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FEB 04 2025

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

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February 3, 2025

Honorable Supervisor Lachterman and Members of the Town Board
366 Underhill Avenue
Yorktown Heights, New York 105989

Re: Navajo/Hidden Valley

Dear Hon> Edward Lachterman and Town Councilmen

Pursuant to the last work session on the above referenced project we are submitting herewith responses to your list of questions as provided.

Attached are the responses from Insite Engineering together with exhibits.

In regard to some of your inquires they will be best addressed in much greater depth at the time of site plan approval inasmuch as the plan will be going under vigorous and robust review by the Town Planning Board.

As to the major issues identified in our previous discussions the attached details the planned sewer installation through the 6N corridor. Also attached is an updated traffic analysis taking into consideration the AMS development and the Board's recent decision to remove the transfer/recycling use as an allowable use in the Navajo Industrial Park.

In regard to the known environmental constraints of the property we have included overlays of what has been previously approved on the site given the delineated wetlands and slopes.

As some of you are aware this site has been the subject of several prior applications. The prior applications sought to develop the site for recreational purposes with athletic domes. In the processing of those prior applications the site underwent review not only by the Town but by New York State DEC. Wetland areas and buffers had been identified, verified, mapped and access, parking, utility infrastructures as well as building envelopes were located in compliance with the concerns of both the Town and the DEC.

The current plan of development stays wholly within the areas previously approved for disturbance and development. The proposed development does not nor will it offend the previously delineated wetland and wetland buffer areas. Although the proposed use differs from the previously approved plans in that in lieu of recreational facilities the site will provide housing. The physical plant and site improvements however substantially overlay each other.

We believe that the submission herewith more than adequately addresses all the issues fairly raised to date and provides a more than adequate predicate to allow for a formal vote to extend the overlay zone to include this property. In point of argument, it is submitted, that based upon the information coming out of the several hearings already held, including the fact that it is now been established that the goals of the overlay district legislation cannot be achieved based upon existing development potential within the existing mapped overlay zone, that to the extent the legislative goals are sought to be achieved the application herein should be granted approval.

In closing I wish to reiterate the numerous beneficial impacts of moving this matter toward approval.

First and foremost is that sanitary sewers will become available along the 6N corridor. The value of this public improvement cannot be overstated. The 6N corridor is serviced almost entirely by inadequate septic systems most of which were approved when the area served primarily as a summer community. The present situation continues to be detrimental to the long term health of Osceola Lake and its recreational value.

The planned development will incentivize the redevelopment of the commercial corridor which is in, and has been in need of revitalization. It is believed that the sewers will bring about a commercial renaissance.

The project will also provide much needed housing stock for both those looking to down size as well as new home owners,

The recreational portion of the development will provide much desired recreational facilities and opportunities.

In cooperation with the Town and perhaps the County and State the project will provide an opportunity for the installation of street scape infrastructure during sewer installation.

It is also anticipated that the Town will be better able to access its parcel on the shore of Lake Osceola and thereby provide the public with new recreational opportunities.

In regard to fiscal impacts the development should provide for a net positive to the Town inasmuch as all of the utility and access infrastructure to and on the site will be privately maintained thereby relieving the Town of any long term financial responsibility for maintenance while generating significant tax revenues.

In terms of aesthetic, visual and ambient noise impacts the development is designed to provide an enhanced street scape both along 6N and most certainly to Navajo Road. Most if not all of the proposed housing will only be visible from inside the site. Same is true for ambient noise.

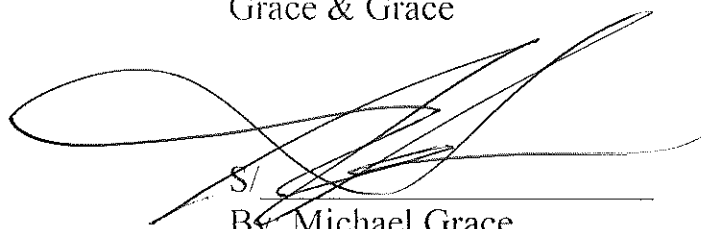
Furthermore, it is believed that the development of housing stock in the area will benefit the Jefferson Valley Mall and create new opportunities for its redevelopment and future success.

It should be noted and acknowledged that the area proximate to the proposed development is in need of redevelopment. The Town is witnessing in part the positive impact of creating new housing opportunities in the Heights area. Same can be achieved in the northwest corner of the Town. The new housing stock will incentivize new investment in the area. To be able to accomplish this by a project that has negligible to no adverse environmental or adverse visual impacts and is willing to provide much needed infrastructure is truly a unique opportunity.

We hope that you can take the opportunity to thoroughly review what is submitted and herewith and move this matter along expeditiously.

As always we thank you for your kind courtesies, cooperation and time in this matter

Grace & Grace

A handwritten signature in black ink, appearing to read 'Michael Grace', is written over a horizontal line. The signature is stylized with a large loop on the left side.

By: Michael Grace



February 3, 2025

Town of Yorktown Town Board
363 Underhill Avenue
Yorktown Heights, New York 10598

RE: Hidden Valleys
3000 Navajo Street

Dear Town Supervisor Lachterman and Members of the Town Board:

Enclosed please find

- Figure 1 Westchester County Sewer District, dated January 31, 2025.
- Figure 2 Proposed Sewer Extension, dated January 31, 2025.
- Figure 3 Existing Lake Osceola PDDOZ, dated January 31, 2025.
- Figure 4 Proposed Lake Osceola ODDOZ, dated January 31, 2025.
- Comparison Plan of Town of Yorktown Sanitary Sewer District & Westchester County Peekskill Sanitary Sewer District Boundaries, dated January 27, 2025.
- Osceola Lake PDDOZ Soft Site Analysis, dated January 27, 2025.
- Concept Site Plan for Full Site Build-out Based on CR Zone *With Conceptual Hidden Valleys Site Plan Overlaid*, original plan prepared by Site Design Consultants, dated April 18, 2013.
- Exhibit A – Restoration and Mitigation Plan *With Conceptual Hidden Valleys Site Plan Overlaid*, original plan prepared by Site Design Consultants, dated October 11, 2019.
- Planning Board Town of Yorktown Resolution of Approval Approving a Site Plan, Lighting Plan, Wetland Permit, and Stormwater Pollution Prevention Plan & Permit for Creative Living Development, Inc. AKA Navajo Fields, dated December 8, 2013.
- Drawing OP-1 Overall Concept Plan, dated September 26, 2024.
- Drawing S-1 Conceptual Offsite Sewer Plan, last revised January 27, 2025.

Responses to the below comments have been assembled by all members of the project team.

In response to comments received from Supervisor Ed Lachterman comment email dated January 23, 2025, we offer the following updated responses:

Comment:

- Escrow for fees – attorneys to work out

Response:

The developer is willing to provide an escrow to guarantee the installation of the proposed sewer system. The amount and terms of the escrow will be fully addressed as part of the site plan submission. Also, the Developer will work with the Town and deposit into an escrow account, funds

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to reimburse the Town's professionals who are reviewing the documents submitted in support of the required approvals. This will be done in accordance with past-practices, transparency and each professional's billable rates as required on other projects,

Comment:

- Sewer is a must-

Response:

As discussed at the previous Town Board meetings, documents on the drawings provided previously and attached, as well as the responses below, a municipal sanitary sewer system and the opportunity for parcel tie-ins are proposed to be provided at no cost to the Town.

Comment:

- Route with adequate Maps

Response:

The developer has previously submitted various proposed sewer plans to the Town with those submissions having incorporated revisions in accordance with multiple meetings, over several years, with Town officials from multiple departments. The Town's prior comments were incorporated into a sewer drawing dated August 1, 2022 which is titled "S-1" and which has been submitted to the Board as part of the instant application. All materials referenced herein have been resubmitted and available for the Town's review.

Comment:

- Pump Station Placement

Response:

The S-1 drawing was revised on 1-27-25 as per the Lead Agency comments for the purpose of relocating the proposed pump stations therein to Town owned property as discussed with the Town's engineer. The location of the pump stations are designated in text and the Town property on which each sits clearly delineated.

Comment:

- Preliminary design with depth – narrative on use of pumps vs. gravity

Response:

The proposed sewer extension is shown on S-1, and as the drawing indicates, by legend, those lengths of the proposed extension that are proposed as force main and those that are proposed as gravity are respectively delineated. The pump stations permit the sewer system to feed effluent, by pressure, to a higher elevation for those properties proposed to be in the district extension which sit at an elevation that make a full gravity sewer impossible. The sewer plan minimizes the linear footage of the system that will be pressurized. A gravity system is naturally preferable because it does not require a pump to move effluent but is not fully achievable in this corridor. Under the present design, the developer has minimized the size and number of required pumps to a minimum by utilizing a gravity system where possible.

It should be noted that the final sewer design will be the product of technical submission completed in the design stages of the proposed project as part by the Town's Engineering Department's approval process; however, the Developer has submitted robust information to satisfy review requirements for the purposes of the instant application.

Comment:

- Provision of stubs for ladders and branches (manhole?)

Response:

The S-1 drawing indicates the location of manholes in the sewer extension. The manholes will contain incorporated ladder rungs as required by code or as determined by the Town's Engineering department during the future design review process of the proposed Hidden Valleys project.

Comment:

- Offer of hookups for residents in writing with escrow (and who will administer) [Wood and Perry] – incentive to hook up

Response:

The developer is willing to provide an escrow for the installation of individual residential hookups to residential property owners along E. Main Street. The amount and terms of the escrow will be fully addressed as part of the site plan submission and subject to the Town Attorney approval. The future approval of the details of this concept shall be memorialized as a condition of approval. The financial incentive to be provided by the developer towards the cost will be a present dollar value to that which was acceptable to the Town under the Santucci project on the South side of Route 6 near Gomer Street as the Town Board had indicated that such amount is both appropriate and acceptable. The amount and terms of the escrow will be fully addressed as part of the site plan submission.

Comment:

- Written confirmation of developer paying buy in costs

Response:

The developer is willing to commit in writing to paying the Westchester County Surcharge Calculation ("buy in") cost of the proposed sewer district extension. The amount and terms of the payment will be fully addressed as part of the site plan submission.

Comment:

- Traffic
 - Our consultant needs to look at AMS accuracy of current conditions

Response:

This appears to be an internal note from the Board to itself. It is the understanding of the developer that the AMS impact was reviewed in the approval process of the Town Board's approval of the AMS zoning change. The Developer has caused its traffic consultant to have the Hidden Valley traffic study supplemented to address the traffic AMS reported in its traffic study as submitted in the AMS re-zoning application. Same is submitted herewith.

Developer's traffic study submitted here has also been amended to remove consideration for the transfer station as the Board has directed.

Comment:

- Is Navajo a secondary?

Response:

As directed by the Director of Planning earlier in this application, the developer has planned to direct all residential traffic generated in the proposed development to enter / exit through Route 6N also known as Mahopac Street. For that reason, the Developer's original EAF's traffic study and site plan were revised to respectively study and control residential traffic egressing solely from Route 6N. Navajo Street will serve only the commercial traffic from the project and only emergency vehicle access to the residential portions of the proposed project. The proposed plan will be fully discussed at the site plan submission and independent SEQRA review undertaken by the Town Planning Board.

Comment:

- 6N anticipated improvements and a commitment to pay for them

Response:

The anticipated improvements to Route 6N are delineated in the developer's submitted traffic study. Those improvements will be paid for by the developer. The amount and terms of the escrow will be fully addressed as part of the site plan submission, and the final improvements and necessary mitigation measures associated with the site plan will be reviewed as part of the SEQRA analysis associated with the site plan.

Comment:

- Add in traffic from AMS and proposer, Strawberry, Barger

Response:

Developer's previously submitted traffic study fully evaluates its own anticipated proposed development traffic as well as that of Strawberry and Barger, consistent with the soft site analysis prepared as part of the PDDOZ establishment. The Developer has caused its traffic consultant to have the Hidden Valley traffic study supplemented to address the traffic AMS reported in its traffic study as submitted in the AMS re-zoning application. Same is submitted herewith.

Comment:

- Topography
 - Wetland maps- Descriptions of Wetlands and Quantities- square footage. Please submit maps with delineation of the buffers and Wetlands
 - Floodplain Descriptions Updated
 - Mitigation Plan Overview (where)

- Steep Slope Map (include % slope)
- Soils From County

Response:

The above information has been provided for the property as part of the previous Negative Declaration and approval issued for a related project. As shown on the overlay maps contained herein, the proposed extents of the Hidden Valleys Development is consistent with the limits of disturbance previously proposed and as such the potential impacts are similar.

Notwithstanding the above, and previous environmental reviews on the Hidden Valleys property, the documents and environmental assessment provided as part of the PDDOZ extension request are consistent with the soft site analyses previously performed as part of the PDDOZ establishment.

Comment:

- Discuss FAR in relation to project and **overlay law**

Response:

The developer has provided this information in prior submissions. In an attempt to consolidate the materials and provide the requested information in a visually comprehensible manner, the developer has created overlay drawings that superimpose the proposed development over existing approvals and approved mitigation drawings. Those drawings titled respectively: (i) Proposed Site Plan; (ii) Exhibit A Restoration and Mitigation Plan Overlay; (iii) Overlay of proposed Project over approved 2013 Site Plan and (iv) Proposed Site Plan Lots, each of which are submitted herewith. The FAR that is applicable under the flexibility statute is .55 of the gross project land area. For Hidden Valleys the FAR for the entire project over the entire site is 0.14 as a whole; 0.26 for the residential as a whole; 0.06 for the recreational commercial as a whole; 0.05 for Lot 1. The following table summarizes the project FAR Calculations:

Lot Number	Lot Area	Floor Area (Assumed)	FAR
1	10.1 acres	23,000 s.f.	0.05
2	25.8 acres	289,000 s.f.	0.26
3	13.7 acres	5,200 s.f.	0.01
Total Site	49.6 acres	296,500 s.f.	0.14

Comment:

- Stormwater
 - Description of needs for stormwater where intended placement (Dan)

Response:

It is noted that the analysis of soft sites as part of the environmental review associated with the original PDDOZ did not analyze stormwater relative to the theoretical development potential of each site.

A conceptual site plan, Drawing OP-1, was submitted for the Hidden Valleys project which is attached and illustrates areas generally allocated for stormwater based on initial stormwater testing. During the site plan process and associated environmental review for Hidden Valleys, the preparation of a Stormwater Pollution Prevention Plan is required and shall be submitted to and must be accepted by the Town.

This is similar to other soft sites identified in the PDDOZ whereby the PDDOZ was established recognizing many needs, but one being to revitalize the Lake Osceola area, and as part of the establishment of the PDDOZ soft sites were generally identified and then expected to be subject to a site-specific environmental review and site plan approval as specific projects were proposed. This would allow the Town and other involved / interested agencies to balance the benefits the PDDOZ zoning could bring to the Lake Osceola community with the specific environmental constraints of each soft site.

Comment:

- School Children Impact – Rutgers Study

Response:

Each of the fiscal studies submitted by the developer in this application employ the oft-accepted Rutgers study in the evaluation of school enrollment impact.

Comment:

- Athletic Facilities

Response:

The change in outdoor facilities is delineated in the proposed site plan and subject to further study during site plan approval. The indoor facility will be increased from 12,000 sq ft to 23,000 square feet and the outdoor fields as proposed will be 4.2 acres +/- where they currently are 8.8 acres +/- . The substantial increase in the quality of the proposed new fields will increase the functional usability of the outdoor athletic areas; a great benefit to the Town. This will be more particularly addressed in the site plan application process. Refer to OP-1 wherein the proposed fields and proposed athletic fieldhouse are overlaid on existing improvements.

Comment:

- Project description with land use, now vs. comp plan and zoning

Response:

The Hidden Valley project, as proposed, comports with the express intent of both the 2010 Comprehensive Plan and the recent creation and adoption of the Lake Osceola PDDOZ. The inclusion of the additional properties along East Main Street & Mahopac Street is also consistent with the goals of each the Comprehensive Plan and the Lake Osceola PDDOZ.

The Comprehensive Plan states:

- “Establish new zoning districts and update existing zoning districts in the Town's zoning code, consistent with the Proposed Land Use Plan. These new districts are intended to help implement proposals in the various elements of the Comprehensive Plan. The commercial zoning districts, in particular, have been significantly updated”
- “To the greatest extent possible, maintain views of the water from the East Main Street-Hill Boulevard intersection. Through the stie plan review process, encourage any new structures to be sited outside this view corridor, or that buildings be built low enough to maintain views over them.”
 - This may affect the achievable density of the soft sites located along Lake Osceola which was based on 2 ³/₄ stories.
- “Implementation of some of these concepts is dependent upon the extension of sewers to these areas. There are plans to extend sewer infrastructure through Jefferson Valley along East main Street.”
 - It is noted that Figure 4-5 of the Jefferson Valley Conceptual Design does not establish the ultimate boundaries of the future PDDOZ. It does identify two hamlet centers, one along Hill Boulevard and one along East Main Street and Route 6N which are proximate to the Hidden Valley Site and other sites proposed to be included in the PDDOZ.
 - The sites proposed to be included in the PDDOZ would directly support and be within walking distance to the hamlet center identified in the Comprehensive Plan located at the intersection of Route 6N and East Main Street.
 - There is a boundary shown in Figure 2-1 for a Jefferson Valley Overlay Zone that does not compare with the hamlet centers and descriptions of Jefferson Valley in Chapter 4 of the Comprehensive Plan. Chapter 4 discusses the Jefferson Valley Mall and Business District that extends from Par 3 Golf Course to the County and Town Line as depicted on Figure 4-5 and specifically identifies the East Main Street-Mahopac Steet Intersection as a “hamlet center.”
 - It is noted that the ultimate PDDOZ boundary was drawn closer to Figure 4-5 in that it included areas west of Hill Boulevard, although these areas were acknowledged as already having a

development proposal that would not utilize the PDDOZ zone (the solar farm site). However, areas north and east of the East Main Street / Mahopac Street intersection were not included.

- “Infrastructure improvements must be provided before or concurrent with any significant development.”
 - As evidenced by the number of years since the enactment of the PDDOZ, the soft sites analyzed do yield sufficient density to justify the cost of infrastructure needed. The inclusion of additional parcels within the instant application within the Lake Osceola Corridor, and adjacent to the Comprehensive Plans identified East Main Street Hamlet Center, propose to yield the necessary density to justify the infrastructure cost, as well as justify the redevelopment of the underutilized parcels adjacent to the lake. This is needed to fulfill the vision established in the Comprehensive Plan and PDDOZ EAF.
- “West of Hill Boulevard, maintain the north side of East Main Street as primarily residential in use,”
 - It is noted that the parcels west of hill boulevard consist of the currently constructed solar farm and will not act as a residential use nor benefit from the PDDOZ zone as constructed.
- “Continue to protect the scenic, woodland quality of Route 6 and East Main Street Corridors.”
 - To be studied in the environmental review during the site plan review process for Hidden Valleys, it is noteworthy to mention the proposed Hidden Valleys site plan respects this ideal by preserving the athletic field use on the western portion of the site along the East main Street Corridor.

Lake Osceola Overlay District EAF states:

- “The Town of Yorktown supports development of a sewer line in this area, and construction of a sewer, combined with the proposed overlay zoning district will incentivize development.”
- “Soft sites were identified through discussions with the Town of Yorktown Planning Department, who have an understanding of local development trends and building ownership, or by looking at sites within the overlay boundary that are under common ownership, or **would be underbuilt (have significantly less building area than permitted) under the proposed overlay zoning.**” (emphasis added)

In response to comments received from Supervisor Ed Lachterman comment email dated January 16, 2025, we offer the following updated responses:

1. What effect will the project have on the wetland, wetland buffer and the flood plain

The action requested of the Town Board is for the expansion of the PDDOZ and sewer district to include several parcels, of which one is 3000 Navajo Street. As part of the expansion of the district the applicant, Creative Living Development has provided a Full Environmental Assessment Form (FEAF) and supplemental reports consistent with the documents previously used to establish the PDDOZ. Consistent with the analysis of soft sites in the original PDDOZ adoption the site at 3000 Navajo Street was studied in the FEAF provided with the application to expand the district.

As outlined by our project attorney, Mr. Mark Blanchard, Esq., following the expansion of the district the owner of 3000 Navajo Street may submit for a site plan application on that property which would undergo its own separate SEQRA review. This segmented process has been challenged in court, with the New York State Supreme Court upholding the validity of the independent Planning Board review to follow the zoning text and map amendment process. However, please note at the request of the Town that a theoretical site plan for the Hidden Valleys site was submitted in support of the number of units proposed in the soft site analysis. The theoretical site plan submitted is consistent with the limits of disturbance contemplated in the previous site plan approval and Negative Declaration for this project as evidenced through the overlay of the Hidden Valleys Site Plan with the previously approved site plan prepared by Site Design Consultants. Further study on this issue will be required prior to site plan approval.

2. Where are the pump stations located and do we have proposed alternate sites if they are not on a town easement or our own property?

Drawing S-1 has been revised and enclosed herewith and shows the proposed pump stations located on Town properties.

3. What are we giving existing residence towards sewer hook costs?

As discussed at the previous Town Board meeting and in the comments above, Creative Living Development is willing to facilitate the installation of sewer services to individual property lines and is willing to make a financial contribution towards individual hookups. The final amount needs to be discussed and coordinated with the Town Board.

As mentioned at the last Planning Board meeting the intent is for the developer to fund the infrastructure cost such that existing and added properties to the sewer district will not have to pay for or bond the infrastructure. Effectively a "No Cost" sewer extension.

In response to comments received from Councilwoman Susan Siegel comment memorandum dated January 16, 2025, we offer the following updated responses:

New Sewer District

1. Provide a boundary map.

Enclosed please find a copy of the Osceola Lake PDDDOZ and Westchester County Peekskill Sewer District Expansion drawing prepared by this office. In addition, please also find enclosed the Comparison Plan of the Town of Yorktown Sewer District and the Peekskill Sanitary Sewer District Boundaries as it exists north of Route 6.

The proposed PDDOZ Boundary and expanded sewer district boundary are based on discussions and input received during Town Board meetings and is believed to reflect the latest desired boundaries. In addition, the Comparison Plan was provided to help illustrate the discrepancies between the current County Sewer District mapping and those parcels within and not within the county sewer district mapping based on tax records. We look forward to coordinating the final district boundaries with the Town Board.

- 2. Using town assessment records, identify which parcels are currently in or out of the county sewer district.*

The requested information is illustrated on the enclosed drawing Comparison Plan of the Town of Yorktown Sewer District and the Peekskill Sanitary Sewer District Boundaries.

- 3. Preliminary assessment of whether, based on depth of truck line and topography, some individual hook ups may require low pressure pumps.*

Based on discussions with the town a low-pressure sewer system is not proposed. Some existing buildings, depending on where there existing internal plumbing is located may need to relocate interior plumbing, install an internal ejector pump, or install an individual pump pit to connect to the sewer, the feasibility of same shall be determined by the individual property owner. This is not uncommon when sewer existing areas. In addition, consistent with the establishment of the PDDOZ it appears the Town is hopeful many of the existing properties will be able to be redeveloped allowing for the relocation of existing plumbing to comport with the proposed sewers.

- 4. Evidence - in writing - from property owners that they will hook up to sewers, at estimated cost to them.*

We do not believe evidence in writing from property owners that they will hook up to the sewers is necessary based on how this sewer district is being established and provided. This requested information is also premature and would not be binding on the owner, therefore would be of little probative value to this review. As discussed at the last meeting Creative Living Development is installing the proposed sewer at their sole expense. Owners within the sewer district will have an option to connect. If an owner chooses not to connect, they would continue to operate on their existing septic system. If an owner chooses to connect, they would be charged whatever current Yorktown fees are, less the financial contribution proposed to be provided by Creative Living Development.

- 5. Current estimate, per foot, for plumbing cost to hook up from stub in street.*

Our opinion of the probable cost to install a 4-inch gravity sewer line to a stub at the property line would be between \$20 to \$30 per foot, less the financial contribution to be coordinated between the Creative Living Development and the Town Board.

- 6. Written commitment from developer that he will contribute X dollars for the parcel hook up.*

As discussed at the last Town Board meeting the owner is willing to contribute financially to each parcel hook up in addition to running the sewer service to the property line. The final amount will need to be coordinated between the Town Board and the Owner at a future date. Developer proposes an incentive of a present-day dollar amount equal to what the Santucci development south of route 6 near Gomer Street provided when that portion of the sewer was approved.

7. *Written commitment from developer that he will pay the full amount of the county "buy in" cost for any parcels currently NOT in the district.*

As discussed, the applicant has committed to pay the surcharge calculation for the parcels not currently within the county sewer district.

Traffic

1. *Additional study for Route 6 and Route 6N that factors in proposed AMS development – and subtracts out the recycling facility.*

Provided herewith is an addendum to the developer's traffic study addressing the traffic volume identified in the AMS application for a zoning change and deleting the considerations previously made for the previously proposed transfer station.

2. *Clarify what years the "current" traffic figures are for.*

The developers traffic study dates are set forth expressly in the respective studies themselves.

3. *Impact on additional key intersections e.g., East Main St/Mahopac Street intersection, Lee and Hill Boulevards.*

The developers traffic report as submitted addresses same.

4. *More information, e.g., business plan, for athletic facilities, and how those uses match the peak hour generation guidelines used in the report.*

The information in the studies reflects the historic traffic record of a decade and a half long operation of the existing athletic facility whose use will continue in the same manner and frequency. Additional information on this comment will be provided at the more appropriate time, which is site-plan review.

5. *More details about needed improvements at Route 6 and Navajo Street, including potential cost and who would pay for them.*

No improvements at Route 6 and Navajo are necessary as indicated in the previously submitted traffic study specifically because all residential traffic arising from the proposed residential development egress through Route 6N and not Navajo Street. Consistent with comments above, this issue will be studied in greater detail during the site plan approval process.

6. *More details about needed improvements at Route 6N access point, including potential cost and who would pay for them.*

The proposed improvements to Route 6N are set forth in the prior traffic study submission and as previously stated, the developer would pay for all proposed improvements.

7. *More details about potential traffic calming devices along Route 6N from project site to intersection of East Main St with Route 6, including potential cost and who would pay for them.*

The proposed improvements to Route 6N are set forth in the prior traffic study submission and as previously stated, the developer would pay for all proposed improvements.

It has been discussed with Town officials that the developer is willing to engage in a public/private partnership to establish a "street-scaped" corridor to calm traffic throughout the corridor from the Putnam County line to Hill Boulevard where the proposed sewer extension would terminate.

Developer is willing to make significant financial contribution to the cost. The specifics of the agreement would be properly addressed in the site plan application process.

Environmental constraints of developing 3 "soft sites" in existing LOOD

1. *Given soils, wetlands, flood plain, etc., how much of these sites can be developed.*
 - a. *Roberta parcel.*
 - b. *Two other sites at eastern end of current LOOD.*
- Please see attached our Lake Osceola PDDOZ Soft Site Analysis, dated January 27, 2025. This analysis is intended to account for environmental constraints and is intended to be compared to the Development Potential analysis in the original PDDOZ EAF. The original analysis indicated a development potential of 348 additional units, but then discounted the unit count to 139 based on a 10-year projection, compared to the 160 shown in the attached. The original EAF further indicated that only 40% of the development projection would be developed over the next ten years if the area had sewers (20% if sewers are never constructed). Using the same methodology that would yield:

	Full Development Potential	10-year Adjusted Projection
Original PDDOZ EAF	348	139
2025 Insite Soft Site Analysis with Environmental Constraints as noted	160	64

Wetlands, flood plains & steep slopes

1. *Need for updated wetlands delineation.*

See response #1 to Supervisor Ed Lachterman's comments as it relates to the previous environmental studies on the 3000 Navajo Street site. This current application is only for the extension of the PDDOZ. Please note the NYSDEC delineation was recently completed, and will be updated as necessary at such time as a site plan is submitted for Hidden Valleys.

2. *Maps showing flood plains and slopes > L5% on site.*

See response #1 to Supervisor Ed Lachterman's comments as it relates to the previous environmental studies on the 3000 Navajo Street site. This current application is only for the extension of the PDDOZ. Any site plan submitted for Hidden Valley will undergo its own Environmental Review and will need to comply with the relevant Floodplain and Steep Slopes ordinances of the Town of Yorktown.

3. *Mitigation plan as needed.*

See response #1 to Supervisor Ed Lachterman's comments as it relates to the previous environmental studies on the 3000 Navajo Street site. This current application is only for the extension of the PDDOZ. A wetland mitigation plan will be prepared at such time as a site plan is submitted for Hidden Valleys.

However, please note a theoretical site plan for Hidden Valleys was submitted as part of its analysis as a “soft site” in the PDDOZ extension. The theoretical site plan remained consistent with the previous limits of approved development.

FAR calculation

1. *Details of FAR calculation for each proposed use.*

See response #1 to Supervisor Ed Lachterman’s comments as it relates to the previous environmental studies on the 3000 Navajo Street site. This current application is only for the extension of the PDDOZ.

However, please note a theoretical site plan for Hidden Valleys was submitted as part of its analysis as a “soft site” in the PDDOZ extension. The FAR for the residential portion of the theoretical site plan is anticipated to be between 0.25 and 0.30 (currently shown at 0.26) based on the final architectural design. Note that the PDDOZ provides for an FAR of 0.55.

Stormwater

1. *October 2024 EAF from Ecological has NOTHING about stormwater.*

See response #1 to Supervisor Ed Lachterman’s comments as it relates to the previous environmental studies on the 3000 Navajo Street site. This current application is only for the extension of the PDDOZ.

Consistent with the individual PDDOZ establishment and associated EAF, stormwater was not analyzed and is premature at this stage of the approval process.

As part of any Hidden Valleys Site Plan Application and individual Stormwater Pollution Prevention Plan will need to be prepared that complies with the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity, GP-0-25-001.

2. *Impact on surrounding properties, including Lake Osceola.*

See the previous response. Individual project SWPPP’s will be provided for each site plan application in the PDDOZ and for redevelopment sites will offer the opportunity to provide stormwater treatment where currently none exist.

The installation of the proposed sewer would provide the mechanics for the natural decontamination of fecal matter presently in Lake Osceola. This benefit to the Town and environment is critical.

3. *How providing sewers along Route 6N will impact stormwater and how will this be addressed.*

At the last Town Board meeting it was asked if the applicant would consider stormwater improvements on the existing collection systems discharging into Lake Osceola. The applicant is willing to work with the Town Board in a public/private partnership to address existing conditions in the corridor and other related community benefits but same are technically specific matters that are appropriately addressed in the site plan submission process.

School children impact

1. *More information about current and projected enrollment in Lakeland School District, including recent district enrollment studies and how they compare to Rutgers projections in Ecological document.*

The school children analysis contained in the recently submitted EAF prepared by Ecological Analysis is consistent with analysis used in the original EAF for the PDDOZ and references the same standard studies and coincides with accepted practice on the study and approval of development projects. It is maintained that this level of analysis is consistent with the industry accepted standards and is appropriate for the PDDOZ expansion. More refined school age children information can be obtained as environmental reviews for specific projects are conducted if same are deemed necessary in that technically specific process.

Boundary of extending LOOD

1. *Explain rationale for adding an isolated site in the LOOD.*

Based on the Osceola Lake PDDOZ & Westchester County Peekskill Sewer District Expansion, dated December 20, 2024, it is not proposed to add an isolated site, but extend the district such that a contiguous district is formed. The current boundary is based on discussions with the Town Board.

The initial Town Tri-Board Meeting held January 2021 established that sewers were a “initial must” for the corridor and that the means to obtain same without blocking public view of Osceola was from off-lake large residential properties in the corridor that could provide multi-family housing of sufficient density to economically provide for the cost of the required sewers. This would permit the intended recreational revitalization of the lake for public use that would in turn generate customers for the commercial businesses already in the corridor including the Jefferson Valley Mall. Given that the only other large residential property in the corridor and present PDDOZ map, Old Hill Farm, has subsequently been developed as a solar farm, Hidden Valleys 50 acre site is logical donor to meet Lake Osceola PDDOZ intent.

The Board has been provided with a thumb drive of the aforementioned meeting but same can be played at a public meeting to re-fresh the express intent in passing the PDDOZ law and in forming a Lake Osceola PDDOZ map.

2. *Explain why other properties in Route 6N corridor abutting Navajo site should/should not be included in the LOOD in order to make a contiguous district.*
 - a. *What would environmental impacts be of including these additional parcels.*

See previous response. The documents provided in the PDDOZ are consistent with the original PDDOZ environmental review in that the Hidden Valley was analyzed as a potential soft site and included in the environmental reports provided by the Town.

Explore alternative Navajo development plan

1. *Subdivide parcel into R-3i and an appropriate commercial zone for athletic facilities.*

See response #1 to Supervisor Ed Lachterman’s comments as it relates to the previous environmental studies on the 3000 Navajo Street site. This current application is only for the extension of the PDDOZ.

However, please note a theoretical site plan for Hidden Valleys was submitted as part of its analysis as a "soft site" in the PDDOZ extension. This comment is specific to the site plan review for Hidden Valley which is not the subject of this application.

Athletic facilities

1. *How development will change the site's current athletic facilities, e.g., any loss of existing fields, and what impact would that have on the parcel's current users.*

See response #1 to Supervisor Ed Lachterman's comments as it relates to the previous environmental studies on the 3000 Navajo Street site. This current application is only for the extension of the PDDOZ.

However, please note a theoretical site plan for Hidden Valleys was submitted as part of its analysis as a "soft site" in the PDDOZ extension. This comment is specific to the site plan review for Hidden Valley which is not the subject of this application.

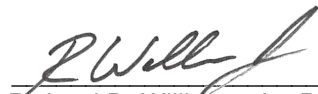
We look forward to further discussion with the Board at their February 10, 2025 meeting. At that time, we will respectfully request that the public hearing necessary for the adoption of the legislative action be scheduled and that the Town Clerk be directed to notice the hearing.

If you have any questions or comments regarding this information, please feel free to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By:



Richard D. Williams, Jr., P.E.
Senior Principal Engineer

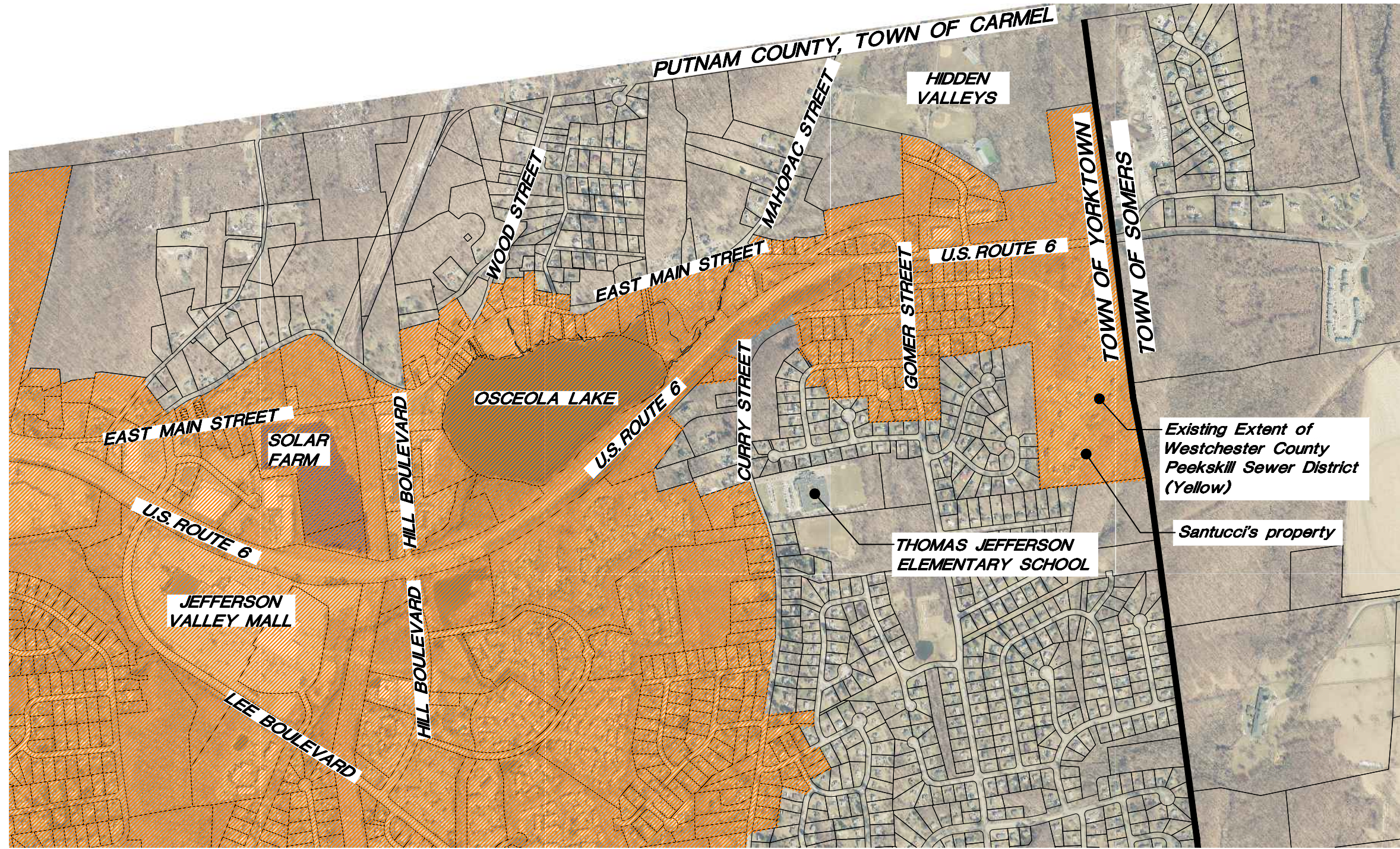
RDW/dmc

Enclosures


cc: CJ Diven, Creative Living Development
M. Blanchard, Esq.
M. Grace, Esq.

Insite File No. 20243.100

Z:\E\20243100 3000 Navajo Street\Misc Drawing Files\Zoning Figures\2024\ZONING FIGURES_CLEAN(new).dwg, 1/31/2025 2:51:16 PM, elore, 1:1



LEGEND

 EXISTING EXTENT OF WESTCHESTER COUNTY PEEKSKILL SEWER DISTRICT

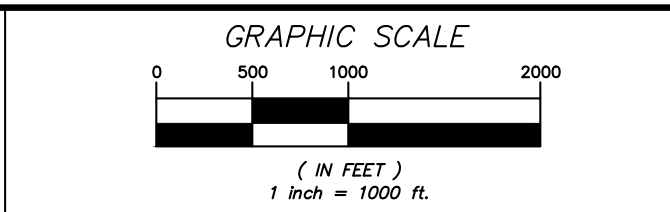
WESTCHESTER COUNTY SEWER DISTRICT

PROJECT:
CREATIVE LIVING DEVELOPMENT
 3000 NAVAJO STREET, TOWN OF YORKTOWN, WESTCHESTER COUNTY, N.Y.

DRAWING:
FIGURE 1

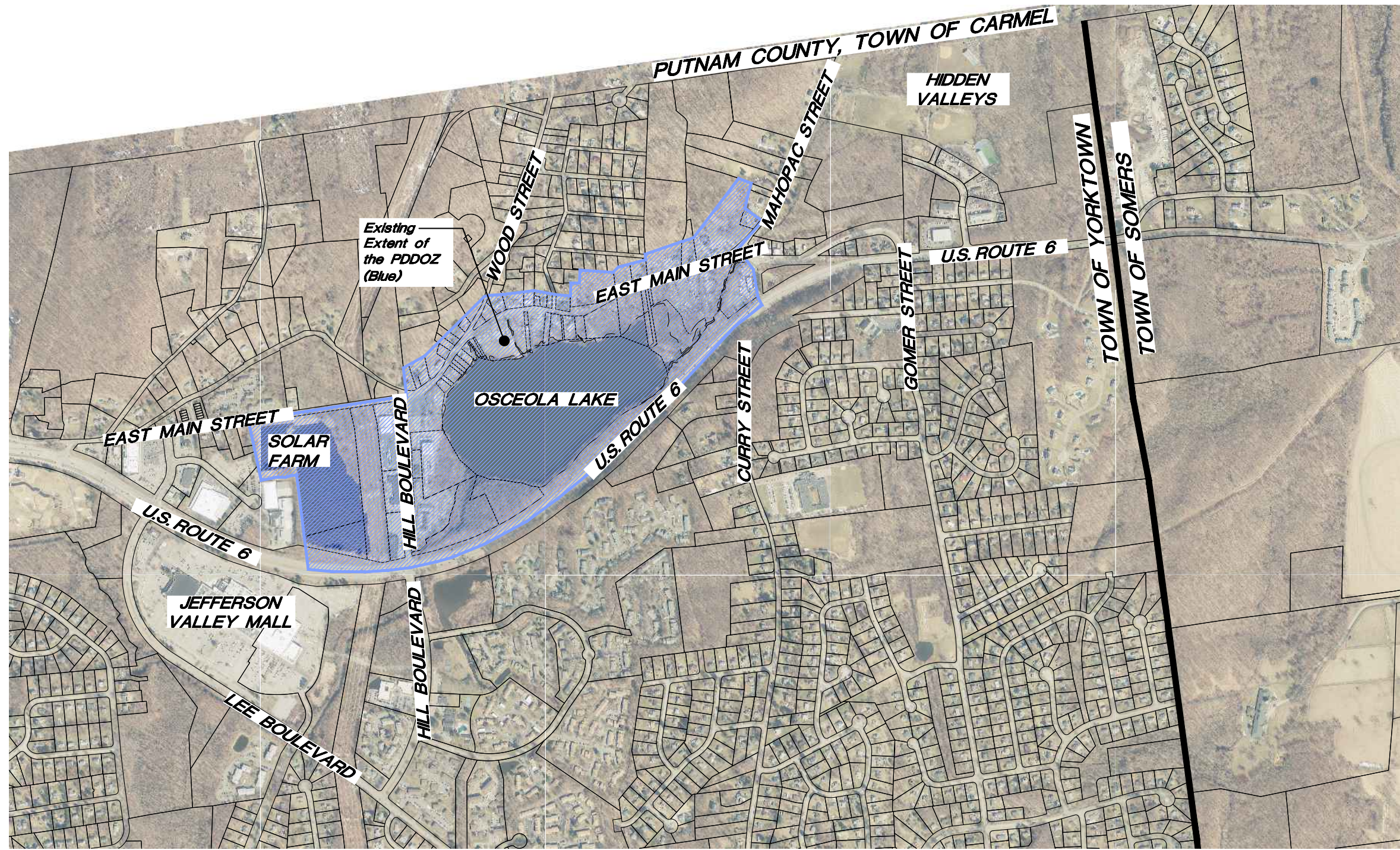
PREPARED BY:

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 ENGINEERING, SURVEYING &
 LANDSCAPE ARCHITECTURE, P.C.
 3 Garrett Place • Carmel, New York 10512
 Phone (845) 225-9690 • Fax (845) 225-9717
 www.insite-eng.com




DATE: 1-31-2035
 SCALE: 1" = 1000'
 PROJECT NO.: 20243.100
 FIGURE:
 1

Z:\E\20243100 3000 Navajo Street\Misc Drawing Files\Zoning Figures\PDDOZ Aerial Figures Dec 2024\ZONING FIGURES_CLEAN(new).dwg, 1/31/2025 2:50:33 PM, elone, 1:1



LEGEND

 EXISTING EXTENT OF THE PDDOZ

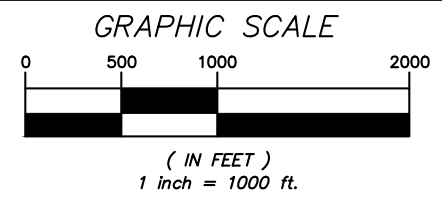
EXISTING LAKE OSCEOLA PDDOZ

PROJECT:
CREATIVE LIVING DEVELOPMENT
 3000 NAVAJO STREET, TOWN OF YORKTOWN, WESTCHESTER COUNTY, N.Y.

DRAWING:
FIGURE 3

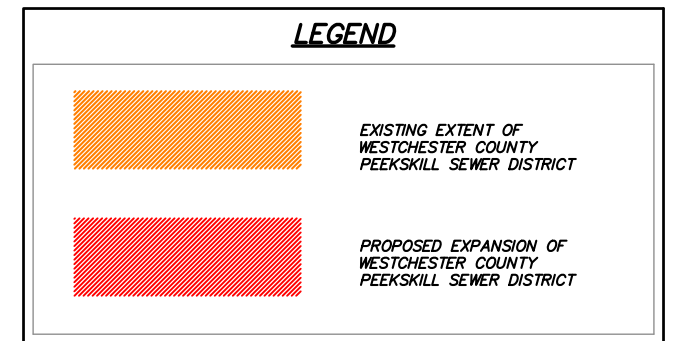
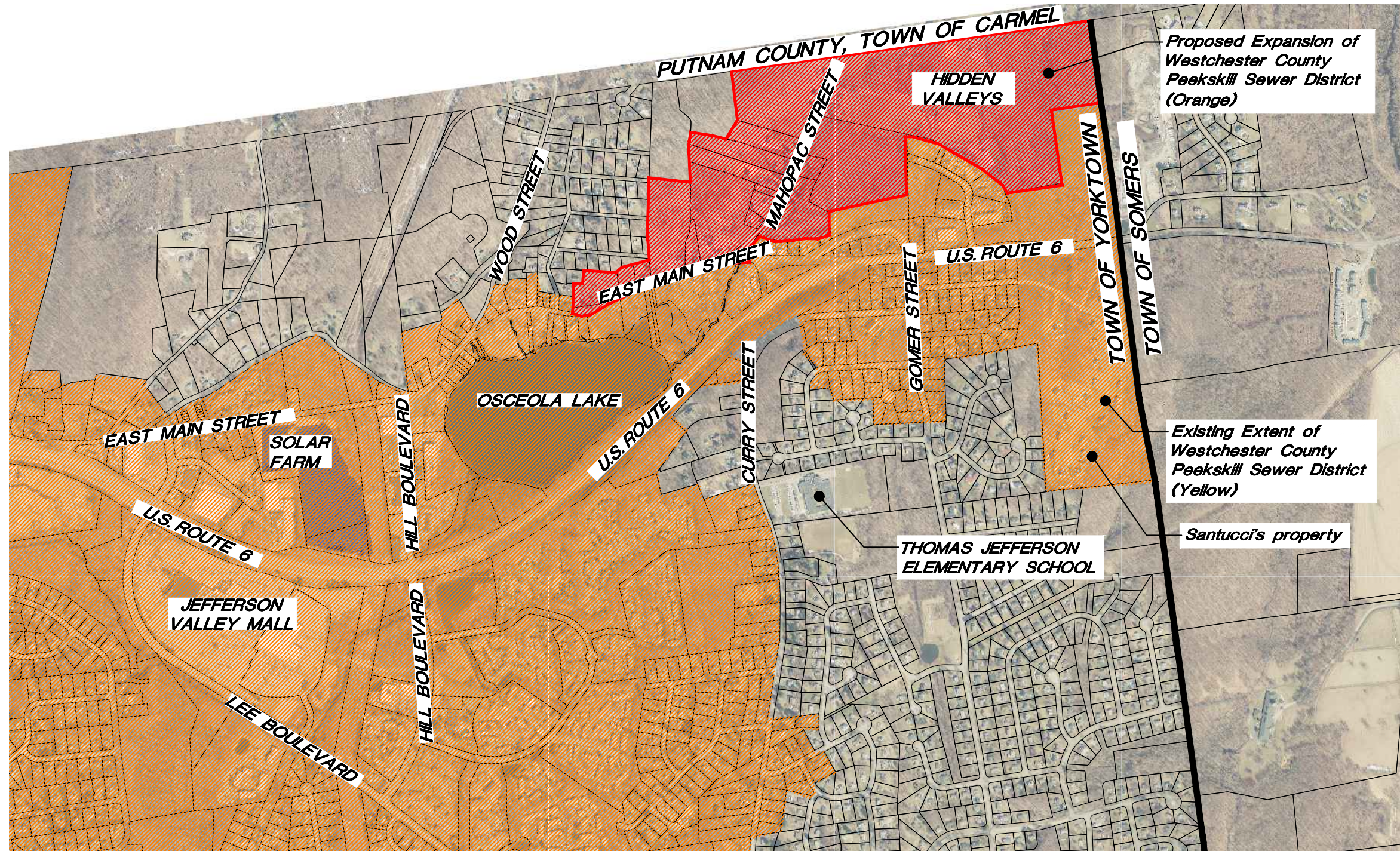
PREPARED BY:

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DATE: 1-31-2035
 SCALE: 1" = 1000'
 PROJECT NO.: 20243.100
 FIGURE: 3

Z:\E\20243100 3000 Navajo Street\Misc Drawing Files\Zoning Figures\2024\ZONING FIGURES_CLEAN(new).dwg, 1/31/2025 2:50:59 PM, elore, 1:1



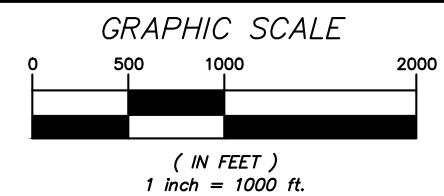
PROPOSED SEWER EXTENSION

PROJECT:
CREATIVE LIVING DEVELOPMENT
 3000 NAVAJO STREET, TOWN OF YORKTOWN, WESTCHESTER COUNTY, N.Y.

DRAWING:
FIGURE 2

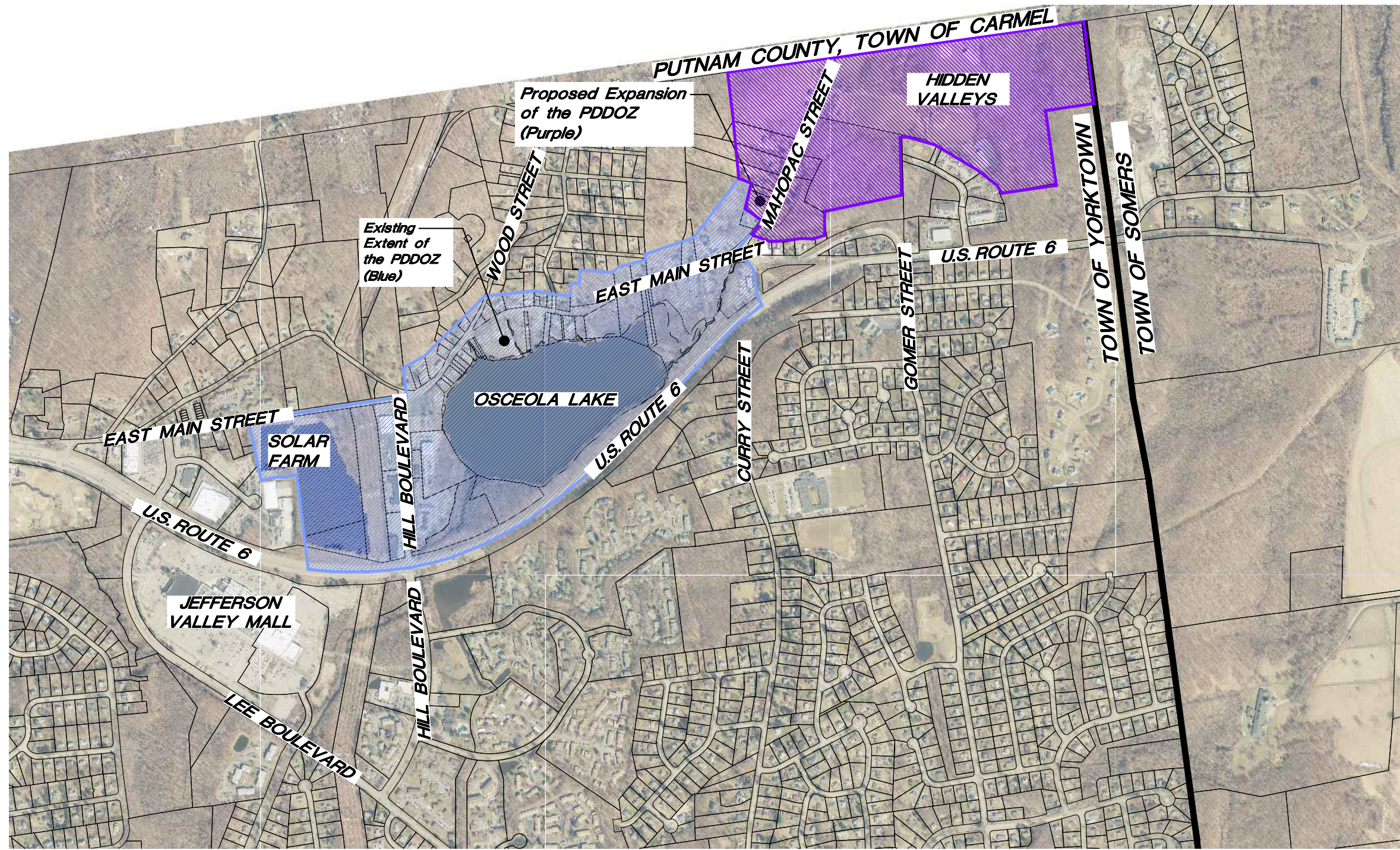
PREPARED BY:

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DATE: 1-31-2035
 SCALE: 1" = 1000'
 PROJECT NO.: 20243.100
 FIGURE: 2

Z:\E\20243100 3000 Navajo Street\Misc Drawing Files\Zoning Figures\PDDOZ Aerial Figures Dec 2024\ZONING FIGURES_CLEAN(new).dwg, 1/31/2025 2:50:20 PM, elone, 1:1



LEGEND

	EXISTING EXTENT OF THE PDDOZ
	PROPOSED EXPANSION OF THE PDDOZ

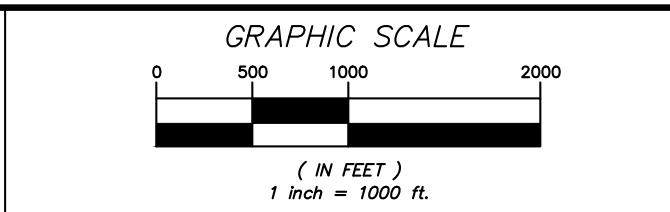
PROPOSED LAKE OSCEOLA PDDOZ

PROJECT:
CREATIVE LIVING DEVELOPMENT
 3000 NAVAJO STREET, TOWN OF YORKTOWN, WESTCHESTER COUNTY, N.Y.

DRAWING:
FIGURE 4

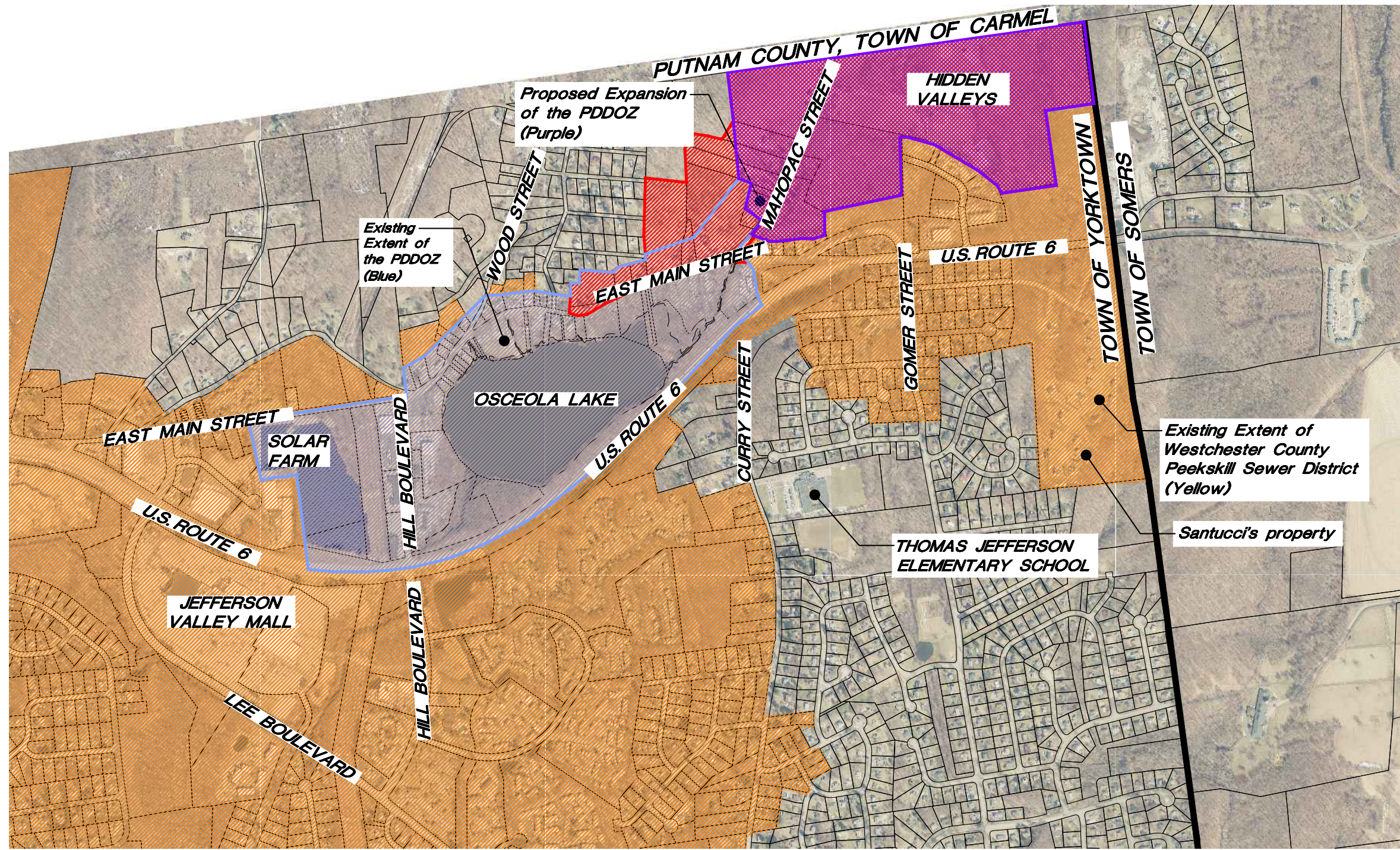
PREPARED BY:

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DATE: 1-31-2035
 SCALE: 1" = 1000'
 PROJECT NO.: 20243.100
 FIGURE: 4

Z:\E\20243100 3000 Navajo Street\Misc Drawing Files\Zoning Figures\Zoning Figures Dec 2024\ZONING FIGURES_CLEAN(new).dwg, 1/31/2025 2:50:03 PM, elone, 1:1



LEGEND

-  EXISTING EXTENT OF WESTCHESTER COUNTY PEEKSKILL SEWER DISTRICT
-  PROPOSED EXPANSION OF WESTCHESTER COUNTY PEEKSKILL SEWER DISTRICT
-  EXISTING EXTENT OF THE PDDOZ
-  PROPOSED EXPANSION OF THE PDDOZ

OVERLAY OF EXISTING WESTCHESTER COUNTY, PEEKSKILL SEWER DISTRICT AND PDDOZ WITH PROPOSED EXTENSIONS

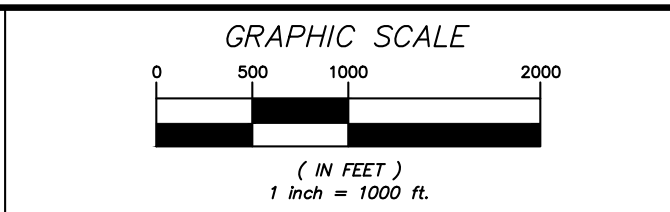
PROJECT:
CREATIVE LIVING DEVELOPMENT
 3000 NAVAJO STREET, TOWN OF YORKTOWN, WESTCHESTER COUNTY, N.Y.

DRAWING:
FIGURE 4.5

PREPARED BY:



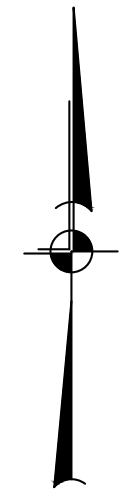
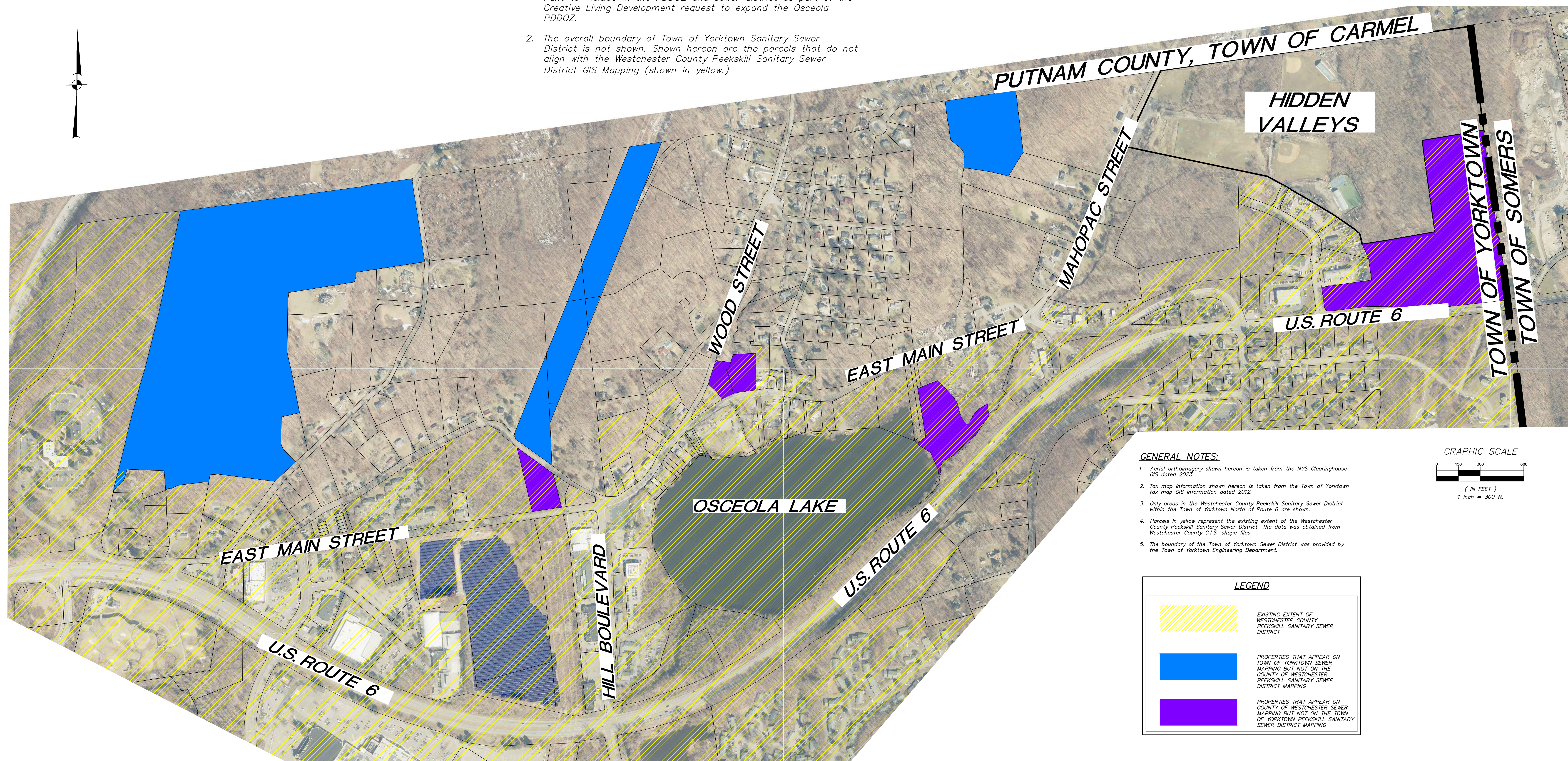
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 Phone (845) 225-9690 • Fax (845) 225-9717
 www.insite-eng.com



DATE: 1-31-2035
 SCALE: 1" = 1000'
 PROJECT NO.: 20243.100
 FIGURE: 5

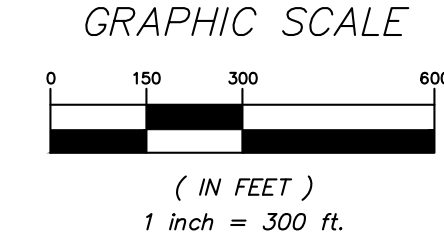
NOTES:

1. The intent of this drawing is to show the differences between the Westchester County Peekskill Sanitary Sewer District Mapping and the Town of Yorktown Sewer District Mapping in order to assist the Town Board in deciding which additional parcels they want to include in the PDDOZ and sewer district as part of the Creative Living Development request to expand the Osceola PDDOZ.
2. The overall boundary of Town of Yorktown Sanitary Sewer District is not shown. Shown hereon are the parcels that do not align with the Westchester County Peekskill Sanitary Sewer District GIS Mapping (shown in yellow.)



GENERAL NOTES:

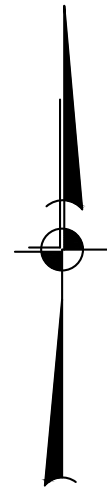
1. Aerial orthomography shown hereon is taken from the NYS Clearinghouse GIS dated 2023.
2. Tax map information shown hereon is taken from the Town of Yorktown tax map GIS information dated 2012.
3. Only areas in the Westchester County Peekskill Sanitary Sewer District within the Town of Yorktown North of Route 6 are shown.
4. Parcels in yellow represent the existing extent of the Westchester County Peekskill Sanitary Sewer District. The data was obtained from Westchester County G.I.S. shape files.
5. The boundary of the Town of Yorktown Sewer District was provided by the Town of Yorktown Engineering Department.



LEGEND	
	EXISTING EXTENT OF WESTCHESTER COUNTY PEEKSKILL SANITARY SEWER DISTRICT
	PROPERTIES THAT APPEAR ON TOWN OF YORKTOWN SEWER MAPPING BUT NOT ON THE COUNTY OF WESTCHESTER PEEKSKILL SANITARY SEWER DISTRICT MAPPING
	PROPERTIES THAT APPEAR ON COUNTY OF WESTCHESTER SEWER MAPPING BUT NOT ON THE TOWN OF YORKTOWN PEEKSKILL SANITARY SEWER DISTRICT MAPPING

EXISTING EXTENT OF WESTCHESTER COUNTY PEEKSKILL SANITARY SEWER DISTRICT IN YORKTOWN

COMPARISON PLAN OF TOWN OF YORKTOWN SANITARY SEWER DISTRICT & WESTCHESTER COUNTY PEEKSKILL SANITARY SEWER DISTRICT BOUNDARIES
 Town of Yorktown, Westchester County, New York
 January 27, 2025



Soft Site	Owner name	Property Area (total)	Property Area (Outside of Buffer)	*Potential Development Area	**# of Potential Units
1	Lake Osceola Realty	2.4 A.C.	1.7 A.C.	1.0 A.C.	40
2	Award Enterprises	2.8 A.C.	0.7 A.C.	0.4 A.C.	17
3	401 East Main St., LLC	0.3 A.C.	0.1 A.C.	0.1 A.C.	2
4	BLS Main St. Realty, INC	0.9 A.C.	0.6 A.C.	0.3 A.C.	14
5	311 K Properties LLC	3.5 A.C.	2.8 A.C.	1.7 A.C.	67
6	TriTek LLC	2.5 A.C.	0.8 A.C.	0.5 A.C.	20
Total	-	12.4 A.C.	6.7 A.C.	4.0 A.C.	160

The density shown assumes the extension of the sewer district to the subject properties. If no sewer is present, the density speculated will be a fraction thereof.

*Potential development area assumes 40% of the total area will be used for stormwater management, onsite landscape area and perimeter landscaping and is equal to 60% of the Total Property Area.

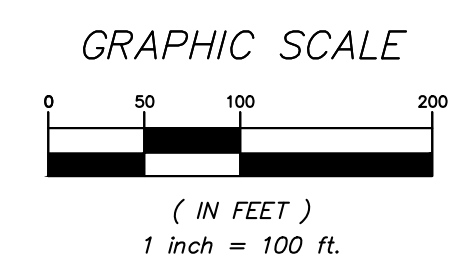
**Total number of units includes: the building footprint for a 3-story apartment building, parking at a ratio of 2.2 spaces per living space, and associated parking lot drive aisle.

The total number of potential units was calculated by dividing the Potential Development Area by 3,262 s.f. and multiplying by 3 to account for a 3-story building.

3,262 s.f. represents the square foot average of three unit sizes, 900s.f., 1,400s.f., and 2,000s.f. and their percentage of the total units, 20%, 50% and 30% respectively (1,400s.f.), plus 1,782s.f. representing the parking and aisle width for 2.2 spaces per unit [(9 x 18) + (9 x 12)] x 2.2 space per unit x 3 units per 1,480 s.f. footprint.

OSCEOLA LAKE PDDOZ SOFT SITE ANALYSIS

Town of Yorktown, Westchester County, New York
January 27, 2025



3 Corbett Place
Carmel, NY 10512
(845) 225-9690
(845) 225-9717 fax
www.insite-eng.com

ZONING SCHEDULE:

DIMENSIONAL REGULATIONS:	REQUIRED	PROPOSED USE: COMMERCIAL/RECREATION				VARIANCE REQUIRED
		DOMESTIC PHASE I	DOMESTIC PHASE II	BUILDING PHASE II	BARN PHASE IV	
MINIMUM SIZE OF LOT:						
LOT AREA:	10,000 SF.	2,187,445 SF.	---	---	---	NONE
LOT WIDTH: (SEE NOTE 1)	25 FT.	866.8 FT.	---	---	---	NONE
LOT DEPTH:	NONE	1,834.4 FT.	---	---	---	NONE
MINIMUM YARD DIMENSIONS:						
PRINCIPAL BUILDING:						
FRONT YARD SETBACK:	25 FT.	835 FT.	766 FT.	1528 FT.	33 FT.	NONE
REAR YARD SETBACK:	30 FT.	858 FT.	66 FT.	43 FT.	1833 FT.	NONE
SIDE YARD SETBACK: (SEE NOTE 2)	25 FT./60 FT.	25 FT.	60 FT.	66 FT.	92 FT.	NONE
ACCESSORY BUILDINGS:						
FRONT YARD SETBACK:	25 FT.	---	---	---	---	NONE
REAR YARD SETBACK:	30 FT.	---	---	---	---	NONE
SIDE YARD SETBACK: (SEE NOTE 2)	25 FT./60 FT.	---	---	---	---	NONE
MAXIMUM % OF LOT TO BE OCCUPIED:						
COVERAGE - ALL BUILDINGS:	25% OF LOT AREA	15.4 % OF LOT AREA	---	---	---	NONE
MAXIMUM HEIGHT:						
DOMESTIC PHASE I - FEET:	35 FT.	41 FT.	60 FT.	60 FT.	25 FT.	YES
DOMESTIC PHASE II - FEET:	---	---	---	---	---	YES
BUILDING PHASE III - FEET:	---	---	---	---	---	YES
BARN PHASE IV - FEET:	---	---	---	---	---	YES

ZONING REGULATION NOTES:
 1. Lot Width shall be measured at front line of main building.
 2. Side Yard setbacks are required as follows: none, but if provided shall be 10%; if used as one-way vehicular access, shall be 17%; if used as two-way vehicular access, shall be 25 ft; if adjacent an "R" District, shall be 30 ft.



FUTURE ONE STORY 10 STALL BARN TO REPLACE EXISTING BARN

Wetland boundary around existing fields established by wetland consultant is approximate

LATEST PROPOSED LIMITS OF IMPERVIOUS SURFACE FOR HIDDEN VALLEYS PREVIOUSLY SUBMITTED SITE PLAN (SOLID PURPLE LINE)

SHOWN IN PURPLE IS THE LATEST HIDDEN VALLEYS SITE PLAN AS SUBMITTED TO THE TOWN OF YORKTOWN OVERLAID ON TOP OF THE PREVIOUSLY APPROVED SITE PLAN PREPARED BY SITE DESIGN CONSULTANTS. THE INTENT OF THE OVERLAY IS TO SHOW THE PROPOSED IMPERVIOUS SURFACES ASSOCIATED WITH THE LATEST HIDDEN VALLEYS SITE PLAN IS WITHIN AREAS PREVIOUSLY APPROVED FOR DEVELOPMENT BY THE TOWN OF YORKTOWN AND STUDIED AS PART OF THE PREVIOUS PROJECT APPROVAL'S NEGATIVE DECLARATION.

Flagged Wetland Boundary Established By Tim Miller Assoc. and Field Located By J. Henry Carpenter & Co. May 13, 2009.

NOTE:
 1. THIS IS NOT A SURVEY. All survey information shown on this plan has been taken from survey maps filed "Survey of Property prepared for Bruce Alder" as prepared by J. Henry Carpenter & Co., dated 02/27/06, and revised 01/13/09. The Engineer assumes no responsibility for its accuracy.
 2. Flagged wetland boundary established by Tim Miller Associates and field located by J. Henry Carpenter & Co. May 13, 2009. Definition verified by Bruce Alder, Town Environmental Consultant June 4, 2010.
 3. Approximate 100 year flood boundary (not to scale) from available Westchester County QID Data.

Site Design Consultants
 Civil Engineers & Land Planners
 251-1 Underhill Avenue, Yorktown Heights, NY 10598
 (914) 962-4488 - Fax: (914) 962-7386
 www.SiteDesignConsultants.com

Project No.	
Client	
Location	
Scale	
Drawn by	JCR
Date	3/22/13

CONCEPT PLAN FOR FULL SITE BUILD-OUT BASED ON CR ZONE

PROPOSED SITE PLAN
 PREPARED FOR
CREATIVE LIVING DEVELOPMENT, INC
 a.k.a NAVAJO FIELDS
 Westchester Co., New York
 Town Of Yorktown

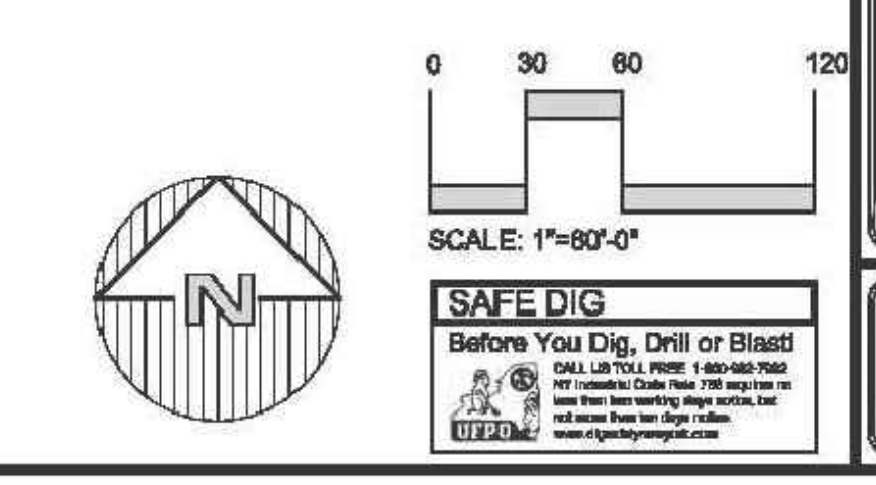
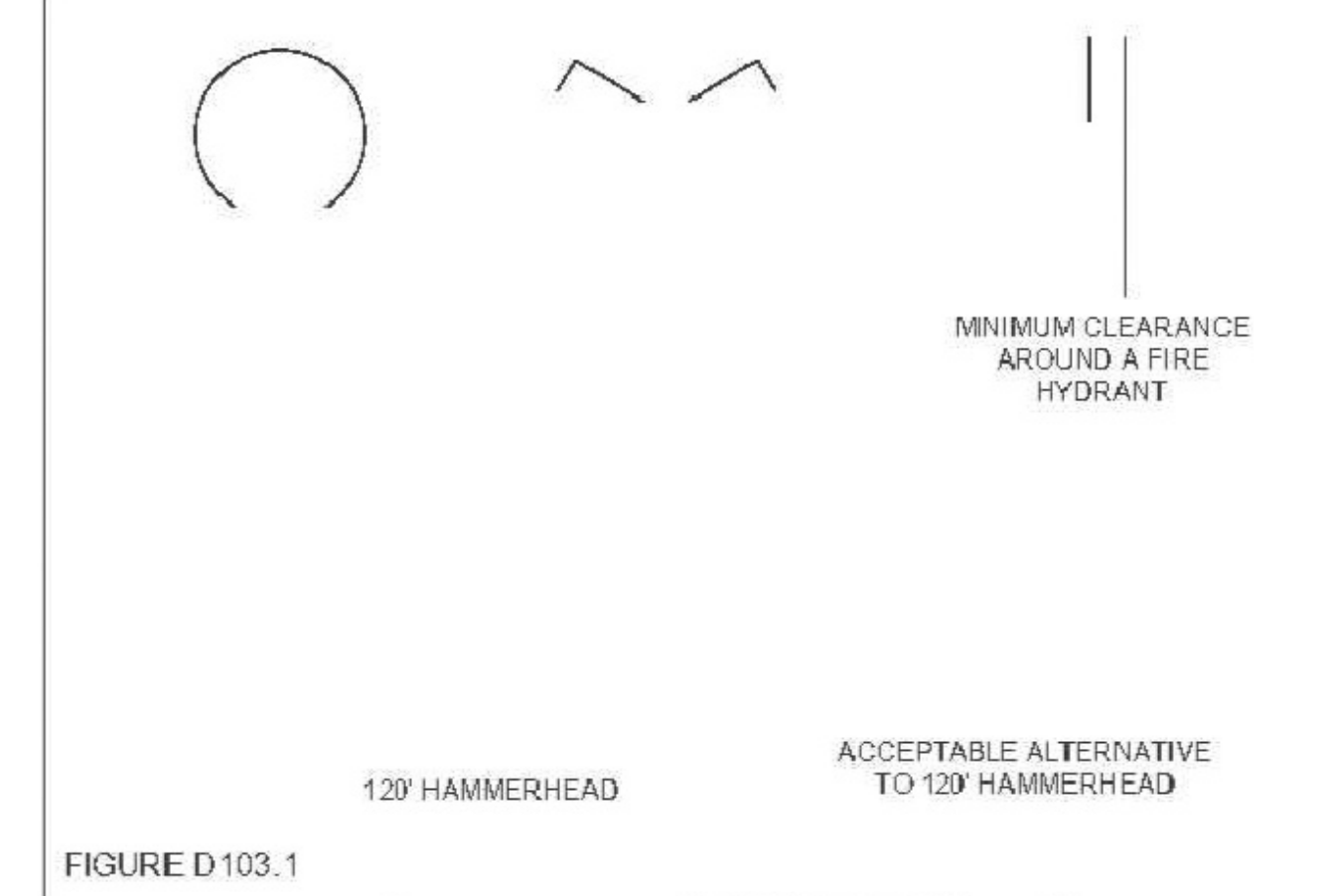


Exhibit A - Restoration and Mitigation Plan

NYSDEC Case No. R3-20180820-151

Information on this map valid for purposes of this Consent Order only. Any regulated future activities require coordination with NYSDEC.

FIRE APPARATUS ACCESS ROADS SHALL COMPLY WITH APPENDIX D OF THE 2015 NEW YORK STATE FIRE CODE		
TABLE D103.4 REQUIREMENTS FOR END-FIRE APPARATUS ACCESS ROADS		
LENGTH (FEET)	WIDTH (FEET)	TURNAROUND REQUIREMENTS
0-150	20	NONE REQUIRED
151-500	20	120-FOOT HAMMERHEAD, 60 FOOT "Y" OR 98-FOOT DIAMETER CUL-DE-SAC IN ACCORDANCE WITH FIGURE D103.1
501-750	26	120-FOOT HAMMERHEAD, 60 FOOT "Y" OR 98-FOOT DIAMETER CUL-DE-SAC IN ACCORDANCE WITH FIGURE D103.1
OVER 750		SPECIAL APPROVAL REQUIRED



Wetland boundary around existing fields established by wetland consultant is approximate

LATEST PROPOSED LIMITS OF IMPERVIOUS SURFACE FOR HIDDEN VALLEYS PREVIOUSLY SUBMITTED SITE PLAN (SOLID PURPLE LINE)

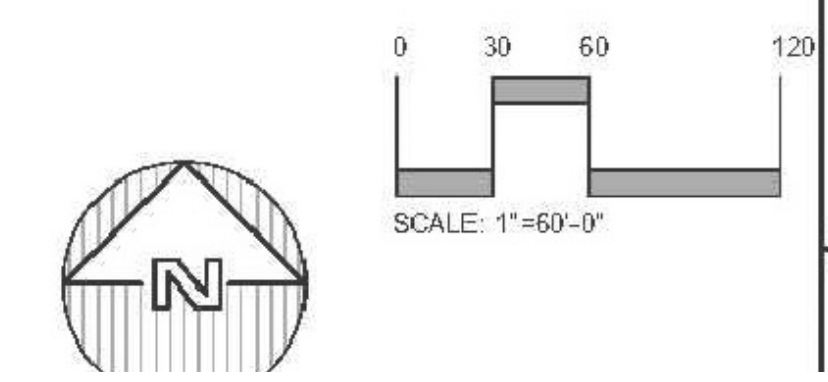
SHOWN IN PURPLE IS THE LATEST HIDDEN VALLEYS SITE PLAN AS SUBMITTED TO THE TOWN OF YORKTOWN OVERLAIN ON TOP OF THE NYSDEC CASE NO R3-201-80820-151, EXHIBIT A: RESTORATION AND MITIGATION PLAN AS PREPARED BY BCA ARCHITECTURE AND CONSTRUCTION SERVICES. ONLY THE PAVED SURFACES AND BUILDINGS WERE IMPOSED FOR REFERENCE. THE INTENT OF THE OVERLAY IS TO SHOW THE PROPOSED IMPERVIOUS SURFACES ASSOCIATED WITH THE LATEST HIDDEN VALLEYS SITE PLAN (AS IT RELATES TO THE NYSDEC ADJACENT AREA) IS LIMITED TO AREAS THAT ARE PREVIOUSLY DEVELOPED AND WITHIN THE OVERALL LIMIT OF IMPERVIOUS AREA ESTABLISHED BY EXHIBIT A.

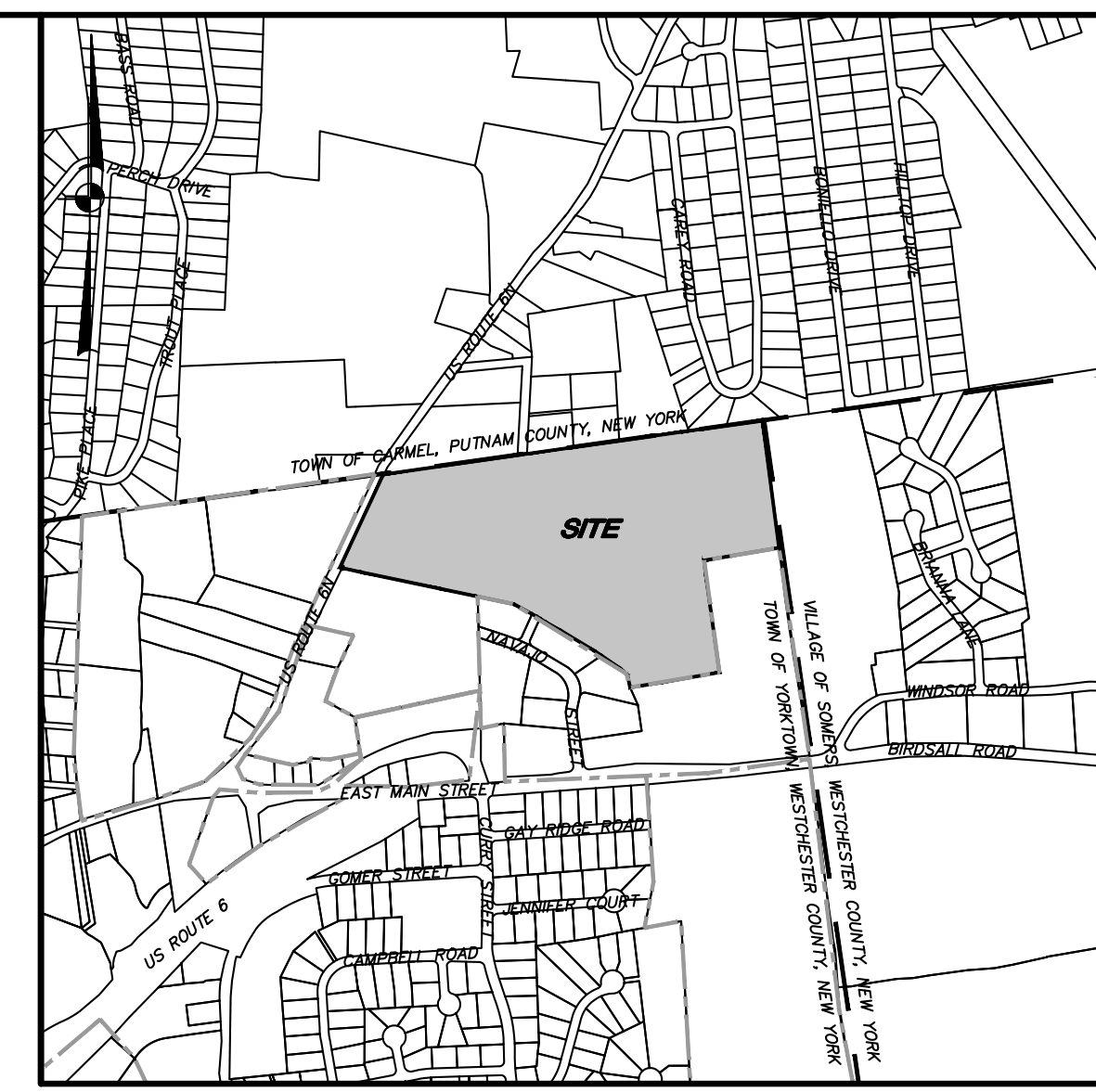
NOTE:
 1. THIS IS NOT A WARRANTY. All survey information shown on this plan has been taken from survey maps filed "Survey of Property prepared for Bruce Adair" as prepared by J. Henry Carpenter & Co., dated 9/22/98, last revised 9/13/09. The Engineer assumes no responsibility for its accuracy.
 2. All additional information shown on this plan has been provided by the owner and presented in this drawing for information.

REVISED MITIGATION PLAN

PROPOSED SITE PLAN
 PREPARED FOR
**CREATIVE LIVING
 DEVELOPMENT, INC**
 a.k.a NAVAJO FIELDS

Town of Yorktown
 Westchester Co., New York



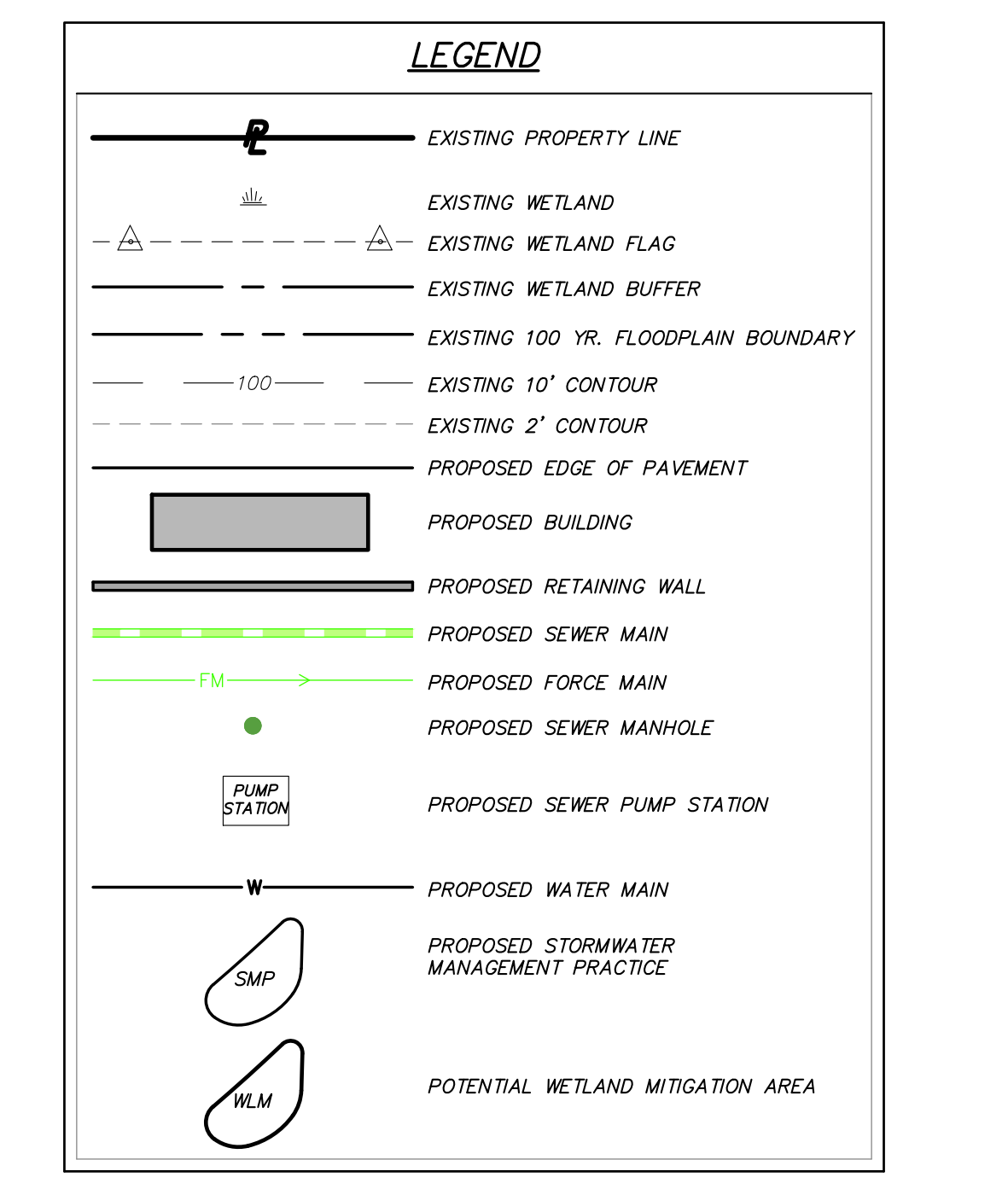


LOCATION MAP SCALE: 1" = 1,000'

OWNER:
Creative Living Development, Inc.
3000 Navajo Street
Yorktown Heights, New York
10598

SITE DATA:
Zone: R1-80
Total Acreage: 49.6 AC ±
Tax Map No.: 614-1-2

- GENERAL NOTES:**
- Property lines shown hereon obtained from Town of Yorktown Tax Maps.
 - Aerial imagery shown hereon obtained from NYSDEC Clearinghouse.
 - Topography shown hereon obtained from Mapping Westchester.
 - Flopped wetland boundary data on project site taken from Existing Conditions and Slope Map provided by Site Design Consultants dated 2-8-12. Offsite wetlands obtained from Westchester GIS.
 - Approximate 100 year flood plain boundary taken from FEMA Formlet #36119C00337.
 - The conceptual plan shown hereon represents a development program proposed by the owner. Compliance with zoning has not been analyzed and the development program as shown hereon will likely require a zoning amendment or map change. A strategy to approach zoning will need to be prepared and will require the support of the Town.
 - Subdivision lines have not been shown but will likely be required for the various components. Any proposed subdivision will have to be analyzed to conform to the overall zoning strategy discussed in the preceding note.
 - A connection to public sewer will be necessary to support the proposed development as contemplated hereon. This will require expansion of both the Town of Yorktown and Westchester County Sewer District as shown hereon.
 - There are NYSDDEC, Town of Yorktown and Army Corps of Engineers located nearby. The owner is currently working with NYSDDEC to obtain an order of consent permitting certain existing impervious surfaces within the adjacent area. It is assumed the NYSDDEC and Town of Yorktown will continue to allow the existing impervious surfaces associated with the road network to remain for the proposed development.
 - Stormwater Management Practices (SMP's) have been shown within the Adjacent Area. NYSDDEC typically does not consider this a compatible use and discourages SMP's within Adjacent Areas. However, based on information provided by the owner, it is our understanding the owner has discussed with the NYSDDEC a limit of disturbance that encroaches in the Adjacent Area. This limit of disturbance is shown on a plan entitled: Proposed Site Plan Prepared for Creative Living Development, Inc. also known as: Fines by Brian Crowley Services, PLLC, dated July 6, 2016. The limit of disturbance shown hereon is consistent with the limit of disturbance shown of the above mentioned Brian Crowley Services, PLLC plan, and is hereby memorialized in a pending NYSDDEC Order on Consent. Notwithstanding the above and encroachment in a wetland buffer will also be subject to review and approval of the Town of Yorktown.
 - Certain driveway slopes shown hereon exceed 10% and as such would require a variance from Town of Yorktown Town Code.
 - Roadway widths shown within the NYSDDEC Adjacent Area have been shown at 21 feet in width based on what is anticipated to be permitted in the NYSDDEC Order on Consent. It should be noted this does not meet the standard for Town of Yorktown streets, the appropriate roads (with 30 feet) under the 2020 Fire Code of New York State, or Aerial Fire Apparatus Access Roads under the 2020 Fire Code of New York State. It should be noted an Aerial Fire Apparatus Access Road is required for any building where the vertical distance between the grade plan and the highest roof surface exceeds 30 feet.



NO.	DATE	REVISION	BY
1	1-27-25	PUMP STATIONS RELOCATED TO TOWN PROPERTIES	TSM

INSITE
ENGINEERING, SURVEYING &
LANDSCAPE ARCHITECTURE, P.C.

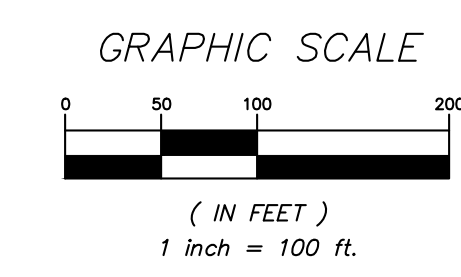
PROJECT: **CREATIVE LIVING DEVELOPMENT**
3000 NAVALO STREET, TOWN OF YORKTOWN, WESTCHESTER COUNTY, N.Y.

DRAWING: **CONCEPTUAL OFFSITE SEWER PLAN**

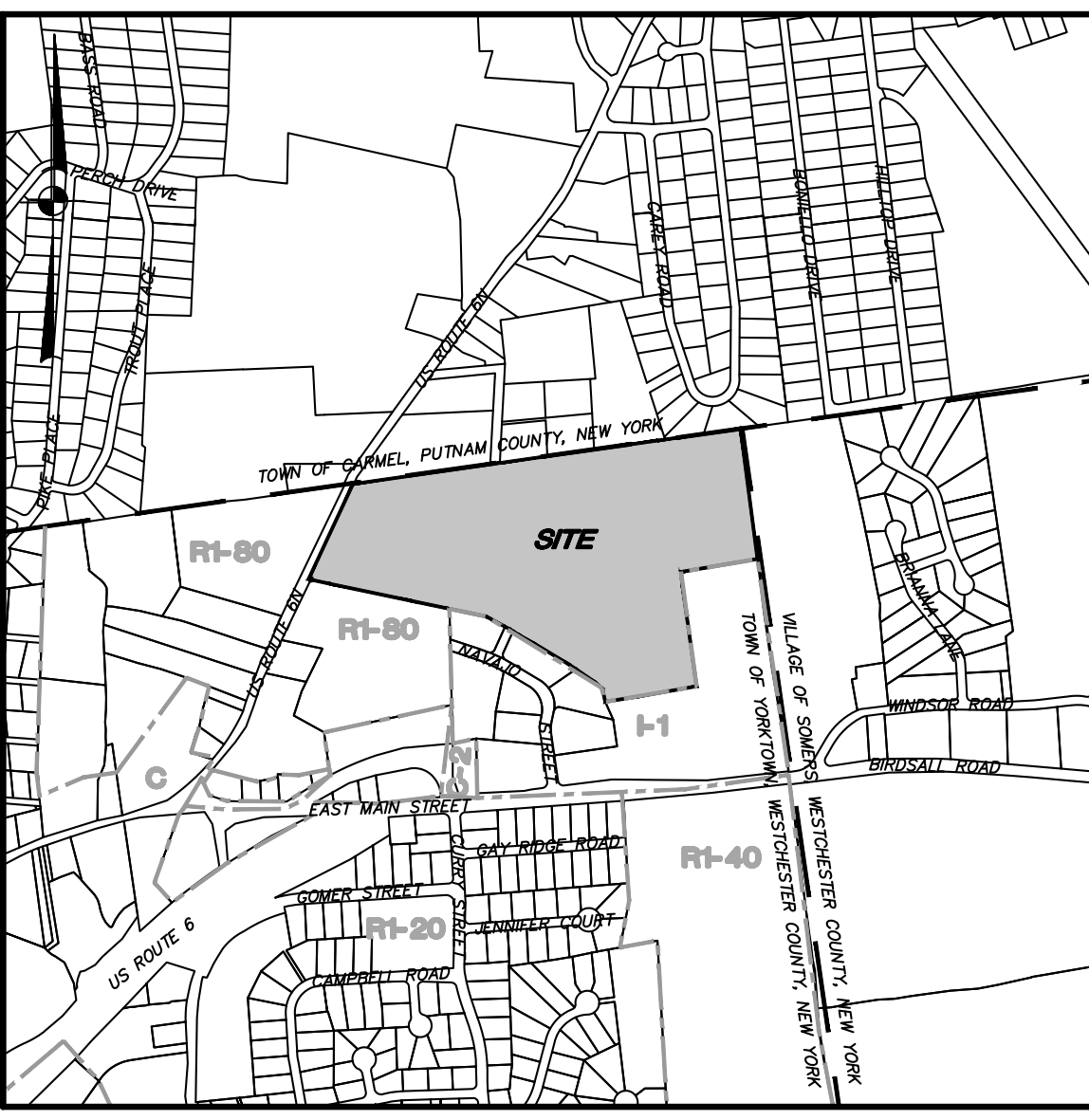
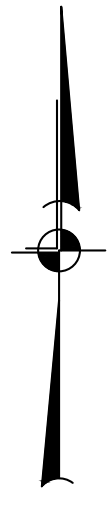
PROJECT NUMBER	PROJECT MANAGER	P.D.W.	DRAWING NO.	SHEET
2024.1.100			S-1	13

DATE: 8-1-22
SCALE: 1" = 100'

CHECKED: A.D.T.
BY:



ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 7209 OF ARTICLE 145 OF THE EDUCATION LAW.

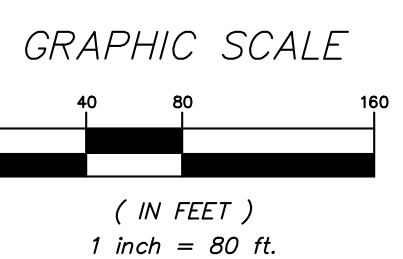
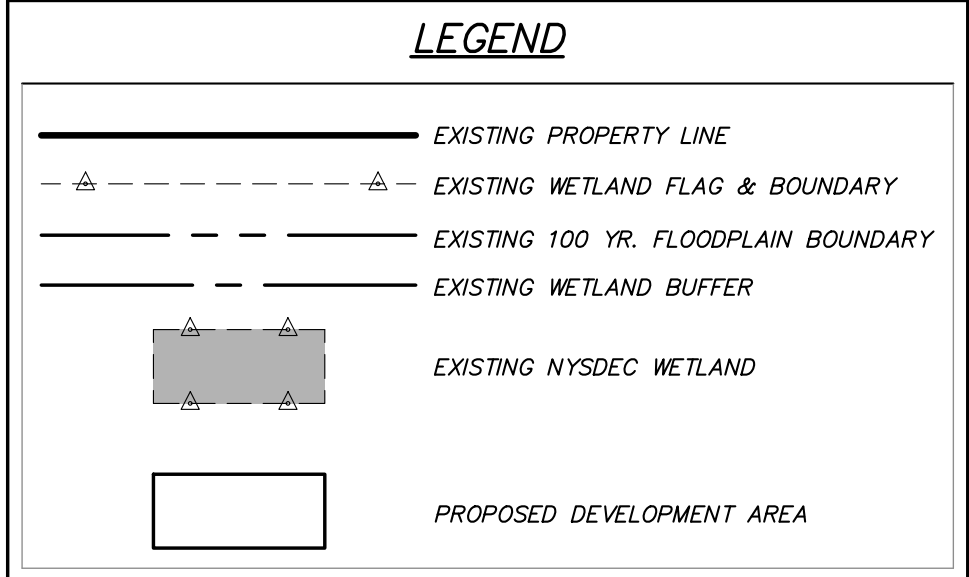


LOCATION MAP SCALE: 1" = 1,000'±

OWNER: Creative Living Development, Inc.
 3000 Navajo Street
 Yorktown Heights, New York 10598

SITE DATA:
 Zone: R1-80
 Total Acreage: 49.6 AC±
 Tax Map No.: 6.14-1-2

- GENERAL NOTES:**
- Property line, existing conditions and topography shown here are taken from topographic survey proposed by Insite Engineering, Surveying and Landscape Architecture, P.C. for Creative Living Development dated July 6, 2023 with updated topography completed on August 16, 2024.
 - Topography shown hereon obtained from Revised Mitigation Plan provided by Site Design Consultants dated 10-11-19, and Town of Yorktown Tax Maps.
 - Flagged wetland boundary data taken from Revised Mitigation Plan provided by Site Design Consultants dated 10-11-19.
 - Approximate 100 year flood plan boundary taken from FEMA Firmette #3619C0033F.
 - Proposed features are labeled as such. All other features are existing.
 - A connection to public sewer will be necessary to support the proposed development as contemplated hereon. This will require expansion of both the Town of Yorktown and Westchester County Pecoski Sanitary Sewer District as shown hereon.
 - The layout for the multifamily development was provided by Humphreys & Partners Architects, L.P.
 - The multifamily development is proposing 118 one-bedroom units and 178 two-bedroom units for a total of 296 units.
 - The project water and sewer demand is based on 118 one-bedroom units at 110 gal/day, 178 two-bedroom units at 220 gal/day, and the Yorktown Sports Complex having 15 staff members at 15 gal/day and 150 customers at 5 gal/day.



NO.	DATE	REVISION	BY
INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.			
PROJECT: HIDDEN VALLEYS			3 Garrett Place Carmel, NY 10512 (845) 225-9600 (845) 225-9717 fax www.insite-eng.com
DRAWING: OVERALL CONCEPT PLAN			
PROJECT NUMBER	20243.100	PROJECT MANAGER	R.D.W.
DATE	9-26-24	DRAWN BY	S.M.R.
SCALE	1" = 80'	CHECKED BY	R.D.W.
DRAWING NO.	SHEET		BY
	OP-1		1/9

ALTERATION OF THIS DOCUMENT, UNLESS UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, IS A VIOLATION OF SECTION 7209 OF ARTICLE 145 OF THE EDUCATION LAW.

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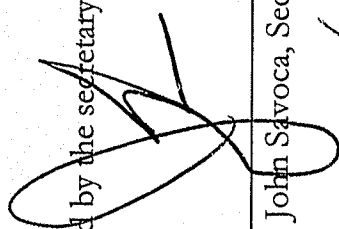
THIS IS TO CERTIFY that the attached copy is a true and correct copy of the Town of Yorktown Planning Board Resolution:

**PLANNING BOARD
TOWN OF YORKTOWN**

**RESOLUTION APPROVING
A SITE PLAN, LIGHTING PLAN, WETLAND MITIGATION
PLAN, WETLAND PERMIT, AND A STORMWATER
POLLUTION PREVENTION PLAN & PERMIT
FOR CREATIVE LIVING DEVELOPMENT, INC.
AKA NAVAJO FIELDS**

DATE OF RESOLUTION: DECEMBER 9, 2013

HEREBY signed by the secretary of the Planning Board:



John Savoca, Secretary

12/09/13

Date

PLANNING BOARD
TOWN OF YORKTOWN

RESOLUTION APPROVING
A SITE PLAN, LIGHTING PLAN, WETLAND MITIGATION
PLAN, WETLAND PERMIT, AND A STORMWATER
POLLUTION PREVENTION PLAN & PERMIT
FOR CREATIVE LIVING DEVELOPMENT, INC.
AKA NAVAJO FIELDS

RESOLUTION NUMBER: #13-36

DATE: DECEMBER 9, 2013

On motion of John Savoca, seconded by Darlene Rivera, and unanimously voted in favor by Fon, Flynn, Savoca, and Rivera, 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 entitled Proposed Air Supported Dome Structure Plan for South Athletic Field" (hereinafter the "South Dome-Only Site Plan"), Sheet 2 of 3, known on the Town of Yorktown tax maps as Section 6.14 Block 1 Lot 2 ("the Property"), prepared by Site Design Consultants, dated March 22, 2013 and last revised October 25, 2013, was submitted to the Planning Board (the "Board") on behalf of Creative Living Development, Inc. a.k.a. Navajo Fields (hereinafter referred to as "the Applicant") and the Applicant has represented to this Board that it is the lawful owner of the land proposed to be improved per South Dome-Only Site Plan; and

WHEREAS, an application fee of \$9,439.00 covering 14 acres has not 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 December 9, 2013; and
3. The Planning Board makes the following findings pursuant to §617.3(g)(1) of SEQRA that "circumstances warrant a segmented review" and ultimately finds that the standards for permissive segmentation have been met with this Application for the following supporting reasons per §617.3(g)(1):

WHEREAS, as stated and represented to this Board by the Applicant in the Full "Expanded" EAF dated June 3, 2013, (hereinafter "Expanded EAF"); and as represented in a letter from the Applicant's attorney Albert A. Capellini, Esq., dated July 29, 2013, (hereinafter the "Capellini Letter"), the Applicant is considering a possible future additional development on the subject property which, in addition to covering the two existing fields with domes, could consist of a 669,600 SF, four-story, mixed use, indoor recreation facility with 500 underground parking spaces, and including various sport fields, ice rinks, medical support offices, food outlets, and

pro shops, in addition to horse paddocks at another location on the Property (hereinafter "Possible Future Phases"); and

WHEREAS, when before the Town Board for other approvals, the Applicant was required to submit a plan showing the Possible Future Phases which was originally submitted on April 10, 2013, entitled "Concept Plan for Full Site Build-Out Based on CR Zone," Sheet 1 of 3, prepared by Site Design Consultants, dated March 22, 2013 and last revised October 25, 2013 (hereinafter the "Concept Plan"); and

WHEREAS, the Planning Board reviewed said Concept Plan, the accompanying data, and the Expanded EAF and the Capellini Letter provided by the Applicant; and

WHEREAS, the Applicant has represented in the Expanded EAF (see Expanded EAF Part III pp. 1-4) and Capellini Letter that to construct the Possible Future Phases would require a financial and operational model that operates as a for-profit entity, which under Yorktown Zoning Code is not a permitted use within the current zone of R1-80, under which the instant Application is proposed; and

WHEREAS, the Applicant has represented that the Possible Future Phases do not have a projected date or time frame for its inception or completion, do not have financing, and do not have a company or corporation formed which would own and/or operate the facility;

WHEREAS, the Applicant has affirmatively represented to this Board in the Expanded EAF and the Capellini Letter that the Possible Future Plans may occur at some future date, at which time a request for a change of zone to the Commercial Recreation zone and significant text changes will be requested to be made to the Zoning Code or a new zone created to accommodate for the proposed use to be permitted on the Property; and

WHEREAS, based upon the foregoing findings this Board has demonstrated its review is "no less protective of the environment" as defined by §617.3(g)(1) of SEQRA. The SEQRA Handbook specifies that:

Under certain circumstances, segmentation may be permitted. For example, the following circumstances, when considered together, may permit segmentation when a project has several phases:

- information on future project phase(s) is too speculative;
- future phase(s) may not occur;
- future phase(s) are functionally independent of current phase(s).

WHEREAS, the Planning Board, having considered all of the evidence pursuant to the Possible Future Development, makes the following determinations:

- a) The future indoor recreation facility, while complementary to the two existing outdoor playing fields, is not functionally dependent on them nor is the latter dependent on the

former, in that each can viably exist without the other, as the two existing fields, currently approved and operating, have demonstrated, and further that the services and programs offered by each, while somewhat overlapping, are unique; and

- b) The scope of the Possible Future Phases, their size and position on the site, access, and other ancillary requirements cannot be determined given that the Applicant has not researched similar facilities, has not formed a company or corporation to finance, guide, develop and operate the project, and therefore has not formed a plan for the facility that responds to specifics of the indoor recreation market nor the needs of an entity experienced in the design, construction, and operation of such a facility; and
- c) For the Possible Future Phases to proceed, it would require a re-zoning from the Town Board, and may require changes to that zone to accommodate such a development, and would require the Applicant to form or partner with an entity organized as a for-profit concern; and
- d) The approval of the instant South Dome-Only Site Plan application to provide a seasonal, air-supported structure over the southernmost playing field of the two existing and approved fields, expressly does not commit the Planning Board, nor any other approving entities, to approve the Possible Future Phases; and
- e) The Board further determines as indicated in the foregoing, that the instant Application's review and evaluation under the State Environmental Quality Review Act can be segmented from the future development concept and that a segmented review will be no less protective of the environment; and

4. A negative declaration has been adopted on December 9, 2013 on the basis of a Full EAF dated June 7, 2013.

WHEREAS, in support of this Application the Applicant has submitted the following maps and documents:

1. "Expanded" Full Environmental Assessment Form, dated June 3, 2013; and
2. Correspondence from the Applicant's Attorney, Albert Capellini, including correspondence dated July 29, 2013; and
3. A map, Sheet 2 of 3, titled "Proposed Air Supported Dome Structure Plan for South Athletic Field," prepared by Site Design Consultants, dated March 22, 2013, and last revised October 25, 2013; and
4. A drawing, Sheet 3 of 3, titled "Proposed Air Supported Dome Structure plan Detailed View," prepared by Site Design Consultants, dated October 25, 2013, with no revisions; and

5. A drawing, Sheet AA1.01, titled "Floor Plan," prepared by Arizon Structures Worldwide, LLC, dated April 16, 2013; and
6. A drawing, Sheet AA2.01, titled "Dome Elevations," prepared by Arizon Structures Worldwide, LLC, dated April 16, 2013; and
7. A drawing, Sheet 1 of 1, titled "Site Line Profiles Map," prepared by Site Design Consultants, dated May 22, 2013, no revisions; and
8. A drawing, Sheet 1 of 1, titled "Site Line Profiles," prepared by Site Design Consultants, dated May 22, 2013, no revisions; and
9. A drawing, Sheet 1 of 1, titled "Proposed Buffer Mitigation Plan for Air Supported Dome Structure," dated March 22, 2013, and last revised July 29, 2013; and
10. A drawing, Sheet 2 of 3, titled "Wetland Buffer Mitigation Plan," dated March 22, 2013, and last revised November 5, 2013;
11. A report titled, "Navajo Fields Visual Study," prepared by Tim Miller Associates and submitted to the Planning Department on August 8, 2013; and
12. A map, Sheet 1 of 3, titled "Concept Plan for Full Site Build-Out Based on CR Zone," dated March 22, 2013, and last revised October 25, 2013; and
13. A letter from Steve Marino to Joseph Murray of the NYS DEC dated October 16, 2013, summarizing a meeting between the Applicant and the NYS DEC held on October 2, 2013;

WHEREAS, as per Section §300-21C(1)(1)[5], private and public parks and recreation facilities, but not including a commercial facility, are allowed uses in the R1-80 zone; and

WHEREAS, the Town of Yorktown Town Board approved on April 5, 2011 and subsequently amended on February 21, 2012, March 21, 2012, and February 12, 2013 Wetland permit #WP-E-010-10 (hereinafter "the Town Board Approvals"); and

WHEREAS, the Planning Board has reviewed the plans and supporting documents of the Town Board's approval establishing the use of the property as a private park, of which required the following conditions be met:

1. There shall not be any lighting, except for pedestrian lighting on the path to the fields, or permanent sewage disposal; and
2. There shall not be any [public] potable water supply on the site unless a well is infeasible; and
3. The Applicant provided an event management plan which will provide protocols and mitigation for periodic events where the persons in attendance exceed 200 total and said

event plan will be reviewed and accepted according to the thresholds and parameters established therein (hereinafter the "EMP"); and

4. Access to the ball fields and additional recreational facilities shall be from Navajo Road only and there shall not be any access to the ball fields or additional recreational facilities including vehicular or pedestrian from Route 6N; and

WHEREAS, pursuant to Section §300-182B of the Town of Yorktown Town Code, the Planning Board has determined that a reasonable and appropriate off-street parking requirement of one hundred twenty-four (124) parking spaces as shown on the site plan to serve the existing two fields with one proposed air supported structure is adequate for the safe and efficient operation of the site; and

WHEREAS, although the Town Board Approvals did not allow for site lighting except for pedestrian lighting, the Planning Board acknowledges that the lighting fixtures shown on the South Dome-Only Site Plan are necessary to light the pathways to and from the north and south fields for the purpose of providing safety for the public and therefore a Lighting Plan has been submitted for review and shall be approved by this Board; and

WHEREAS, although the Town Board Approvals did not allow public water supply, pursuant to a memo from the Yorktown Fire Advisory Board dated May 15, 2013, a standpipe system consisting of two dry fire hydrants shall be installed on either side of the air-supported dome as shown on the South Dome-Only Site Plan; and

WHEREAS, although the Town Board Approvals stated public access to the ball fields and additional recreational facilities shall be from Navajo Road only, incidental pedestrian access to the site from Route 6N shall not be expressly prohibited; and

WHEREAS, a Landscaping Plan, exclusive of the Wetland Mitigation Plan, must be developed to the satisfaction of the Planning Board in order to provide aesthetic landscaping outside the wetland buffer and proper screening of the project from surrounding properties; and

WHEREAS, a variance to permit erection of the South Dome structure to have an overall height of 82 feet and a mean height of 41 feet where a maximum of 35 feet is allowed and a side yard setback of 25 feet where a minimum of 30 feet is required was granted by the Town of Yorktown Zoning Board of Appeals on June 27, 2013; and

WHEREAS, pursuant to a memo from the Fire Inspector dated November 1, 2013, a fire access road circling the structure shall be required in order to provide full emergency access around the air-supported dome as shown on the South Dome-Only Site Plan; and

WHEREAS, this Board referred to the Building Inspector the issue of whether the proposed use under the South Dome-Only Site Plan complies with the Zoning Ordinance, specifically Section 300-21(C)(1)(a)[5] and by correspondence dated May 8, 2013, Building Inspector John Winter advised this Board that the proposed use was permitted; 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
Building Inspector	04/04/13, 05/08/13
Conservation Board	04/05/13, 08/09/13, 09/13/13
Fire Advisory Board	05/15/13
Fire Inspector	11/01/13
Planning Department	07/12/13
Wetlands Inspector	07/13/13, 11/14/13
NYS DEC	07/11/13
NYS DOT	06/26/13
W. Cnty Planning Board	05/14/13, 07/02/13
Putnam County	07/08/13

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

WHEREAS, a Public Informational Hearing was held in accordance with §195-22A(5) of the Yorktown Town Code on the said site plan application at the Yorktown Community & Cultural Center, located at 1974 Commerce Street in Yorktown Heights, New York commenced and closed on May 20, 2013; 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 on the said site plan application commencing and closing on July 15, 2013 at Town Hall in Yorktown Heights, New York; and therefore

BE IT NOW RESOLVED, that the application of Creative Living Development, Inc for the approval of a stormwater pollution prevention plan, wetland permit, and South Dome-Only Site Plan as prepared by Site Design Consultants, dated March 22, 2013 and last revised October 25, 2013, and the supporting plans and maps enumerated 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; and

RESOLVED, that this approval in no way extinguishes, diminishes, or replaces the requirements of the Applicant under the prior Town Board Approvals and conditions of the Town Board Approvals set forth in the resolutions associated with the Town Board Approvals, except as modified herein; and

RESOLVED, that this approval is limited to the elements shown on the South Dome Only Site Plan and in no way shall be construed as an approval of nor an endorsement of any other proposed improvement depicted on the Concept Plan, Sheet 1 of 2, entitled "Concept Plan for Full Site Build-

Out Based on CR Zone," which was initially requested by the Town Board during the review of Town Board Approvals prior wetland permit approvals; and

RESOLVED, that should the Applicant determine to proceed with any other proposed improvements depicted on the Concept Plan, the Planning Board will conduct and require a full and complete environmental review of the impacts of any elements of the Concept Plan on the Property including, but not limited to: zoning text and bulk regulation considerations, traffic impacts, parking impacts, lighting impacts, visual and aesthetic impacts, noise impacts, stormwater and drainage impacts, and wetland impacts; and

RESOLVED, that pursuant to the New York State Department of Environmental Conservation request, the "Moveable Cold Frame Greenhouse" structure on the northern field shall be relocated no later than May 30, 2014, into the parking lot as shown on the South Dome-Only Site Plan;

RESOLVED, that the following conditions must be met prior to the signature by the Planning Board Chairman:

1. Submission of all applicable fees and charges.
2. A Lighting Plan is approved to the satisfaction of the Advisory Board on Architecture & Community Appearance and the Planning Board. All lights on the site shall comply with the Town Lighting Ordinance, Chapter 200 of the Town Code.
3. A Landscaping Plan exclusive of the Wetland Mitigation Plan, to the satisfaction of the Advisory Board on Architecture & Community Appearance and review and approval of the Planning Board.
4. The EMP shall be amended to include use of the South dome and submitted to the Planning Board for review and approval.
5. Public access to the ball fields shall be from Navajo Road only and there shall not be any access vehicular access to the ball fields from Route 6N, also known as Mahopac Street, except for maintenance purposes. Pedestrian access is not expressly prohibited.
6. The comprehensive plan to mitigate the loss of trees shall be amended to reflect the current application, if necessary, and submitted to the Planning Board.
7. The wetland mitigation plan shall be revised to the satisfaction of the Town Engineer, Wetlands Inspector, and approved by the Planning Board.
8. The stormwater pollution prevention plan shall be revised and approved to the satisfaction of the Town Engineer and Planning Board.
9. Applicant must obtain a wetland permit approval from the New York State Department of

Environmental Conservation for all the proposed development shown on the site plan listed herein.

10. Applicant must obtain a revised floodplain development permit, in compliance with all requirements of Chapter 175 of the Town Code by the Town of Yorktown Building Inspector, if applicable.
11. The structures labeled as "Moveable Cold Frame Greenhouse (permanent structure)" shall comply with the Town Code and New York State Building Code either as temporary or permanent structures.
12. The site plans shall be modified to show:
 - a. Show proposed comfort stations inside the south dome.
 - b. Add a note indicating all lighting fixtures and lighting fixture & bulb specifications.
 - c. Add a note indicating all lighting fixtures are to be facing down at the ground.
 - d. The two structures labeled as "Moveable Cold Frame Greenhouse (permanent structure)" shall be relabeled to reflect their actual use, to the satisfaction of the Planning Board.
 - e. The proposed emergency access road with cul-de-sac at the north field should be redesigned to minimize the limit of disturbance and provide more area for wetland mitigation to the greatest extent practicable to the satisfaction of the Planning Board.
 - f. Details of the proposed ring road should be provided and additional stormwater measures should be designed and constructed between the road and the wetland/wetland buffer.
 - g. Revise the Wetland Buffer Mitigation Plan adding labels indicating the number and species of all existing and proposed trees and shrubs that are graphically shown on the plan.
 - h. Revise the Wetland Buffer Mitigation Plan to include a dense planting design shall be provided along the existing watercourse and wetland/wetland buffer area.

BE IT RESOLVED a pre-construction meeting with the Applicant, the Applicant's contractors, Applicant's engineer, the Acting Town Engineer, Town Environmental Consultant, Town Planning, and Town Building Inspector must be held a minimum of 72 hours in advance of the commencement of land disturbance work needed for the dome under this approval. The Applicant must contact the Town Engineering Department at 914-962-5722 x220 at least 72 hours in advance of the meeting date to schedule the pre-construction meeting; and

BE IT 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

BE IT 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 RESOLVED the Applicant agrees to allow periodic inspections by the Town and its consultants; and

BE IT RESOLVED that the site improvements and conditions of approval established by Town Board Wetland Permit #WP-E-010-10 are hereby made part of this site plan and shall constitute the approved site plan except as modified herein or by the plans, maps, and supporting documents approved herein; and

BE IT RESOLVED that the following additional requirements are met:

1. Pursuant to the New York State Department of Environmental Conservation request, the "Moveable Cold Frame Greenhouse" structure on the northern field shall be relocated no later than May 30, 2014, into the parking lot as shown on the South Dome-Only Site Plan;
2. Applicant must provide both paper copies and a digital copy in AutoCAD DWG format of an as-built survey prepared by a NYS License Land Surveyor which confirms that the permitted work has been installed in accordance with the approved plans.
2. Proposed plan must comply with all current applicable ADA standards.
3. Applicant must obtain all necessary permits from outside agencies in order to complete project.
4. No additional disturbance or modifications to the site plan are permitted without the approval of the Planning Board.

BE IT FURTHER RESOLVED that Stormwater Pollution Prevention Plan & Wetland Permit #FSWPPP-WP-095-12 is hereby amended and approved by the Planning Board and is subject to the conditions listed therein; and

BE IT FURTHER RESOLVED that said amended Permit #FSWPPP-WP-095-12 shall not be valid until the site plan and permit are signed by the Planning Board Chairman;

BE IT FURTHER RESOLVED that unless a building permit has been issued within 360 days of the date of this resolution, **December 4, 2014**, this approval will be null and void.

PLANNING BOARD
TOWN OF YORKTOWN

RESOLUTION APPROVING
A SITE PLAN, LIGHTING PLAN, WETLAND MITIGATION
PLAN, WETLAND PERMIT, AND A STORMWATER
POLLUTION PREVENTION PLAN & PERMIT
FOR CREATIVE LIVING DEVELOPMENT, INC.
AKA NAVAJO FIELDS

DATE: DECEMBER 9, 2013

SIGNED BY:

R. Fon

Richard Fon, Chairman

ROLL CALL:

AYES:

R. Fon
Richard Fon, Chairman

J. Flynn
John Flynn

D. Savoca
John Savoca

Darlene Rivera

NAYS:

ABSTAIN: