked prior to inspection): Yes: _____ No: _____
Tree removal contractor: _____

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, Donny McTaggart hereby authorize Fusion Engineering PC to apply for this Stormwater/Wetland Permit/Tree Permit on my behalf.

Signature: [Signature] Date: 03/15/18

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.

Donny McTaggart

PRINT NAME

[Handwritten Signature]

SIGNATURE OF APPLICANT

03/15/18

DATE

Short Environmental Assessment Form

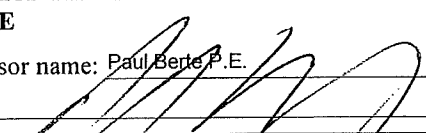
Part 1 - Project Information

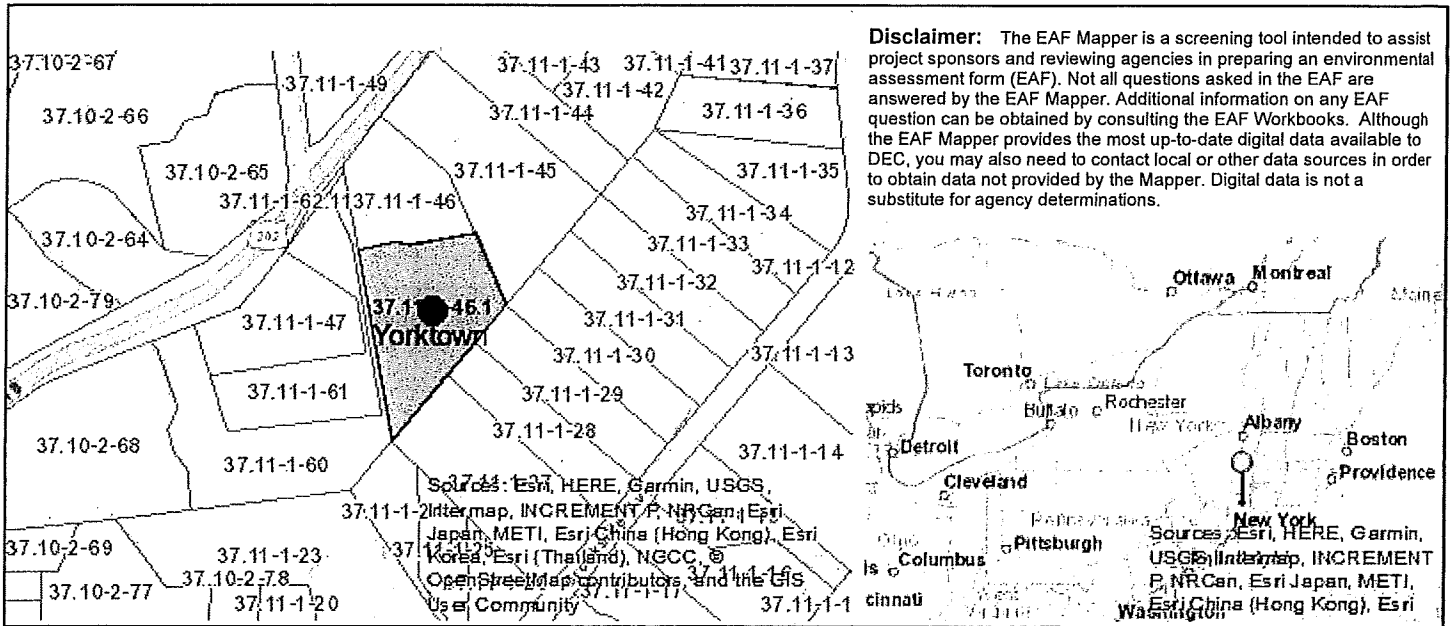
Instructions for Completing

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.

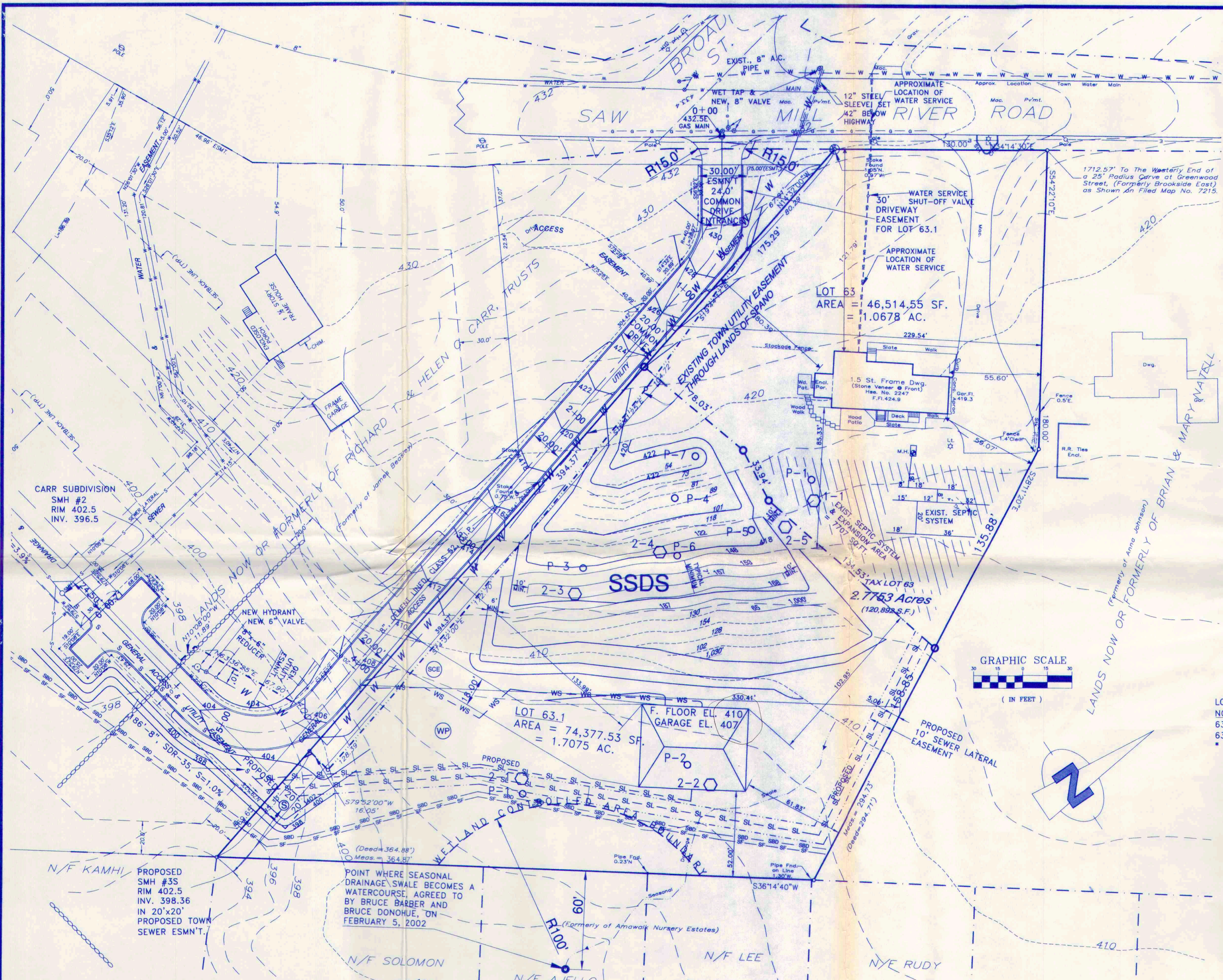
Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Name of Action or Project: MCTAGGART RESIDENCE			
Project Location (describe, and attach a location map): 2241 SAWMILL RIVER ROAD YORKTOWN NY 10598			
Brief Description of Proposed Action: CONSTRUCTION OF A NEW SINGLE FAMILY HOME, DRIVEWAY, WALKWAYS, PATIO, DECK AND STORMWATER DETENTION SYSTEM.			
Name of Applicant or Sponsor: FUSION ENGINEERING PC		Telephone: 914-358-5009	
		E-Mail: office@fusionepc.com	
Address: 600 north broadway suite 215			
City/PO: white plains	State: ny	Zip Code: 10603	
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 type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input type="checkbox"/>
			YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action? _____ 1.71 acres			
b. Total acreage to be physically disturbed? _____ 0.80 acres			
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 1.71 acres			
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

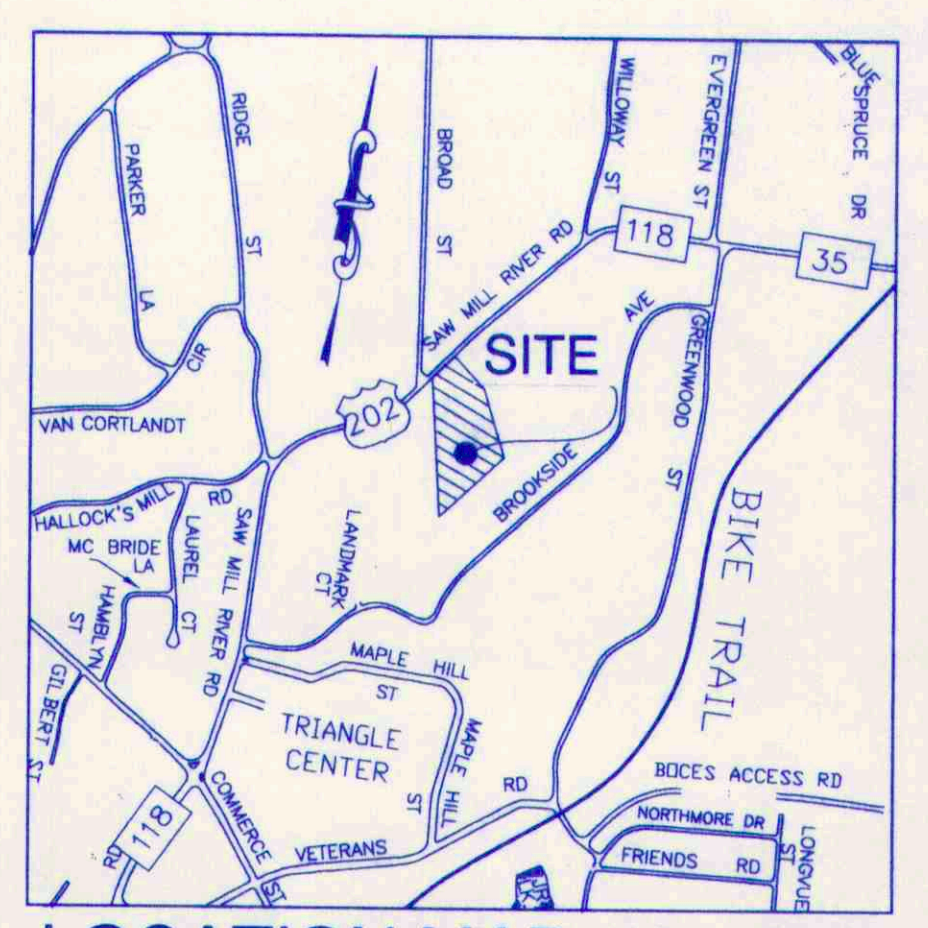
<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: Paul Berle P.E. _____ Date: <u>4/3/18</u></p> <p>Signature:  _____</p>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	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]	No
Part 1 / Question 20 [Remediation Site]	No



INGRESS & EGRESS EASEMENT NOTE
 THE GRANTING OF AN EASEMENT OVER LOT 63 IN FAVOR OF LOT 63.1 FOR THE PURPOSE OF INGRESS AND EGRESS IS PROHIBITED. THIS NOTE SHALL APPEAR ON THE PLAT, AND IN THE DEED FOR LOT 63. AN EASEMENT HAS BEEN FILED PERMITTING INGRESS AND EGRESS OVER THE COMMON DRIVEWAY EASEMENT IN THE CARR ACRES SUBDIVISION.



- GENERAL NOTES**
- OWNERS & APPLICANTS: ANDREW J. & BRENDA A. SPANO
2247 SAW MILL RIVER ROAD
YORKTOWN HTS., NY 10598
 - SITE AREA: 120,892 SF.
= 2.7753 ACRES
 - SITE ZONING: R1-40
 - SEWER DISTRICT: HALLOCKS MILL SEWER DISTRICT
EXTENSION 22
 - TAX MAP DESIGNATION: SECTION 10.12, PARCEL 39, LOT 63
 - SPANO SURVEY & TOPOGRAPHY: J. HENRY CARPENTER & CO., L.S.
2070 SAW MILL RIVER ROAD
YORKTOWN HTS., NY 10598
DATUM: N.G.V.D.-1929,
2' CONTOUR INTERVAL
DATED: FEB. 16, 2001
 - CARR ACRES SURVEY: CARR ACRES SUBDIVISION MAP
BUNNEY ASSOCIATES, L.S.
301 FIELDS LANE
BREWSTER, NY 10509
DATED: JAN. 16, 2001

- SYMBOLS**
- CATCH BASIN
 - DRAIN MANHOLE
 - GAS VALVE
 - HYDRANT
 - MONUMENT
 - SEWER MANHOLE
 - UTILITY POLE
 - WATER VALVE
 - LAMP POST
 - TREE LINE/TREE
 - PROPOSED SPOT EL.
 - EXISTING SPOT EL.
 - 7' DEEP HOLE
 - 30" DEEP PERC. HOLE
 - ABSORPT. FIELD
 - FUTURE ABSORPT. FIELD
 - Concrete Truck Washout Pit
 - STONE WALL
 - STORM DRAIN
 - UTILITY WIRES
 - WATER LINE
 - HAYBALE EROSION CONTROL
 - SILT FENCE EROSION CONTROL
 - NEW SANITARY MANHOLE
 - FUTURE, 4" SDR-35 SANITARY SEWER LATERAL
 - PROPOSED "DRY", 8" SDR-35 SAN. SEWER LINE
 - EXISTING CONTOUR
 - PROPOSED CONTOUR
 - 3/4" COPPER WATER SERVICE
 - PROPOSED SEWAGE DISPOSAL AREA
 - NEW ONE FAMILY DWELLING
 - Stabilized Construction Entrance

DEVELOPMENT SCHEDULE (PROPOSED:REQUIRED)

LOT NO.	LOT AREA (SQ.FT)	FRONTAGE FT.	LOT WIDTH AT BLDG.	SIDE YARD	COMBINED SIDE YARD	FRONT YARD	REAR YARD
63	46,514.55	130' < 150'	229' > 150'	55' > 20'	136' > 50'	121' > 50'	85' > 50'
63.1	74,377.53	0' < 150'	330' > 150'	61' > 20'	195' > 50'	102' > 50'	52' > 50'

* SEE VARIANCE NOTE

***VARIANCE NOTE**
 THE YORKTOWN ZONING BOARD OF APPEALS GRANTED VARIANCE 101/01, ON DEC. 6, 2001, PERMITTING LOT 63 TO HAVE 130' OF FRONTAGE WHERE 150' IS REQUIRED ON A TOWN ROAD AND PERMITTING LOT 63.1 TO HAVE ZERO FRONTAGE ON A TOWN ROAD WHERE 150' IS REQUIRED, BOTH LOTS IN AN R1-40 ZONE. THE GRANTING OF AN EASEMENT OVER LOT 63 IN FAVOR OF LOT 63.1 FOR THE PURPOSE OF ACCESS TO SAW MILL RIVER ROAD IS PROSCRIBED.

WETLAND NOTE
 THERE IS NO D.E.C. MAPPED WETLAND, STREAM, POND, ETC., WITHIN 200' OF THE PROPOSED SEPTIC SYSTEM.

RESERVOIR NOTE
 THERE ARE NO RESERVOIR/RESERVOIR STEMS ETC., WITHIN 500' OF THE PROPOSED SEPTIC SYSTEM SHOWN ON THIS PLAN.

APPROVED
 Resolution Number 02-16
 Date: June 10, 2003

Jack Goldstein, P.E.

THIS DRAWING IS VOID FOR ANY USE OTHER THAN GOVERNMENTAL AGENCY REVIEW, UNLESS THIS DRAWING BEARS THE IMPRESSED SEAL OF THE ENGINEER WHOSE SIGNATURE APPEARS HEREON.
 THIS DRAWING IS THE PRODUCT OF SERVICE, AND IS THE PROPERTY OF JACK GOLDSTEIN, P.E., CONSULTING ENGINEER, AND IS TO BE USED ONLY FOR THE PROJECT NOTED HEREIN. REUSE OF THIS DRAWING FOR ANY OTHER PROJECT OR EXTENSION OF THIS PROJECT IS STRICTLY PROHIBITED WITHOUT WRITTEN PERMISSION OF THE ENGINEER. THIS DRAWING IS THE PROPERTY OF JACK GOLDSTEIN, P.E., CONSULTING ENGINEER, AND SHALL BE RETURNED UPON REQUEST.
 UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209 (2), OF THE STATE EDUCATION LAW
 THU, FEB 26, 2004 04:25 P L:\JOB\SPANO\SPANO-45B.DWG

SUBSURFACE SEWAGE DISPOSAL AREA (SSDS) SCHEDULE

LOT NO.	LOT AREA (AC.)	DEEP HOLE DESCRP.	% MAX. SLOPE	SSDS PERC AREA	SSDS AREA	GRD. WATER ELEVATION	DEEP HOLE DEPTH	LENGTH OF TILE FIELDS	5.BR. CURTAIN DRAIN	REMARKS
63	1.07	LOAM	4	40	7,707	42"	84"	4 BR. 5.BR.	EXIST. PERMIT B-1-3602, DATED 6/30/52	
63.1	1.71	LOAM	7.9	40	20,800	42"	84"	800' 1000'	42" 2,700 N/A	PUMPING REQUIRED

- NOTES:**
- THE PROPOSED SEPTIC SYSTEM IS NO CLOSER THAN 100', TO EXISTING, UPSTREAM WELLS, AND NO CLOSER THAN 200', TO EXISTING, DOWNSTREAM WELLS.
 - 42" OF R.O.B. REQUIRED FOR LOT 63.1
 - PUMPING REQUIRED FOR LOT 63.1

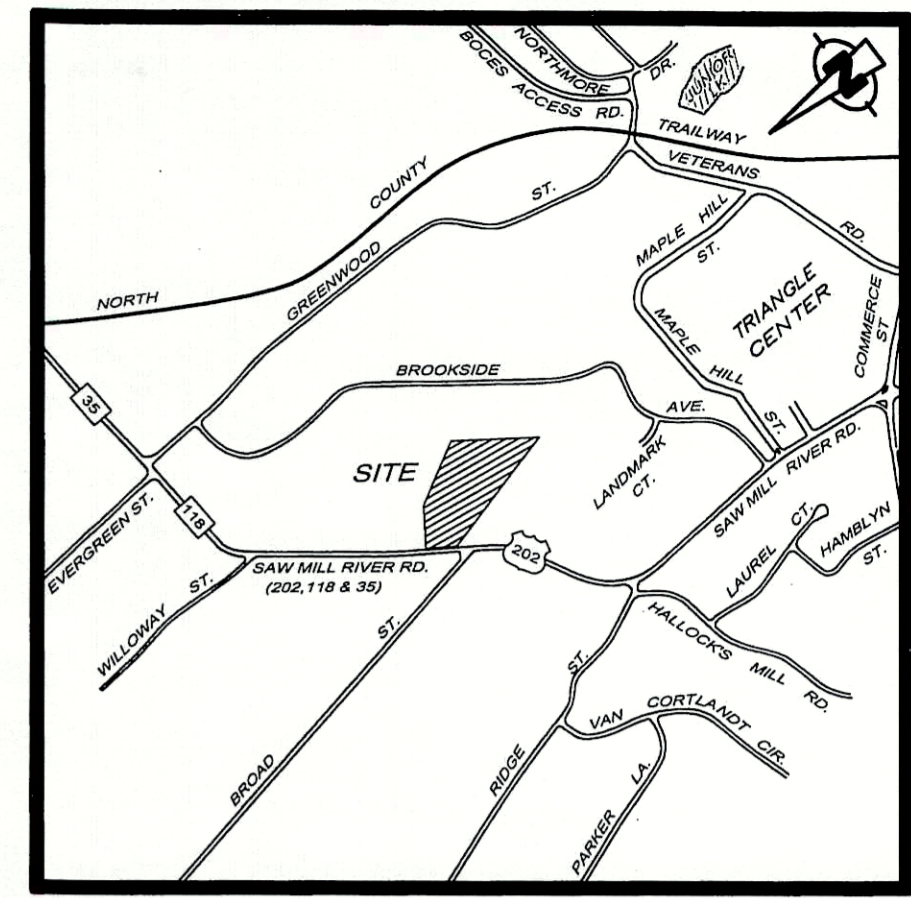
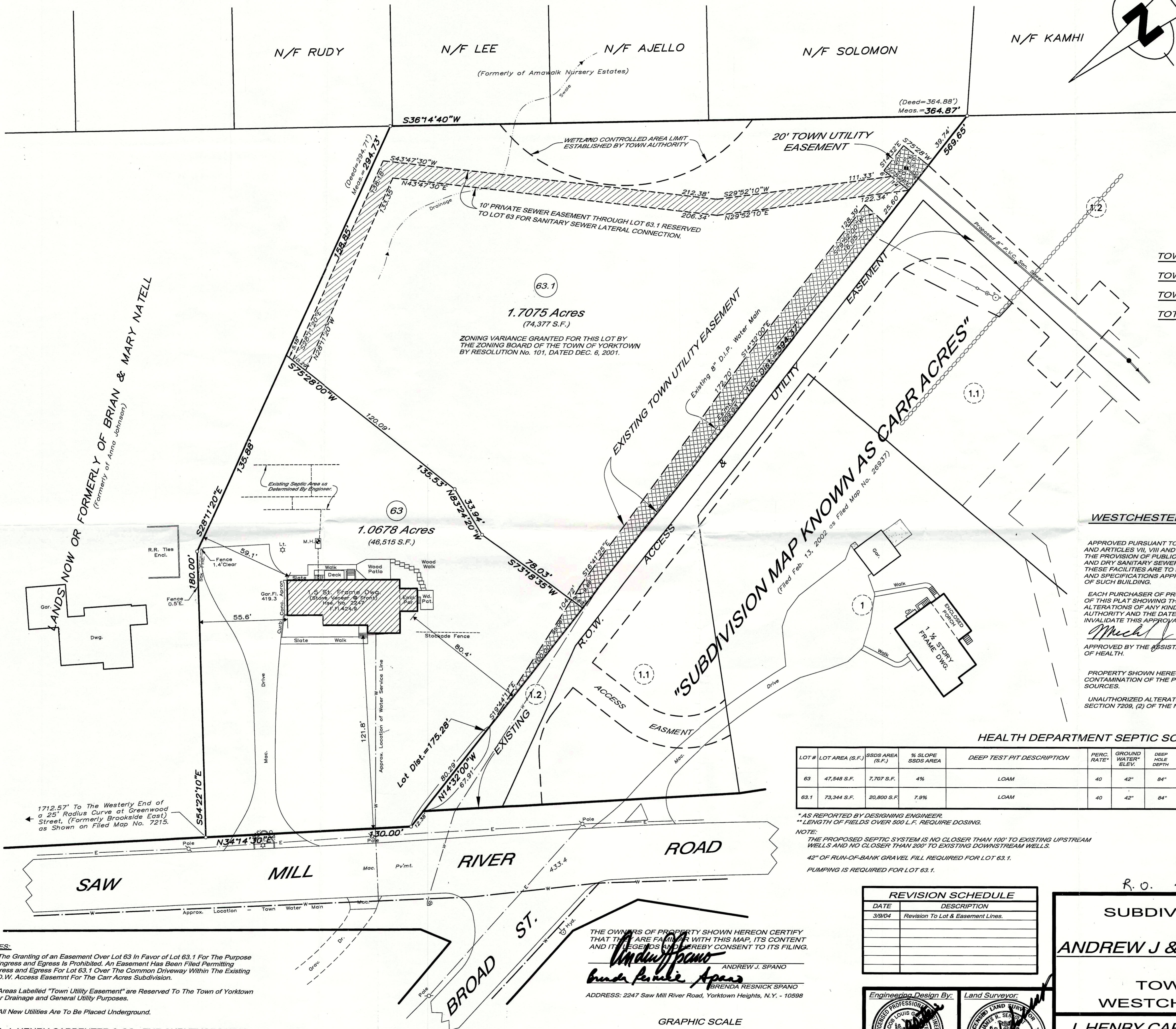
SPANO SUBDIVISION
 TOWN OF YORKTOWN
 WESTCHESTER CO., NEW YORK

DATE: SEPTEMBER 1, 2002 SCALE: 1" = 30'

JACK GOLDSTEIN, P.E.
 CONSULTING ENGINEER
 101 STONEWALL COURT, YORKTOWN HEIGHTS, NEW YORK 10598

DWG. NO. S-1

REVISION #1 09-07-01



LOCALITY PLAN
1"=80'

TOWN TAX MAP DATA: Sec. 10.12, Parcel 39, Lot 63.
TOWN ZONING DATA: R1-40, Single Family Residential.
TOWN SEWER DISTRICT: Hallocks Mill Extension No. 22
TOTAL SITE AREA: 2.7753 Acres, (120,892 S.F.)

APPROVED
BY THE PLANNING BOARD
OF THE TOWN OF YORKTOWN:
4/12/04 [Signature]
DATE SECRETARY
4/12/04 [Signature]
DATE SECRETARY

APPROVED BY PLANNING BOARD RESOLUTION
No. 02-16, DATED: June 10, 2002

RO# 27379

WESTCHESTER COUNTY DEPARTMENT OF HEALTH
NEW ROCHELLE, N.Y.

APPROVED PURSUANT TO CHAPTER 873, ARTICLE X, SECTIONS 873.951 AND 873.1011 AND ARTICLES VII, VIII AND XXII OF THE WESTCHESTER COUNTY SANITARY CODE SUBJECT TO THE PROVISION OF PUBLIC WATER SUPPLY AND SEPARATE SEWAGE TREATMENT FACILITIES AND DRY SANITARY SEWER, TO SERVE EACH HABITABLE BUILDING HEREFTER CONSTRUCTED, THESE FACILITIES ARE TO BE INSTALLED IN ACCORDANCE WITH LAND IMPROVEMENT PLANS AND SPECIFICATIONS APPROVED BY AND FILED IN THIS OFFICE PRIOR TO THE CONSTRUCTION OF SUCH BUILDING.

EACH PURCHASER OF PROPERTY SHOWN HEREON SHALL BE FURNISHED A TRUE COPY OF THIS PLAN SHOWING THIS ENDORSEMENT. ANY ERASURES, CHANGES, ADDITIONS OR ALTERATIONS OF ANY KIND, EXCEPT THE ADDITION OF SIGNATURES OF OTHER APPROVING AUTHORITY AND THE DATE THEREOF MADE ON THIS PLAN AFTER THIS APPROVAL, SHALL INVALIDATE THIS APPROVAL.

[Signature] DATE: 4-7-04
APPROVED BY THE ASSISTANT COMMISSIONER OF HEALTH ON BEHALF OF THE DEPARTMENT OF HEALTH.

PROPERTY SHOWN HEREON IS SUBJECT TO REGULATIONS FOR THE PROTECTION FROM CONTAMINATION OF THE PUBLIC WATER SUPPLY OF THE CITY OF NEW YORK AND ITS SOURCES.

UNAUTHORIZED ALTERATIONS OR ADDITIONS TO THIS DRAWING IS A VIOLATION OF SECTION 7209, (2) OF THE NEW YORK STATE EDUCATION CODE.

HEALTH DEPARTMENT SEPTIC SCHEDULE

LOT #	LOT AREA (S.F.)	SSDS AREA (S.F.)	% SLOPE SSDS AREA	DEEP TEST PIT DESCRIPTION	PERC. RATE*	GROUND WATER* ELEV.	DEEP HOLE DEPTH	LENGTH OF FIELDS**	BANK RUN FILL DEPTH	CURTAIN DRAIN DEPTH	REMARKS
63	47,548 S.F.	7,707 S.F.	4%	LOAM	40	42"	84"	---	---	---	EXISTING PERMIT (B-1-3602, Dated 6/30/52)
63.1	73,344 S.F.	20,800 S.F.	7.9%	LOAM	40	42"	84"	800'	1000'	42"	2,700CY. N/A N/A PUMPING REQUIRED

* AS REPORTED BY DESIGNING ENGINEER.
** LENGTH OF FIELDS OVER 500 L.F. REQUIRE DOSING.
NOTE:
THE PROPOSED SEPTIC SYSTEM IS NO CLOSER THAN 100' TO EXISTING UPSTREAM WELLS AND NO CLOSER THAN 200' TO EXISTING DOWNSTREAM WELLS.
42" OF RUN-OF-BANK GRAVEL FILL REQUIRED FOR LOT 63.1.
PUMPING IS REQUIRED FOR LOT 63.1.

R.O. 27379 6/07/04

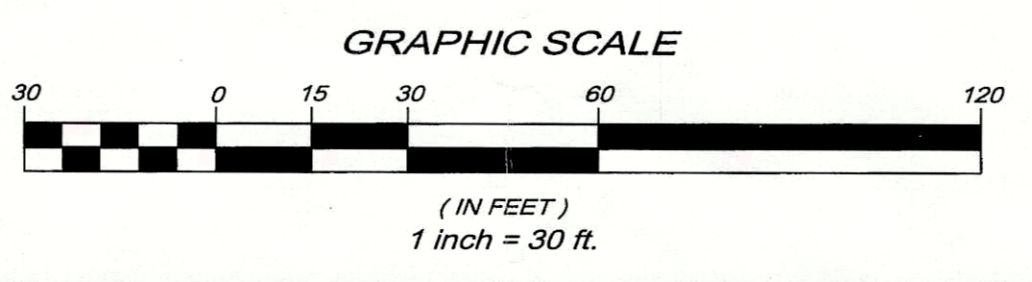
REVISION SCHEDULE	
DATE	DESCRIPTION
3/9/04	Revision To Lot & Easement Lines.

