

**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION APPROVING
SITE PLAN, TREE PERMIT, AND
STORMWATER POLLUTION PREVENTION PLAN PERMIT
FOR IBM PARKING LOT EXPANSION**

RESOLUTION NUMBER:

DATE:

On motion of _____, seconded by _____, and unanimously voted in favor by Fon, Flynn, Savoca, Rivera, and Kincart the following resolution was adopted:

WHEREAS in accordance with the Planning Board's Land Development Regulations adopted February 13, 1969 and as last revised July 1, 1999, a formal application for the approval of a site plan titled "Parking Lot Expansion," Section 69.16 Block 1 Lot 1 ("the Property"), prepared by SSM Group, Inc., dated March 16, 2012, and last revised April 2, 2012, was submitted to the Planning Board by the IBM Corporation (hereinafter referred to as "the Applicant") and the applicant has represented to this board that they are the lawful owners of the land within said site plan; and

WHEREAS the Applicant is requesting approval for a Site Plan to construct 101 parking spaces, a Stormwater Pollution Prevention Plan Permit and a Tree Permit;

WHEREAS pursuant to SEQRA:

1. The action has been identified as an Unlisted action.
2. The Planning Board has been declared lead agency on April 9 2012.
3. A negative declaration has been adopted on April 9, 2012 on the basis of a Full EAF dated March 16, 2012.

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

1. A map, Sheet C.1 - 01, titled "Proposed Site Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
2. A map, Sheet C.1 - 02, titled "Enlarged Site Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
3. A map, Sheet C.1 - 50, titled "Existing Conditions Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
4. A map, Sheet C.1 - 51, titled "Existing Drainage Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;

5. A map, Sheet C.1 - 52, titled "Proposed Drainage Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
6. A map, Sheet C.1 - 55, titled "Demolition Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
7. A map, Sheet C.2 - 01, titled "Proposed Grading Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
8. A map, Sheet C.2 - 50, titled "Erosion and Sediment Control Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
9. A drawing, Sheet C.2 - 51, titled "Erosion and Sediment Control Details," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
10. A drawing, Sheet C.2 - 52, titled "Erosion and Sediment Control Details," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
11. A drawing, Sheet C.2 - 53, titled "Erosion and Sediment Control Details," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
12. A map, Sheet C.3 - 01, titled "Utility Plan," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
13. A drawing, Sheet C.6 - 01, titled "Site Details," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
14. A drawing, Sheet C.6 - 02, titled "Site Details," prepared by SSM Group, Inc., dated March 16, 2012 and last revised April 2, 2012;
15. A drawing, Sheet P.0 - 01, titled "Piping General Notes and Legend," prepared by SSM Group, Inc., dated March 16, 2012;
16. A drawing, Sheet P.0 - 02, titled "Piping Specifications," prepared by SSM Group, Inc., dated March 16, 2012;
17. A drawing, Sheet P.D - 01, titled "Building 860 - Piping Existing Plan," prepared by SSM Group, Inc., dated March 16, 2012;
18. A drawing, Sheet P.1 - 01, titled "Building 860 - Piping Proposed Plan," prepared by SSM Group, Inc., dated March 16, 2012;
19. A drawing, Sheet P.D - 02, titled "Building 883 - Piping Existing Plan," prepared by SSM Group, Inc., dated March 16, 2012;

20. A drawing, Sheet P.1 - 02, titled "Building 883 - Piping Proposed Plan," prepared by SSM Group, Inc., dated March 16, 2012;
21. A Stormwater Pollution Prevention Plan, titled "Parking Lot Expansion," prepared by SSM Group, Inc., dated March 2012;
22. A Stormwater Pollution Prevention Plan Permit and Tree Permit Application #FSWPPP-T-014-12;

WHEREAS pursuant to Article XI Research laboratory and Offices, Section §300-108(B) of the Town of Yorktown Town Code, the applicant must provide parking to accommodate company, employee and visitor motor vehicles with at least 2 car spaces for each 3 employees on duty at the peak employment period and there will be a maximum of 2,102 employees on site, requiring a minimum of 1,401 parking spaces, and the site plan provides a total of 1,723 parking spaces for employees plus 85 parking spaces reserved for visitors; and

WHEREAS prior site plan approvals regarding on-site parking include the following:

1. The requested additional 101 parking spaces (the "Parking Row") was originally approved by the Town Board prior to 1960.
2. On February 5, 1974 the Town Board granted approval to construct the modular office facility on the grassed area at the rear of the building.
3. On August 19, 1975, the Town Board approved an addition to the modular office facility, which eliminated 3/4 of the Parking Row.
4. On February 21, 1978, the Town Board approved another addition to the modular office facility which eliminated the rest of the Parking Row.
5. On March 4, 1980, the Town Board approved the construction of the satellite parking lot, south of the main rear parking lot.
6. On June 1, 1983, the Town Board approved the construction of added parking spaces to the main rear parking lot which increased the length of this lot; and

WHEREAS pursuant to this site plan application, the Applicant is requesting to reconstruct the originally approved Parking Row that were removed when the modular office facility was on the site; and

WHEREAS the Property is located within the New Croton Reservoir and must comply with New York State DEC Phase II Stormwater Regulations, latest amendment and the Town of Yorktown Stormwater Ordinance Chapter 248 of the Yorktown Town Code and the Stormwater Pollution Prevention Plan requires approval by the New York City Department of Environmental Protection before the site plan is signed by the Planning Board Chairman; and

WHEREAS the Planning Board has referred this application to the Town Engineer and New York City Department of Environmental Protection; and

WHEREAS the Applicant is proposing to remove 13 trees with a dbh greater than 6 inch

and 25 feet or more in height, therefore a Tree Permit is required; and

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

WHEREAS the Planning Board has determined a Public Hearing for this action is not warranted because the Applicant is requesting reconstruction of previously approved parking spaces; and

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 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 weekly inspection reports and shall notify the Planning Board in writing if this Planner or Firm changes; and

BE IT NOW RESOLVED that the application of IBM Corporation for the approval of a site plan titled "Parking Lot Expansion" as prepared by SSM Group, Inc., dated March 16, 2012, and last revised April 2, 2012, 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. Submission of fees and security to the Engineering Department as required by the Town Engineer including an Erosion Control Bond, Performance Bond, and Inspection Fee. Fees to be determined after Planning Board approval and complete final set of drawings are submitted to the Town Engineer.

Additional requirements:

2. Approval of a Stormwater Pollution Prevention Plan by the NYCDEP.

3. Approval of an Erosion and Sediment Control Plan and Stormwater Pollution Prevention Plan by the Town Engineer.
4. Proposed plan must comply with all current applicable ADA standards.
5. Applicant must obtain all necessary permits from outside agencies in order to complete project.

BE IT FURTHER RESOLVED the Stormwater Pollution Prevention Plan Permit and Tree Permit **#FSWPPP-T-014-12** is hereby conditionally approved by this resolution provided the approval of NYCDEP and the Town Engineer is obtained for the Stormwater Pollution Prevention Plan;

BE IT FURTHER RESOLVED that unless a building permit has been issued within 360 days of the date of this resolution, **April 4, 2013**, this approval will be null and void.