PLANNING BOARD TOWN OF YORKTOWN

RESOLUTION APPROVING SITE PLAN, SPECIAL USE PERMIT, STORMWATER POLLUTION PREVENTION PLAN, AND TREE PERMIT FOR THE UNDERHILL FARMS SITE PLAN

DATE OF RESOLUTION: JULY 17, 2023

HEREBY signed by the secretary of the Planning Board:

William LaScala, Secretary

July 17, 2023

Date

Town Clerk's Office

JUL 2 / 2023

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

PLANNING BOARD TOWN OF YORKTOWN

RESOLUTION APPROVING SITE PLAN, SPECIAL USE PERMIT, STORMWATER POLLUTION PREVENTION PLAN, AND TREE PERMIT FOR THE UNDERHILL FARMS SITE PLAN

RESOLUTION NUMBER: #23-13

On motion of Robert Garrigan, seconded by William LaScala, and unanimously voted in favor

DATE: JULY 17, 2023

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 "Multi-Use Development known at Underhill Farms," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023 was submitted to the Planning Board on behalf of Unicorn Contracting Corp. (hereinafter referred to as the "**Applicant**"); and

by LaScala, Bock, Phelan, Garrigan, and Waterhouse, the following resolution was adopted:

WHEREAS, the property owned by Underhill Soundview, LLC is located at 370 Underhill Avenue, also known as Section 48.06, Block 1, Lot 30 on the Town of Yorktown Tax Map (hereinafter referred to as the "**Project Site**"); and

WHEREAS, the Applicant proposes to construct a mixed-use development consisting of 80 condominium units including: 48 townhouses, a 32-unit 55+ senior restricted condominium building, and a mixed-use building consisting of 68 apartments and 15,600 square feet of retail/office space that includes 8,100 square foot of new retail space in addition to the reuse of the existing main building. The development will preserve the existing historic main structure incorporating it into the development. All accessory structures are proposed to be removed. The project includes stormwater improvements, wetland mitigation, tree removal and mitigation, parking, and recreational amenities (hereinafter collectively referred to as the "Proposed Project"); and

WHEREAS, on February 22, 2022, the Town Board adopted a resolution granting the Underhill Soundview, LLC's request for authorization to apply the standards pursuant to Town Code Chapter 300, Article XXXI, Section 300-250 through Section 300-255 Yorktown Heights Planned Design District Overlay Zone (the "Overlay Zone") to the Proposed Project on the Property Site provided the Applicant obtain site plan approval from the Planning Board, and compliance with all applicable laws, including but not limited to the SEQRA; and

WHEREAS, pursuant to SEQRA:

1. The action has been identified as a Type 1 action because the Commissioner of the

New York State Office of Parks, Recreation, and Historic Preservation has determined the Property is eligible for listing on the State and National Register of Historic Places on May 26, 2021.

- 2. The Planning Board declared Lead Agency on July 17, 2023.
- 3. A negative declaration has been adopted on July 17, 2023 on the basis of a Full EAF Part 1 dated August 24, 2022 and an Expanded EAF Part 3 dated May 8, 2023 that included the following sections:

Introduction

- 1.0 Land Use, Zoning and Public Policy
- 2.0 Views Analysis
- 3.0 Wetlands
- 4.0 Trees
- 5.0 Cultural Resources
- 6.0 Fiscal & Socio-Economic Analysis
- 7.0 Traffic
- 8.0 Parking
- 9.0 Recreation
- 10.0 Stormwater
- 11.0 Utilities
- 12.0 Green Infrastructure
- 13.0 Alternatives

Appendix A Land Use

Appendix B Wetlands

Appendix C Cultural Resources

Appendix D Utilities

Appendix E Traffic

WHEREAS, the applicant has submitted as part of his application the following maps and documents (hereinafter referred to as the "Required Documents"):

Tree Survey

1. A survey, Sheet 1 of 2, titled "Tree Survey prepared for Unicorn Soundview, LLC," prepared by Site Design Consultants, dated November 5, 2020, and last revised November 12, 2020; and

Site Plans

- 2. A cover sheet, titled "Multi-Use Development known as Underhill Farms," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 3. A drawing, Sheet C-101, titled "Zoning Data," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 4. A drawing, Sheet C-102, titled "Site Plan," prepared by Site Design Consultants, dated