SUBDIVISION OF PROPERTY
PREPARED FOR
ANDREW J & BRENDA RESNICK SPANO
LOCATED IN
TOWN OF YORKTOWN
WESTCHESTER COUNTY, N.Y.

J. HENRY CARPENTER & CO.
LAND SURVEYING & MAPPING
2070 SAW MILL RIVER ROAD
YORKTOWN HEIGHTS, N.Y.

SCALE: 1"=30'
DATE: May 6, 2002
(See Revision Schedule)
County Block No. 10717.
Sheet No. 245 & 263.

THE OWNERS OF PROPERTY SHOWN HEREON CERTIFY THAT THEY ARE FAMILIAR WITH THIS MAP, ITS CONTENT AND ITS LEGENDS AND HEREBY CONSENT TO ITS FILING.
[Signature] ANDREW J. SPANO
[Signature] BRENDA RESNICK SPANO
ADDRESS: 2247 Saw Mill River Road, Yorktown Heights, N.Y. - 10598



- NOTES:
- The Granting of an Easement Over Lot 63 In Favor of Lot 63.1 For The Purpose of Ingress and Egress Is Prohibited. An Easement Has Been Filed Permitting Ingress and Egress For Lot 63.1 Over The Common Driveway Within The Existing R.O.W. Access Easement For The Carr Acres Subdivision.
 - Areas Labelled "Town Utility Easement" are Reserved To The Town of Yorktown For Drainage and General Utility Purposes.
 - All New Utilities Are To Be Placed Underground.

WE, J. HENRY CARPENTER & CO., THE SURVEYORS WHO MADE THIS MAP DO HEREBY CERTIFY THAT THE FIELD WORK UPON WHICH THIS MAP IS BASED WAS COMPLETED FEB. 13, 2001 AND THAT THE MAP ITSELF WAS COMPLETED ON MAY 6, 2002.



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

**RESOLUTION APPROVING
SPANNO MINOR SUBDIVISION**

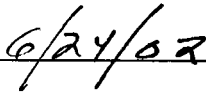
DATE OF RESOLUTION: June 10, 2002

HEREBY signed by the secretary of the Planning Board

SIGNATURE: _____

A handwritten signature in black ink, appearing to be 'J. K. ...', written over a horizontal line.

DATE: _____

A handwritten date '6/24/02' in black ink, written over a horizontal line.

**TOWN OF YORKTOWN
PLANNING BOARD
RESOLUTION APPROVING
Spano Minor Subdivision**

RESOLUTION NUMBER: 02-16

DATE: June 10, 2002

On motion of David Klaus, seconded by Robin Steiniger the following resolution was adopted:

WHEREAS in accordance with the Planning Board's Land Development Regulations adopted February 13, 1969 and as last revised, a formal application for the approval of a subdivision plat entitled Spano Subdivision prepared by Jack Goldstein, P.E. dated March 19, 2001 and last revised May 20, 2002, and located on Section 10.12, parcel 39, lot 63, of the town tax map, was submitted to the Planning Board on the April 29, 2002, by Andrew J. & Brenda R. Spano; and the applicants have represented to this board that they are the lawful owners of the land within said subdivision; and

WHEREAS an application fee of \$1620 covering 2 lots on 2.78 acres has been received by this board; and

WHEREAS pursuant to SEQRA:

- 1) The action has been identified as an Unlisted Action.
- 2) The Planning Board has been declared lead agency on June 10, 2002.
- 3) A negative declaration has been adopted on June 10, 2002 on the basis of a short EAF dated 6/18/01.

WHEREAS the Planning Board has reviewed the recreation needs created by the subject subdivision as well as the present and anticipated future needs of the surrounding area as analyzed and planned for in the Town's Recreation Plan adopted in 1978; and

WHEREAS the majority of open space available within the subject subdivision is environmentally sensitive and unsuitable for active recreation; and

WHEREAS while additional recreation land is needed to meet the recreational needs created by the subject subdivision, as well as the surrounding neighborhood, recreation lands of suitably character or adequate size cannot be properly located within the subject subdivision or is otherwise not practical; and

BE IT FURTHER RESOLVED that \$5,000 per (one) new lots (\$5,000) in lieu of recreation lands shall be provided by the applicant to satisfy the recreational needs created by the subject subdivision and to help meet the present and anticipated needs of the surrounding neighborhood; and

WHEREAS the applicant has submitted to this board as part of said application for plat approval, the following construction plans (improvement plans) entitled:

- 1) Sheet S-1 entitled Spano Subdivision, Plan & Notes, prepared by Jack Goldstein, P.E., dated March 19, 2001 and last revised May 20, 2002;
- 2) Sheet S-2 entitled Spano Subdivision, Driveway & Sanitary Sewer Profiles, prepared by Jack Goldstein, P.E., dated April 29, 2002, no revisions;
- 3) Sheet S-3 entitled Spano Subdivision, Notes & Details, prepared by Jack Goldstein, P.E., dated April 29, 2002 and last revised May 20, 2002;
- 4) A drawing entitled Subdivision of Property prepared for Andrew J. and Brenda Resnick Spano prepared by J. Henry Carpenter & Co. dated May 6, 2002, no revisions;

WHEREAS the Planning Board has referred this proposal to the following agencies and has received input from same:

Town Engineer 09/21/01, 01/11/02, 05/03/02
Planning Department
ABACA 06/27/01, 09/26/01, 05/30/02
Conservation Board 10/22/01, 01/13/02, 02/10/02, 04/04/02
Highway Superintendent 12/05/01
Building Inspector
Fire Prevention Board
Water Department 06/12/02
Town Attorney
Wetlands Inspector 01/11/02

WHEREAS the proper endorsement of the County Health Office has not been obtained; and

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

WHEREAS a public hearing was held on the said subdivision application and plat at the Town Hall in Yorktown Heights, New York on the June 10, 2002; and

BE IT THEREFORE NOW RESOLVED that the application of Andrew J. & Brenda R. Spano for the approval of a subdivision map entitled Spano Subdivision prepared by Jack Goldstein, P.E. dated March 19, 2001 and last revised May 20, 2002, be approved subject to the following modifications and conditions and that the Chairman and Secretary of this board be and hereby are authorized to endorse this board's approval on said plat upon compliance by the applicant with such modification and additional requirements as noted. If such modifications are not made and such conditions are not fulfilled within 180 days from the date of this resolution the plat shall be deemed disapproved.

Modify said plat to show the following:

- 1) None

Modify Improvement Plans to show the following:

- 1) Provide common driveway maintenance agreement acceptable to Planning Board and Town Attorney.
- 2) Comply with Town Engineer's memorandum dated 5/03/02 by providing grading easement on revised grading plan.
- 3) Show limit of disturbance on plan and note "not to exceed".

BE IT THEREFORE RESOLVED that said plat shall not be endorsed by the Planning Board until the improvements shown on the construction detail improvement plans as modified, are completed by the applicant to the satisfaction of the Superintendent of Highway, Town Engineer and Town Board within one (1) year from the date of this resolution or alternatively:

The applicant post 5% of estimated cost of improvements in the form of cash or other security acceptable by the Town Board and additionally a performance bond for 95% of the estimated cost of improvements with the term of one (1) year approved by the Town Board as to manner of execution, form and sufficiency to guarantee and assure full compliance by the applicant with all the terms, conditions, requirements and provisions as set forth in this resolution.

BE IT THEREFORE RESOLVED that: Said bond should contain the provisions that when the principals have fully and properly completed all of the work and improvements as required by this resolution and the work has been accepted by the Town Board for maintenance and repair, after recommendation of the Highway Superintendent and the Town Engineer, and upon the request of the applicant the same be canceled in the manner provided for by law. Said bond shall not be canceled or reduced to less than 5% of the estimated cost of improvements and that the bond so reduced and the deposit of cash surety remain in full force and effect to assure the satisfactory condition of said work and improvements until released by the town at the request of the applicant. Such release shall be not be earlier than one (1) year from the date of acceptance of the work and improvements. The taking over of the roads in the subdivision as town highways shall in no way impede the effectiveness of either or both bond(s).

BE IT FURTHER RESOLVED that said plat map shall not be endorsed by the Planning Board until:

- A) The deeds, offer of dedication, and certificate of title when required, insured by an approved titled company of any and all land reserved in fee to the town for drainage, flood control, park, or recreational purposes have been tendered to the town.
- B) Similar deed or conveyance giving rights of easement and use for all drainage and public facilities shown on said plat, have been tendered to the town to be held in escrow until formal acceptance by resolution of the Town Board.
- C) The deeds offer of dedication and certificate of title insured by an approved title company for the fee title to all streets has been tendered to the town to be held in escrow until formal acceptance of the roads by resolution of the Town Board.
- D) An inspection fee to be estimated by the Town Engineer shall have been given to the town by paying over said sum to the Engineering Department.
- E) The following additional requirements or conditions are met:
 - 1) Submission of a statement signed by the Town's Tax Collector that all taxes due on this parcel have been paid.
 - 2) Submission of fees as per town requirements in the form of separate checks made payable to the Town of Yorktown:

Recreation Fee	\$5000.00
General Development	\$720.00
 - 3) Submission of an erosion control bond and inspection fee as per the town Engineer's requirements
 - 4) _____
 - 5) _____

BE IT FURTHER RESOLVED that upon submission of a building permit for each lot of this subdivision, the owner shall submit a site plan or plot plan, to ABACA, at a minimum scale of 1" = 20' showing the following:

- a. The location of the proposed house.
- b. The proposed finished floor elevation of the first floor, garage, and basement.

- c. The proposed grade at the garage entrance.
- d. The percentage slope of the proposed driveway.
- e. All existing and proposed topographic contour lines. All contour lines must extend a minimum of 10'-0" beyond the property line.
- f. The line of all delineated wetland, wetland buffers, easements, etc.
- g. A line indicating the limit of the area which will be disturbed by construction.
- h. Any other pertinent information as shown on the subdivision and improvement plan.

BE IT FURTHER RESOLVED that upon application for a building permit for lots in this subdivision, the building inspector shall review the proposed building elevations to determine the requisite grading. Should the building inspector determine that the requisite grading exceeds by plus or minus two (2) feet the elevations the Planning Board approved on the final construction plans, the applicant shall apply to the Planning Board for approval of the proposed building plan. The Planning Board shall review such application to determine whether the proposed excavation is limited to the greatest extent practicable and does not create adverse environmental or aesthetic impacts. The board shall approve or deny the proposed additional grading by resolution.

BE IT FURTHER RESOLVED that no tree cutting on individual lots shall be permitted unless and until each lot has been reviewed by the ABACA.

BE IT FURTHER RESOLVED that no building permit for individual lots which require driveways in excess of ten (10) percent shall be issued by the Building Department unless approval by the Town Board.

BE IT FURTHER RESOLVED that no certificates of occupancy be issued for any lot unless and until the Environmental Officer has reported that all required erosion control measures are in place and functioning properly on entire site.

BE IT FURTHER RESOLVED that no certificate of occupancy will be issued unless the lot bounds are staked out and possession survey of premises is filed with the Building Inspector containing legend that stakes have been set as shown thereon.

BE IT FURTHER RESOLVED that upon due consideration by the board no requirements of these regulations are waived except:

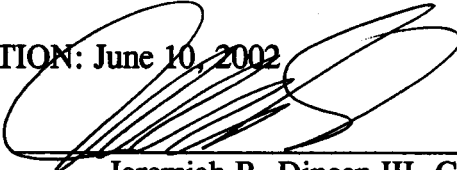
- 1) sidewalks
- 2) street trees

BE IT FURTHER RESOLVED that upon due consideration by the board no other requirements of these regulations be modified.

**RESOLUTION APPROVING
Spano Minor Subdivision**

DATE OF RESOLUTION: June 10, 2002

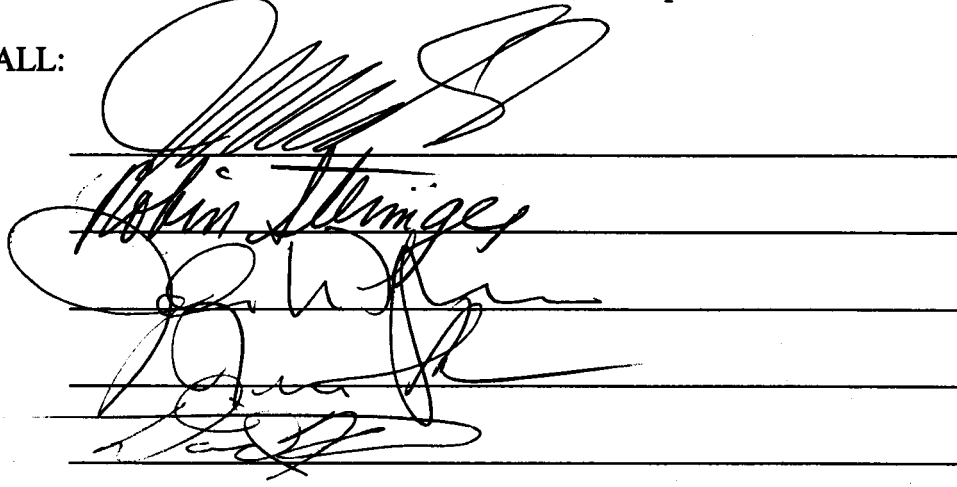
SIGNED BY:



Jeremiah R. Dineen III, Chairperson

ROLL CALL:

AYES:



Robin Stinger
[Signature]
[Signature]

NAYS:

ABSTAIN:

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

Project Number:

Date: June 10, 2002

This notice is issued pursuant to Part 617 of the implementing regulation pertaining to Article 8 (State Environmental 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 effect on the environment and Draft Environmental Impact Statement will not be prepared.

Name of Action: Spano Minor Subdivision

SEQRA Status: Type I
 Unlisted

Conditional Negative Declaration:

 no
 yes

Description of Action:

Said map contains two (2) lots, each containing more than 40,000 square feet, the minimum lot size in the district. The application for this minor subdivision includes one lot with an existing dwelling and one lot with a proposed dwelling. This is a 2.77 acres site located along Saw Mill River Road. Said subdivision is located in an R1-40 zoning district.

Location:

Saw Mill River Road Court, Town of Yorktown, County of Westchester

Reasons Supporting This Determination (See 617.6(g) for requirements of this determination; see 617.6(h) for Conditional Negative Declaration):

Reasons supporting this Determination are based on the following:

- 1) The plan conforms to the Town's Land Use and Zoning Policies.
- 2) For reason of its size this project will not have an impact on Town services.
- 3)
- 4)
- 5)

If Conditional Negative Declaration, provide on attachment the specific mitigation measures imposed.

For Further Information:

Contact Person: John Tegeder, Town Planner
Planning Department
1974 Commerce

Address: Yorktown Heights, NY 10598

Telephone Number: (914) 962-6565

For Type I Actions and Conditional Negative Declarations, a copy of this Notice Sent to:

*Commissioner, Department of Environmental Conservation, 50 Wolf Road, Albany, New York
12233-0001

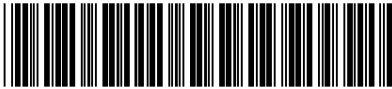
*Appropriate Regional Office of the DEC

*Office of the Chief Executive Officer of the political subdivision in which the action will be
principally located.

Linda G. Cooper

*Applicant

*Other involved Agencies (if any)



430930041EASP

Control Number 430930041	WIID Number 2003093-000015	Instrument Type EAS
------------------------------------	--------------------------------------	-------------------------------



**WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE
(THIS PAGE FORMS PART OF THE INSTRUMENT)**

*** DO NOT REMOVE ***

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT EAS - EASEMENT

FEE PAGES 13

TOTAL PAGES 13

RECORDING FEES

STATUTORY CHARGE	\$6.00
RECORDING CHARGE	\$39.00
RECORD MGT. FUND	\$19.00
RP 5217	\$0.00
TP-584	\$5.00
CROSS REFERENCE	\$0.00
MISCELLANEOUS	\$0.00
TOTAL FEES PAID	\$69.00

MORTGAGE TAXES

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
YONKERS	\$0.00
BASIC	\$0.00
ADDITIONAL	\$0.00
SUBTOTAL	\$0.00
MTA	\$0.00
SPECIAL	\$0.00
TOTAL PAID	\$0.00

TRANSFER TAXES

CONSIDERATION	\$0.00
TAX PAID	\$0.00
TRANSFER TAX #	14642

**SERIAL NUMBER
DWELLING**

RECORDING DATE **04/17/2003**
TIME **09:07:00**

**THE PROPERTY IS SITUATED IN
WESTCHESTER COUNTY, NEW YORK IN THE:
TOWN OF YORKTOWN**

WITNESS MY HAND AND OFFICIAL SEAL

**LEONARD N. SPANO
WESTCHESTER COUNTY CLERK**

Record & Return to:
First American Title Ins. Co. of NY (Comp. .me
188 E. Post Road 4th Floor

White Plains, NY 10601

041 120
744

Rec. & Return

First American Title Insurance Company
188 East Post Road
White Plains, NY 10601
(800) 942-1893 (914) 428-3433
Fax (914) 428-0159

Section: 10.12
Parcel: 39 Lots: 63 & 63.1
Parcel: 17 Lots: 1, 1.1 & 1.2
Town of Yorktown

ACCESS EASEMENT EXTENSION

AGREEMENT made this 30 day of September, 2002 between ANDREW J. and BRENDA RESNICK SPANO, residing at 2247 Saw Mill River Road, Yorktown Heights, New York 10598, New York ("Grantor"); and KENNETH MIKKELSEN ("Mikkelsen"), having an office c/o Andrew Szczesniak, 202 Mamaroneck Avenue, White Plains, New York 10601, and ROBERTO ALCANTARA ("Alcantara"), residing at 178 Highland Street, Portchester, New York 10573, (collectively "Grantees");

WHEREAS, Grantor is the owner of certain real property consisting of 2.7753 acres located at 2247 Saw Mill River Road, Yorktown Heights, New York 10598 and known as Section 10.12, Parcel 39, Lots 63 and 63.1 of the Town of Yorktown, Westchester County, State of New York ("Spano Property"), more particularly described in Schedule A annexed hereto and made a part hereof, acquired by Deed dated December 31, 1986, and recorded January 9, 1987 in the Westchester County Clerks Office at Liber 8696, Page 140 from Brenda Resnick which Spano property is shown on a certain proposed Subdivision Map entitled "Subdivision of Property Prepared for Andrew J & Brenda Resnick Spano", as prepared by J. Henry Carpenter & Co. dated May 6, 2002 ("Spano Subdivision");

WHEREAS, Grantees are the owners of certain real properties consisting of 4.634 acres located at 2235 Saw Mill River Road, Yorktown Heights, New York 10598, and known as Section 10.12, Parcel 17, Lots 1, 1.1, and 1.2 in the Town of Yorktown, Westchester County,

State of New York, more particularly described in Schedule B annexed hereto and made a part hereof;

WHEREAS, Mikkelsen acquired said Lots 1, 1.1, and 1.2 by Deed dated June 14, 2000, and recorded November 22, 2000 in the Westchester County Clerks Office at Control No. 403050422 from Michael J. Carr, as Trustee of the Helen C. Carr Family By-Pass Trust dated August 4, 1995, and Michael J. Carr, as Trustee of the Richard T. Carr Revocable Living Trust; which Lots are shown on a certain Subdivision Map entitled "Carr Acres", as prepared by Bunney Associates, dated August 31, 2000, as last revised September 19, 2001, and filed February 13, 2002 as Filed Map No. 26937 ("Mikkelsen Plat");

WHEREAS, Alcantara subsequently acquired Lot 1.2 ("Alcantara Property") by Deed dated April 25, 2002, and recorded _____ in the Westchester County Clerks Office at Control No. _____ from Kenneth Mikkelsen; which Lot is shown on the Mikkelsen Plat;

WHEREAS, Mikkelsen retains ownership of Lots 1 and 1.1 ("Mikkelsen Property");

NOW, THEREFORE, in consideration of the mutual covenants herein and other good and valuable consideration, each to the other in hand paid, receipt of which is hereby acknowledged, the Grantee and the Grantor, each for itself, its successors, and assigns, ("Parties") represent, declare, covenant and agree that the Spano Property, the Mikkelsen Property, and the Alcantara Property shall be held, transferred, conveyed, and occupied subject to the following conditions, easements and covenants:

FIRST:

The Spano Subdivision depicts a certain R.O.W. Access Easement Extension ("Access Easement Extension") which is intended to extend the existing Access Easement, filed December 26, 2001 in the Westchester County Clerks Office at Control No. 413540146, to provide shared

and common access, ingress and egress to the Spano Property, the Mikkelsen Property, and the Alcantara Property, which Access Easement Extension is located on the Spano Property. The Mikkelsen Property and the Alcantara Property shall benefit from a perpetual and non-exclusive easement, the boundaries of which are more fully described in Schedule C annexed hereto and made a part hereof, (a) for access, ingress and egress on, across, over and under such Access Easement Extension, in common with Grantor; and (b) to temporarily enter onto such the Access Easement Extension for necessary construction and/or maintenance work to be conducted concerning the driveway and/or utilities to be located therein, as described in Paragraph "SECOND" below.

SECOND:

The costs and expenses of maintaining the Access Easement Extension in good condition at all times, including but not limited to surfacing, snow and ice removal, installation and maintenance of plantings and landscaping (including grass) shall be the shared responsibility of the Parties, in equal measure for each house on the Mikkelsen, Alcantara and Spano properties served by said Access Easement Extension.

The Parties agree to maintain the Access Easement Extension at all times, so that safe and unfettered vehicular and pedestrian ingress and egress is available to the Parties and their guests, invitees and licensees. At a minimum, the maintenance of the Access Easement Extension shall include removal of rubbish, debris and any other obstructions, maintaining the surface in safe and passable condition and prompt and proper removal of accumulations of snow and ice.

If any of the Parties fail to fulfill its shared responsibility to maintain the Access Easement as set forth above (the "Defaulting Owner(s)"), the owner(s) of the other lot(s) (the "Other Owner(s)"), after reasonable notice to the Defaulting Owner(s) and providing the

Defaulting Owner(s) a reasonable opportunity to cure such default, may perform or cause to have performed the necessary maintenance, including but not limited to upkeep, repair, and snow, ice and rubbish removal and will be entitled to reimbursement from the Defaulting Owner(s) for the Other Owner(s)'s share of the reasonable expense and cost of the maintenance. In the event that payment is not made by the Defaulting Owner(s) within thirty (30) days after the Other Owner(s) has presented the Defaulting Owner(s) with a statement of the charges for such services performed, the Other Owner(s) may file a lien against the lot of the Defaulting Owner(s) for the amount of such costs, in a form substantially similar to that filed in connection with a mechanic's lien.

THIRD:

Determinations of the work required to be performed, including the persons to perform the same and the manner in which such work is to be performed, shall be made by mutual agreement of the Parties serviced by the Access Easement Extension, each property owner to have the proportional interest in same set forth in Paragraph SECOND above, and pay any charges imposed by this paragraph, and such charges, together with interest thereon at the maximum legal rate and the cost of collection thereof, including reasonable attorneys' fees, shall be a continuing and binding lien against each property and be the responsibility of each of the Parties, its heirs, devisees, personal representatives, successors and assigns. The obligation of each of the Parties to pay such assessment, however, shall also remain a personal obligation.

FOURTH:

Upon the sale of all or part of the Spano Property, the Mikkelsen Property, or the Alcantara Property, the selling property owner shall mail to the other property owners by Registered or Certified Mail, Return Receipt Requested, notice that all charges imposed by

Paragraphs "SECOND" and "THIRD" above are paid and that all liens created by the above obligations have been satisfied as of the date of closing. The notice shall be mailed no later than twenty (20) days prior to the date of closing and if no objection is received ten (10) days prior to the date of closing, then such lack of objection shall be conclusive evidence that all charges and all liens imposed by Paragraphs "SECOND" and "THIRD" above have been paid and satisfied.

FIFTH:

Each successor grantee accepting a deed, lease or other instrument conveying any interest in the Spano Property, the Mikkelsen Property, or the Alcantara Property whether or not the same incorporates or refers to this Access Easement Extension, covenants for himself, his heirs, personal representatives, successors and assigns to observe, perform and be bound by this Access Easement Extension.

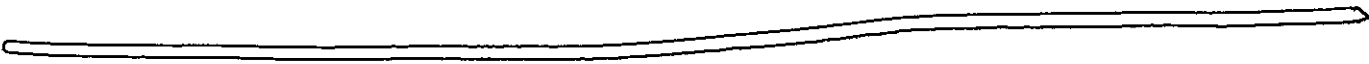
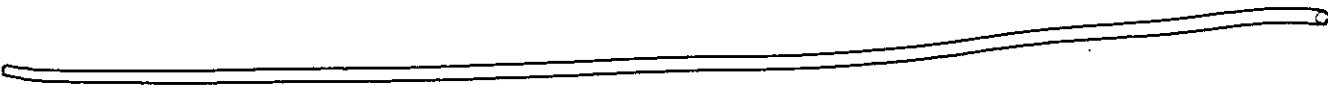
SIXTH:

Should any covenant, easement or restriction herein contained, or any article, section, subsection, sentence, clause, phrase or term of this Access Easement Extension be declared to be void, invalid, illegal or unenforceable, for any reason, by the adjudication of any court or other tribunal having jurisdiction, such judgment shall in no way affect the other provisions hereof which are hereby declared to be severable and which shall remain in full force and effect.

The provisions hereof shall run with the land and be binding upon and inure to the benefit of and shall be enforceable by the parties hereto, their respective heirs, legal representatives, successors and assigns, and the failure of any of them to enforce any provisions herein contained shall not be deemed a waiver of the right to do so hereafter.

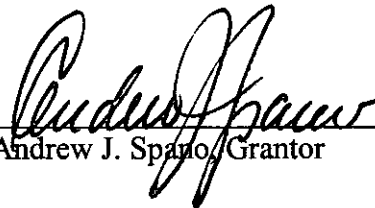
Ownership of the land above described remains and will in perpetuity remain in all respects vested in the owner of said land, its heirs, successors and assigns, and the use and

enjoyment of said land is retained in perpetuity by and for such owner therefore, its heirs,
successors and assigns, subject to the provisions of the easement herein granted.



IN WITNESS WHEREOF we have hereunto set our hands and seals the day and year

first above written.



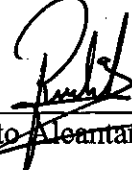
Andrew J. Spano, Grantor



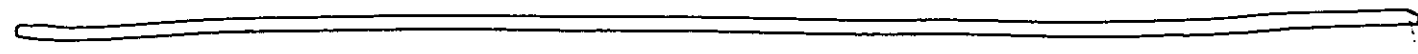
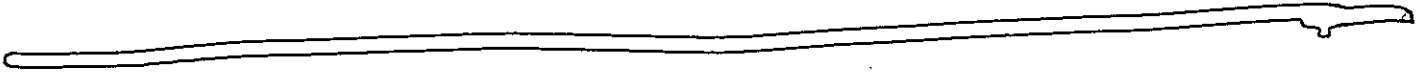
Brenda Resnick Spano, Grantor



Kenneth Mikkelsen, Grantee

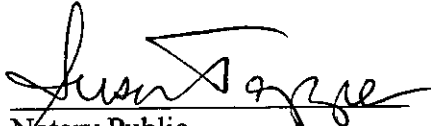


Roberto Aleantara, Grantee



STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

On the ^{30th} day of ~~Sept~~, in the year 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared ANDREW J. SPANO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

SUSAN S. TAPPER
Notary Public, State of New York
No. 02TA6069852
Qualified in Westchester County
Commission Expires February 11, 2008

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:

On the ^{30th} day of ~~Sept~~, in the year 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared BRENDA RESNICK SPANO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

SUSAN S. TAPPER
Notary Public, State of New York
No. 02TA6069852
Qualified in Westchester County
Commission Expires February 11, 2008

STATE OF NEW YORK)

COUNTY OF WESTCHESTER) ss.:

On the 14th day of September, in the year 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared KENNETH MIKKELSEN, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Albert A. Capellini
Notary Public STATE OF NEW YORK
NO 4705915
TERM Exp. 7/31/03
QUALIFIED in Westchester County
ALBERT A. CAPELLINI

STATE OF NEW YORK)

COUNTY OF WESTCHESTER) ss.:

On the 20 day of September, in the year 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared ROBERTO ALCANTARA, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Mario L. Demarco
Notary Public

MARIO L. DEMARCO
Notary Public, State of New York
No. 02DE5047045
Qualified in Westchester County
Term Expires July 24, 2007

SCHEDULE A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at a point on the southeasterly side of Saw Mill River Road distant 1712.57 feet southwesterly from the westerly point of curve having a radius of 25 feet and connecting the southwesterly side of Brookside East with the southeasterly side of Saw Mill River Road;

Running thence along other lands now or formerly of Anna Johnson the following two courses and distances: South 54 degrees 22' 10" East 180 feet and South 28 degrees 11' 20" East a distance of 294.71 feet to the northwesterly line of lands now or formerly of Amawalk Nursery Estates;

Running thence along the northwesterly line of land now or formerly of Amawalk Nursery Estates on a course of South 36 degrees 14' 40" West a distance of 364.88 feet to the easterly line of land now or formerly of James Beasley;

Running thence on a course of North 14 degrees 32' 00" West a distance of 569.65 feet to the southeasterly side of Saw Mill River Road;

Running thence along on a course of North 34 degrees 14' 30" East and along the southeasterly side of Saw Mill River Road, a distance of 130 feet to the point or place of BEGINNING.

SCHEDULE B

ALL that certain plot, piece or parcel of land, with the buildings and improvements erected thereon, situate, lying and being in the Town of Yorktown, County of Westchester, State of New York bounded and described as follows:

BEGINNING at a point on south side of Saw Mill River Road which point is on the dividing line between lands now or formerly of Lipton and the parcel herein being described, and which point is also the northeast corner of the parcel herein being described;

THENCE leaving said point and continuing along lands now or formerly of Lipton, South 14 degrees 32 minutes 00 seconds East 569.65 feet to lands now or formerly of Mastro;

THENCE along same, South 36 degrees 14 minutes 40 seconds West 135.39 feet to a point on the mean centerline of a stone wall;

THENCE still along lands now or formerly of Mastro, along mean centerline of said stone wall South 77 degrees 18 minutes 00 seconds West 81.50 feet, South 80 degrees 01 minutes 00 seconds West 200.63 feet, South 78 degrees 48 minutes 20 seconds West 50.20 feet;

THENCE leaving lands now or formerly of Mastro and continuing along lands now or formerly of Gordon, North 8 degrees 40 minutes 40 seconds West 85.31 feet to a point in the mean centerline of a brook;

CONTINUING THENCE along centerline of said brook, North 45 degrees 00 minutes 00 seconds West 42.43 feet, North 20 degrees 33 minutes 20 seconds West 51.26 feet, North 19 degrees 30 minutes 10 seconds East 50.92 feet, North 23 degrees 11 minutes 50 seconds West 121.85 feet, North 40 degrees 58 minutes 20 seconds West 21.31 feet to a point on the south side of Saw Mill River Road;

THENCE along same, North 63 degrees 58 minutes 30 seconds East 197.00 feet, North 35 degrees 33 minutes 30 seconds East 130.00 feet, North 28 degrees 49 minutes 10 seconds East 125.30 feet, North 34 degrees 14 minutes 30 seconds East 100.00 feet to the point or place of BEGINNING.

The policy to be insured under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

SCHEDULE C
[Access Easement Description]

Beginning at a point on the southeasterly boundary of Saw Mill River Road, (also known as U.S. Rte. 202 and N.Y.S. Rte. 35), as same is shown of Map entitled, "Survey of Property for Amawalk Nursery Gardens, Town of Yorktown, Westchester County, N.Y.", prepared by J. Henry Carpenter & Co. May 29, 1950 and filed in the Office of the Clerk of the County of Westchester, Division of Land Records October 11, 1950 as Filed Map No. 7215 and which point is on the dividing line between the Grantor herein and lands shown on Map entitled, "Subdivision Map known as Carr Acres situate in the Town of Yorktown, Westchester County, New York, prepared by Bunney Associates, Land Surveyors August 31, 2000, last revised October 26, 2001 and filed in the Office of the Clerk of the County of Westchester, Division of Land Records February 13, 2002 as Filed Map No. 26937 and which point is distant 1842.57 ft. southwesterly as measured along said southeasterly boundary of Saw Mill River Road from the westerly end of a 25 ft. radius curve joining said southeasterly boundary of Saw Mill River Road with the westerly boundary of Greenwood Street, formerly known as Brookside East as shown on aforesaid Filed Map No. 7215; Running thence from said point S-14-32-00-E, 80.29 ft. to the point of beginning of the Easement herein being described; Running thence from said Easement beginning point southeasterly and southerly through lands of the Grantor herein, along the circumference of a 59.75 ft. radius curve to the right having a central angle of 41°30'00" and an arc length of 43.28 ft. to a point of tangency; thence S-14-32-00-E, 146.81 ft. to a point of curve; thence along the circumference of a 55 ft. radius curve to the right, having a central angle of 17°28'40" and an arc length of 16.78 ft. to a point of tangency; thence S-2-58-40-W, 41.49 ft. to a point on the aforesaid dividing line; thence northwesterly along same, N-14-32-00-W, 242.49 ft. to the point or place of beginning.

Kitchawan Farm Solar Farm

TOWN OF YORKTOWN PLANNING BOARD

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

SPECIAL USE PERMIT APPLICATION

If this application is not being made in conjunction with a request for site plan approval from the Planning Board, a site plan/plot plan and Short EAF must also be submitted with this application. The required fee is \$625.00 for new applications and \$312.00 for requests to renew an existing permit.

Date _____

1. Tax Map Designation (Section, Block, Lot) _____

2. Property Address _____

3. Zone: _____ Total Acreage: _____

4. Indicate requested special use permit:

- §300-21(8)(a)[1] Outdoor service in commercial districts.
- §300-40 Bus passenger shelters.
- §300-54 Religious institutions, social, cultural, charitable and recreational nonprofit uses.
- §300-55 Parochial, private elementary and high schools, colleges and seminaries.
- §300-69 Valet parking at banquet halls.
- §300-71 New and/or used car automobile sales.
- §300-73.1(A)(2) Permanent seasonal outdoor sales in commercial districts.
- §300-75 Warehouse or storage in retail shopping centers.
- §300-78 Cemeteries.
- §300-79 Self-storage centers.
- §300-80 Sidewalk cafes. (outdoor dining for more than 12 seats)
- §300-81.1 Helistops.
- §300-81.2 Accessory recycling facilities.
- §300-81.4 Large-Scale Solar Power Generation Systems and Facilities
- §300-81.5 Tier 2 Battery Energy Storage Systems
- §300-238.1 Multifamily dwelling units in the Country Commercial Zone.

5. Description of proposed use (if applying for outdoor dining, indicate proposed dining area square footage and number of seats):

6. Applicant

Name John A. Bertuzzi

Firm Ecogy Kitchawan Community Solar Farm LLC

Address 315 Flatbush Ave. #393, Brooklyn, NY 11217

Phone (718) 304-0945

Email projectmanagement@ecogysolar.com

7. Owner of Record

Name Alexander Cochran


Firm Van Brunt Cochran LLC

Address Kitchawan Farm, 716 Kitchawan Road, Yorktown, NY 10562

Phone (914) 602-4005

Email alex@kitchawanfarm.com

In the event the permit is issued, the undersigned applicant will comply with all provisions of the Code of the Town of Yorktown and all other applicable laws, codes, rules and regulations of any Federal, State or County Government, bureau or department thereof, having jurisdiction over said premises and the use to be conducted thereat.

DocuSigned by: **Applicant**

59B6A7A3E78D427

SIGNATURE


John A Bertuzzi

PRINT NAME

3/2/2021

DATE

Owner of Record



SIGNATURE

Alexander Cochran

PRINT NAME

3/1/21

DATE

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

F:\Office\WordPerfect\Application Forms\APP-SpecialPermit.wpd
This form last updated: September 2020

TOWN OF YORKTOWN PLANNING BOARD

Large Scale Solar Power Generation Systems & Facilities Special Permit Application Addendum

GENERAL PROJECT INFORMATION

Project Name: _____

Section, Block, Lot: _____

Existing Site Use: Residential Commercial Zone: _____

Is Applicant? Property Owner Lessee

Proposed Lot Coverage: _____

PROVIDE THE TOTAL SYSTEM CAPACITY RATING

A Large Scale Solar Energy system is a Solar Energy System that exceeds 20 kW DC as rated by its nameplate capacity. The maximum system capacity and the maximum area of land upon which the system shall be erected are as follows:

- (1) Up to one megawatt AC on an area of land no larger than 10 acres, excluding any easement for accessing the parcel; or over 1 but not to exceed 5 Megawatt AC on an area of land no larger than 20 acres, excluding any easement for accessing the parcel.

Total System Capacity Rating: _____ kWh Power Rating _____ kW (Select One) AC or DC

SELECT INSTALLATION TYPE

Ground Rooftop

PROPOSED SOLAR ENERGY SYSTEM INSTALLATION INFORMATION

Sponsor Company

Contact Name _____

Business Name _____

Address _____

Phone _____

Email _____

Contractor/Installation Company

Contact Name _____

Business Name _____

Address _____

Phone _____

Email _____

PROPOSED OWNER AND/OR OPERATOR (IF DIFFERENT FROM ABOVE)

Name _____

Firm _____

Address _____

Phone _____

Email _____

SUBMITTAL REQUIREMENTS

In order to submit a complete permit application for a new large-scale solar power generation system, the applicant must include:

- a) Completed Planning Board Special Use Permit Application with this Large Scale Solar Power Generation System Addendum.
- b) A special permit application fee of \$625.00 paid by check made payable to the Town of Yorktown.
- c) Required documents as listed in Section 300-84.1(F):
 - Equipment specification sheets shall be submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed.
 - A property Operation and Maintenance Plan shall be submitted.
 - A carbon sequestration for tree loss calculation.
 - Proposed tree loss mitigation, if applicable.
 - A Decommissioning Plan
- d) All site plan application requirements pursuant to Section 300-85/1(I) of the Town of Yorktown Town Code.

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

APPLICATION FOR SITE PLAN APPROVAL

Date 01/04/21

1. Name of Project: Kitchawan Ground-Mount Solar Energy System

2. Tax Map Designation (Section, Block, Lot) 70.06-1-2 and 70.06-1-3

3. Zone: R1-200 Total Acreage: 22.974

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

5. Project narrative (brief description of proposed development):

Ecogy requests site plan approval from the Planning Board for the installation of a 2MW Ground-Mounted, Large-Scale Solar Energy system located at 716 Kitchawan Road. The

Solar Energy system will be a community solar project, benefiting the surrounding communities by offering discounted electricity prices.

6. Contact Person - CHOOSE ONLY ONE:

Applicant Owner Architect Wetland Scientist
 Attorney Engineer Surveyor Landscape Architect

7. Applicant

Name John A. Bertuzzi
Firm Ecogy Kitchawan Community Solar Farm LLC
Address 315 Flatbush Ave. #393, Brooklyn, NY 11217
Phone (718) 304-0945
Fax _____
Email projectmanagement@ecogysolar.com

8. Owner of Record

Name Alexander Cochran
Firm Van Brunt Cochran LLC
Address Kitchawan Farm, 716 Kitchawan Road, Yorktown, NY10562
Phone (914) 602-4005
Fax _____
Email alex@kitchawanfarm.com

9. Attorney

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

10. Engineer

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

11. Surveyor

Name Edward Iamicelli
Firm Tectonic Engineering
Address 1279 Route 300, Newburgh, NY 12550
Phone 845-567-6656
Fax _____
Email eiamiceli@tectonicengineering.com
Lic. No. _____

12. Architect

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

13. Wetland Scientist/Specialist

Name Edward Iamicelli
Firm Tectonic Engineering
Address 1279 Route 300, Newburgh, NY 12550
Phone 845-567-6656
Fax _____
Email eiamiceli@tectonicengineering.com

14. Landscape Architect

Name Tracy Chalifoux
Firm Tracy Chalifoux LLC
Address 7 King Street, Danbury, CT 06811
Phone 845-364-1360
Fax _____
Email tlchalifoux@gmail.com
Lic. No. _____

15. Is this project within 500 feet of the Town line? Yes No
16. Is this project within 500 feet of the Putnam County line? Yes No
17. Is this project within the Sustainable Development Study Area? Yes No

18. Is this project within 500 feet of:

- The right-of-way of any existing or proposed state or county road? Yes No
The boundary of an existing or proposed state or county park or any state or county recreation area? Yes No
The boundary of state or county-owned land on which a public building/institution is located? Yes No
An existing or proposed county drainage line? Yes No
The boundary of a farm located in an agricultural district? Yes No

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

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

- Wetland Permit
- Stormwater Permit
- Tree Permit
- Planning Board special permit: Large-Scale Ground-Mounted Solar Energy System
- Town Board variance or approval: _____
- Zoning Board of Appeals variance or special permit: n/a

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

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

22. This parcel is in the following districts:

School District	<u>Yorktown</u>	Water District	<u>not shown on GIS</u>
Fire District	<u>Yorktown Heights FD</u>	Sewer District	<u>not shown on GIS</u>

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

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

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

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

<p>-----</p> <p>Applicant</p> <p>John A Bertuzzi</p> <p>_____ <small>DocuSigned by:</small> NAME (PLEASE PRINT) <i>John A Bertuzzi</i> <small>59B6A7A3E78D427...</small> SIGNATURE</p> <p>3/2/2021</p> <p>_____ DATE</p>	<p>Owner of Record</p> <p><i>Alexander Cochran</i></p> <p>_____ NAME (PLEASE PRINT)</p> <p><i>[Signature]</i></p> <p>_____ SIGNATURE</p> <p>3/1/21</p> <p>_____ DATE</p>
--	---

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

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

REFER TO AFFIDAVITS ON THE FOLLOWING PAGES

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

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

Sworn before me this 1 date of March, 20 21
Notary Public



AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS.:

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

Sworn before me this date of , 20
Notary Public

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of New York
County of Westchester

On May 30 2020, before me, Scott Miozzi
(insert name of notary)

Notary Public, personally appeared Alexander JB Cochran
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of New York that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Scott Miozzi

(Seal)

SCOTT MIOZZI
Notary Public - State of New York
No. 01MI638876
Qualified in Orange County
My Commission Expires Mar. 18, 2023



ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of Connecticut
County of Fairfield

On 6/2/2020, before me,

Jeffrey Weiner
(insert name of notary)

Notary Public, personally appeared
John Bertunzi

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Connecticut that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jeffrey Weiner

(Seal)

JEFFREY WEINER
Notary Public
Connecticut
My Commission Expires Jan 31, 2024

Exhibit 1 to Memorandum

Description of Property

That real property commonly known as: 716 Kitchawan Rd., Ossining NY 10562 (Assessor's Parcel Number 70.06-1-2 & 70.06-1-3) and more fully described in the Legal Description set forth below: Formerly designated as 18.03-10-2 & 18.03-10-3



LEGAL DESCRIPTION

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York, and being more particularly bounded and described as follows:

Beginning at a point on the northerly side of Kitchawan Road (also known as N.Y.S. Route 134 and State Highway No. 768) where same is intersected by the dividing line between lands now or formerly of Deleon and the parcel herein being described and which point forms the southwesterly corner of property shown on map entitled "Map of Land Now or Formerly of Joel B. Erhardt" prepared by J. Henry Carpenter & Co. in December, 1913, and filed in the Office of the Clerk of the County of Westchester, Division of Land Records on May 26, 1914, as Map No. 2056, running thence from the northerly side of Kitchawan Road along said dividing line and along lands now or formerly of Stephens, along the mean centerline of a stone wall and partially along fence remains, North 5° 07' 00" West, 183.54 feet; North 6° 12' 50" West, 146.99 feet; North 4° 51' 50" West, 611.27 feet to a point, thence leaving lands now or formerly of Stephens and the mean centerline of a stone wall and continuing along lands now or formerly of the Brooklyn Institute of Arts and Sciences, North 85° 08' 10" East, 987.25 feet; South 9° 29' 20" East, 192.85 feet; South 21° 40' 40" East, 1010.4 feet; South 39° 34' 50" East, 76.25 feet; South 9° 53' 20" East, 92.50 feet; South 20° 58' 20" West, 91.18 feet; South 0° 31' 10" West, 102.71 feet; South 13° 04' 10" East, 129.96 feet; South 7° 37' 50" East, 341.80 feet; South 64° 22' 40" West, 207.88 feet to a point along the easterly side of Kitchawan Road aforementioned, continuing thence along the easterly and northerly side of Kitchawan Road, North 15° 29' 10" West, 2.49 feet to a point of curve, continuing thence along the circumference of a 342 feet radius curve to the north and west having a central angle of 79° 11' 30" and an arc length of 472.70 feet to a point along the easterly side of a cemetery plot shown as cemetery on Filed Map No. 2056, thence leaving the northerly side of Kitchawan Road and continuing along the easterly, northerly and westerly side of said cemetery plot, North 8° 07' 00" West, 50.45 feet; South 65° 56' 00" West, 40.91 feet; South 10° 13' 00" East, 41.45 feet to the northerly side of Kitchawan Road, thence along same and partially along the road face to a stone wall, South 82° 15' 30" West, 402.66 feet; South 69° 03' 00" West, 98.79 feet to the point or place of beginning.

Containing within said bounds 22.974 acres be the same more or less.

The within-described premises are known and designated on the Tax Map of the Town of Yorktown as Section 18.J, Parcel 10, Lots 2,3.

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.

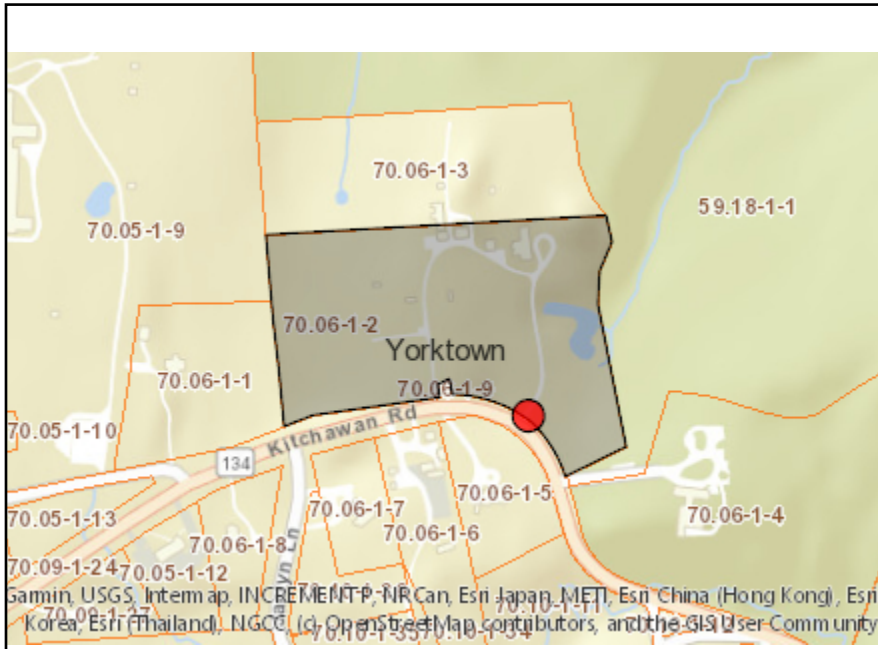
Part 1 – Project and Sponsor Information			
Name of Action or Project: Ecogy Kitchawan Farm Ground Mount Solar Project			
Project Location (describe, and attach a location map): 716 Kitchawan Road, Yorktown, NY, 10562 (SBL 70.06-1-2 & 70.06-1-3)			
Brief Description of Proposed Action: Ecogy Solar LLC as the Contractor for its Customer, Ecogy New York XI LLC, proposes to install a ground mount solar photovoltaic system in the field lot located at 716 Kitchawan Road in Yorktown, New York. The solar project will consist of solar modules, ground mount racking, electrical equipment located at the west side of the array, and interconnection of the solar system to the electric grid through a new utility transformer to be installed. The array will be southwest/west of the buildings located on site and will be accessible from Kitchawan Rd. Ecogy New York XI LLC has entered into a site lease for the designated lot and other relevant areas of the property as required for installation of the solar photovoltaic system with the property owner.			
Name of Applicant or Sponsor: Ecogy Solar LLC d.b.a Ecogy Energy		Telephone: 718-304-0945 E-Mail: projectmanagement@ecogyenergy.com	
Address: 315 Flatbush Ave #393			
City/PO: Brooklyn		State: NY	Zip Code: 11217
1. <u>Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?</u>		NO	YES
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.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. <u>Does the proposed action require a permit, approval or funding from any other government Agency?</u>		NO	YES
If Yes, list agency(s) name and permit or approval: Town of Yorktown Permits		<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. a. <u>Total acreage of the site of the proposed action?</u>		23.13 acres	
b. <u>Total acreage to be physically disturbed?</u>		8 acres	
c. <u>Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?</u>		11 acres	
4. <u>Check all land uses that occur on, are adjoining or near the proposed action:</u>			
5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input checked="" type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify):			
<input checked="" type="checkbox"/> Parkland			

<p>5. Is the proposed action,</p> <p>a. <u>A permitted use under the zoning regulations?</u></p> <p>b. <u>Consistent with the adopted comprehensive plan?</u></p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>N/A</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>
<p>6. <u>Is the proposed action consistent with the predominant character of the existing built or natural landscape?</u></p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>7. <u>Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?</u> Name:County & State Park Lands, Reason:Exceptional or unique character, Agency:Westchester County, Date:1- If Yes, identify: <u>31-90</u></p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>8. a. <u>Will the proposed action result in a substantial increase in traffic above present levels?</u></p> <p>b. Are public transportation services available at or near the site of the proposed action?</p> <p>c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p>	
<p>9. <u>Does the proposed action meet or exceed the state energy code requirements?</u></p> <p>If the proposed action will exceed requirements, describe design features and technologies: <u>The proposed action is the installation of a solar energy system which will generate clean energy</u></p>	<p>NO</p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p>	
<p>10. <u>Will the proposed action connect to an existing public/private water supply?</u></p> <p>If No, describe method for providing potable water: _____ <u>No potable water is required for the solar system</u></p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>11. <u>Will the proposed action connect to existing wastewater utilities?</u></p> <p>If No, describe method for providing wastewater treatment: _____ <u>No wastewater treatment is required for the solar system</u></p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>	
<p>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?</p> <p>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?</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	
<p>13. a. <u>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?</u></p> <p>b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?</p> <p>If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____</p>	<p>NO</p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p>	

14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban		
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? Bald Eagle	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>
16. Is the project site located in the 100-year flood plan?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <ul style="list-style-type: none"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
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)? If Yes, explain the purpose and size of the impoundment: _____ _____	NO <input checked="" type="checkbox"/>	YES <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? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <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? If Yes, describe: _____ _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
<p>I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor/name: <u>John Bertuzzi</u> Date: <u>10/8/2020</u></p> <p>Signature DocuSigned by: <u>John Bertuzzi</u> Title: <u>CEO</u></p> <p><small>59B6A7A3E78D427...</small></p>		

EAF Mapper Summary Report

Tuesday, September 15, 2020 7:42 AM



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]	Yes
Part 1 / Question 7 [Critical Environmental Area - Identify]	Name:County & State Park Lands, Reason:Exceptional or unique character, Agency:Westchester County, Date:1-31-90
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]	Yes
Part 1 / Question 15 [Threatened or Endangered Animal - Name]	Bald Eagle
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	No

Permitting Application by Ecogy Kitchawan Community Solar Farm LLC for Construction of a Ground Mounted Solar System at 716 Kitchawan Road

Solar Energy System Details

Location: 716 Kitchawan Road, Yorktown, NY 10562

Type of System: Ground-Mounted System in field lot

Size: 2,000 kW AC

The proposed solar system is a Community Solar project interconnected with Con Edison's distribution grid.

Contact Information

System Owner and Applicant:

Ecogy Kitchawan Community Solar Farm LLC

c/o Ecogy Energy

Attn: John Bertuzzi and Julia Magliozzo

315 Flatbush Ave #393, Brooklyn, NY 11217

Email: projectmanagement@ecogyenergy.com

Phone: 718-304-0945

Property Owner:

Van Brunt Cochran, LLC

Attn: Alexander Cochran

716 Kitchawan Road, Yorktown, NY 10562

Email: alex@kitchawanfarm.com

Phone: 914-602-4005

Ecogy Energy Kitchawan Solar Project Narrative

The proposed Ecogy Energy Kitchawan Solar Project is a 2,000 kW AC ground-mounted solar located in the field lot southwest of the main building at 716 Kitchawan Road, Yorktown. The project was developed by Ecogy Energy for Kitchawan Farm as a community solar project, which will allow businesses and residents of Yorktown to subscribe to the solar generation and receive discounted solar electricity credits on their Con Edison utility bills.

The benefits of this solar project also extend to the environment and in meeting New York's Reforming the Energy Vision 2030 Renewable Energy Goals. The proposed system will generate approximately 3,615,000 kWh of clean, renewable energy every year and over 84,678, 838 kWh over its lifetime, which is equivalent to 59,871 metric tons of CO₂ and represents significant environmental benefits as detailed in the following graphic:

Est. Lifetime Production: 84,678,838 kWh*

This is equivalent to the CO₂ emissions from:



6,736,956 Gallons of gasoline consumed



138,615 Barrels of oil consumed



10,137 Homes' electricity use for one year



This is equivalent to Carbon sequestered



989,985 Tree seedlings grown for 10 years



78,189 Acres of US forests in one year



405 Acres of US forests preserved from conversion to cropland in one year



Source: EPA Greenhouse Gas Equivalencies Calculator

<https://www.epa.gov/energy/greenhouse-gas-equivalencies-calculator> | ***Includes 0.5% Annual Panel Degradation**

Ecogy and the Kitchawan Farm are proposing to introduce novel design techniques learned over Ecogy's decade of experience aimed at improving the sustainability and aesthetics of the farm. These include permeable wildlife fencing around the array, a native meadow seed mix planted between rows and vegetative buffers screened around the array including a tree orchard to provide a new farming opportunity for Kitchawan. Ecogy has also agreed in our contract with Kitchawan that we will not use any herbicide, pesticide or other non-organic means on the Farm so as to not affect the Kitchawan Farm operations that plan to continue throughout construction

and operation of the solar energy system. Ecogy has also agreed to introduce bird nesting boxes and bee nesting boxes around the array for pollinator friendliness, which in turn will support the Kitchawan Farm harvest.

LOW IMPACT DESIGN

There is no “one size fits all” approach to Ecogy’s Solar Ground Mount Design. Each solar facility needs to be evaluated based on natural landform and hydrology, native plant and wildlife species presence, and ecosystem functions.

Ecogy strives to take a comprehensive view of Ground-Mount development including incorporating the following:

- 1) Allow for wildlife connectivity by using wildlife-friendly fencing including creating clearance underneath.
- 2) Integrate planting of native and pollinator vegetation where appropriate to increase biodiversity, require less mowing and herbicide use, minimize erosion issues, and increase soil health and carbon sequestration.
- 3) Provide wildlife habitat and supplemental habitat features including bird nesting boxes, sand piles for native bees.



Comparison of a standard chain-link fence (left) with a wildlife-permeable fence (right). © Liz Kelley/TNC



Tree removal for installation of the proposed solar project will be limited to the area that is necessary to safely and efficiently build and operate the solar system. Hence, Ecogy has contracted a Certified Arborist to identify said trees and to calculate the avoid carbon sequestration from such tree removal. A detailed report is attached below for the Board’s review. Ecogy has also contracted a landscape architect to design a screening plan that is amenable to the Planning Board and the neighboring property owners. Finally, Ecogy has contracted a stormwater engineer that will assess the extent to which the solar project will alter the existing drainage conditions on site and to propose mitigation measures.

Ecogy has also performed a geotech analysis of the subsurface conditions to ensure proper engineering of the foundations. We have completed a property survey to ensure compliance with lot size and setback requirements. Ecogy will comply with all other requirements as outlined in the Yorktown Solar Code as shown on the site plan, equipment specification sheets, operation and maintenance plan, and decommissioning plan provided with this application.

Due to Ecogy’s background and history of projects serving underserved communities including the largest system for a public housing authority in the U.S., Ecogy Kitchawan Community Solar has partnered with Sustainable Westchester to prioritize Yorktown residents and businesses as

well as Low-Moderate Income households to help support an equitable renewable energy transition. Ecogy intends to focus all marketing efforts in the initial customer acquisition phase towards Yorktown in the hopes of subscribing 100% Yorktown community solar subscribers which we estimate to be roughly 300-350 utility accounts.

Ecogy additionally intends to use bifacial solar modules for this project due to our experience installing these first in 2015 for our project with the Wilmington Housing Authority. Bifacial panels have the added benefit of capturing sunlight from both sides of the panel, have better aesthetics with transparent glass and increased durability and longevity.



Figure 3: This picture denotes the 500 kW bifacial panel expansion on the Western side of this picture. Bifacial panels create a better aesthetic and are more durable panels than monofacial panels.

Ecogy thanks you for your consideration of the proposed Kitchawan Solar Project and hopes to receive all Town approvals as required by the Yorktown Solar Code to be permitted to construct the ground-mounted solar system at 716 Kitchawan Road.

Ecogy Kitchawan Solar Project Operation and Maintenance Plan

Ecogy Energy will partner with a dedicated Operations and Maintenance provider (“Contractor”) for the below services throughout the life of the ground-mounted solar system. Ecogy can submit information about the Operations and Maintenance Contractor to the Town for the record once a contract has been signed with a provider.

Description of System Services that Contractor will provide on a MONTHLY basis:

- I. Performance Monitoring:
 - A. Contractor shall monitor System production beginning on Commencement Date continuously throughout the Term and shall provide a System performance report on a monthly basis, detailing the following:
 1. Actual vs. expected performance of the System for the prior period expressed in kWh
 2. Any shortfall in System production resulting in less than 85% of expected performance

Description of System Services that Contractor will provide on a SEMI-ANNUAL basis:

- I. Site and System Inspection:
 - A. Contractor shall perform Site and System inspection on or around a mutually agreed upon date no later than six months after Commencement Date and then on a semi-annual basis thereafter. Results of inspection will be provided to Customer within five business days of inspection and shall include:
 1. Array Inspection
 - a) Inspect PV modules for damage, discoloration or delamination
 - b) Inspect mounting system for damage or corrosion
 2. Site Conditions
 - a) Inspect drainage conditions
 - b) Inspect system site for array shading which may diminish efficiency of the System (i.e. vegetation, construction, etc.)
 - c) Inspect System for fire hazards
 - d) Inspect safety conditions and proper signage
 3. Maintenance Reporting
 - a) Record results of all inspections
 - b) Take photographs of any damage or defects identified
 - c) Inform Customer and warranty providers of all deficiencies identified
 - d) Provide Customer with recommendations for corrective actions
 - e) Take photographs of the System and Site, dated within 30 days of end of semi-annual period

Description of System Services that Contractor will provide on an ANNUAL basis:

I. Performance Monitoring:

A. Contractor will provide, on or around the first anniversary of the Contract and annually thereafter, an annual operations and maintenance report, such report to include:

1. Actual vs. expected production of solar energy by System for the previous year and on a cumulative basis to date, expressed in kWh
2. System Availability percentage
3. Performance Index Measure
4. Operation and Maintenance Records
5. Safety, Accidents and Environmental Reporting
6. Proposal of Recommended Actions
7. Photographs of the System and Premises, dated within 30 days of anniversary period.

B. Preventative Maintenance, Inspections & Testing:

1. Array
 - a) Inspect PV modules for damage, discoloration or delamination
 - b) Inspect mounting system for damage or corrosion
2. Inverter
 - a) Torque checks on critical electrical terminations
 - b) Clean all filters and fans
 - c) Inspect inverter pad and container
3. Electrical Balance of System (BOS)
 - a) Inspect ground braids, electrodes and conductors for damage
 - b) Perform thermo-graphic analysis of combiner boxes, inverters, transformers, and conductor connections to buses, breakers or disconnects
4. Premises Conditions
 - a) Inspect drainage conditions
 - b) Inspect site for array shading which may diminish efficiency of the System (i.e. vegetation, construction, etc.)
 - c) Inspect System for fire hazards
 - d) Inspect safety conditions and proper signage
5. Maintenance Reporting
 - a) Record results of all inspections
 - b) Take photographs of any damage or defects identified
 - c) Inform Customer and warranty providers of all deficiencies identified
 - d) Provide Customer with recommendations for corrective actions

Description of System Services that Contractor will provide on an AS-NEEDED basis at an additional cost:

- I. Corrective Maintenance, including:
 - A. Module cleaning, to include surface washing of all modules with pressure washing settings not to exceed 1,500 PSI. Contractor will provide before and after photographs of System.
 - B. On-site troubleshooting & diagnostics of all system components (service included at no additional cost for systems under Contractor Warranty)
 - C. Inverter and Data Acquisition System resets: (service included at no additional cost for systems under Contractor Warranty):
 1. Remote resets (if capability enabled and connection available)
 2. On-site resets
 - D. Processing of warranty claims on behalf of Customer and verification of replaced equipment (service included at no additional cost for systems under Contractor Warranty)
 - E. Management of repair and replacement for equipment out of warranty (service included at no additional cost for systems under Contractor Warranty).
 - F. Ongoing warranty support and representation of Customer's interest with System equipment manufacturers (service included at no additional cost for systems under Contractor Warranty).
 - G. All repair and replacement services beyond the installation and workmanship warranty as outlined in Section 3.1.
 - H. Repair and replacement of equipment covered by the Manufacturer's warranties as listed in Attachment D.

If the system is performing at or above 100% of the expected system production for the prior six month period, Contractor may elect to forgo the scheduled semi-annual site inspection, maintenance and testing.

Ecogy Kitchawan Solar Project Decommissioning Plan

1. Executive Summary:

As stated in the Yorktown Solar Code, a decommissioning plan for the solar energy system shall be submitted by the applicant. Below is a full report of Ecogy’s decommissioning plan for the Kitchawan Solar Project, including costs and timeline.

This report includes an analysis of the estimated decommissioning costs broken down by system components, as well as a description of the associated time required to perform the decommissioning tasks. In addition, we describe each component’s salvage value, the time required to decommission and remove the solar energy system and any ancillary structures, and the time required to repair any damage caused to the property on which the solar energy system is located by the removal of the system. Future costs projected in the model escalate 2% annually due to estimated inflation over the next 25 years.

It is worth noting that Ecogy has agreed separately with the Kitchawan Farm to decommission and remove the system at a faster schedule than required by the Town of Yorktown. This includes removal within 120 days of the end of our term or else significant liquidated damages are assessed onto Ecogy.

2. Methodology

Throughout this report, assumptions are based on current market values, assessments of labor costs, and our professional development experience. Table 2 below shows the proposed ground mount solar system’s technical specifications as submitted with this application.

2.1 Proposed PV System Details

Table 1. Kitchawan Solar Project Technical Details

Proposed Solar System Technical Details	
AC System Size	2,000 kW AC
Racking Type	Ground Mounted

Component	Type	Quantity	Warranty
PV Module	TBD		30-Year Linear Power Output Warranty

Inverter	SolarEdge SolarEdge P860 Optimizer		15-Year Standard Warranty Extendable to 20 Years w/ Inverter Replacement Fund incorporated into proforma
Transformer	Utility Owned	1	Utility is responsible for maintenance and replacement.
Racking System	TBD	1	25-Year Warranty

2.2 Solar PV Decommissioning Tasks and Costs

Through Ecogy’s decade of experience and additional research, we have created a list of solar system equipment and its associated decommissioning tasks and timelines. This list forms the basis of Ecogy’s decommissioning plan and outlines the steps Ecogy would take to remove the solar system from the property. The equipment and steps are as follows:

1. Modules: The modules’ frame and surface would be mechanically separated. The glass and aluminum frames would be sold as recycled material.
2. Inverters: Inverters would be properly disposed of at an electronic waste facility.
3. Racking: Racking would be consolidated and sold as recycled scrap steel.
4. Wiring: All wiring would be disconnected and sold as recycled insulated cable.
5. Foundations: Foundations would be broken up on site and either removed or recycled as ABC material. Remediation on site would restore the site to its original condition per our agreement with the Kitchawan Farm.
6. Power Poles: Grid connection wiring and utility owned transformer would be removed or kept depending on preference of the Landowner.

To estimate the associated costs for major tasks needed to decommission a PV system, Ecogy used the NYSERDA “*Decommissioning Solar Panel Systems; Information for local governments and landowners on the decommissioning of large-scale solar panel systems - 2016*”, which provides estimates of potential decommissioning costs for a ground-mounted 2,000 kW solar panel system over 20-years. It is estimated that many components could be salvaged to offset the labor cost. This analysis is shown in Table 2 below. Ecogy has revised this analysis to incorporate the 25-year Term as afforded by the Value of Distributed Energy Resources Term.

Ecogy analyzed the decommissioning costs and salvage values with a 2.5% escalator over the lifetime of the solar system of 25 years due to inflation and to correspond with NYSERDA’s guidance. Ecogy has determined decommissioning costs to be approximately \$50,119.10 but a

\$49,129.52 salvage value would offset this cost. Lastly, decommissioning would take approximately 4-10 weeks.

Table 2: Summary of Cost Assumptions for Proposed Solar PV System

Component	Est. Cost for NYSERDA 2,000 kW System	Est. Salvage Value	Est. Net Cost of Decommissioning	Est. Timeline
Remove Rack Wiring	\$2,459.00	\$4,500.00	(\$2,041.00)	1-5 Days
Remove Panels	\$2,450.00	\$8,500.00	(\$6,050.00)	5-10 Days
Dismantle Racks	\$12,350.00	\$10,000.00	\$2,350.00	5-10 Days
Remove Electrical Equipment	\$1,850.00	\$3,500.00	(\$1,650.00)	5-10 Days
Breakup and Remove Concrete Pads	\$1,500.00	\$0.00	\$1,500.00	1-5 Days
Remove Racks	\$7,800.00	\$0.00	\$7,800.00	1-5 Days
Remove Cable	\$6,500.00	\$0.00	\$6,500.00	1-5 Days
Remove Power Poles	\$13,850.00	\$0.00	\$13,850.00	5-10 Days
Remove Fence	\$4,950.00	\$0.00	\$4,950.00	1-3 Days
Grading	\$4,000.00	\$0.00	\$4,000.00	5-10 Days
Seed Disturbed Areas	\$250.00	\$0.00	\$250.00	1-3 Days
Truck to Recycling Center	\$2,250.00	\$0.00	\$2,250.00	1-5 Days
Current Total Cost	\$60,200	\$26,500.00	\$33,709.00	32-81 Days

Table 4: 25 Year Decommissioning Plan

25 Year Decommissioning Plan with 2.5% Annual Inflation			
Year	Est. Decommissioning Cost	Value of Salvage Material	Net Cost of Decommissioning
0	\$60,200.00	\$26,500.00	\$33,700.00
1	\$61,705.00	\$27,162.50	\$34,542.50
2	\$62,939.10	\$27,841.56	\$35,097.54
3	\$64,197.88	\$28,537.60	\$35,660.28
4	\$65,481.84	\$29,251.04	\$36,230.80
5	\$66,791.48	\$29,982.32	\$36,809.16

6	\$68,127.31	\$30,731.88	\$37,395.43
7	\$69,489.85	\$31,500.17	\$37,989.68
8	\$70,879.65	\$32,287.68	\$38,591.97
9	\$72,297.24	\$33,094.87	\$39,202.37
10	\$73,743.19	\$33,922.24	\$39,820.95
11	\$75,218.05	\$34,770.30	\$40,447.75
12	\$76,722.41	\$35,639.55	\$41,082.86
13	\$78,256.86	\$36,530.54	\$41,726.32
14	\$79,822.00	\$37,443.81	\$42,378.19
15	\$81,418.44	\$38,379.90	\$43,038.54
16	\$83,046.81	\$39,339.40	\$43,707.41
17	\$84,707.74	\$40,322.88	\$44,384.86
18	\$86,401.90	\$41,330.96	\$45,070.94
19	\$88,129.93	\$42,364.23	\$45,765.70
20	\$89,892.53	\$43,423.34	\$46,469.20
21	\$91,690.38	\$44,508.92	\$47,181.47
22	\$93,524.19	\$45,621.64	\$47,902.55
23	\$95,394.68	\$46,762.18	\$48,632.49
24	\$97,302.57	\$47,931.24	\$49,371.33
25	\$99,248.62	\$49,129.52	\$50,119.10

March 24, 2021

Julia Magliozzo
Director of Operations
Ecogy Energy
315 Flatbush Avenue #393
Brooklyn, NY 11217

**Re: Kitchawan Farm, Yorktown, NY
Recommended Tree + Shrub Species for Planting**

Dear Julia:

As requested, we have listed in the attached table several tree and shrub species in various mature size classes that are appropriate for planting at Kitchawan Farm.

All are native or non-invasive naturalized species that can be expected to grow well with proper maintenance.

These recommendations are based on our evaluation of the relative performance and condition of the various tree species currently growing on the property, and review of relevant site conditions including local climate, exposures, soil conditions, drainage, and other factors.

In general, Kitchawan Farm appeared to pose few constraints that would significantly limit the species that can be planted. As such, this list could be expanded significantly. The primary exception would be in certain low-lying areas or areas with compacted soil where soil drainage and aeration may be limited. In those cases, planting should be with species that are inherently tolerant and naturally found in bottomlands, floodplains, and similar areas.

Most of the species that Alex indicated in his preliminary planting plan should be suitable as well. I would only caution against relying on American arborvitae (*Thuja occidentalis*) as a large screening species. As it ages and reaches 25-feet or so in height, it tends to "flop" resulting severely leaning stems and large openings in the hedge. Green Giant Arborvitae (*Thuja x 'Green Giant'*) would be a more reliable, and faster growing, choice for this purpose.

Please don't hesitate to call if you have any questions or need any additional information.

Sincerely,

PAUL COWIE + ASSOCIATES



Paul F. Cowie
President

PFC:pc
Encl.

March 6, 2021

Julia Magliozzo
Director of Operations
Ecogy Energy
315 Flatbush Avenue #393
Brooklyn, NY 11217

**Re: 716 Kitchawan Road, Yorktown, NY
Tree Inventory + Evaluation Results**

Dear Julia:

As requested, Paul Cowie + Associates (PC+A) inventoried and evaluated the condition of existing trees at Farm on February 24 – 25 and March 3 – 4, 2021.

The goals of this study were to:

1. Identify, measure, and evaluate the current health and structural condition of existing 'Protected Trees' within the designated tree removal areas;
2. Estimate carbon storage and sequestration benefits provided by these inventoried trees;
3. Develop a shortlist of tree species suitable for mitigation plantings based on existing site conditions and species performance.

The data collected and the recommendations made for each inventoried tree are presented in the attached spreadsheet. The following is an explanation of the data parameters included and an overview of our general finding and recommendations.

Tree Included

This tree inventory and evaluation was limited to trees within the proposed tree removal areas, as indicated with hatched lines on the attached aerial image. Shrubs, vines, and other vegetation within these areas were not inventoried and evaluated. No other trees in any other portions of the property, or on adjacent properties, were inventoried and evaluated.

Within the designated tree removal areas, trees were included based on whether they met the definition of a 'Protected Tree,' as per Chapter 270 of the Yorktown Town Code, *Trees*. Specifically, trees rooted on the subject private property were included if they possessed at least one stem measuring at least 8.0-inches in diameter (DBH). 'Street Trees' (defined by Town Code as trees with their base at least 50-percent within the public right-of-way) were included regardless of size.

A temporary aluminum tag hand-embossed with the corresponding tree ID number was attached to each of the trees inventoried. Tag numbers ranged from #1 to #166. Please note that tags #2.1, #2.2, and #139.1 were used for trees that were initially missed and then added on a second pass through to maintain sequence with other tag numbers in the area. Tag #120 was not used.

The approximate location of the tag number series are indicated on the attached aerial image map.

A total of 168 trees were individually inventoried and evaluated. This included 130 trees in the former nursery area near Kitchawan Road and 38 trees in areas scattered elsewhere on the farm.

Tree Species + Exotic Invasive Status

Each tree is identified in the attached data table by both its regionally accepted common name and its botanical name.

The invasive status of each species is indicated based on species index information published by the Lower Hudson Partnership for Regional Invasive Species Management and accessed via <https://www.lhprism.org/species-information> on February 26, 2021.

Tree Size + Age Classification

The diameter of each inventoried tree was measured with a diameter tape to the nearest one-tenth inch at a point 4.5-feet above ground level (DBH), or at the height indicated when branching or abnormal swellings at 4.5-feet would produce an inaccurate measurement.

In the case of multiple-stem trees, the diameter of each stem was measured and recorded, and the root sum squared of the stems ($RSS = \sqrt{D1^2 + D2^2 + D3^2 \dots}$) was calculated to provide a single-stem equivalence for the purpose of determining critical root zone radii.

Total tree height, crown height, and crown width were measured using a Leica Disto D810 Touch laser distance meter.

- Total tree height was measured to the nearest whole foot from the ground to the highest main body foliage.
- Crown height was measured from the ground to the bottom of main body foliage at the outer edge of the crown and/or lowest scaffold branch (whichever came first); individual low hanging small branches were excluded.
- Crown spread was measured at the widest point of the main body drip line; individual extended small branches were excluded. For asymmetrical crowns, the crown was measured in two opposing directions and the average of the two measurements was recorded.

The age class of each individually inventoried tree was recorded based on apparent age relative to the normal life expectancy of the species. Age was classified as 'Young' if the tree had exhausted up to 20% of the species' typical life expectancy, 'Mature' if it had exhausted 20% to 80% of the species' life expectancy, or 'Over-Mature' if it had exhausted more than 80% of the species' life expectancy.

Critical Root Zone (CRZ)

Critical root zone radius (CRZ) is the ground area around a tree which, if fully protected from soil compaction, grade changes, excavation, and other soil and root-damaging impacts, will ensure that tree health and structural integrity will not be compromised by construction activity. This information is provided to assist designers in locating grading, pavement, underground utilities, and other proposed improvements in a manner that minimizes impacts to any trees that may be retained.

Tree Condition

The condition of each inventoried tree was systematically evaluated and rated with consideration given to both the health and vigor and the structural integrity of the root system, primary stems, scaffold branching, small branches and twigs, and foliage.

A rating of 'Good', 'Fair', or 'Poor' was assigned separately to the health and vigor as well as to the structure and form of each inventoried tree. An 'Overall Condition' rating was then assigned, as follows:

- *Good*: The tree had no more than one or two minor health disorders and/or structural defects and was growing with normal vigor;

- *Fair*: The tree had 2 – 4 minor, or one major, health disorders and/or structural defects, and/or was growing with below-normal vigor or other limitations.
- *Poor*: The tree had several minor, or two or more major, health disorders and/or structural defects, and/or was declining in vigor.
- *Dead*: 75% or more of the crown was dead and any remaining live portions were deteriorating in health.

For the purpose of carbon benefits modeling, health and vigor ratings were converted to corresponding percentages (i.e. Good = 75% - 100%, Fair = 50% - 75%, Poor = 25% - 50%, Dead/Dying = 0% - 25%) and percent crown dieback and percent missing crown were recorded.

Please note that inspection of the inventoried trees was limited to visual observations from the ground and did not include climbing, aerial inspections, subsurface exploration, wood strength testing, or other advanced diagnostic techniques, which may be necessary to fully identify and evaluate the severity of certain health disorders and structural defects. Therefore, certain health disorders and/or structural defects may have not been noted or their extent may not have been fully determined.

Observations

The 'Disorders + Defects, Comments, Additional Recommendations' column contains various comments regarding the nature and severity of disorders and defects noted, particularly where they resulted in reduced condition ratings and/or recommendations for tree removal.

Additionally, this column contains additional treatment recommendations not included in the subsequent recommendation columns.

Maintenance Recommendations

It is PC+A's understanding that all existing trees within the designated areas are proposed for removal. Nevertheless, where appropriate, recommendations for pruning to remove dead, dying, damaged, and/or diseased limbs, pruning to improve branch architecture, cabling to reduce the risk of failure at certain branch defects, or other treatments were made based on conditions observed at the time each tree was evaluated.

This information is provided to further characterize the trees' current condition and provide guidance in the event that decisions are made to preserve any of the trees.

Terminology for various pruning types (e.g. 'Clean Crown', 'Raise Crown', 'Reduce Crown', 'Structural prune', etc.) correspond to ANSI A300 *American National Standard for Tree Care Operations*.

Each recommendation was prioritized based on the severity of potential safety risks first (e.g. large dead trees versus small dead trees, trees containing large dead limbs versus small dead branches, etc.) and addressing tree health and appearance second. The priority of each recommendation was ranked as High ('H'), Medium ('M'), or Low ('L'). These recommendations should be implemented in order of decreasing priority.

Tree Removal Recommendations

Definitive recommendations for tree removal were made for trees that were dead, had substantial dieback and/or limited remaining life expectancy, or possessed severe, irreparable structural defects that pose potential safety risks.

It is PC+A's opinion that those trees for which a specific removal recommendation was made should be removed whether or not the project proceeds. Further, it is PC+A's that those trees satisfy the 'Permit Not Required' exemptions provided in Section 270-5 of the Yorktown Town Code.

At this time, 15 trees are recommended for removal due to their deteriorated and irreparable condition and/or limited remaining life expectancy (trees #21, #28, #34, #43, #53, #97, #101, #127, #150, #151, #152, #153, #155, #156, #157).

Tree Inventory Summary

Count of Protected Trees by Lower Hudson PRISM invasive status and current condition (Viable Trees = trees to be removed for design reasons only; Non-Viable Trees = trees requiring removal regardless of the design because they are dead, dying, diseased, or in an otherwise deteriorated and irreparable health or structural condition and, therefore, exempt from permit requirements.

INVASIVE STATUS	VIABLE TREES TO BE REMOVED	NON-VIABLE TREES REQUIRING REMOVAL DUE TO CONDITION	TOTAL
Invasive	13	7	20
Non-Invasive	140	8	148
TOTAL	153	15	168

Carbon Benefits Estimation via iTree Eco

The Eco module of the iTree software suite was used to calculate current carbon storage and annual sequestration rates for the inventoried trees.

iTree was developed and is under active review and constant improvement by a consortium of industry organizations and experts led by the U.S. Forest Service. It is widely considered to be the current state of the art and is the most widely used tool for calculating the level and value of a variety of ecosystem services that trees provide in urban and rural settings.

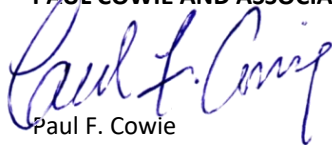
iTree Eco requires specific inputs to run its models. PC+A used the following data derived from the measurements described above to run the carbon models:

- Weather: 2018 weather data from the Westchester County Airport weather station in White Plains, NY.
- Species
- DBH: Diameter at breast height (4.5-feet above the ground), or the single-stem equivalent for multi-stem trees.
- Total Tree Height
- Crown Height
- Crown Width
- Crown Condition
- Crown Dieback / Missing Crown

The carbon storage and carbon sequestration models were run twice – once with the full dataset including all of the inventoried trees, and once with the invasive species and trees recommended for removal omitted. Reports produced by iTree Eco for the two datasets are attached.

Please do not hesitate to contact me if you have any questions or require any additional information.

Sincerely,
PAUL COWIE AND ASSOCIATES



Paul F. Cowie
President

PFC:pc
Encl.

INSERT SITE PLAN

#	SITE TYPE (SIZE)	SPECIES	LOWER HUDSON PRISM TIER 1-4 INVASIVE SPECIES	DIAMETER (in) (dead stems)	SINGLE-STEM EQUIVALENT (RSS)	TREE HEIGHT (ft)	CROWN HEIGHT (ft)	CROWN WIDTH (ft)	AGE CLASS	CRZ (ft radius)	HEALTH + VIGOR (%)	STRUCTURE + FORM	DIEBACK / MISSING CROWN (%)	OVERALL CONDITION	DISORDERS + DEFECTS, COMMENTS, ADDITIONAL RECOMMENDATIONS	CLEAN CROWN	RAISE CROWN	REDUCE CROWN	STRUCTURAL PRUNE	CABLE	CLEAR VINES	INSPECT	REMOVE (CONDITION)
1	Former tree nursery	Sugar maple <i>Acer saccharum</i>	---	16.9	16.9	67	25	35	Mature	21.1	80	Fair	5	Fair	Fence embedded in lower trunk (severe).	M							
2	Former tree nursery	Sugar maple <i>Acer saccharum</i>	---	12.8	12.8	75	30	32	Mature	16.0	85	Fair	10	Fair	---								
2.1	Former tree nursery	Sugar maple <i>Acer saccharum</i>	---	10.7	10.7	79	31	19	Young	10.7	85	Fair	10	Fair	---	M							
2.2	Former tree nursery	Sugar maple <i>Acer saccharum</i>	---	10.7	10.7	53	13	31	Young	10.7	60	Fair	10	Fair	---								
3	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	13.0	13.0	81	57	18	Mature	13.0	65	Fair	10	Fair	---	M							
4	Former tree nursery	Sugar maple <i>Acer saccharum</i>	---	9.4	9.4	72	33	20	Young	9.4	80	Fair	15	Fair	Fence embedded in lower trunk (severe).								
5	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	13.0	13.0	67	42	20	Mature	13.0	85	Fair	10	Good	---	M							
6	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	12.1	12.1	78	54	16	Mature	12.1	60	Fair	10	Fair	---	M							
7	Former tree nursery	Sugar maple <i>Acer saccharum</i>	---	8.0, 6.2	10.2	55	22	27	Young	10.2	85	Fair	10	Fair	---								
8	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	19.8	19.8	94	33	43	Mature	19.8	65	Good	10	Fair	---	H							
9	Former tree nursery	Sugar maple <i>Acer saccharum</i>	---	8.5	8.5	49	11	27	Young	8.5	85	Good	0	Good	---								
10	Former tree nursery	Black locust <i>Robinia pseudoacacia</i>	Tier 4	10.9, 7.8	13.4	72	37	24	Mature	10.1	60	Fair	15	Fair	Fence embedded in lower trunk (severe).	H							
11	Former tree nursery	Star magnolia <i>Magnolia stellata</i> or similar	---	8.0, 6.0, 4.2	10.9	26	7	28	Mature	13.6	85	Fair	10	Good	---								
12	Former tree nursery	Black birch <i>Betula lenta</i>	---	13.5	13.5	61	16	37	Mature	13.5	85	Fair	10	Fair	---	M							
13	Former tree nursery	Black locust <i>Robinia pseudoacacia</i>	Tier 4	8.4	8.4	64	27	23	Young	4.2	85	Fair	10	Fair	---								
14	Former tree nursery	Star magnolia <i>Magnolia stellata</i> or similar	---	9.0, 7.2, 7.1, 4.1	14.1	24	8	35	Mature	17.7	80	Fair	10	Fair	Decay in 9" trunk (severe).				M				
15	Former tree nursery	Red maple <i>Acer rubrum</i>	---	12.0	12.0	55	11	24	Mature	12.0	85	Fair	10	Good	---								
16	Former tree nursery	Star magnolia <i>Magnolia stellata</i> or similar	---	8.2, 7.2, 5.8	12.4	32	7	28	Mature	15.5	85	Good	10	Good	---								
17	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	10.2	10.2	51	31	15	Young	7.7	60	Poor	20	Fair	Suppressed by adjacent trees (moderate).								
18	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	16.2	16.2	81	39	22	Mature	16.2	85	Fair	10	Good	---								
19	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	8.5	8.5	61	30	8	Young	6.4	40	Fair	20	Poor	Suppressed by adjacent trees (moderately severe).								
20	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	18.0	18.0	82	40	23	Mature	18.0	85	Fair	10	Fair	---	M							

#	SITE TYPE (SIZE)	SPECIES	LOWER HUDSON PRISM TIER 1-4 INVASIVE SPECIES	DIAMETER (in) (dead stems)	SINGLE-STEM EQUIVALENT (RSS)	TREE HEIGHT (ft)	CROWN HEIGHT (ft)	CROWN WIDTH (ft)	AGE CLASS	CRZ (ft radius)	HEALTH + VIGOR (%)	STRUCTURE + FORM	DIEBACK / MISSING CROWN (%)	OVERALL CONDITION	DISORDERS + DEFECTS, COMMENTS, ADDITIONAL RECOMMENDATIONS	CLEAN CROWN	RAISE CROWN	REDUCE CROWN	STRUCTURAL PRUNE	CABLE	CLEAR VINES	INSPECT	REMOVE (CONDITION)
44	Former tree nursery	Northern red oak <i>Quercus rubra</i>	---	15.8	15.8	54	12	38	Mature	15.8	85	Good	0	Good	---	M							
45	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	11.3, 7.4	13.5	58	25	22	Mature	13.5	85	Fair	10	Good	---	M							
46	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	13.8, 10.9, 9.4	19.9	71	34	27	Mature	19.9	85	Fair	10	Fair	---	M							
47	Former tree nursery	Tulip <i>Liriodendron tulipifera</i>	---	14.8	14.8	67	27	28	Mature	14.8	85	Fair	0	Good	---								
48	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	8.3, 6.6	14.2	54	19	15	Young	10.6	55	Fair	10	Fair	Vine competition (moderately severe).	M							
49	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	15.5	15.5	72	37	25	Mature	15.5	85	Fair	10	Fair	---	M							
50	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	10.4	10.4	66	38	22	Mature	10.4	85	Fair	0	Good	---								
51	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	17.5	17.5	77	38	28	Mature	17.5	85	Good	5	Good	---	H							
52	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	14.7	14.7	75	38	24	Mature	14.7	60	Fair	10	Fair	---	M							
53	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	9.2	9.2	52	39	9	Mature	9.2	20	Poor	60	Poor	Decay in lower trunk (moderately severe). Dieback in scaffold limbs (severe). Limited remaining life expectancy.								M
54	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	12.1, 12.1	17.1	70	40	25	Mature	17.1	85	Fair	10	Fair	---	M							
55	Former tree nursery	Carolina silverbell <i>Halesia carolina</i>	---	12.1 @ 3.5'	12.1	57	19	30	Mature	12.1	85	Fair	10	Fair	---				M				
56	Former tree nursery	Black cherry <i>Prunus serotina</i>	---	10.0	10.0	52	15	31	Young	7.5	85	Fair	10	Fair	---								
57	Former tree nursery	Carolina silverbell <i>Halesia carolina</i>	---	14.2	14.2	59	28	28	Mature	14.2	60	Good	0	Fair	---	M							
58	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	8.7, 7.0	11.2	65	40	15	Young	8.4	60	Fair	10	Fair	---	M							
59	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	13.8	13.8	77	31	25	Mature	13.8	85	Good	0	Good	---								
60	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	13.4	13.4	72	36	27	Mature	13.4	85	Fair	10	Good	---	M							
61	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	11.4, 11.1	15.9	69	35	21	Mature	15.9	85	Fair	10	Fair	---	M							
62	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	12.4, 11.2	16.71	65	31	26	Mature	16.7	75	Fair	15	Fair	1 weak crotch in lower trunk (moderately severe). Vine competition (moderately severe).	M							
63	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	14.3	14.3	57	33	20	Mature	14.3	75	Good	15	Good	Vine competition (moderately severe).	M							
64	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	16.3	16.3	69	36	22	Mature	16.3	75	Fair	15	Good	Vine competition (moderately severe).	M							
65	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	10.5	10.5	43	27	17	Mature	10.5	55	Fair	15	Fair	Vine competition (moderately severe).	M							
66	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	10.1, 10.0	14.2	61	23	22	Mature	14.2	85	Fair	10	Good	---	M							

#	SITE TYPE (SIZE)	SPECIES	LOWER HUDSON PRISM TIER 1-4 INVASIVE SPECIES	DIAMETER (in) (dead stems)	SINGLE-STEM EQUIVALENT (RSS)	TREE HEIGHT (ft)	CROWN HEIGHT (ft)	CROWN WIDTH (ft)	AGE CLASS	CRZ (ft radius)	HEALTH + VIGOR (%)	STRUCTURE + FORM	DIEBACK / MISSING CROWN (%)	OVERALL CONDITION	DISORDERS + DEFECTS, COMMENTS, ADDITIONAL RECOMMENDATIONS	CLEAN CROWN	RAISE CROWN	REDUCE CROWN	STRUCTURAL PRUNE	CABLE	CLEAR VINES	INSPECT	REMOVE (CONDITION)	
112	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	13.0, 11.8, 4.1, 3.4	18.4	63	31	33	Mature	18.4	60	Fair	10	Fair	Decay in 1 lower trunk (moderate).	M								
113	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	8.0	8.0	48	34	9	Young	6.0	85	Fair	10	Good	---									
114	Former tree nursery	Black oak <i>Quercus velutina</i>	---	10.0	10.0	60	14	19	Young	7.5	85	Good	10	Good	---									
115	Former tree nursery	Amur cork tree <i>Phellodendron amurense</i>	Tier 2	8.0	8.0	55	19	23	Young	8.0	85	Good	10	Good	---									
116	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	9.4, 8.2	12.5	49	23	21	Mature	12.5	60	Fair	15	Fair	Vine competition (moderate).	M								
117	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	9.6, 8.5	12.8	49	26	18	Mature	12.8	85	Fair	10	Fair	---	M								
118	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	17.4, 16.6	24.1	62	26	32	Mature	24.1	55	Poor	10	Poor	Decay in lower trunk and buttress roots (moderately severe).	H								
119	Former tree nursery	American linden <i>Tilia americana</i>	---	16.9	16.9	76	36	33	Mature	21.1	50	Good	15	Fair	Vine competition (severe).	H								
120	---	(Tag #120 not used)	---	---	---	---	---	---	---	---	---	---	---	---	---									
121	Former tree nursery	Carolina silverbell <i>Halesia carolina</i>	---	10.3	10.3	64	34	19	Mature	10.3	55	Fair	10	Fair	Vine competition (moderately severe).									
122	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	13.6	13.6	62	33	13	Mature	13.6	55	Good	15	Fair	Vine competition (moderately severe).									
123	Former tree nursery	Carolina silverbell <i>Halesia carolina</i>	---	15.6	15.6	64	23	27	Mature	15.6	85	Good	10	Good	---									
124	Former tree nursery	Carolina silverbell <i>Halesia carolina</i>	---	13.0, 12.3	17.9	68	27	31	Mature	17.9	80	Fair	10	Fair	Vine competition (moderate).	M								
125	Former tree nursery	Northern catalpa <i>Catalpa speciosa</i>	---	13.0	13.0	53	18	28	Mature	9.8	85	Good	0	Good	---	M								
126	Former tree nursery	Cucumber magnolia <i>Magnolia acuminata</i>	---	15.9, 13.9	21.1	59	14	37	Mature	21.1	85	Fair	10	Good	---	M								
127	Former tree nursery	Star magnolia <i>Magnolia stellata</i> or similar	---	8.5	8.5	31	5	24	Mature	10.6	50	Poor	15	Poor	Decay in lower trunk and buttress roots (severe). Lean in main trunk (moderate). Partially uprooted.									M
128	Former tree nursery	Black oak <i>Quercus velutina</i>	---	17.9	17.9	64	11	32	Mature	17.9	85	Fair	10	Good	---	M								
129	Former tree nursery	Pin oak <i>Quercus palustris</i>	---	22.4	22.4	69	12	41	Mature	22.4	85	Good	10	Good	---									
130	Lawn	Katsura tree <i>Cercidiphyllum japonicum</i>	---	16.3 @ 1.5'	16.3	43	6	31	Mature	20.4	85	Fair	0	Good	---				L					
131	Lawn	Katsura tree <i>Cercidiphyllum japonicum</i>	---	11.9 @ 1.5'	11.9	36	6	22	Mature	14.9	60	Fair	0	Fair	---				L					
132	Lawn	Katsura tree <i>Cercidiphyllum japonicum</i>	---	14.1 @ 1.5'	14.1	43	7	25	Mature	17.6	85	Fair	0	Good	---				L					
133	Lawn	Katsura tree <i>Cercidiphyllum japonicum</i>	---	13.5 @ 1.5'	13.5	43	6	28	Mature	16.9	85	Fair	0	Good	---				L					

Carbon Storage of Trees by Species

Location: Yorktown, Westchester, New York, United States of America

Project: Kitchawan Farm, Series: 1, Year: 2021

Generated: 3/6/2021



Species	Carbon Storage (ton)	Carbon Storage (%)	CO ₂ Equivalent (ton)
Red maple	6.4	6.9%	23.5
Sugar maple	6.2	6.7%	22.7
Black birch	0.4	0.5%	1.6
River birch	0.4	0.4%	1.5
Northern catalpa	0.2	0.2%	0.7
Katsura tree	0.9	0.9%	3.1
hawthorn spp	0.2	0.3%	0.9
silverbell spp	12.8	13.7%	46.9
Eastern red cedar	0.6	0.7%	2.3
sweetgum spp	0.9	1.0%	3.5
Tulip tree	0.6	0.7%	2.3
magnolia spp	1.0	1.1%	3.7
Cucumber tree	27.9	29.9%	102.3
Star magnolia	1.2	1.3%	4.5
Crabapple 'Sugar Tyme'	1.1	1.2%	4.2
White mulberry	0.9	0.9%	3.1
Amur corktree	0.7	0.8%	2.7
Eastern cottonwood	0.1	0.2%	0.5
Quaking aspen	0.1	0.1%	0.5
Black cherry	5.1	5.5%	18.7
Kwanzan cherry	2.2	2.3%	8.0
Pin oak	1.1	1.2%	4.1
Northern red oak	0.6	0.6%	2.1
Black oak	3.0	3.2%	11.1
Black locust	16.0	17.2%	58.8
Sassafras	0.5	0.6%	1.9
Pussy willow	1.4	1.5%	5.3
American basswood	0.4	0.4%	1.4
Total	93.3	100%	342.0

Due to limits of available models, i-Tree Eco will limit carbon storage to a maximum of 7,500 kg (16,534.7 lbs) and not estimate additional storage for any tree beyond a diameter of 254 cm (100 in). Whichever limit results in lower carbon storage is used.

Annual Carbon Sequestration of Trees by Species

Location: Yorktown, Westchester, New York, United States of America

Project: Kitchawan Farm, Series: 1, Year: 2021

Generated: 3/6/2021



Species	Gross Carbon Sequestration (ton/yr)	CO ₂ Equivalent (ton/yr)
Red maple	0.11	0.39
Sugar maple	0.09	0.33
Black birch	0.01	0.02
River birch	0.02	0.06
Northern catalpa	0.01	0.02
Katsura tree	0.01	0.05
hawthorn spp	0.00	0.01
silverbell spp	0.01	0.04
Eastern red cedar	0.00	0.02
sweetgum spp	0.02	0.07
Tulip tree	0.03	0.10
magnolia spp	0.01	0.04
Cucumber tree	0.55	2.02
Star magnolia	0.00	0.00
Crabapple 'Sugar Tyme'	0.00	0.00
White mulberry	0.01	0.05
Amur corktree	0.02	0.08
Eastern cottonwood	0.01	0.03
Quaking aspen	0.01	0.02
Black cherry	0.13	0.48
Kwanzan cherry	0.02	0.08
Pin oak	0.01	0.04
Northern red oak	0.01	0.05
Black oak	0.06	0.23
Black locust	0.01	0.04
Sassafras	0.01	0.04
Pussy willow	0.00	0.00
American basswood	0.01	0.02
Total	1.19	4.35

Carbon Storage of Trees by Species

Location: Yorktown, Westchester, New York, United States of America

Project: Kitchawan Farm, Series: Removals + Invasives Omitted, Year: 2021

Generated: 3/6/2021



Species	Carbon Storage (ton)	Carbon Storage (%)	CO ₂ Equivalent (ton)
Red maple	6.4	9.0%	23.5
Sugar maple	5.5	7.7%	20.1
Black birch	0.4	0.6%	1.6
River birch	0.4	0.6%	1.5
Northern catalpa	0.2	0.3%	0.7
Katsura tree	0.9	1.2%	3.1
hawthorn spp	0.2	0.3%	0.9
silverbell spp	12.8	17.9%	46.9
Eastern red cedar	0.6	0.9%	2.3
sweetgum spp	0.9	1.3%	3.5
Tulip tree	0.6	0.9%	2.3
magnolia spp	0.9	1.2%	3.3
Cucumber tree	26.2	36.6%	96.1
Star magnolia	1.1	1.5%	4.0
Crabapple 'Sugar Tyme'	1.1	1.6%	4.2
Eastern cottonwood	0.1	0.2%	0.5
Quaking aspen	0.1	0.2%	0.5
Black cherry	5.1	7.1%	18.7
Kwanzan cherry	2.2	3.1%	8.0
Pin oak	1.1	1.6%	4.1
Northern red oak	0.6	0.8%	2.1
Black oak	3.0	4.2%	11.1
Sassafras	0.5	0.7%	1.9
American basswood	0.4	0.5%	1.4
Total	71.5	100%	262.2

Due to limits of available models, i-Tree Eco will limit carbon storage to a maximum of 7,500 kg (16,534.7 lbs) and not estimate additional storage for any tree beyond a diameter of 254 cm (100 in). Whichever limit results in lower carbon storage is used.

Annual Carbon Sequestration of Trees by Species

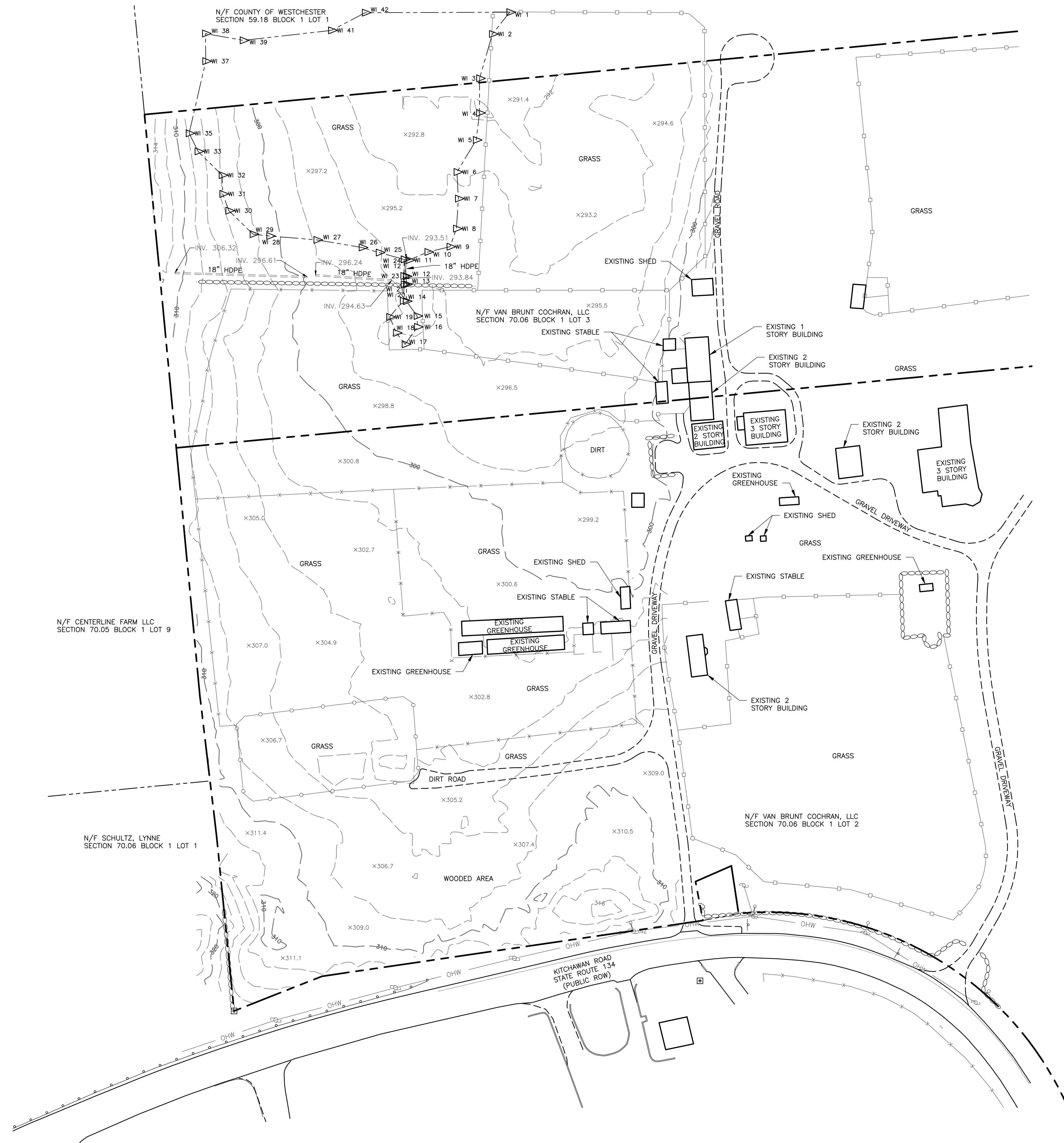
Location: Yorktown, Westchester, New York, United States of America

Project: Kitchawan Farm, Series: Removals + Invasives Omitted, Year: 2021

Generated: 3/6/2021

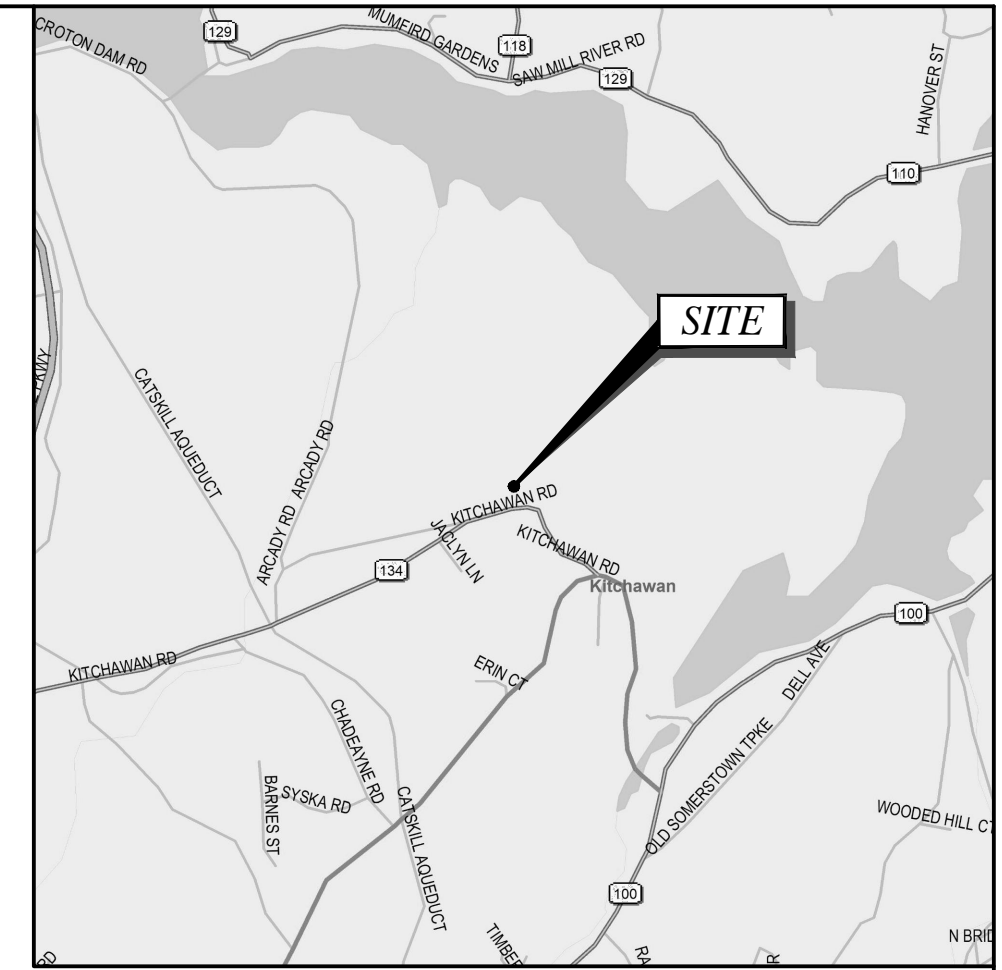


Species	Gross Carbon Sequestration (ton/yr)	CO ₂ Equivalent (ton/yr)
Red maple	0.11	0.39
Sugar maple	0.08	0.31
Black birch	0.01	0.02
River birch	0.02	0.06
Northern catalpa	0.01	0.02
Katsura tree	0.01	0.05
hawthorn spp	0.00	0.01
silverbell spp	0.01	0.04
Eastern red cedar	0.00	0.02
sweetgum spp	0.02	0.07
Tulip tree	0.03	0.10
magnolia spp	0.01	0.03
Cucumber tree	0.52	1.91
Star magnolia	0.00	0.00
Crabapple 'Sugar Tyme'	0.00	0.00
Eastern cottonwood	0.01	0.03
Quaking aspen	0.01	0.02
Black cherry	0.13	0.48
Kwanzan cherry	0.02	0.08
Pin oak	0.01	0.04
Northern red oak	0.01	0.05
Black oak	0.06	0.23
Sassafras	0.01	0.04
American basswood	0.01	0.02
Total	1.10	4.04



LEGEND

- — — — — PROPERTY LINE
- — — — — ADJOINING PROPERTY LINE
- - - - - EASEMENT LINE
- - - - - INDEX CONTOUR LINE
- - - - - CONTOUR LINE
- x - x - CHAIN LINK FENCE
- o - o - STOCKADE FENCE
- o - o - WROUGHT IRON FENCE
- — — — — CURB LINE
- — — — — EDGE OF GRAVEL
- — — — — EDGE OF PAVEMENT
- — — — — EDGE OF WATER/SWALE
- - - - - GUIDE RAIL
- - - - - PAINTED TRAFFIC LINES
- - - - - EDGE OF WETLANDS
- o o o o o STONE WALL
- ▭ STRUCTURE
- GUY ANCHOR
- ⊥ UTILITY POLE
- ⊥ SIGN
- ⊥ WETLAND FLAG
- ⊥ MONUMENT FOUND



LOCATION MAP

SCALE: 1" = 2000'

GENERAL NOTES

1. PLANIMETRIC AND TOPOGRAPHY FEATURES, SHOWN HEREON, BASED ON AERIAL PHOTOGRAPHY AND DELINEATED USING PHOTOGRAMMETRIC METHODS BY TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. COMPLETED ON 12/15/2020.
2. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM 1988.
3. MERIDIAN AND COORDINATES REFER TO NEW YORK STATE PLANE, NAD 83, NEW YORK EAST ZONE AND ARE BASED ON GPS OBSERVATIONS.
4. ANGLES OR BEARINGS SHOWN HEREON ARE FORMATTED IN DEGREES, MINUTES, AND SECONDS. DISTANCES OR ELEVATIONS SHOWN HEREON ARE IN U.S. SURVEY FEET, UNLESS NOTED OTHERWISE.
5. REFERENCES:
 - (A) MAP ENTITLED: "SURVEY OF VAN BRUNT ESTATE" AS FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON 06/18/53 AS MAP #8136.
 - (B) MAP ENTITLED: "SURVEY OF A PORTION OF VAN BRUNT ESTATE" AS FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON 06/18/53 AS MAP #8137.
 - (C) MAP ENTITLED: "SURVEY OF A PORTION OF VAN BRUNT ESTATE" AS FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON 06/18/53 AS MAP #8138.
 - (D) MAP ENTITLED: "SURVEY OF PROPERTY PREPARED FOR THE COUNTY OF WESTCHESTER" AS FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE ON 10/16/89 AS MAP #23918.
6. AREA OF SUBJECT PARCEL BLOCK 70.06, BLOCK 1, LOT 2: 14.848± ACRES OR 646,764 SQUARE FEET.
7. AREA OF SUBJECT PARCEL BLOCK 70.06, BLOCK 1, LOT 3: 8.125± ACRES OR 353,922 SQUARE FEET.
8. THIS SURVEY IS SUBJECT TO A COMPLETE AND UP TO DATE ABSTRACT OF TITLE, COVENANTS, EASEMENTS, GRANTS AND RIGHTS-OF-WAY NOT VISIBLE AND NOT REFERENCED ARE NOT SHOWN. TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. SHALL NOT BE LIABLE FOR THE DISTURBANCE TO ANYONE'S RIGHT TO THE USE OF THE PROPERTY OR THE DISTURBANCE TO ANY UTILITIES NOT SHOWN OR REFERENCED ON THIS SURVEY PLAT.
9. UNDERGROUND IMPROVEMENTS IF ANY AND NOT VISIBLE AT THE TIME OF THE SURVEY, HAVE NOT BEEN LOCATED IN THE FIELD OR SHOWN HEREON.
10. LOCATIONS OF ALL UTILITIES AND SUBSTRUCTURES ARE APPROXIMATE ONLY BASED ON SURFACE EVIDENCE AND EXISTING PLANS. THE INFORMATION GIVEN ON THE SURVEY PERTAINING TO UTILITIES AND SUBSTRUCTURES IS NOT CERTIFIED TO ACCURACY OR COMPLETENESS. CONSULT WITH THE APPROPRIATE COMPANY OR AGENCY BEFORE DESIGNING OR CONSTRUCTING IMPROVEMENTS. TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. WILL NOT BE RESPONSIBLE FOR ANY DAMAGE SUBSEQUENTLY CAUSED TO PERSONNEL, STRUCTURES, OR UTILITIES.
11. THIS SURVEY PLAT IS FOR SITE PLAN/ENGINEERING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR THE TRANSFER OF TITLE.
12. THE SUBJECT PROPERTY FALLS WITHIN FLOOD ZONE "X" AS PER THE NATIONAL FLOOD INSURANCE RATE MAP FOR THE TOWN OF YORKTOWN, COUNTY OF WESTCHESTER, STATE OF NEW YORK, COMMUNITY PANEL NO #36119C0131F, EFFECTIVE DATE OF 09/28/07. THIS DETERMINATION IS BASED ON SCALED MAP LOCATION AND GRAPHIC PLOTTING.
13. THE PROPERTY LINES SHOWN HEREON ARE APPROXIMATE AND FOR ORIENTATION PURPOSE ONLY AND THEY DO NOT REPRESENT A PROPERTY/BOUNDARY OPINION BY THE LAND SURVEYOR.
14. WETLAND FLAGS SHOWN AS DELINEATED BY TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. ON 12/15/20, AND FIELD SURVEYED BY TECTONIC ENGINEERING CONSULTANTS, GEOLOGISTS & LAND SURVEYORS, D.P.C. ON 12/15/20.
15. NOT ALL IMPROVEMENTS ON THE PARCEL BEING SURVEYED ARE SHOWN HEREON.

N/F CENTERLINE FARM LLC SECTION 70.05 BLOCK 1 LOT 9

N/F SCHULTZ, LYNNE SECTION 70.06 BLOCK 1 LOT 1

N/F VAN BRUNT COCHRAN, LLC SECTION 70.06 BLOCK 1 LOT 2

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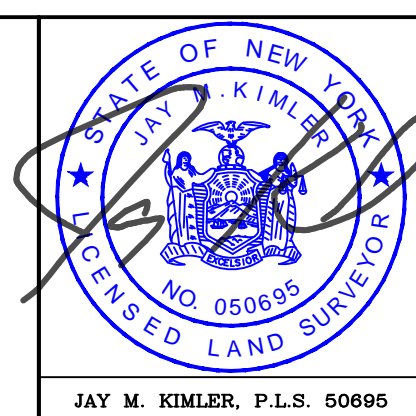
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Rev	Date	Revision	Approved
0	02/04/21	ISSUED	

DRAWING CONTROL			
Designed by:	Drawn by:	Checked by:	
N/A	Ryan Dembeck	DS	
Purpose	Released by	Date	
<input type="radio"/> For Comment			
<input type="radio"/> For Approval			
<input type="radio"/> For Bid			
<input type="radio"/> For Construction			

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 70 Pleasant Hill Road Phone: (845) 534-5959
 P.O. Box 37 Mountaintown, NY 10953 (800) 829-6531
 www.tectonicengineering.com



PARTIAL BOUNDARY AND TOPOGRAPHIC SURVEY			
ECOGY NEW YORK XI LLC KITCHAWAN 716 KITCHAWAN ROAD YORKTOWN, NY 10562			
Date	Work Order	Drawing No.	Rev
02/04/21			
Scale	10734.KITCHAWAN	SU-101	0
1" = 60'			

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Kitchawan Farm, Yorktown, NY

Recommended Tree + Shrub Species for Planting

March 24, 2021

MATURE HEIGHT CLASS	COMMON NAME	BOTANICAL NAME	NAMED CULTIVARS	SHADE PREFERENCE	COMMENTS
Compact (8'-12')	American cranberry-bush	<i>Viburnum opulus</i> var. <i>americanum</i>	'Bailey Compact' 'Compactum' 'Hahs' 'J.N. Select'	Full to partial sun	
Compact (8')	Bayberry	<i>Myrica pensylvanica</i>	Winter fruit supports bird species.	Full to partial sun	Winter fruit supports bird species.
Compact (8')	Common winterberry	<i>Ilex verticillata</i>	'Spravy' (female) 'Jim Dandy' (male) 'Winter Red' (female) 'Southern Gentleman' (male)	Full to partial sun	Supports bird and butterfly populations. Both male and female specimens required to fruit.
Compact (8')	Oak-leaved hydrangea	<i>Hydrangea quercifolia</i>	'Alice' 'Ruby Slippers' 'Snowflake'	Full to partial sun	Beautiful, long lasting flowers in summer.
Compact (8'-15')	Common witch-hazel	<i>Hamamelis virginiana</i>	'Harvest moon' 'Little Suzie' 'Pendula'	Full sun to full shade	Unique, subtle flowers in fall.
Small (12'-20')	Fringe tree	<i>Chionanthus virginicus</i>		Full to partial sun	Unique, fragrant white flowers in late spring
Small (15'-30')	Eastern redbud	<i>Cercis canadensis</i>	'Appalachian Red' 'Morton' 'Ace of Hearts' (dwarf form)	Full to partial sun	Small magenta flowers before leaves in early spring.
Small (20'-25')	Serviceberry	<i>Amelanchier x laevis</i> and others	'Cumulus' 'Rogers'	Partial sun to shade	Subtle white flowers before leaves in early spring; Yellow to orange red fall color; Several other suitable species and cultivars of <i>Amelanchier</i> exist.
Small (10'-20')	Sweetbay magnolia	<i>Magnolia virginiana</i>	'Jim Wilson'	Full to partial sun	Semi-evergreen; Best in wind protected areas to ensure hardiness.
Medium (20'-30')	American hornbeam	<i>Carpinus caroliniana</i>	---	Full sun to full shade	---

MATURE HEIGHT CLASS	COMMON NAME	BOTANICAL NAME	NAMED CULTIVARS	SHADE PREFERENCE	COMMENTS
Medium (40'-50')	Eastern red cedar	<i>Juniperus virginiana</i>	Several available of various mature heights.	Full sun	---
Medium (25'-40')	Hophornbeam	<i>Ostrya virginiana</i>		Full sun to partial shade	
Medium (30'-40')	River birch	<i>Betula nigra</i>	'Heritage' 'Dura-Heat' 'Little King' (dwarf form) 'Cully'	Full sun	Appropriate for the proposed birch grove; More resilient than the white-bark birches, which are prone to severe damage from bronze birch borer and birch leafminer infestations; The cultivars have attractive peeling white bark with undertones of salmon and brown.
Medium (30'-40')	Silverbell	<i>Helesia carolina</i>	'Uconn Wedding Bells' 'Rosea' 'Rosy Ridge'	Full sun to full shade	Attractive white flowers; Cultivars have pink flowers; The Brooklyn Botanical Gardens breeding nursery at Kitchawan contained numerous silverbells.
Medium (20'-35')	Yellow-flower magnolia	<i>Magnolia 'Elizabeth'</i>	'Elizabeth' and others	Full to partial sun	Brooklyn Botanical Gardens breeding nursery at Kitchawan was, in part, where the yellow flowering magnolias were originally developed.
Large (40'-60')	Black gum (aka Tupelo)	<i>Nyssa sylvatica</i>	'Wildfire'	Full to partial sun	Brilliant red fall color.
Large (60'-80')	White oak	<i>Quercus alba</i>	---	Full sun	---
Large (60'-80')	Swamp white oak	<i>Quercus bicolor</i>	---	Full sun	---
Large (50'-70')	Red maple	<i>Acer rubrum</i>	'Red Sunset' and 'October Glory' are common; many other are available	Full sun to partial sun	Will tolerate somewhat wet and compacted soils.
Large (60'-80')	Norway spruce	<i>Picea abies</i>	---	Full sun	Densely branched evergreen; Good choice for a staggered-row buffer planting along Kitchawan Road if kept far enough back from the utility wires – specimens currently on the property are growing very well.
Large (60'-80')	Eastern white pine	<i>Pinus strobus</i>	---	Full sun	Suitable for evergreen buffer plantings; Do not plant in areas with poorly drained or compacted soils.
Large (40'-60')	Green Giant Arborvitae	<i>Thuja 'Green Giant'</i>	---	Full sun to partial shade	Fast growing; Creates dense hedges; Can be sheared or left to grow naturally.

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



601539091LAG004Y

Westchester County Recording & Endorsement Page

Submitter Information

Name: Ecogy Energy Phone: 7183040945
 Address 1: 67 West St. Fax:
 Address 2: Suite 232 Email: julia.magliozzo@ecogyenergy.com
 City/State/Zip: Brooklyn NY 11222 Reference for Submitter: Memo of Lease for Ecogy New York XI I

Document Details

Control Number: **601539091** Document Type: **Lease Agreement (LAG)**
 Package ID: 2020060102570001002 Document Page Count: **6** Total Page Count: **8**

Parties

Additional Parties on Continuation page

1st PARTY **2nd PARTY**
 1: VAN BRUNT COCHRAN LLC - Other 1: ECOGY NEW YORK XI LLC - Other
 2: 2:

Property

Additional Properties on Continuation page

Street Address: 716 KITCHAWAN RD. Tax Designation: 70.06 -1 -3
 City/Town: YORKTOWN Village:

Cross-References

Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
 Page Fee: \$35.00
 Cross-Reference Fee: \$0.00
 Mortgage Affidavit Filing Fee: \$0.00
 RP-5217 Filing Fee: \$0.00
 TP-584 Filing Fee: \$5.00
 RPL 291 Notice Fee: \$0.00
 Total Recording Fees Paid: **\$80.00**

Mortgage Taxes

Document Date:
 Mortgage Amount:
 Basic: \$0.00
 Westchester: \$0.00
 Additional: \$0.00
 MTA: \$0.00
 Special: \$0.00
 Yonkers: \$0.00
 Total Mortgage Tax: **\$0.00**

Transfer Taxes

Consideration: \$0.00
 Transfer Tax: \$0.00
 Mansion Tax: \$0.00
 Transfer Tax Number: 20769

Dwelling Type: Exempt:
 Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 11/20/2020 at 02:35 PM
 Control Number: **601539091**
 Witness my hand and official seal

Timothy C. Idoni
 Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

Ecogy Energy
 315 Flatbush Ave
 #393
 Brooklyn, NY 11217
 Attn: Julia Magliozzo

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.

601539091LAG004Y

Westchester County Recording & Endorsement Page

Document Details

Control Number: **601539091**

Document Type: **Lease Agreement (LAG)**

Package ID: 2020060102570001002

Document Page Count: 6

Total Page Count: 8

Properties Addendum

716 KITCHAWAN RD. 10562

YORKTOWN

70.06 -1 -2

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO: Anthony J. Lebe RECL Group 39 Quail Court Suite #306 Walnut Creek, CA 94596	
---	--

Space above this line for Recorder's Use

MEMORANDUM OF OPTION AND LEASE AGREEMENT

THIS MEMORANDUM OF OPTION AND LEASE AGREEMENT ("**Memorandum**"), dated as of May 30, 2020, is entered into by and between Van Brunt Cochran LLC, a New York limited liability company ("**Lessor**"), and Ecology New York XI LLC, a Delaware limited liability company ("**Lessee**"). All capitalized terms used but not otherwise defined shall have the meanings ascribed to them in the Option and Lease Agreement (defined below).

WITNESSETH:

That for value received, Lessor and Lessee do hereby covenant, promise and agree as follows:

LESSOR: Van Brunt Cochran LLC, a New York Limited Liability Company, whose address on file with the Secretary or Department of Corporations, as applicable is 716 Kitchawan Road, Ossining, NY 10562.

LESSEE: Ecology New York XI LLC, a Delaware Limited Liability Company, whose address on file with the Secretary or Department of Corporations, as applicable is 9 Binney Lane, Old Greenwich CT 06870.

DESCRIPTION OF PREMISES:

The Premises consists of approximately 11± acres of vacant land located on the westerly side of the Property owned by Lessor and commonly known as 716 Kitchawan Rd., Ossining NY 10562. The Property is more particularly described in Exhibit 1 attached to and incorporated into this Memorandum.

For Lessor's title to the Property, reference is herein made to Deed dated and recorded Office of the Westchester County Clerk, Division of Land Records on December 6, 2020 at Control # 523233024.

OPTION COMMENCEMENT DATE:

The Effective Date of the Option and Lease Agreement.

LEASE COMMENCEMENT DATE:

The date Lessee exercises the Option.

TERM OF OPTION:

Five hundred forty (540) days

TERM OF LEASE:

25 years from the Commercial Operation Date of the System.

Three (3) five (5) year mutual extension term options.

NO FIXTURE:

The System, as defined in the Agreement, installed and operated by Lessee at the Premises shall not be deemed a fixture. The System is Lessee's personal property and Lessor has no right, title or interest in the System. Further, Lessor has waived all right of levy for rent, all claims and demands against the System and all rights it may have to place a lien on the System.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first written.

LESSOR:

Van Brunt Cochran LLC
a New York limited liability company.

By: 
Name: Alexander Cochran
Title: Managing Member

LESSEE:

Ecogy New York XI LLC,
a Delaware limited liability company

By: _____
Name: John Bertuzzi
Title: Managing Member



The date Lessee exercises the Option.

TERM OF OPTION:

Five hundred forty (540) days

TERM OF LEASE:

25 years from the Commercial Operation Date of the System.

Three (3) five (5) year mutual extension term options.

NO FIXTURE:

The System, as defined in the Agreement, installed and operated by Lessee at the Premises shall not be deemed a fixture. The System is Lessee's personal property and Lessor has no right, title or interest in the System. Further, Lessor has waived all right of levy for rent, all claims and demands against the System and all rights it may have to place a lien on the System.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first written.

LESSOR:

Van Brunt Cochran LLC
a New York limited liability company.


By:

Name: Alexander Cochran
Title: Managing Member

LESSEE:

Ecogy New York XI LLC,
a Delaware limited liability company

By:



Name: John Bertuzzi
Title: Managing Member

1

Arcadia Farm Solar Farm

APR 28 2021

TOWN OF YORKTOWN

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

APPLICATION FOR SITE PLAN APPROVAL

Date 4/08/2021

1. Name of Project: Arcadia Holding Co., LLC

2. Tax Map Designation (Section, Block, Lot) 47.11-1-4

3. Zone: R1-180 Total Acreage: 11.67

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

5. Project narrative (brief description of proposed development):

Installation of 2236 445W Solar Modules, (8) 100kWAC SolarEdge Inverters, (1) 800A
Combiner Panel, (1) 800A A/C Disconnect Switch, (1) 100kVA Transformer

6. Contact Person - CHOOSE ONLY ONE:

Applicant Owner Architect Wetland Scientist
 Attorney Engineer Surveyor Landscape Architect

7. Applicant

Name Michael Tarzian
Firm Croton Energy Group
Address 75 South Riverside Ave. Croton-on-Hudson, NY 10520
Phone 914-862-4220
Fax _____
Email mtarzian@crotonenergy.com

8. Owner of Record

Name Molly Flaherty & Patricia Peckham
Firm Arcadia Holding Co., LLC
Address 1300 Baptist Church Road, Yorktown Heights, NY 10598
Phone 914-455-2477
Fax _____
Email arcadia6706@aol.com

9. Attorney

Name N/A
Firm N/A
Address N/A
Phone N/A
Fax N/A
Email N/A

10. Engineer

Name Brian Behnke P.E
Firm LaBellaPC
Address 300 State Street, Suite 201, Rochester, NY 14614
Phone 315-278-4402
Fax _____
Email bbehnke@LaBellaPC.com
Lic. No. 98073

11. Surveyor

Name Edward Iamiceli
Firm Tectonic Engineering
Address 1279 Route 300, Newburgh, New York 12550
Phone 845-567-6656
Fax _____
Email eiamiceli@tectonicengineering.com
Lic. No. _____

12. Architect

Name N/A
Firm N/A
Address N/A
Phone N/A
Fax N/A
Email N/A
Lic. No. N/A

13. Wetland Scientist/Specialist

Name Edward Iamiceli
Firm Tectonic Engineering
Address 1279 Route 300, Newburgh, New York 12550
Phone 845-567-6656
Fax _____
Email eiamiceli@tectonicengineering.com

14. Landscape Architect

Name Thomas Daly
Firm SLR Engineering, Landscape Architecture, and Land Surveying PC
Address 99 Realty Drive, Cheshire, CT 06410
Phone 475-244-2309
Fax _____
Email tdaly@slrconsulting.com
Lic. No. _____

15. Is this project within 500 feet of the Town line? Yes No
16. Is this project within 500 feet of the Putnam County line? Yes No
17. Is this project within the Sustainable Development Study Area? Yes No

18. Is this project within 500 feet of:

- The right-of-way of any existing or proposed state or county road? Yes No
The boundary of an existing or proposed state or county park or any state or county recreation area? Yes No
The boundary of state or county-owned land on which a public building/institution is located? Yes No
An existing or proposed county drainage line? Yes No
The boundary of a farm located in an agricultural district? Yes No

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

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

- Wetland Permit
 Stormwater Permit
 Tree Permit
 Planning Board special permit: 300-81.4
 Town Board variance or approval: _____
 Zoning Board of Appeals variance or special permit: _____

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

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

22. This parcel is in the following districts:

School District	<u>Yorktown</u>	Water District	<u>N/A</u>
Fire District	<u>Yorktown</u>	Sewer District	<u>N/A</u>

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

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

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

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

Applicant

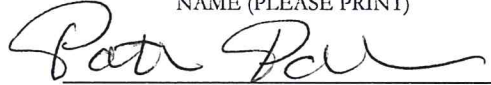
Michael Tarzian
NAME (PLEASE PRINT)


SIGNATURE

4/20/2021
DATE

Owner of Record

Patricia Peckham
NAME (PLEASE PRINT)


SIGNATURE

4-28-21
DATE

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

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

REFER TO AFFIDAVITS ON THE FOLLOWING PAGES

ONE OF THE FOLLOWING AFFIDAVITS MUST BE COMPLETED

AFFIDAVIT TO BE COMPLETED BY OWNER, OTHER THAN CORPORATION

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

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

Sworn before me this _____ date of _____, 20__

Notary Public

AFFIDAVIT TO BE COMPLETED BY CORPORATION OWNER

STATE OF NEW YORK; COUNTY OF WESTCHESTER SS. :

PATRICIA PECKHAM, being duly sworn, deposes and says that he resides at Yorktown Hshs NY
1300 Baptist Church Rd
in the County of Westchester and State of New York. That he is the PRESIDENT
of ARCADIA HOLDING CO LLC the corporation which is owner in fee of the property described in the
foregoing application for SPECIAL USE PERMIT and that the statements contained therein
are true to the best of his knowledge and belief.

Pat Peckham

Sworn before me this 27th date of April, 2021

Tracie Feminella
Notary Public



606256



421220168DED

Control Number 421220168	WIID Number 2002122-000076	Instrument Type DED
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**WESTCHESTER COUNTY RECORDING AND ENDORSEMENT PAGE
(THIS PAGE FORMS PART OF THE INSTRUMENT)
*** DO NOT REMOVE *****

THE FOLLOWING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT DED - DEED

FEE PAGES 8

TOTAL PAGES 8

RECORDING FEES

STATUTORY CHARGE	\$5.25
RECORDING CHARGE	\$24.00
RECORD MGT. FUND	\$4.75
RP 5217	\$25.00
TP-584	\$5.00
CROSS REFERENCE	\$0.00
MISCELLANEOUS	\$0.00
TOTAL FEES PAID	\$64.00

MORTGAGE TAXES

MORTGAGE DATE	
MORTGAGE AMOUNT	\$0.00
EXEMPT	
YONKERS	\$0.00
BASIC	\$0.00
ADDITIONAL	\$0.00
SUBTOTAL	\$0.00
MTA	\$0.00
SPECIAL	\$0.00
TOTAL PAID	\$0.00

TRANSFER TAXES

CONSIDERATION	\$2,650,000.00
TAX PAID	\$10,600.00
TRANSFER TAX #	16393

SERIAL NUMBER
DWELLING

RECORDING DATE 05/08/2002
TIME 12:02:00

THE PROPERTY IS SITUATED IN
WESTCHESTER COUNTY, NEW YORK IN THE:
TOWN OF YORKTOWN

WITNESS MY HAND AND OFFICIAL SEAL

LEONARD N. SPANO
WESTCHESTER COUNTY CLERK

Record & Return to:
THOMAS P CASPER ESQ
126 BARKER STREET
MT KISCO, NY 10549

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT-THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

DED
T-YOR
7-P

THIS INDENTURE, made the 14th day of March, 2002

BETWEEN

J.
VIRGINIA SCIARPELLETTI, residing at 1300 Baptist Church Road,
Yorktown Heights, New York

party of the first part, and

ARCADIA HOLDING CO., LLC, with offices at 14 Sun Valley Road,
North Salem, New York

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other
good and valuable consideration ^{and/or}
paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs
or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate,
lying and being in the Town of Yorktown, County of Westchester, State of New
York, more fully described within Schedule A, annexed hereto

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads
abutting the above described premises to the center lines thereof; TOGETHER with the appurtenances and all
the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the
premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of
the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything
whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the
first part will receive the consideration for this conveyance and will hold the right to receive such consideration
as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same
first to the payment of the cost of the improvement before using any part of the total of the same for any other
purpose. The word "party" shall be construed as if it read "parties" when ever the sense of this indenture so
requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above
written.

IN PRESENCE OF:


Virginia J. Sciarpelletti

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE IN NEW YORK STATE

State of New York, County of *Orange* ss:

State of New York, County of ss:

On the *14* day of *March* in the year *2002*
before me, the undersigned, personally appeared
Virginia J. Sciarpelletti

On the *day of* in the year
before me, the undersigned, personally appeared

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Kevin B. Dwyer

(signature and office of individual taking acknowledgment)

(signature and office of individual taking acknowledgment)

KEVIN B. DWYER
Notary Public, State of New York
No. 02DW8006323
Qualified in Putnam County
Commission Expires May 26, 2009

TO BE USED ONLY WHEN THE ACKNOWLEDGMENT IS MADE OUTSIDE NEW YORK STATE

State (or District of Columbia, Territory, or Foreign Country) of

ss:

On the *day of*
appeared

in the year

before me, the undersigned, personally

personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument, and that such individual made such appearance before the undersigned in the

_____ in _____
(insert the City or other political subdivision) (and insert the State or Country or other place the acknowledgment was taken)

(signature and office of individual taking acknowledgment)

**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS**

Title No. _____
VIRGINIA J. SCIARPELLETTI
TO
ARCADIA HOLDING CO., LLC

SECTION 8.4 8.1
BLOCK 27 27
LOT 5 7.1, 8
COUNTY ~~ORANGE~~ Westchester
STREET ADDRESS
1300 Baptist Church Road
Yorktown Heights, New York
Recorded at Request of
COMMONWEALTH LAND TITLE INSURANCE COMPANY

STANDARD FORM OF NEW YORK BOARD OF TITLE UNDERWRITERS

Distributed by



Commonwealth

A LORAMERICA COMPANY

COMMONWEALTH LAND TITLE INSURANCE COMPANY

RETURN BY MAIL TO:

Thomas P. Casper, Esq.
126 Barker Street
Mount Kisco, New York 10549

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE

Schedule A Description

Title Number CSA01-00637-W

Page 1

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester, State of New York, bounded and described as follows:

Beginning at a point on the northerly side of Baptist Church Road where the same is intersected by the premises now being described and land now or formerly of Imogene Hubbard;

Running thence along said land and along the mean center line of a stone wall, North 18 degrees 48 minutes 00 seconds East 346.12 feet;

Thence North 28 degrees 28 minutes 00 seconds East 200.05 feet;

Thence North 61 degrees 32 minutes 00 seconds West 194.12 feet to lands now or formerly of George W. Johnston;

Running thence along said land and the mean center line of an old stone wall the following courses and distances:

North 24 degrees 03 minutes 45 seconds East 42.45 feet;
North 22 degrees 30 minutes 55 seconds East 41.01 feet;
North 20 degrees 31 minutes 35 seconds East 127.40 feet;
North 33 degrees 39 minutes 20 seconds East 129 feet;
North 66 degrees 27 minutes 50 seconds East 20 feet;
North 35 degrees 00 minutes 50 seconds East 57.62 feet;
North 35 degrees 57 minutes 40 seconds East 90.39 feet;
North 34 degrees 35 minutes 00 seconds East 213.14 feet;
North 61 degrees 48 minutes 40 seconds East 8.16 feet;
South 79 degrees 54 minutes 00 seconds East 115.85 feet; and
South 89 degrees 54 minutes 20 seconds East 45.18 feet to a point of intersection with the northerly boundary of lands now or formerly of Imogene Hubbard;

Thence continuing along said lands of George W. Johnston and the mean center line of a stone wall the following courses and distances:

North 19 degrees 14 minutes 00 seconds East 188.75 feet;
North 17 degrees 41 minutes 44 seconds East 219.74 feet;
North 52 degrees 28 minutes 17 seconds West 27.91 feet;
North 15 degrees 14 minutes 38 seconds East 131.21 feet; and
North 14 degrees 42 minutes 38 seconds East 100.24 feet to the northwest corner of property described and to land conveyed by Elizabeth H. Hall to William J. Murphy by deed dated December 12, 1950 and recorded in the Office of the Clerk of Westchester County on December 18, in Liber 4935 of Deeds, page 277 and now or formerly of the County of Westchester;

Schedule A Description

Title Number CSA01-00637-W

Page 2

Thence along land formerly of said Murphy and now or formerly of the County of Westchester,

South 70 degrees 35 minutes 50 seconds East 269.53 feet to the westerly side of a Right-of-Way on a certain map entitled, "Survey of Property to be Acquired by the County of Westchester from New Jersey Industries, Inc.. for a County Use and Purpose and also for, but now limited to Park Sites and Recreational Areas", filed in the Office of the County Clerk of Westchester County, October 28, 1966 as Filed Map No. 15027, Section 2 of 2 Section;

Thence along the westerly side of said Right-of-Way the following courses and distances:

Southerly on a curve to the left with a radius of 40 feet, 37.85 feet; and continuing southeasterly along said right of way on a curve to the right with a radius of 40 feet, 24.89 feet;

Thence continuing along said right of way the following courses and distances:

South 0 degrees 51 minutes 00 seconds West 247.39 feet;
South 15 degrees 14 minutes 40 seconds West 357.54 feet;
South 63 degrees 35 minutes 20 seconds West 231.80 feet;
South 31 degrees 14 minutes 10 seconds West 232.95 feet;
South 21 degrees 36 minutes 50 seconds West 308.04 feet;
South 5 degrees 33 minutes 20 seconds East 186.50 feet;
South 19 degrees 27 minutes 30 seconds West 147.70 feet;
South 0 degrees 28 minutes 50 seconds East 274.31 feet to a point;

Thence on a curve to the right tangent to the northerly side of the Baptist Church Road and having a radius of 25 feet, a distance of 46.35 feet to a point on the northerly side of said Baptist Church Road;

Thence along the northerly side of said road,

North 74 degrees 15 minutes 56 seconds West 104.90 feet;
North 71 degrees 29 minutes 44 seconds West 162.02 feet; and
North 69 degrees 15 minutes 29 seconds West 166.35 feet to the place of beginning.

PARCEL II

All that certain lot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York, bounded and described as follows:

Beginning at a point on the easterly side of a proposed right of way which extends northerly from the Baptist Church Road which place of beginning is the

Schedule A Description

Title Number CSA01-00637-W

Page 3

southwest corner of premises described and the northwest corner of property conveyed by Elizabeth H. Hall to Robert B. Adelman by deed dated July 9, 1948 and recorded in the Office of the Clerk of the County of Westchester, Division of Land Records, in Liber 4654 cp 236;

Thence running from said point of beginning along the easterly side of said Right-of-Way the following courses and distances:

North 21 degrees 36 minutes 50 seconds East 101.75 feet;
North 31 degrees 14 minutes 10 seconds East 214.24 feet;
North 63 degrees 35 minutes 20 seconds East 239.74 feet;
North 15 degrees 14 minutes 40 second East 386.30 feet;
North 00 degrees 51 minutes 00 seconds East 253.71 feet to a point;

Thence on a curve to the right having a radius of 40 feet a distance of 24.89 feet;
Thence on a curve to the left having a radius of 40 feet a distance of 11.94 feet to the northwest corner of premises described and to property formerly of William J. Murphy and now or formerly of the County of Westchester;

Thence along said property, South 70 degrees 35 minutes 50 seconds East 248.02 feet to a point in the face of a stone wall and property of New York City;

thence South 04 degrees 55 minutes 30 seconds West 40.93 feet to a corner;

Thence South 86 degrees 00 minutes 30 seconds East 200 feet along the south face of a stone wall to the northeast corner of premises described;

Thence South 12 degrees 01 minutes 30 seconds West along property of the City of New York and along the westerly face of a stone wall 979.10 feet to the southeast corner of premises described;

Thence North 85 degrees 56 minutes 37 seconds West 709.76 feet to the point and place of beginning.

PARCEL III

All the certain plot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York shown and designated as a Right of Way on a certain map entitled, "Survey of Property to be Acquired by the County of Westchester from New Jersey Industries, Inc. for a County use and Purpose and also for, but not limited to Park Sites and Recreational Areas", filed in the Office of the County Clerk of Westchester County, October 28, 1966 as Filed Map Number 15027, Section 2 of 2 Sections, said premises being more particularly bounded and described as follows:

Beginning at a point on the northerly side of Baptist Church Road where the

Schedule A Description

Title Number CSA01-00637-W

Page 4

same is intersected by the extreme easterly end of a curve having a radius of 25 feet, a distance of 32.19 feet which curve connects the easterly side of said Right of Way being described herein and the northerly side of Baptist Church Road, said point being the point of intersection of the northerly side of Baptist Church Road with the southwesterly corner of said lands now or formerly of Dansereau as described in deed Liber 5525 cp 52;

Running thence from said point of beginning along lands now or formerly of Dansereau the following courses and distances;

1. In a general northerly direction along the arc of a curve bearing to the right having a radius of 25 feet, a distance of 32.19 feet;
2. North 01 degrees 03 minutes 36 seconds East a distance of 294.61 feet; and
3. North 20 degrees 59 minutes 55 seconds East, a distance of 150 feet;

Running thence North 04 degrees 00 minutes 55 seconds West, a distance of 185.51 feet to lands now or formerly of Adelman by deed Liber 4654 cp 236;

Running thence along land now or formerly of Adelman and land now or formerly of Kourland by deed Liber 5512 cp 373;

North 23 degrees 09 minutes 15 seconds East a distance of 291.75 feet;

Running thence still along land now or formerly of Kourland the following six courses and distances:

1. North 32 degrees 46 minutes 35 seconds East a distance of 214.24 feet;
2. North 65 degrees 07 minutes 45 seconds East a distance of 239.74 feet;
3. North 16 degrees 47 minutes 05 seconds East a distance of 386.30 feet;
4. North 02 degrees 23 minutes 25 seconds East a distance of 253.71 feet;
5. In a general northerly direction along the arc of a curve bearing to the right having a radius of 40 feet a distance of 24.89 feet; and
6. In a general northerly direction along the arc of a curve bearing to the left having a radius of 40 feet a distance of 11.94 feet to lands now or formerly of the County of Westchester;

Running thence along said lands now or formerly of the County of Westchester in a general northerly, westerly and southerly direction along the arc of a curve bearing to the left having a radius of 40 feet a distance of 125.66 feet to other lands now or formerly of Kourland by deed Liber 4998 cp 216;

Running thence along said land now or formerly of Kourland the following 11 courses and distances:

1. In a general southerly direction along the arc of a curve bearing to the left having a radius of 40 feet a distance of 37.85 feet;
2. In a general southerly direction along the arc of a curve bearing to the right

Schedule A Description

Title Number CSA01-00637-W

Page 5

having a radius of 40 feet a distance of 24.89 feet;

3. South 02 degrees 23 minutes 25 seconds West a distance of 247.39 feet;

4. South 16 degrees 47 minutes 05 seconds West a distance of 357.54 feet;

5. South 65 degrees 07 minutes 45 seconds West a distance 231.80 feet;

6. South 32 degrees 46 minutes 35 seconds West a distance of 232.95 feet;

7. South 23 degrees 09 minutes 15 seconds West a distance of 308.04 feet;

8. South 04 degrees 00 minutes 55 seconds East a distance of 186.50 feet;

9. South 20 degrees 59 minutes 55 seconds West a distance of 147.70 feet;

10. South 01 degrees 03 minutes 35 seconds West a distance of 274.31 feet to the extreme northerly end of a curve;

11. Running thence in a general southwesterly direction along the arc of a curve to the right having radius of 25 feet a distance of 46.35 feet to the northerly side of Baptist Church Road; and

Thence along the northerly side of Baptist Church Road, South 72 degrees 43 minutes 31 seconds East a distance of 104.15 feet to the point or place of beginning.

APR 28 2021

TOWN OF YORKTOWN PLANNING BOARD

TOWN OF YORKTOWN

Large Scale Solar Power Generation Systems & Facilities Special Permit Application Addendum

GENERAL PROJECT INFORMATION

Project Name: Arcadia Holding Co., LLC

Section, Block, Lot: 47.11-1-4

Existing Site Use: Residential Commercial Zone: R1-180

Is Applicant? Property Owner Lessee

Proposed Lot Coverage: 2.87 acres (25%)

PROVIDE THE TOTAL SYSTEM CAPACITY RATING

A Large Scale Solar Energy system is a Solar Energy System that exceeds 20 kW DC as rated by its nameplate capacity. The maximum system capacity and the maximum area of land upon which the system shall be erected are as follows:

(1) Up to one megawatt AC on an area of land no larger than 10 acres, excluding any easement for accessing the parcel; or over 1 but not to exceed 5 Megawatt AC on an area of land no larger than 20 acres, excluding any easement for accessing the parcel.

Total System Capacity Rating: 1,339,000 kWh Power Rating 995.02 kW (Select One) AC or DC

SELECT INSTALLATION TYPE

Ground Rooftop

PROPOSED SOLAR ENERGY SYSTEM INSTALLATION INFORMATION

Sponsor Company

Contact Name Michael Tarzian

Business Name Croton Energy Group

Address 75 South Riverside Ave. Croton-on-Hudson, NY 10520

Phone 914-862-4220

Email mtarzian@crotonenergy.cc

Contractor/Installation Company

Contact Name Michael Tarzian
Business Name Croton Energy Group
Address 75 South Riverside Ave. Croton-on-Hudson, NY 1
Phone 914-862-4220
Email mtarzian@crotonene

PROPOSED OWNER AND/OR OPERATOR (IF DIFFERENT FROM ABOVE)

Name John Bertuzzi
Firm Ecogy New York XIII LLC
Address 315 Flatbush Ave #393, Brooklyn, NY 11217
Phone 718-304-0945
Email projectmanagement@ecogyenergy.com

SUBMITTAL REQUIREMENTS

In order to submit a complete permit application for a new large scale solar power generation system, the applicant must include:

- a) Completed Planning Board Special Use Permit Application with this Large Scale Solar Power Generation System Addendum.
- b) A special permit application fee of \$625.00 paid by check made payable to the Town of Yorktown.
- c) Required documents as listed in Section 300-84.1 F):
 - Equipment specification sheets shall be submitted for all photovoltaic panels, significant components, mounting systems, and inverters that are to be installed.
 - A property Operation and Maintenance Plan shall be submitted.
 - A carbon sequestration for tree loss calculation.
 - Proposed tree loss mitigation, if applicable.
 - A Decommissioning Plan
- d) All site plan application requirements pursuant to Section 300-85/1 I) of the Town of Yorktown Town Code.

APR 28 2021

TOWN OF YORKTOWN

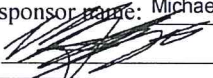
617.20
Appendix B
Short Environmental Assessment Form

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: Arcadia Ground Mount Community Solar System			
Project Location (describe, and attach a location map): 1300 Baptist Church Road, Yorktown Heights, NY 10598			
Brief Description of Proposed Action: Installation of 2236 445W Solar Modules, (8) 100kWAC SolarEdge Inverters, (1) 800A Combiner Panel, (1) 800A A/C Disconnect Switch, (1) 100kVA Transformer			
Name of Applicant or Sponsor: Michael Tarzian		Telephone: 914-862-4220 E-Mail: mtarzian@crotonenergy.com	
Address: 75 South Riverside Ave.			
City/PO: Croton-on-Hudson		State: NY	Zip Code: 10520
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 checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		11.67 acres	
b. Total acreage to be physically disturbed?		5.11 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		11.67 acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input checked="" type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<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? If Yes, describe: _____ _____	NO	YES
	<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? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Michael Tarzian		Date: 4/20/2021
Signature: 		

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

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

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?		
11. Will the proposed action create a hazard to environmental resources or human health?		

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

<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.	
_____	_____
Name of Lead Agency	Date
_____	_____
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
_____	_____
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

RESET

The Office of the Westchester County Clerk: This page is part of the instrument; the County Clerk will rely on the information provided on this page for purposes of indexing this instrument. To the best of submitter's knowledge, the information contained on this Recording and Endorsement Cover Page is consistent with the information contained in the attached document.



601476460LAG002Y

Westchester County Recording & Endorsement Page

Submitter Information

Name: Ecogy Energy Phone: 7183040945
 Address 1: 67 West St. Fax:
 Address 2: Suite 232 Email: julia.magliozzo@ecogyenergy.com
 City/State/Zip: Brooklyn NY 11222 Reference for Submitter: Memo of Lease for Ecogy New York XIII

Document Details

Control Number: **601476460** Document Type: **Lease Agreement (LAG)**
 Package ID: 2020052601452001001 Document Page Count: **9** Total Page Count: **10**

Parties

Additional Parties on Continuation page

1st PARTY **2nd PARTY**
 1: ARCADIA HOLDING CO LLC - Other 1: ECOGY NEW YORK XIII LCC - Other
 2: 2:

Property

Additional Properties on Continuation page

Street Address: 1300 BAPTIST CHURCH RD. Tax Designation: 47.11 -1 -4
 City/Town: YORKTOWN Village:

Cross-References

Additional Cross-Refs on Continuation page

1: 2: 3: 4:

Supporting Documents

1: TP-584

Recording Fees

Statutory Recording Fee: \$40.00
 Page Fee: \$50.00
 Cross-Reference Fee: \$0.00
 Mortgage Affidavit Filing Fee: \$0.00
 RP-5217 Filing Fee: \$0.00
 TP-584 Filing Fee: \$5.00
 RPL 291 Notice Fee: \$0.00
 Total Recording Fees Paid: **\$95.00**

Mortgage Taxes

Document Date:
 Mortgage Amount:
 Basic: \$0.00
 Westchester: \$0.00
 Additional: \$0.00
 MTA: \$0.00
 Special: \$0.00
 Yonkers: \$0.00
 Total Mortgage Tax: **\$0.00**

Transfer Taxes

Consideration: \$0.00
 Transfer Tax: \$0.00
 Mansion Tax: \$0.00
 Transfer Tax Number: 17604

Dwelling Type: Exempt:
 Serial #:

RECORDED IN THE OFFICE OF THE WESTCHESTER COUNTY CLERK



Recorded: 09/25/2020 at 11:12 AM
 Control Number: **601476460**
 Witness my hand and official seal

Timothy C. Idoni
 Westchester County Clerk

Record and Return To

Pick-up at County Clerk's office

Julia Magliozzo
 195 Garfield Place
 Apt 2N
 Brooklyn, NY 11215

RECORDING REQUESTED BY AND WHEN RECORDED RETURN TO:	
--	--

Anthony J. Lebe
RECL Group
39 Quail Court
Suite #306
Walnut Creek, CA 94596

Space above this line for Recorder's Use

MEMORANDUM OF OPTION AND LEASE AGREEMENT

THIS MEMORANDUM OF OPTION AND LEASE AGREEMENT ("**Memorandum**"), dated as of May 1, 2020, is entered into by and between Arcadia Holding Co., LLC, a New York limited liability company ("**Lessor**"), and Ecogy New York XIII, LLC, a Delaware limited liability company ("**Lessee**"). All capitalized terms used but not otherwise defined shall have the meanings ascribed to them in the Option and Lease Agreement (defined below).

WITNESSETH:

That for value received, Lessor and Lessee do hereby covenant, promise and agree as follows:

LESSOR: Arcadia Holding Co., LLC, a New York Limited Liability Company

Address: 1300 Baptist Church Road
Yorktown Heights, NY 10598

LESSEE: Ecogy New York XIII, LLC, a Delaware Limited Liability Company

Address: 9 Binney Lane
Old Greenwich, CT 06870

DESCRIPTION OF PREMISES:

The Premises consists of approximately 275,000 square feet located on the Property owned by Lessor and identified as the Ground Mount Area together with access rights to such ground space as defined in Recital A of this Option and Lease Agreement and commonly known as 1300 Baptist Church Rd, Yorktown NY 10598 and more particularly described in **Exhibit 1** attached to and incorporated into this Memorandum.

For Lessor's title to the Property, reference is herein made to Deed dated and recorded in Westchester County.

OPTION COMMENCEMENT DATE:

The Effective Date of the Option and Lease Agreement.

LEASE COMMENCEMENT DATE:

The date Lessee exercises the Option.

TERM OF OPTION:

Five hundred forty (540) days

TERM OF LEASE:

25 years

Two (2) five (5) year extension term options.

NO FIXTURE:

The System, as defined in the Agreement, installed and operated by Lessee at the Premises shall not be deemed a fixture. The System is Lessee's personal property and Lessor has no right, title or interest in the System. Further, Lessor has waived all right of levy for rent, all claims and demands against the System and all rights it may have to place a lien on the System.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first written.

LESSOR:

Arcadia Holding Co., LLC,
a New York limited liability company

By: 

Name: Patricia Peckham

Title: PRESIDENT

LESSEE:

Ecogy New York XIII, LLC,
a Delaware limited liability company

By:

Name: John Bertuzzi
Title: Managing Member

LEASE COMMENCEMENT DATE:

The date Lessee exercises the Option.

TERM OF OPTION:

Five hundred forty (540) days

TERM OF LEASE:

25 years

Two (2) five (5) year extension term options.

NO FIXTURE:

The System, as defined in the Agreement, installed and operated by Lessee at the Premises shall not be deemed a fixture. The System is Lessee's personal property and Lessor has no right, title or interest in the System. Further, Lessor has waived all right of levy for rent, all claims and demands against the System and all rights it may have to place a lien on the System.

IN WITNESS WHEREOF, the parties hereto have duly executed this instrument as of the day and year first written.

LESSOR:

Arcadia Holding Co., LLC,
a New York limited liability company

By: _____

Name:

Title:

LESSEE:

Ecogy New York XIII, LLC,
a Delaware limited liability company

By:  _____

Name: John Bertuzzi

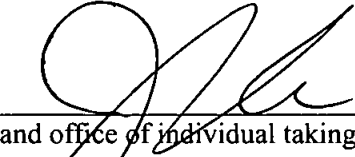
Title: Managing Member



ACKNOWLEDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

On the 1st day of May in the year 2020, before me, the undersigned, personally appeared Patricia Peckham personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity, and that by her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.



(signature and office of individual taking acknowledgment)

JERRY GERSHNER
Notary Public, State of New York
No. 01GE4500961
QUALIFIED IN WESTCHESTER COUNTY
COMMISSION EXPIRES JULY 31, 2021

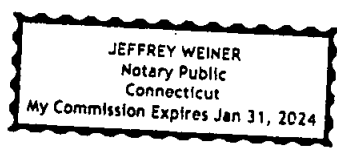


ACKNOWLEDGMENT

STATE OF NEW YORK)
COUNTY OF Fairfield) ss.:

On the 30 day of 7 in the year 2020, before me, the undersigned, personally appeared John DeFizzi personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Jeffrey Weiner
(signature and office of individual taking acknowledgment)



1

Exhibit 1 to Memorandum

Description of Property

That real property commonly known as: 1300 Baptist Church Road Yorktown NY 10598 (Assessor's Parcel Number 47.11 -1 -4) and more fully described in the Legal Description set forth below:

LEGAL DESCRIPTION

All that certain plot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester, State of New York, bounded and described as follows:

Beginning at a point on the northerly side of Baptist Church Road where the same is intersected by the premises now being described and land now or formerly of Imogene Hubbard;

Running thence along said land and along the mean center line of a stone wall, North 18 degrees 48 minutes 00 seconds East 346.12 feet;

Thence North 28 degrees 28 minutes 00 seconds East 200.05 feet;

Thence North 61 degrees 32 minutes 00 seconds West 194.12 feet to lands now or formerly of George W. Johnston;

Running thence along said land and the mean center line of an old stone wall the following courses and distances:

North 24 degrees 03 minutes 45 seconds East 42.45 feet;
North 22 degrees 30 minutes 55 seconds East 41.01 feet;
North 20 degrees 31 minutes 35 seconds East 127.40 feet;
North 33 degrees 39 minutes 20 seconds East 129 feet;
North 66 degrees 27 minutes 50 seconds East 20 feet;
North 35 degrees 00 minutes 50 seconds East 57.62 feet;
North 35 degrees 57 minutes 40 seconds East 90.39 feet;
North 34 degrees 35 minutes 00 seconds East 213.14 feet;
North 61 degrees 48 minutes 40 seconds East 8.16 feet;
South 79 degrees 54 minutes 00 seconds East 115.85 feet; and South 89 degrees 54 minutes 20 seconds East 45.18 feet to a point of intersection with the northerly boundary of lands now or formerly of Imogene Hubbard;

Thence continuing along said lands of George W. Johnston and the mean center line of a stone wall the following courses and distances:

North 19 degrees 14 minutes 00 seconds East 188.75 feet;
North 17 degrees 41 minutes 44 seconds East 219.74 feet;
North 52 degrees 28 minutes 17 seconds West 27.91 feet;
North 15 degrees 14 minutes 38 seconds East 131.21 feet; and
North 14 degrees 42 minutes 38 seconds East 100.24 feet to the northwest corner of property described and to land conveyed by Elizabeth H. Hall to William J. Murphy by deed dated December 12, 1950 and recorded in the Office of the Clerk of Westchester County on December 18, in Liber 4935 of Deeds, page 277

and now or formerly of the County of Westchester;

Thence along land formerly of said Murphy and now or formerly of the County of Westchester,

South 70 degrees 35 minutes 50 seconds East 269.53 feet to the westerly side of a Right-of-Way on a certain map entitled, "Survey of Property to be Acquired by the County of Westchester from New Jersey Industries, Inc. for a County Use and Purpose and also for, but now limited to Park Sites and Recreational Areas", filed in the Office of the County Clerk of Westchester County, October 28, 1966 as Filed Map No. 15027, Section 2 of 2 Section;

Thence along the westerly side of said Right-of-Way the, following courses and distances:

Southerly on a curve to the left with a radius of 40 feet, 37.85 feet; and continuing southeasterly along said right of way on a curve to the right with a radius of 40 feet, 24.89 feet;

Thence continuing along said right of way the following courses and distances:

South 0 degrees 51 minutes 00 seconds West 247.39 feet;
South 15 degrees 14 minutes 40 seconds West 357.54 feet;
South 63 degrees 35 minutes 20 seconds West 231.80 feet;
South 31 degrees 14 minutes 10 seconds West 232.95 feet;
South 21 degrees 36 minutes 50 seconds West 308.04 feet;
South 5 degrees 33 minutes 20 seconds East 186.50 feet;
South 19 degrees 27 minutes 30 seconds West 147.70 feet;
South 0 degrees 28 minutes 50 seconds East 274.31 feet to a point;

Thence on a curve to the right tangent to the northerly side of the Baptist Church Road and having a radius of 25 feet, a distance of 46.35 feet to a point on the northerly side of said Baptist Church Road;

Thence along the northerly side of said road,

North 74 degrees 15 minutes 56 seconds West 104.90 feet;
North 71 degrees 29 minutes 44 seconds West 162.02 feet; and
North 69 degrees 15 minutes 29 seconds West 166.35 feet to the place of beginning.

PARCEL II

All that certain lot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York, bounded and described as follows:

Beginning at a point on the easterly side of a proposed right of way which extends northerly from the Baptist Church Road which place of beginning is the

Southwest corner of premises described and the northwest corner of property conveyed by Elizabeth H. Hall to Robert B. Adelmar, by deed dated July 9, 1948 and recorded in the Office of the Clerk of the County of Westchester, Division of Land Records, in Liber 4654 cp 236;

Thence running from said point of beginning along the easterly side of said Right-of-Way the following courses and distances:

North 2.1 degrees 36 minutes 50 seconds East 101.75 feet;
North 31 degrees 14 minutes 10 seconds East 214.24 feet;
North 63 degrees 35 minutes 20 seconds East 239.74 feet;
North 15 degrees 14 minutes 40 second East 386.30 feet;
North 00 degrees 51 minutes 00 seconds East 253.71 feet to a point;

Thence on a curve to the right having a radius of 40 feet a distance of 24.89 feet;
Thence on a curve to the left having a radii.rs of 40 feet a distance of 11.94 feet to the northwest corner of premises described and to property formerly of William J. Murphy and now or formerly of the County of Westchester;

Thence along said property, South 70 degrees 35 minutes 50 seconds East 248.02 feet to a point in the face of a stone wall and property of New York City;

thence South 04 degrees 55 .minutes 30 seconds West 40.93 feet to a corner;

Thence South 86 degrees 00 minutes 30 seconds East 200 feet along the south face of a stone wall to the northeast corner of premises described;

Thence South 12 degrees 01 minutes 30 seconds West along property of the City of New York and along the westerly face of a stone wall 979.10 feet to the southeast corner of premises described;

Thence North degrees 56 minutes 37 seconds West 709.76 feet to the point and place of beginning.

PARCEL III

All the certain plot, piece or parcel of land, situate, lying and being in the Town of Yorktown, County of Westchester and State of New York shown and designated as a Right of Way on a certain map entitled, "Survey of Property to be Acquired by the County of Westchester from New Jersey Industries, Inc. for a County use and Purpose and also for, but not limited to Park Sites and Recreational Areas"; filed in the Office of the County Clerk of Westchester County, October 28, 1966 as Filed Map Number 15027, Section 2 of 2 Sections, said premises being more particularly bounded and described as follows:

Beginning at a point on the northerly side of Baptist Church Road where the same is intersected by the extreme easterly end of a curve having a radius of 25 feet, a distance of 32.19 feet which curve connects the easterly side of said Right of Way being described herein and the northerly side of Baptist Church Road, said point being the point of intersection of the northerly side of Baptist Church Road with the southwesterly corner of said lands now or formerly of Dansereau as _described in deed Liber 5525 cp 52;

Running thence from said point of beginning along lands now or formerly of Dansereau the following courses and distances;

4. In a general northerly direction along the arc of a curve bearing to the right having a radius of 25 feet, a distance of 32.19 feet;

5. North 01 degrees 03 minutes 36 seconds East a distance of 294.61 feet; and
6. North 20 degrees 59 minutes 55 seconds East, a distance of 150 feet;

Running thence North 04 degrees 00 minutes 55 seconds West, a distance of 185.51 feet to lands now or formerly of Adelman by deed Liber 4654 cp 236;

Running thence along land now or formerly of Adelman and land now or formerly of Kourland by deed Liber 5512 cp 373;

North 23 degrees 09 minutes 15 seconds East a distance of 291.75 feet;

Running thence still along land now or formerly of Kourland the following six courses and distances:

3. North 32 degrees 46 minutes 35 seconds East a distance of 214.24 feet;
4. North 65 degrees 07 minutes 45 seconds East a distance of 239.74 feet;
3. North 16 degrees 47 minutes 05 seconds East a distance of 386.30 feet;
7. North 02 degrees 23 minutes 25 seconds East a distance of 253.71 feet;
8. In a general northerly direction, along the arc of a curve bearing to the right having a radius of 40 feet a distance of 24.89 feet; and
9. In a general northerly direction along the arc of a curve bearing to the left having a radius of 40 feet a distance of 11.94 feet to lands now or formerly of the County of Westchester;

Running thence along said lands now or formerly of the County of Westchester in a general northerly, westerly and southerly direction along the arc of a curve bearing to the left having a radius of 40 feet a distance of 125.66 feet to other lands now or formerly of Kourland by deed Liber 4998 cp 216;

Running thence along said land now or formerly of Kourland the following 11 courses and distances:

9. In a general southerly direction along the arc of a curve bearing to the left having a radius of 40 feet a distance of 37.85 feet;
10. In a general southerly direction along the arc of a curve bearing to the right having a radius of 40 feet a distance of 24.89 feet;
11. South 02 degrees 23 minutes 25 seconds West a distance of 247.39 feet;
12. South 16 degrees 47 minutes 05 seconds West a distance of 357.54 feet;
13. South 65 degrees 07 minutes 45 seconds West a distance 231.80 feet;
14. South 32 degrees 46 minutes 35 seconds West a distance of 232.95 feet;
15. South 23 degrees 09 minutes 15 seconds West a distance of 308.04 feet;
16. South 04 degrees 00 minutes 55 seconds East a distance of 186.50 feet;
9. South 20 degrees 59 minutes 55 seconds West a distance of 147.70 feet;
10. South 01 degrees 03 minutes 35 seconds West a distance of 274.31 feet to the extreme northerly end of a curve;
11. Running thence in a general southwesterly direction along the arc of a curve to the right having radius of 25 feet a distance of 46.35 feet to the northerly side of Baptist Church Road; and

Thence along the northerly side of Baptist Church Road, South 72 degrees 43 minutes 31 seconds East a distance of 104.15 feet to the point or place of beginning.



75 S. Riverside Ave.
Croton-on-Hudson, NY 10520
914-862-4220

Developer



67 West St Suite 202 Brooklyn, NY 11222
718-304-0945
O&M Contact: John Gorman
jgorman@ecogyenergy.com
Construction Contact: Jim Donnelly
jim.donnelly@ecogyenergy.com
Project Manager: Julia Magliozzo
jmagliozzo@ecogyenergy.com

Page Size: 24" x 36"

Power Clerk Project #:

PROPERTY INFORMATION

SBL: 47.11-1-4
Block Group: 1
Lot: 4
Lot Area: 11.67 Acres
Latitude: 41°15'34.3"N
Longitude: 73°49'24.5"W

Array 1 Azimuth: 205°

Panel Tilt: 20°

PE Stamps/ Signatures

Rev	Date	Description	Initial
00	4/1/21	Design	MT

1300 Baptist Church Rd
Yorktown Hts. NY
10598

Owner: Arcadia Holding Co., LLC

Solar Modules:
(2236) 445W Solar Modules

Solar Inverters:
(8) SolarEdge 100kW 3φ 480V Inv's

Solar System DC Size: 995.02kW

Solar System AC Size: 800kW

Interconnection Type:
Community Solar

SITE PLAN
OVERVIEW

Scale: See Scales Page 1 of 2

A-000.01

Legend

- Solar Panel
- FD Setbacks & Pathways
- Gas Line
- D/C Home Run
- A/C Home Run
- Light Shade
- Heavy Shade
- Obstruction (Vent Pipe)
- Building Outline
- Solar Inverter Electrical Equipment

SCOPE OF WORK

- Installation of:
- (2236) Solar Modules 445W (49,662 sqft)
- (8) SolarEdge 100kW 480V Inverters
- (1) 52IT 800A Solar AC Combiner Panel
- (1) 89L 800A AC Disconnect Switch
- (1) 1000kVA Utility Transformer

2
A-000 TAX MAP
Scale: NTS



3
A-000 UTILITY CAPACITY MAP
Scale: NTS



SCALE: 1"=40'-0" (IN FEET)
0 20' 40' 80'





Ecogy Solar Project Operation and Maintenance Plan

Ecogy Energy will partner with a dedicated Operations and Maintenance provider (“Contractor”) for the below services throughout the life of the solar system. Ecogy can submit information about the Operations and Maintenance Contractor to the Town for the record once a contract has been signed with a provider.

Description of System Services that Contractor will provide on a MONTHLY basis:

- I. Performance Monitoring:
 - A. Contractor shall monitor System production beginning on Commencement Date continuously throughout the Term and shall provide a System performance report on a monthly basis, detailing the following:
 1. Actual vs. expected performance of the System for the prior period expressed in kWh
 2. Any shortfall in System production resulting in less than 85% of expected performance

Description of System Services that Contractor will provide on a SEMI-ANNUAL basis:

- I. Site and System Inspection:
 - A. Contractor shall perform Site and System inspection on or around a mutually agreed upon date no later than six months after Commencement Date and then on a semi-annual basis thereafter. Results of inspection will be provided to Customer within five business days of inspection and shall include:
 1. Array Inspection
 - a) Inspect PV modules for damage, discoloration or delamination
 - b) Inspect mounting system for damage or corrosion
 2. Site Conditions
 - a) Inspect drainage conditions
 - b) Inspect system site for array shading which may diminish efficiency of the System (i.e. vegetation, construction, etc.)
 - c) Inspect System for fire hazards
 - d) Inspect safety conditions and proper signage
 3. Maintenance Reporting
 - a) Record results of all inspections
 - b) Take photographs of any damage or defects identified
 - c) Inform Customer and warranty providers of all deficiencies identified
 - d) Provide Customer with recommendations for corrective actions



- e) Take photographs of the System and Site, dated within 30 days of end of semi-annual period

Description of System Services that Contractor will provide on an ANNUAL basis:

I. Performance Monitoring:

A. Contractor will provide, on or around the first anniversary of the Contract and annually thereafter, an annual operations and maintenance report, such report to include:

1. Actual vs. expected production of solar energy by System for the previous year and on a cumulative basis to date, expressed in kWh
2. System Availability percentage
3. Performance Index Measure
4. Operation and Maintenance Records
5. Safety, Accidents and Environmental Reporting
6. Proposal of Recommended Actions
7. Photographs of the System and Premises, dated within 30 days of anniversary period.

B. Preventative Maintenance, Inspections & Testing:

1. Array
 - a) Inspect PV modules for damage, discoloration or delamination
 - b) Inspect mounting system for damage or corrosion
2. Inverter
 - a) Torque checks on critical electrical terminations
 - b) Clean all filters and fans
 - c) Inspect inverter pad and container
3. Electrical Balance of System (BOS)
 - a) Inspect ground braids, electrodes and conductors for damage
 - b) Perform thermo-graphic analysis of combiner boxes, inverters, transformers, and conductor connections to buses, breakers or disconnects
4. Premises Conditions
 - a) Inspect drainage conditions
 - b) Inspect site for array shading which may diminish efficiency of the System (i.e. vegetation, construction, etc.)
 - c) Inspect System for fire hazards
 - d) Inspect safety conditions and proper signage
5. Maintenance Reporting
 - a) Record results of all inspections
 - b) Take photographs of any damage or defects identified



- c) Inform Customer and warranty providers of all deficiencies identified
- d) Provide Customer with recommendations for corrective actions

Description of System Services that Contractor will provide on an AS-NEEDED basis at an additional cost:

- I. Corrective Maintenance, including:
 - A. Module cleaning, to include surface washing of all modules with pressure washing settings not to exceed 1,500 PSI. Contractor will provide before and after photographs of System.
 - B. On-site troubleshooting & diagnostics of all system components (service included at no additional cost for systems under Contractor Warranty)
 - C. Inverter and Data Acquisition System resets: (service included at no additional cost for systems under Contractor Warranty):
 - 1. Remote resets (if capability enabled and connection available)
 - 2. On-site resets
 - D. Processing of warranty claims on behalf of Customer and verification of replaced equipment (service included at no additional cost for systems under Contractor Warranty)
 - E. Management of repair and replacement for equipment out of warranty (service included at no additional cost for systems under Contractor Warranty).
 - F. Ongoing warranty support and representation of Customer's interest with System equipment manufacturers (service included at no additional cost for systems under Contractor Warranty).
 - G. All repair and replacement services beyond the installation and workmanship warranty as outlined in Section 3.1.
 - H. Repair and replacement of equipment covered by the Manufacturer's warranties as listed in Attachment D.

If the system is performing at or above 100% of the expected system production for the prior six month period, Contractor may elect to forgo the scheduled semi-annual site inspection, maintenance and testing.



Ecogy Arcadia Ground Mount Solar Project Decommissioning Plan

1. Executive Summary:

As stated in the Yorktown Solar Code, all applications for a solar farm shall be accompanied by a decommissioning plan to be implemented upon abandonment, or cessation of activity, or in conjunction with removal of the facility. We are providing the below full report of Ecogy's decommissioning plan for the Arcadia Ground Mount Solar Project, including costs and timeline, to satisfy such requirements.

This report includes an analysis of the estimated decommissioning costs broken down by system components, as well as a description of the associated time required to perform the decommissioning tasks. In addition, we describe each component's salvage value, the time required to decommission and remove the solar energy system and any ancillary structures, and the time required to repair any damage caused to the property on which the solar energy system is located by the removal of the system. Future costs projected in the model escalate 2% annually due to estimated inflation over the next 25 years.

2. Methodology

Throughout this report, assumptions are based on current market values, assessments of labor costs, and our professional development experience. Table 2 below shows the proposed ground-mounted solar system's technical specifications as submitted with this application.

2.1 Proposed PV System Details

Table 2. Arcadia Solar Project Technical Details

Proposed Solar System Technical Details	
AC System Size	800 kW AC
Racking Type	Ground Mounted

Component	Type	Quantity	Warranty
PV Module	Hanwha Q.Cells 445W	2232	30-year Power Production Warranty (Expected Life 35-40 Years)

Inverter	SolarEdge 100K-US	8	15-year Warranty (Expected replacement at year 15 so expected life of 30 Years)
Transformer	Utility Owned	1	Utility is responsible for maintenance and replacement.
Racking System	To Be Determined	-	25-year Warranty is typical (Expected lifetime 35-50 Years)

2.2 Solar PV Decommissioning Tasks and Costs

Through Ecogy’s 10 years of experience and additional research, we have created a list of solar system equipment and its associated decommissioning tasks and timelines. This list forms the basis of Ecogy’s decommissioning plan and outlines the steps Ecogy would take to remove the solar system from the property. The equipment and steps are as follows:

1. Modules: The modules’ frame and surface would be mechanically separated. The glass and aluminum frames would be sold as recycled material.
2. Inverters: Inverters would be properly disposed of at an electronic waste facility.
3. Racking: Racking would be consolidated and sold as recycled scrap steel. Vegetation would be restored in any disturbed areas with native seed mixes.
4. Wiring: All wiring would be disconnected and sold as recycled insulated cable.
5. Foundations: Foundations would be broken up on site and either removed or recycled as ABC material. Vegetation would be restored in any disturbed areas with native seed mixes.
6. Power Poles: Grid connection wiring and utility owned transformer would be removed or kept depending on preference of the landowner.

To estimate the associated costs for major tasks needed to decommission a PV system, Ecogy used the NYSERDA “Decommissioning Solar Panel Systems; Information for local governments and landowners on the decommissioning of large-scale solar panel systems - 2016”, which provides estimates of potential decommissioning costs for a ground-mounted 2,000 kW solar panel system. The costs were scaled to reflect the smaller size of our proposed 800 kW AC system. It is estimated that many components could be salvaged to offset the labor cost. This analysis is shown in Table 3 below.

Table 3: Summary of Cost Assumptions for Proposed Solar PV System

Component	NYSERDA Est. Cost for 2,000 kW System	Est. Cost for the proposed 800 kW System (40% of NYSERDA)	Est. Salvage Value	Est. Net Cost of Decommissioning	Est. Timeline
Remove Rack Wiring	\$2,459.00	\$983.60	\$250.00	\$733.60	1-5 Days
Remove Panels	\$2,450.00	\$980.00	\$4,000.00	(\$3,020.00)	5-10 Days
Dismantle Racks	\$12,350.00	\$4,940.00	\$2,000.00	\$2,940.00	5-10 Days
Remove Electrical Equipment	\$1,850.00	\$740.00	\$1,000.00	(\$260.00)	5-10 Days
Breakup and Remove Concrete Pads	\$1,500.00	\$600.00	\$0.00	\$600.00	1-5 Days
Remove Racks	\$7,800.00	\$3,120.00	\$0.00	\$3,120.00	1-5 Days
Remove Cable	\$6,500.00	\$2,600.00	\$0.00	\$2,600.00	1-5 Days
Remove Ground Screws and Power Poles	\$13,850.00	\$5,540.00	\$0.00	\$5,540.00	10-15 Days
Remove Fence	\$4,950.00	\$1,980.00	\$0.00	\$1,980.00	1-5 Days
Grading	\$4,000.00	\$1,600.00	\$0.00	\$1,600.00	5-10 Days
Seed Disturbed Areas	\$250.00	\$100.00	\$0.00	\$100.00	1-5 Days
Truck to Recycling Center	\$2,250.00	\$900.00	\$0.00	\$900.00	1-5 Days
Current Total Cost	\$60,209.00	\$24,083.60	\$7,250.00	\$16,833.60	90 Days (High End)

Table 4: 25 Year Decommissioning Plan

25 Year Decommissioning Plan with 2% Annual Inflation			
Year	Est. Decommissioning Cost	Value of Salvage Material	Net Cost of Decommissioning
0	\$24,083.60	\$7,250.00	\$16,833.60
1	\$24,685.69	\$7,431.25	\$17,254.44
2	\$25,302.83	\$7,617.03	\$17,685.80
3	\$25,935.40	\$7,807.46	\$18,127.95



4	\$26,583.79	\$8,002.64	\$18,581.14
5	\$27,248.38	\$8,202.71	\$19,045.67
6	\$27,929.59	\$8,407.78	\$19,521.82
7	\$28,627.83	\$8,617.97	\$20,009.86
8	\$29,343.53	\$8,833.42	\$20,510.11
9	\$30,077.12	\$9,054.26	\$21,022.86
10	\$30,829.04	\$9,280.61	\$21,548.43
11	\$31,599.77	\$9,512.63	\$22,087.14
12	\$32,389.76	\$9,750.44	\$22,639.32
13	\$33,199.51	\$9,994.21	\$23,205.30
14	\$34,029.50	\$10,244.06	\$23,785.44
15	\$34,880.23	\$10,500.16	\$24,380.07
16	\$35,752.24	\$10,762.67	\$24,989.57
17	\$36,646.05	\$11,031.73	\$25,614.31
18	\$37,562.20	\$11,307.53	\$26,254.67
19	\$38,501.25	\$11,590.21	\$26,911.04
20	\$39,463.78	\$11,879.97	\$27,583.81
21	\$40,450.38	\$12,176.97	\$28,273.41
22	\$41,461.64	\$12,481.39	\$28,980.24
23	\$42,498.18	\$12,793.43	\$29,704.75
24	\$43,560.63	\$13,113.26	\$30,447.37
25	\$44,649.65	\$13,441.09	\$31,208.55



Coordinated Electric System Interconnect Review

Distributed Energy Resources - NYSSIR

Doc # MC-479897

Date : August 06, 2020

For

Interconnection Customer : Bertuzzi , John

Applicant : Management , Project

Company : Ecogy New York XIII LLC

799.2 kW Solar Generator System

**1300 BAPTIST CHURCH RD
Yorktown Heights , NY 10598**

Interconnection to Consolidated Edison Company of New York

NY Westchester

Millwood West Region

Buchanan Substation

13 kV Feeder Aqueduct - 2

THIS DOCUMENT AND ANY ATTACHMENTS HERETO ("DOCUMENT") IS MADE AVAILABLE BY CONSOLIDATED EDISON UPON AND SUBJECT TO THE EXPRESS UNDERSTANDING THAT: (A) NEITHER CONSOLIDATED EDISON NOR ANY OF ITS OFFICERS, DIRECTORS, AFFILIATES, AGENTS, OR EMPLOYEES MAKES ANY WARRANTY, ASSURANCE, GUARANTY, OR REPRESENTATION WITH RESPECT TO THE CONTENTS OF THE DOCUMENT OR THE ACCURACY OR COMPLETENESS OF THE INFORMATION CONTAINED OR REFERENCED IN THE DOCUMENT, AND (B) CONSOLIDATED EDISON, ITS OFFICERS, DIRECTORS, AFFILIATES, AGENTS, AND EMPLOYEES SHALL NOT HAVE ANY LIABILITY OR RESPONSIBILITY FOR INACCURACIES, ERRORS, OR OMISSIONS IN, OR ANY BUSINESS OR POLICY DECISIONS MADE BY ANY DIRECT OR INDIRECT RECIPIENT IN RELIANCE ON, THIS DOCUMENT OR THE INFORMATION CONTAINED OR REFERENCED THEREIN; ALL SUCH LIABILITY IS EXPRESSLY DISCLAIMED.

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1.0 INTRODUCTION

This report presents the analysis results of the Consolidated Edison Company of New York (“Consolidated Edison” or the “Company”) interconnection study based on the proposed interconnection and design submittal from the Interconnection Customer in accordance with the Company Engineering Standard EO-2115. The intent of this report is to assess this project’s feasibility, determine its impact to the existing electric power system (EPS), determine interconnection scope and installation requirements, and determine costs associated with interconnecting the Interconnection Customer’s generation to the Company’s Electric Power System (EPS). This Coordinated Electric System Impact Review (CESIR) study; according to the New York State Standardized Interconnection Requirements (NYSSIR) Section I.C Step 6; identifies the scope, schedule, and costs specific to this Interconnection Customer’s installation requirements.

2.0 EXECUTIVE SUMMARY

The interconnection was found to be feasible with modifications to the existing Company EPS and operating conditions, which are described in detail in the body of this Study.

The total estimated planning grade cost of the work associated with the interconnection of the Interconnection Customer is as follows:

- Pad Mount New Service - \$117,839

If utility system or service upgrades are required, the applicant has 60 business days to pay at least 25% of the costs and 120 business days to provide full payment. Upon full payment the utility will commence construction of system modifications. If the Interconnection Solutions above are not amenable to you, you may choose to withdraw your application, in which case your interconnection request will not move forward and no further action on the part of the utility is required. In order to move forward, please log into the [Power Clerk](#) Portal within 10 business days to choose the Interconnection Solution that best fits your needs. By selecting an Interconnection Solution presented above, the applicant is committing to the utility upgrades described as well as the project design or document revisions described below.

3.0 COMPANY EPS PARAMETERS

Substation	Buchanan
Transformer Name (list multiple where normally tied to common bus)	NA
Transformer Peak Load (kW)	126000
Contingency Condition Load, N-1 Criteria (kW) (as applicable)	NA
[Daytime, 24 hour] Light Load (kW)	46100
Generation: Total (kW)	35,405.222
Generation: Connected (kW)	14,124.988
Generation: Queued Ahead (kW)	21,280.234
Contingency Condition Generation: Total (kW)	0
Contingency Condition Generation: Connected (kW)	0
Contingency Condition Generation: Queued Ahead (kW)	0
Supply Voltage (kV)	13.4
Transformer Maximum Nameplate Rating (kVA)	NA
Distribution Bus Voltage Regulation	Yes
Transmission GFOV Status	NA
Bus Tie	Closed
Number of Feeders Served from this Bus	19

Connecting Feeder/Line	13W80
Peak Load on feeder (kW)	4717
[Daytime, 24 hour] Light Load on Feeder (kW)	1059
Feeder Primary Voltage at POI (kV)	0.406
Line Phasing at POI	3
Circuit distance from POI to substation	NA
Distance (miles) from POI to nearest 3-phase, (if applicable)	NA
Line Regulation	Yes
Line/Source Grounding Configuration at POI	Effective
Other Generation: Total (kW)	0
Other Generation: Connected (kW)	0
Other Generation: Queued Ahead (kW)	0

System Fault Characteristics without Interconnection Customer DG at POI with System Upgrades described in Section 6	
Interconnection Customer POI Location	new service
I 3-phase (3LLL)	NA
I Line to Ground (3I0)	NA
Z1 (100 MVA base)	NA
Z0 (100 MVA base)	NA

4.0 INTERCONNECTION CUSTOMER SITE

The Interconnection Customer is proposing a new service connection.

The proposed generating system consists of:

<p>New DG Details : Type <Solar> and Total Name Plate KW <799.2 kW></p> <p>The Customer at 1300 Baptist Church Rd, Yorktown Heights has applied for installation of a PV solar system under the CDG net metering rate. The project includes the installation of 8 Solar Edge inverters, model SE100KUS (480V), for a total system capacity of 800kW. The service ruling provided for this project includes the installation of a 3-phase Kyle switch on a new pole and furnish and deliver a dedicated 1000kVA 265/460V pad-mounted transformer off the Aqueduct-2 loop, feeder 13W80.</p>
--

5.0 SYSTEM IMPACT ANALYSIS

Category	Criteria	Limit	Description	Result
Voltage	Overvoltage	< 105% (ANSI C84.1 and EO2065)	With the addition of the subject generator the maximum voltage as modeled on the 13W80 is 100% of nominal.	Pass
Voltage	Undervoltage	> 95% (ANSI C84.1 and EO2065)	With the addition of the subject generator the minimum voltage as modeled on the 13W80 is 100% of nominal.	Pass
Voltage	Substation Regulation for Reverse Power	<NA% minimum load criteria	The total generation on FeedersNA is NA MW. The total minimum load on these Feeders is NA MW. Therefore, the generation to load ratio is NA%.	NA
Voltage	Feeder Regulation for Reverse Power	<NA% Minimum load to generation ratio	The total generation downstream of voltage regulator NA is NA MW. The minimum load downstream of the voltage regulator is NA MW. Therefore, the generation to load ratio is NA%.	NA
Voltage	Fluctuation	<3% steady state from proposed generation on feeder		Pass
Voltage	Fluctuation	<5% steady state from aggregate DER on substation bus		Pass
Voltage	Fluctuation	Regulator tap movement exceeds 1 position, generation change of 75% of nameplate rating does not result in voltage change > ½ the bandwidth of any feeder voltage regulating device.	The greatest voltage fluctuation on the feeder occurs at NA and substation bus occurs at NA. The resulting fluctuation at the feeder location is NA% due to the proposed generation and NA% on the substation bus due to the aggregate generation. Additional details for voltage regulators : NA	NA
Voltage	Flicker	Screen H Flicker	The Pst for the location with the greatest voltage fluctuation is NA and the emissions limit is NA.	NA
Equipment Ratings	Thermal (continuous current)	<NA% thermal limits assuming no load	The subject generator's full output current is NA A. The total full output current of all DER downstream of NA is NA A. NA thermal capabilities are NA A.	NA
Equipment Ratings	Withstand (fault current)	<90% withstand limits	The additional fault current contribution from the generation contributes to interrupting ratings in excess of existing EPS equipment.	Pass
Protection	Unintentional Islanding	Unintentional Islanding Document & Company Guidelines		Pass
Protection	Protective device coordination	Company Guidelines		Pass
Protection	Fault Sensitivity	Rated capabilities of EPS equipment		Pass

Protection	Ground Fault Detection	Reduction of reach > x% (by Utility)	The Interconnection Customer has proposed a grounding bank with an impedance of NA ohms and X/R ratio of NA. To be within Company guidelines the grounding bank shall have an impedance of NA ohms. The Interconnection Customer will contribute approximately NA A of 3I0 current to remote bolted line to ground faults and NA A to faults at the PCC.	NA
Protection	Overvoltage - Transmission System Fault	Company 3V0 criteria	The generation to load ratio on the serving distribution system has failed the Company's planning threshold in which transmission ground fault overvoltage become an electrical hazard due to the distribution source contribution. An evaluation of the existing EPS has been performed and it has been determined that protection mitigation methods are required.	NA
Protection	Overvoltage - Distribution System Fault	<NA% voltage rise	With subject generator interconnected the modeled voltage rise on the unfaulted phases of the system is NA%.	NA
Protection	Effective Grounding	NA	With subject generator interconnected the modeled R0/X1 is NA PU and the X0/X1 is NA PU.	NA
SCADA	Required EMS Visibility for Generation Sources	Monitoring & Control Requirements	The 0.8 MW subject generator triggers the requirement for SCADA reporting to the Utility.	Yes
Other	High Voltage in the surrounding area	NA	List any unique or other interconnection problems here The interconnection area may be experiencing high voltage during light load periods and this may affect the operation of the inverters.	Fail

Additional Comments:

The Customer at 1300 Baptist Church Rd, Yorktown Heights has applied for an installation of a PV solar system under the CDG net metering rate. The project includes the installation of 8 Solar Edge inverters, model SE100KUS (480V), for a total system capacity of 800kW. The service ruling provided for this project consists of installation of a new 50 foot class one pole between poles 29 and 30 on Baptist Church Rd., the installation of a three phase kyle switch on the pole and riser down with 3-1/0 al primary riser cable from the output of the switch to a customer p/l box. Furnish and deliver a 1000kVA, 265/460v, 13/4kV pad-mounted transformer to the customer p/l line.

A study was performed taking in consideration different scenarios and the proposed project cannot be accepted as is. The Customer is proposing to install the PV system for export purposes only. This will add to the generation already ahead in the queue proposed to interconnect on the same feeder as 1300 Baptist Church Rd. Feeder 13W80 carries a load of 1 MW during light load periods. Due to the amount of DG estimated to be interconnected to this feeder, during these periods of light load, most of the DG produced will feed back to our area substation. As a result of these findings and the Customer DG system size, SCADA monitoring and control at the knew proposed kyle switch will need to be installed.

According to our study results, during light load periods, the area where the project is proposing to interconnect, may experience higher voltage readings than allowed by ANSI limits and this can cause the inverters to disconnect / shut off.

6.0 MITIGATIONS FOR SYSTEM IMPACT ANALYSIS FAILURES

Detail below is intended to provide sufficient information and clarity to give the Interconnection Customer an understanding to the relationship of costs and scope associated with the DER interconnection and the system modifications due to the DER impact. This includes any required EPS equipment upgrades. Where scope items are identified, associated labor, equipment rentals and indirect project support functions (such as engineering and project management) are intended and implied.

Option	Description	Cost
Pad Mount New Service	The service ruling provided for this project consists of the installation of a new 50 foot class one pole between poles 29 and 30 on Baptist Church Rd., the installation of a three phase kyle switch on the pole and riser down with 3-1/0 al primary riser cable from the output of the switch to a customer p/l box. Furnish and deliver a 1000kVA, 265/460v, 13/4kV pad-mounted transformer to the customer p/l line. SCADA monitoring and control at the kyle switch will be required due to the size of the DG.	\$ 117,839

Cost estimate includes new service and SCADA installation cost.

The substation upgrades required to facilitate the proposed installation include the following:

The Distribution upgrades required to facilitate the proposed installation include the following:

The ability to generate is contingent on this facility being served by the interconnecting circuit during normal Utility operating conditions. Therefore, if the interconnecting circuit is out of service, or if abnormal utility operating conditions of the area EPS are in effect, the Company reserves the right to disengage the facility.

Any change in system size and/or design is subject to the requirements of the NYSSIR, as well as supplemental documents developed by the Interconnection Technical Working Group and Interconnection Policy Working Group.

7.0 CONCEPTUAL COST ESTIMATE

The following items are a good faith estimate for the scope and work required to interconnect the project estimated under rates and schedules in effect at the time of this study in accordance with the most recent version of the NYSSIR.

Planning Grade Estimate

See cost estimates in Section 6

Notes:

1. These estimated costs are based upon the results of this study and are subject to change. All costs anticipated to be incurred by the Company are listed.
2. The Company will reconcile actual charges upon project completion and the Interconnection Customer will be responsible for all final charges, which may be higher or lower than estimated according to the NYSSIR I.C step 11.
3. This estimate does not include the following:
 - additional interconnection study costs, or study rework
 - additional application fees,
 - applicable surcharges,
 - property taxes,
 - sales tax,
 - future operation and maintenance costs,
 - adverse field conditions such as weather and Interconnection Customer equipment obstructions,
 - extended construction hours to minimize outage time or Company's public duty to serve,
 - the cost of any temporary construction service, or
 - any required permits.
4. Cost adders estimated for overtime would be based on 1.5 and 2 times labor rates if required for work beyond normal business hours. Per Diems are also extra costs potentially incurred for overtime labor.

8.0 GENERAL REQUIREMENTS FOR ALL DG INTERCONNECTIONS

- A. Provide the load dispatcher name and phone number you wish to appear in the First Amendment (document to follow). Note that this contact is required to be available at this phone number 24 hours, 7 days a week. The contact will need to be available for communications regarding emergency operation of customer equipment and may need to provide access to their equipment if necessary.

- B. The generator disconnect switch (intertie disconnect) shall provide a visible break, manual, gang-operated, loadbreak, lockable, and accessible isolating device.
- C. At the location, and on the drawing, identify and clearly label the "GENERATOR DISCONNECT SWITCH 89L" with permanent 3/8 inch letters or larger.
- D. The labeling of the "AC Panel" housing the inverter circuit breakers should have additional label that reads; "DEVICE 52IT PANEL" and the individual breakers labeled as 52IT-1, 52IT-2, et cetera, to correspond with the associated inverter (i.e. Inverter 1, Inverter 2...etc.).
- E. Labeling of all inverters, junction boxes, combiner boxes, array strings, and fuses at the site is required and shall be consistent as to assist with identifying the circuit runs.
- F. Field installation and one/three-line diagram should match 100%. All equipment concerning the DG installation at this site should be shown on this diagram. This includes the incoming service (with cable size and type), end-line-box, the main distribution panel (with all load takeoffs), and the existing electric meter.
- G. Any revisions to the one/three-line diagram should include an updated revision number, date, and comments on the diagram that briefly indicate the changes made.
- H. Per the NYS SIR, Section II.I., the verification testing procedure will need to be accurate enough to repeat without confusion in upcoming years for periodic performance retesting.
- I. All documentation and proper drawings should be submitted and approved prior to the testing and commencement of operation of your equipment. This includes certified relay test reports where applicable.
- J. Copies of the three-line circuit diagram shall be laminated and displayed on site within close vicinity of the Con Edison revenue meter and any other generator disconnects downstream. Signage at the revenue meter should include that the meter is fed from two sources. Additional signage shall also be included as to the location of the disconnect switch.

**TB Referral
Meadowcrest Court**

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



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

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

RECEIVED
PLANNING DEPARTMENT

MAY 6 2021

TOWN OF YORKTOWN

This is a resolution adopted by the Town Board of the Town of Yorktown at its regular meeting held on Tuesday, April 27, 2021.

RESOLVED, the Town Board authorizes the referral of the potential purchase of of town-owned property located on Meadowcrest Court by Mr. and Mrs. Stephen Walling to the Planning Board for their recommendation.

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

Date: May 6, 2021

To: Richard Fon, Chairperson, Planning Board

cc: Matthew J. Slater, Town Supervisor
Kim Adams Penner, Sole Assessor
Barbara Korsak, Receiver of Taxes
Adam Rodriguez, Town Attorney
John Tegeder, Director of Planning
file

Stephen & Anne Walling
2977 Meadowcrest Court
Yorktown Heights, NY 10598
914-469-8967

March 15, 2021

Yorktown Town Board
363 Underhill Avenue
Yorktown Heights, NY 10598

Dear Yorktown Town Board,

Stephen and Anne Walling owners of 2977 Meadowcrest Court, Yorktown Heights, NY 10598 would like to acquire the small piece of property in-between our house and Meadowcrest Drive. The small lot is owned by the town of Yorktown. Many years ago, the town of Yorktown was originally going to build a cul-de-sac called Meadowcrest Court, however, the town's plans changed when Ferncrest Drive was built. The cul-de-sac was never developed and the small piece of land still remains town property.

We are the only house on Meadowcrest Court and all the surrounding houses have driveways which attach and face Ferncrest Dr., Meadowcrest Dr. or Clearview St. The town of Yorktown has no use or need for this small lot which has been left neglected by the town for decades. Please see the below pictures from Google Maps street view. The pictures show overgrown grass, trees which need to be pruned, road/driveway which is in need of major repair and repaving as well as the old dilapidated street sign. The piece of property has become a dumping ground for landscapers, it is currently full of tree branches, garbage, leftover construction garbage and mounting piles of leaves!

Once acquired it is our intention to keep the small piece of land green, neatly manicured and landscaped. We will also re-pave the road/driveway. In addition, our house often gets skipped by the post office, UPS and FedEx and other deliveries due to the fact that our mailbox is far and not visible from Meadowcrest Drive. We would like to eventually move our mailbox to the newly acquired lot so the mailbox is facing Meadowcrest Drive.

Please let us know how to proceed.

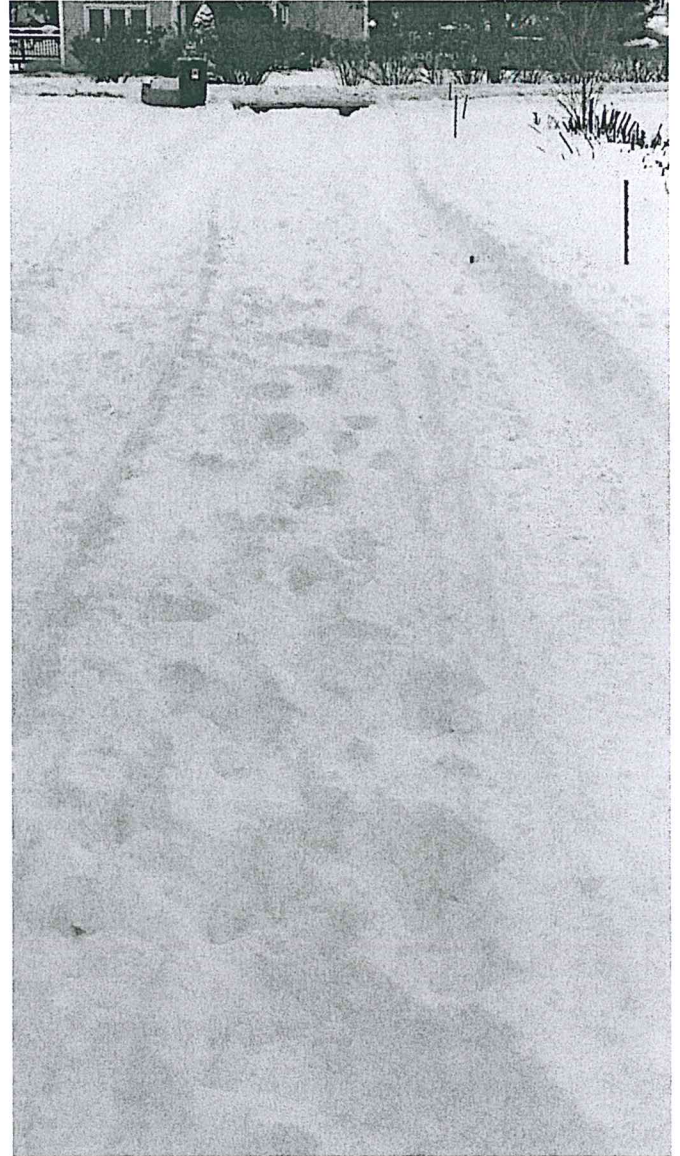
Sincerely,

Stephen & Anne Walling

Google Maps Street View of town property we would like to acquire.



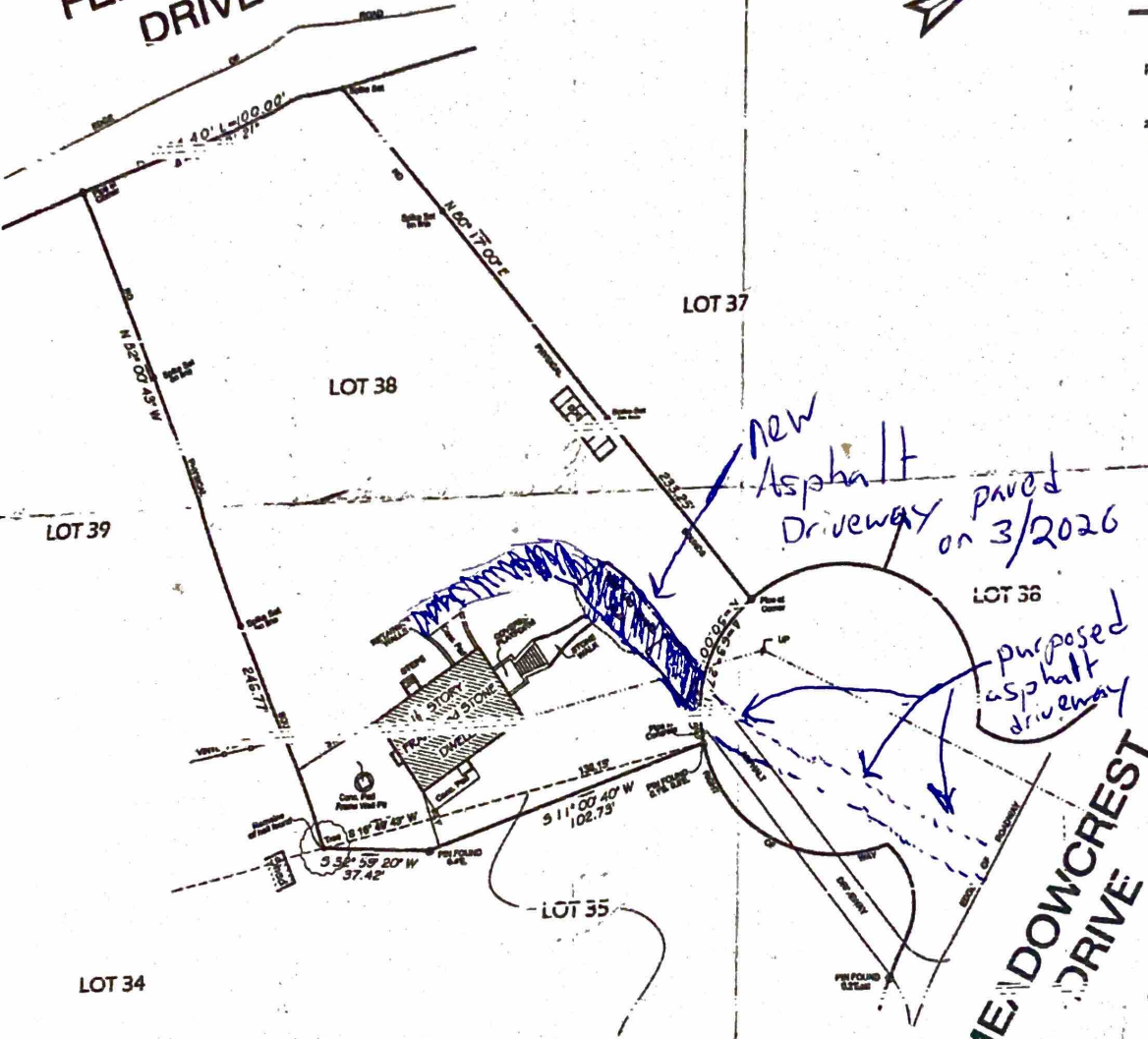
Both pictures are facing west, taken in front of house facing Meadowcrest Drive. Left picture is town property 1 day after a snow storm and the right picture is town property 2 days after a snow storm. The left picture also shows our mailbox far and not visible from Meadowcrest Drive.



FERNCREST DRIVE

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

SCALE: 1" = 20'
SURVEYED: AUGUST 9, 2015
PROPERTY MARKERS SET / RECOVERED AUG. 29, 2015



- PREMISES ARE DESIGNATED ON THE TAX MAPS FOR THE TOWN OF YORKTOWN MAP 28.08 • BLOCK 1 • LOT 43
- PROPERTY AREA = 35,879 Sq. Ft.
- THE PREMISES SHOWN HEREIN BEING LOT 36 AND A PORTION OF LOT 35 AS SHOWN ON A MAP ENTITLED "TOWN OF YORKTOWN" PREPARED BY A LICENSED LAND SURVEYOR AND FILED IN THE WESTCHESTER COUNTY CLERK'S OFFICE DIVISION OF LAND RECORDS ON FEB. 25, 1988 AS MAP NO. 28.08 BEING THE SAME AS DESCRIBED IN LAND CONTROL RECORDS
- ELEVATIONS ARE BELOW GRADE UNLESS OTHERWISE NOTED
- ELEVATIONS ARE IN FEET UNLESS OTHERWISE NOTED
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- THIS MAP WAS PREPARED FROM AN ACTUAL FIELD SURVEY CONDUCTED ON THE DATE SHOWN AND THAT SAID SURVEY WAS PERFORMED IN ACCORDANCE WITH THE EDITION "BOOK OF PRACTICE FOR LAND SURVEYING" ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS.

PREPARED FOR:



JOSEPH R. LINK
NEW YORK STATE LICENSED
LAND SURVEYOR NO. 80958
Phone: 814-941-1440 Web: <http://jrlsurveying.com>

MEADOWCREST DRIVE

MEADOWCREST COURT





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



0 65 130 260 Feet

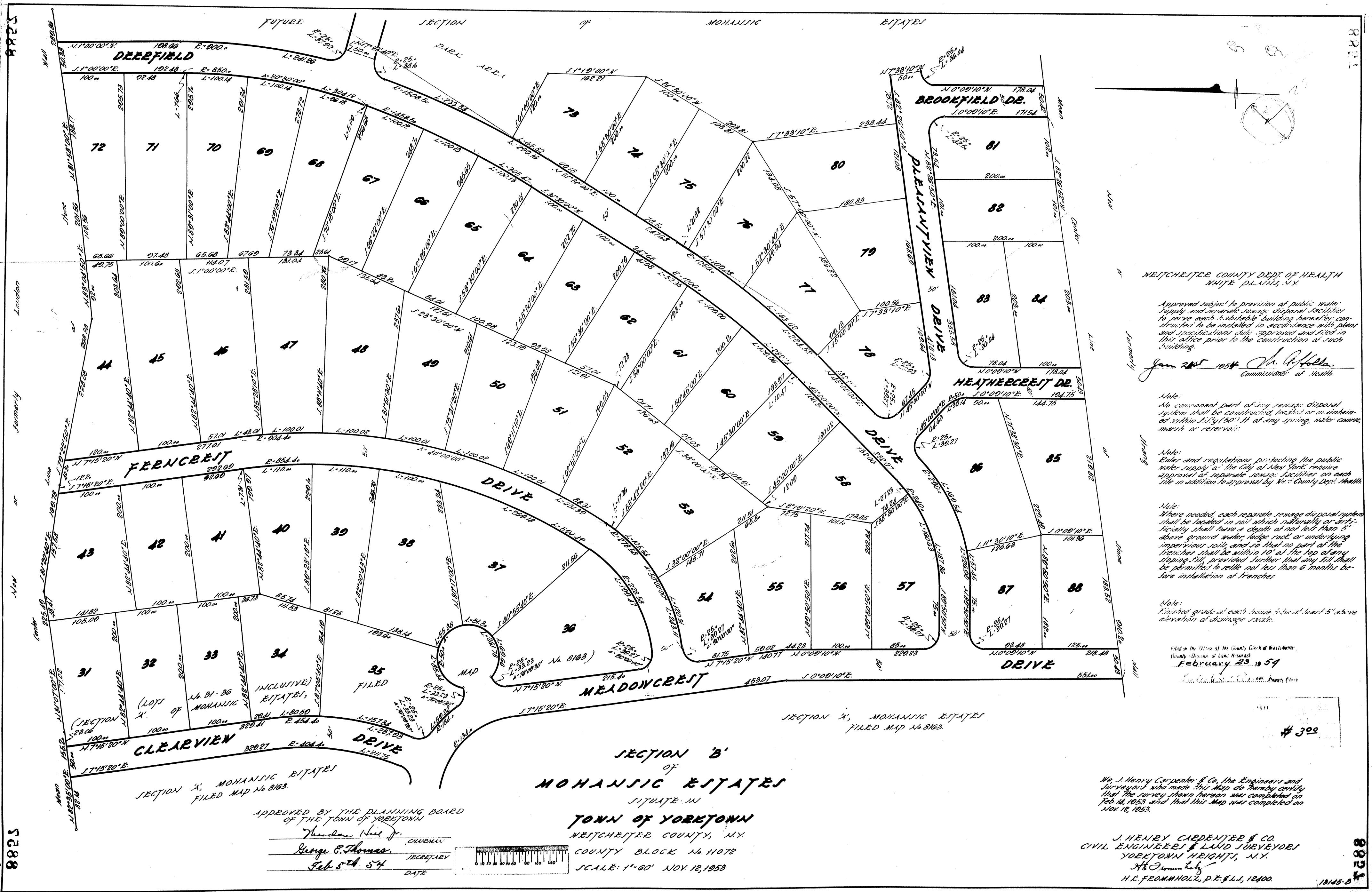
1 inch = 130 feet

TITLE: 2977 Meadowcrest Court
 DATE: May 7, 2021

FILE: F:\ArcGIS\PROJECTS\Meadowcrest Court.mxd
 BY: RAS

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

MAP NO. 8827 FILED 2-23-54
 REDUCED 40 PERCENT



WESTCHESTER COUNTY DEPT. OF HEALTH
 WHITE PLAINS, N.Y.

Approved subject to provision of public water supply and separate sewage disposal facilities to serve each habitable building hereafter constructed to be installed in accordance with plans and specifications duly approved and filed in this office prior to the construction of such building.

Jan 28th 1954 *J. P. Hella*
 Commissioner of Health

Note:
 No common part of any sewage disposal system shall be constructed located or maintained within 10' (30') of any spring, water course, marsh or reservoir.

Note:
 Rules and regulations protecting the public water supply of the City of New York require approval of separate sewage facilities on each site in addition to approval by West. County Dept. Health.

Note:
 Where needed, each separate sewage disposal system shall be located in cell which naturally or artificially shall have a depth of not less than 5' above ground water table and underlying impervious soils and so that no part of the trencher shall be within 10' of the top of any sloping fill, provided further that any fill shall be permitted to settle not less than 6 months before installation of trencher.

Note:
 Finished grade at each house to be at least 5' above elevation of drainage water.

Filed in the Office of the County Clerk of Westchester County (Division of Land Records)
 February 23rd 1954
 County Clerk

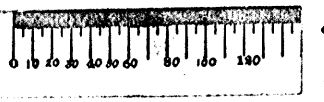
SECTION A', MOHANSIC ESTATES
 FILED MAP No. 8163

SECTION B'
 of
 MOHANSIC ESTATES

SITUATE IN
 TOWN OF YORKTOWN
 WESTCHESTER COUNTY, NY
 COUNTY BLOCK No. 11078
 SCALE: 1" = 60' NOV 12, 1953

SECTION A', MOHANSIC ESTATES
 FILED MAP No. 8163

APPROVED BY THE PLANNING BOARD
 OF THE TOWN OF YORKTOWN
Thurston Hill Chairman
George E. Thomas Secretary
 Feb 5th 54
 DATE



We, J. Henry Carpenter & Co., the Engineers and Surveyors who made this Map do hereby certify that the survey shown hereon was completed on Feb. 14, 1953 and that this Map was completed on Nov 12, 1953.
 J. HENRY CARPENTER & CO.
 CIVIL ENGINEERS & LAND SURVEYORS
 YORKTOWN HEIGHTS, N.Y.
 H.E. FROMMHOFF, P.E. & L.S., 12400

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