- June 22, 2020, and last revised May 8, 2023; and
- 5. A drawing, Sheet C-103, titled "Existing Conditions," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 6. A drawing, Sheet C-104, titled "Erosion & Sediment Control Plan," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 7. A drawing, Sheet C-105, titled "Improvement Plan," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 8. A drawing, Sheet C-106, titled "Open Space and Recreation," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 9. A drawing, Sheet C-301, titled "Roadway Profiles," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 10. A drawing, Sheet C-302, titled "Glenrock Drainage & Drainage Profiles," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 11. A drawing, Sheet C-303, titled "Drainage Profiles," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 12. A drawing, Sheet G-1, titled "Project Notes," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 13. A drawing, Sheet C-501, titled "Erosion & Sediment Control Details," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 14. A drawing, Sheet C-502, titled "Site Improvement Details," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 15. A drawing, Sheet C-503, titled "Storm Drainage Details," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 16. A drawing, Sheet C-504, titled "Stormwater Management Details," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 17. A drawing, Sheet C-505, titled "Watermain & Sewermain Details," prepared by Site Design Consultants, dated June 22, 2020, and last revised May 8, 2023; and
- 18. A drawing, Sheet SLP-1, titled "Preliminary Subdivision Plan," prepared by Blades & Goven Landscape Architects, and dated March 31, 2023; and

Landscape Plan

- 19. A drawing, Sheet LP-1, titled "Landscape Plan," prepared by Blades & Goven Landscape Architects, and dated May 8, 2023; and
- 20. A report, titled "Landscape Maintenance Program and Schedule," prepared by Blades & Goven Landscape Architects, and dated April 12, 2023; and

Lighting Plan

21. A drawing, titled "Underhill Farm," prepared by Andrew Gross, LC, and dated April 26, 2023; and

Architectural Elevations

22. A drawing, Sheet A.04, titled "Apartment Building Elevation," prepared by Lessard

- Design Inc. P.C., and dated December 28, 2022; and
- 23. A drawing, Sheet A.05, titled "Apartment Building Elevation," prepared by Lessard Design Inc. P.C., and dated December 28, 2022; and
- 24. A drawing, Sheet A.06, titled "Apartment Building Elevation," prepared by Lessard Design Inc. P.C., and dated December 28, 2022; and
- 25. A drawing, Sheet A.15, titled "Condo Building Elevation," prepared by Lessard Design Inc. P.C., and dated February 9, 2021; and
- 26. A drawing, Sheet A.20, titled "Townhomes Front Elevations," prepared by Lessard Design Inc. P.C., and dated October 11, 2022; and
- 27. A drawing, Sheet A.20.1, titled "Townhomes Rear & Side Elevations," prepared by Lessard Design Inc. P.C., and dated October 11, 2022; and

Intersection Improvement Plans

- 28. A drawing, Sheet 1 of 3, titled "Pedestrian RRFB Accommodation Plan," prepared by Maser Consulting (will be known as Colliers Engineering & Design in 2021), dated January 5, 2021, and last revised December 5, 2022; and
- 29. A drawing, Sheet 2 of 3, titled "Details," prepared by Maser Consulting (will be known as Colliers Engineering & Design in 2021), and dated January 5, 2021; and
- 30. A drawing, Sheet 3 of 3, titled "Pedestrian Accommodation Plan," prepared by Maser Consulting (will be known as Colliers Engineering & Design in 2021), and dated January 5, 2021; and
- 31. A drawing, Sheet 1 of 2, titled "Future Intersection Improvement Plan Alternate 1," prepared by Maser Consulting (will be known as Colliers Engineering & Design in 2021), dated January 5, 2021, and last revised April 11, 2023; and
- 32. A drawing, Sheet 2 of 2, titled "Future Intersection Improvement Plan Alternate 2," prepared by Maser Consulting (will be known as Colliers Engineering & Design in 2021), dated January 5, 2021, and last revised April 11, 2023; and
- 33. A report, titled "Traffic Impact Study," prepared by Colliers Engineering & Design, dated April 11, 2022, and last revised April 20, 2023; and

Wetland Mitigation

34. A drawing, titled "Wetland Mitigation Plan Underhill Farms," prepared by Tim Miller Associates, Inc., dated May 1, 2023; and

Tree Removal

- 35. A survey, Sheet 1 of 2, titled "Tree Survey prepared for Unicorn Soundview, LLC," prepared by Badey & Watson Surveying & Engineering, P.C., dated November 5, 2020, and last revised November 12, 2020; and
- 36. A drawing, Sheet 1 of 5, titled "Existing Trees to be Removed," prepared by Tim Miller Associates, Inc; and
- 37. A drawing, Sheet 2 of 5, titled "Existing Trees to Remain," prepared by Tim Miller Associates, Inc; and
- 38. A drawing, Sheet 3 of 5, titled "New Trees to be Planted," prepared by Tim Miller

- Associates, Inc; and
- 39. A drawing, Sheet 4 of 5, titled "Composite Plan: Trees to be Removed, Preserved, and Planted," prepared by Tim Miller Associates, Inc; and
- 40. A drawing, Sheet 5 of 5, "Table of Identified Trees," prepared by Tim Miller Associates, Inc; and

Historical

- 41. A report, titled "Phase 1A Literature Search and Sensitivity Assessment & Phase 1B Archaeological Field Reconnaissance Survey Soundview-Underhill Farm Project," prepared by Hudson Valley Cultural Resource Consultants, Ltd., dated February 2021; and
- 42. A report, titled "Historic Building Assessment Soundview-Underhill Farm Project," prepared by Hudson Valley Cultural Resource Consultants, Ltd., dated February 2021; and
- 43. A report, titled "Alternatives Analysis Floral Villa Soundview-Underhill Farm Project," prepared by Hudson Valley Cultural Resource Consultants, Ltd., dated July 2021; and

WHEREAS, pursuant to Town Code Chapter 270: Trees, in order to preserve Yorktown's forested environment, the Planning Board shall issue a tree permit in connection with all site plan approvals for which trees will be removed; and

WHEREAS, the Applicant has submitted the drawings listed herein under Required Documents, subheading Tree Removal, as well as a Tree Analysis prepared by Tim Miller Associates as part of the Expanded EAF Par 3, as more specifically identified in the list of Required Documents, to determine the mitigation required; and

WHEREAS, the Tree Removal Plans and Tree Analysis were reviewed by the Town's Environmental Consultant to ensure compliance with Chapter 270 of the Yorktown Code in their memo dated May 18, 2023; and

WHEREAS, the Application proposes mitigation in the form of plantings, which will include installation of at least 336 trees as well as additional shrubs and flowering perennial plants, herbaceous plants and seed mixes, as shown on the landscape plans, Sheets LP-1 and LP-2, as more specifically identified in the list of Required Documents; and

WHEREAS, pursuant to Town Code Chapter 178: Freshwater Wetlands, the Planning Board is authorized to issue wetlands permits for regulated activities within wetlands or wetland buffer areas, consistent with the standards set forth in the Town Code; and

WHEREAS, there are three delineated wetlands on the Project Site noted as Wetland A, Wetland B, and Wetland C totaling 17,830 square feet and shown on the Sheet C-103 Existing Conditions Plan, as more specifically identified in the list of Required Documents;

WHEREAS, the Proposed Action will cause direct impact to Wetland A (10,035 square feet) and will result in the loss of 520 square feet or the watercourse corridor due to construction of several townhouse units and the construction of a road crossing of the corridor; and

WHEREAS, Wetland B (2,065 square feet) and Wetland C (5,730 square feet) are proposed to be filled to construct several townhouse units and associated grading; and

WHEREAS, the Applicant has submitted a preliminary stormwater design as more specifically identified in the list of Required Documents, and a Full Stormwater Pollution Prevention Plan will be developed that is in compliance with Town Code Chapter 248 Stormwater Management, NYC DEP, and NYS DEC SPDES General permit for Stormwater Discharges from Construction Activity, GP-0-20-001; and

WHEREAS, pursuant to the Overlay Zone, the Proposed Project requirement for off-street parking may be guided by the requirements of the R-3 zone for the multi-family residential components of the development therefore 1.5 parking spaces are required for all 148 units in the Proposed Project, however due to the design of the project and the townhome units being along one side of the site without additional designated visitors spaces, the Planning Board has required these units provide 2 parking spaces, for each of the 48 townhome units; and

WHEREAS, the parking requirements for the commercial components of the Proposed Project are determined by Town Code Section 300-182(3),(4), and (5) according to the uses proposed; and

WHEREAS, therefore the applicant must provide the following off-street parking spaces for the proposed uses:

Use	Units/Sq Ft	Requirement	Required
Townhomes	48 units	2 spaces/unit	96 spaces
Condominium Bldg	32 units	1.5 spaces/unit	48 spaces
Apartments	68 units	1.5 spaces/unit	102 spaces
Mixed-Use Comm.	8,000 sq ft	4 spaces/1,000 sq ft	33 spaces
Mansion Re-use	5,500 sq ft comm.	4 spaces/1,000 sq ft	22 spaces
	1,500 sq ft patron	1 space/50 sq ft patron	30 spaces
	500 sq ft prep	1 space/100 sq ft prep	5 spaces

thereby requiring a total of 336 parking spaces be provided on the site; and

WHEREAS, the applicant has provided the following off-street parking spaces for the proposed uses:

Use	Provided	Additional Provided
Townhomes	96 garage spaces	96 driveway spaces

Underhill Farms Site Plan Approval

Condominium Bldg	36 inside spaces	15 tandem spaces
	12 outside spaces	
Apartments	61 inside spaces	
	41 outside spaces	
Mixed-Use Comm.	33 spaces	
Mansion Re-use	49 spaces	
	328 spaces	111 additional spaces

thereby providing a total of 328 parking spaces on the site; and

WHEREAS, the Applicant has agreed to share 30 parking spaces adjacent to the Beaver Ridge Apartments property to be used by those visiting a new proposed Senior Center and Town Recreation Department office to be built on the Beaver Ridge property; and

WHEREAS, pursuant to Town Code Chapter 200 Lighting, the Applicant has submitted a Lighting Plan, more specifically identified in the list of Required Documents, that complies with the standards set forth in the Town Code where all the proposed light poles within the Project Site are period style fixtures the Town has used in the Yorktown Heights streetscape projects and recommended for the Proposed Project, and said light poles will be 12 feet in height, where 16 feet is the maximum height allowed; and

WHEREAS, the Planning Board has discussed and considered all substantive issues identified during review of this Application and the preceding SEQRA process, including all commentary and correspondence from all involved and interested agencies as well as members of the public; and

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

Boards & Agencies	Report Date
ABACA	03/27/23, 04/24/23, 06/21/23
Community Housing Board	06/13/22, 03/27/23, 06/08/23
Conservation Board	06/13/22, 03/09/23, 06/08/23
Fire Inspector	07/17/23
Heritage Preservation Commission	05/26/22, 06/14/22, 06/30/22, 07/06/22,
	07/08/22, 07/15/22, 07/22/22, 07/27/22,
	08/12/22, 08/15/22, 08/23/22, 09/08/22,
	09/15/22, 02/06/23, 02/08/23, 02/20/23,
	03/24/23, 04/24/23, 04/26/23, 06/08/23,
	06/19/23, 06/28/23, 07/10/23, 07/17/23
Planning Department	07/08/22
Tree Conservation Advisory Commission	05/31/22
NYC DEP	05/25/22, 06/08/23

Underhill Farms Site Plan Approval

 NYS DEC
 05/24/23

 NYS DEC OPRHP
 03/21/22

 NYS DOT
 05/26/22

Westchester County Planning Board 05/03/22, 06/22/23

Town On-Call Consultants	Firm	Report Date
Environmental Consultant	Barton & Loguidice	03/24/23, 05/18/23
Historical Consultant	Historical Perspectives, Inc	04/12/23, 07/14/23
Traffic Consultant	Transpo Group	03/23, 03/21/23, 04/11/23

WHEREAS, a Public Informational Hearing was held in accordance with §195-39(B)(1) of the Yorktown Town Code on the said application at the Town Hall in Yorktown Heights, New York on June 13, 2022; and

WHEREAS, the Planning Board held additional work session meetings to review the Underhill Farms project at the Town Hall in Yorktown Heights, New York on March 8, 2023, April 12, 2023, and May 3, 2023; and

WHEREAS, having reviewed all current site plans, building plans, environmental plans and reports, comments and reports from Town professional staff, the public, and other interested and involved agencies associated with the application before it; and having conducted a public hearing held in accordance with §195-39(B)(2) of the Yorktown Town Code on the said site plan application commencing on and closing on June 8, 2023 at Albert A. Capellini Community & Cultural Center, located at 1974 Commerce Street in Yorktown Heights, New York; and

NOW, THEREFORE, BE IT HEREBY:

RESOLVED, that the requirements of Yorktown Code Chapters 195 (Land Development), Chapters 178 (Wetlands), 248 (Stormwater) 270 (Trees) and 300 (Zoning) have been met and the Board finds that the Proposed Project is consistent with the goals and policies stated therein and as analyzed in the adopted Negative Declaration for the Proposed Project; and

RESOLVED, that this Application, is **APPROVED** subject to the requirements of Chapters 178, 195, 248, 270, and 300 of the Town Code, as the same may be amended from time to time, and subject to the conditions listed herein below; and

RESOLVED, the Planning Board has determined a waiver of 8 parking spaces is in the public interest and necessary in order to foster high quality development and redevelopment, and is in compliance with the general purposes of Town Code Chapter 300 and will ensure compatibility with uses on adjoining properties since shared parking spaces are encouraged to reduce unnecessary underutilized parking spaces, because there is public parking close to the

site, and due to variance in the time of maximum use of differing uses on the site; and

RESOLVED, the Planning Board grants a waiver to allow parking in the front yards due to the special circumstances at the site, including that there is a pre-existing parking lot in the front yard along Route 118 where the new lot is proposed, that parking in front of the mansion has been minimized to 6 spaces, that this parking will be convenient for the users of the existing main mansion and the public visiting the site, and because the Board has required measures to screen both parking areas from this view from outside the site; and

RESOLVED, pursuant to Section 300-255(F)(1)(d), the Planning Board may approve approve an increase in the maximum height of the buildings up to 52 ft and a maximum of four stories, provided the Project Site is a minimum of 10 acres and the Board approves this increase to encourage flexibility of design and excellent architecture; and

RESOLVED, that the Board be and hereby is authorized to endorse the Site Plan Documents pursuant to the requirements of Section 195-39(C) of the Yorktown Code ("<u>Endorsement</u>") upon modification of the Site Plan Documents to show:

- 1. Remove the "4 SPACES" label in front of the existing main building.
- 2. Revise the Parking Schedule on Sheet C-101 Zoning Data to the satisfaction of the Planning Board.
- 3. On Sheet LP-1 Landscape Plan, add a hedge to screen the 6 parking spaces in front of the existing main building and a hedge to screen the parking area adjacent to Route 118 to the satisfaction of the Planning Board.
- 4. The Public Access easement for the open space.
- 5. Modified easement and map of emergency access for Beaver Ridge property.
- 6. Address the plan modifications listed in the Barton & Loguidice memo dated May 18, 2023.

RESOLVED that all work associated with this Application shall be in strict compliance with the approved and endorsed Site Plan Documents; and

Prior to demolition of any structures, the following shall be completed:

1. Submit plan to evaluate the structural integrity of all existing accessory outbuildings. Submit potential professional firms to complete this work for acceptance by the Planning Board.

- 2. Submit plans for the dismantling, salvage, movement or demolition of each accessory outbuilding to be removed including a plan for documenting the buildings including basic historical data collection and the documentation of the structures as recommended by NYS OPRHP.
- 3. Submit historical data as cited in HPI consultant's memo of July 14, 2023 to satisfaction of Planning Board.

Prior to Endorsement, the following shall be completed and/or submitted:

- 4. Submit Traffic Improvement drawings for the Route 118 and Underhill Avenue intersection for approval by the NYS Department of Transportation.
- 5. The Applicant shall submit a plan for monitoring excavation by a qualified historic consultant for the identification of artifacts during the excavation phase of construction.
- 6. Final execution of the Letter of Resolution (LOR) with the NYS OPRHP.
- 7. Submit stone wall repair and restoration plan.
- 8. Submit plan detail at entry drive and necessary modification to gates, walls or pillars.
- 9. Submit plan at larger scale for the proposed uses of the outdoor spaces.
- 10. Submit report detailing the outlet of the pond, its location status and any necessary modifications.
- 11. Submit final architectural drawings to satisfaction of the Planning Board.
- 12. Submit a dredging plan for the pond.
- 13. Fire apparatus access roads shall comply with Section 503 of the Fire Code of New York State (FCNYS) and the center island in the turnaround at the end of the townhome driveway must have a mountable curb and be free and clear of any obstructions.
- 14. The fire department water supply should be reviewed with the fire department. Fire hydrant placement and fire department connections should meet the needs of the department.
- 15. Where fire ladder truck access is necessary, fire lanes shall be marked appropriately.

- 16. Submission of a Final Stormwater Pollution Prevention Plan approved by the NYC DEP and acceptable to the Town Engineer and approved by the Planning Board.
- 17. Submission of fees as per town requirements in the form of separate checks made payable to the Town of Yorktown:

Attorney Fees	TBD
Tree Bank Fund	TBD
Recreation Fee	\$225,000.00
General Development	\$106,560.00

18. Submission of construction inspection fees and security, in a form satisfactory to the Town Attorney, to the Engineering Department as required by the Town Engineer. Fees to be determined after Planning Board approval and a complete final set of drawings are submitted to the Town Engineer.

Prior to the issuance of a Building Permit for the main mansion, the following shall be completed:

19. The Applicant shall submit plans for rehabilitation of the existing main mansion for review and approval by the Planning Board prior to any construction on this building.

Prior to issuance of Certificate of Occupancy, the following shall be completed:

- 20. Submit all signage details for the project and obtain sign permits as required by Town Code.
- 21. Executed Stormwater Maintenance Agreement to the satisfaction of the Town Engineer and Town Attorney.
- 22. Completion of all traffic improvements on Underhill Avenue and at the Underhill Avenue and Route 118 (Saw Mill River Road) Intersection.
- 23. Completion of the emergency access connection to the Beaver Ridge Apartments site to operational status.

During construction:

- 24. The Applicant agrees to allow periodic inspections by the Town and its consultants.
- 25. Use of construction equipment must be within the hours of operation specified in Town Code Section §216-2(D)(4).

- 26. Construction equipment used on the Project Site shall be properly maintained with functional mufflers to minimize noise during construction.
- 27. The Applicant's Contractor shall comply with the latest edition of the Manual for Uniform Traffic Control Devices ("MUTCD") and, during peak traffic periods, provide one or more onsite trained personnel to oversee and direct ingress and egress and control the flow of traffic in and out of the site so as to ensure and maintain safety and minimize impact to neighborhood residents.
- 28. The Applicant will retain an independent third-party "Qualified Inspector" as defined by NYSDEC 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 Qualified Inspector will provide bi-weekly written inspection reports within five (5) business days of such inspection regarding the status of erosion control measures to the Town of Yorktown Engineer and the Planning Department until a notice of termination has been filed with the NYSDEC. The Applicant must notify the Town of Yorktown Planning and Engineering Departments in writing to identify the Qualified Inspector and shall immediately notify the Planning and Engineering Department in writing of any changes.

The following additional requirements shall be followed:

- 29. The Applicant will provide to the Town a procedure for dispersal and/or donation of any salvageable buildings or architectural elements that includes public input on this process.
- 30. The Applicant will create a historic exhibit that conveys the history of the Underhill Estate that will be displayed in a publicly accessible location the design of this exhibit and location shall be submitted to the Planning Board for their review and approval.
- 31. Proposed plan must comply with all current applicable ADA standards.
- 32. 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.
- 33. Applicant must obtain all necessary permits from outside agencies.
- 34. 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 248, Chapter

Underhill Farms Site Plan Approval

178, Section §300-228(A), and Chapter 270, the application of Unicorn Contracting Corp. for the approval of a Stormwater Pollution Prevention Plan, Wetland, and Tree Removal Permit #WP-FSWPP-T-013-23 is approved subject to the conditions listed therein; and

RESOLVED, Permit **#WP-FSWPP-T-013-23** shall not be valid until it has been signed by the Chairman of this Board;

BE IT FURTHER RESOLVED, unless a Building Permit has been issued within 365 days of the date of this resolution, **July 17, 2024**, this approval will be null and void, unless extended pursuant to the terms of Section §195-39(F) of the Town Code.

PLANNING BOARD TOWN OF YORKTOWN

RESOLUTION APPROVING SITE PLAN, SPECIAL USE PERMIT, STORMWATER POLLUTION PREVENTION PLAN, AND TREE PERMIT FOR THE UNDERHILL FARMS SITE PLAN

DATE OF RESOLUTION: JULY 17, 2023 SIGNED BY: on Bock, Acting Chairman ROLL CALL: AYES: Aaron Bock, Acting Chairman William LaScala Robert Phelan Robert Waterhouse NAYES: