

Village/Town of Mount Kisco
Planning Board

MAR 16 2023

RECEIVED

AFFIDAVIT OF MAILING

STATE OF NEW YORK }
 }SS.:
COUNTY OF WESTCHESTER }

Amanda Mell-Taylor being duly sworn, deposes and says:

I ~~reside~~/work at JMC, 120 Bedford Road, Armonk, NY 10504

On March 15 20 23 I served a notice of hearing, a copy of which is attached hereto and labeled Exhibit A, upon persons whose names are listed in a schedule of property owners within 300 feet of the subject property identified in this notice. A copy of this schedule of property owners' names is attached hereto and labeled Exhibit B. I placed a true copy of such notice in a postage paid property addressed wrapper addressed to the addresses set forth in Exhibit B, in a post office or official depository under the exclusive care and custody of the United States Post Office, within the County of Westchester.

Amanda Mell-Taylor

Sworn to before me on this
15th day of March 20 23

Lisa P. Kolba
(Notary Public)

LISA P. KOLBA
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01KO4916831
Qualified in Westchester County
Commission Expires Dec. 28, 20 25

PUBLIC NOTICE

Please Take Notice a public hearing has been scheduled in connection with applications submitted by the applicant, DP 21, LLC (Diamond Properties) for approval of improvements regarding the following applicable sections of the Village Code:

Chapter 110-33.1 - Natural Resources Protection Regulations (Steep Slopes)

Chapter 110-38 - Change of Use Permit

Chapter 110-45 - Site Plan

Chapter 110-46 - Special Permit (Full Service Grocery Store)

The subject project consists of the following parcels within Mount Kisco:

1. 333 North Bedford Road consisting of 37.52 acres of land located within the ML and CL Zoning Districts and identified as 69.50-2-1 on the Village Tax Maps. This parcel is owned by DP 21, LLC (which is part of Diamond Properties). 6.52 acres of 333 North Bedford Road is located within the Town of Bedford.
2. 309 North Bedford Road consisting of 0.75 acres of land located within the CL Zoning District and identified as 69.51-1-3 on the Village Tax Maps. This parcel is owned by DP 62, LLC (which is part of Diamond Properties).
3. 383 North Bedford Road consisting of 0.43 acres of land located within the CL Zoning District and identified as 69.43-1-2 and 69.43-1-3 on the Village Tax Maps. This parcel is owned by Philar Realty Co., LLC and is being leased by Diamond Properties.

The subject project consists of the following parcels within Bedford:

1. 793 Bedford Road consisting of 0.90 acres of land located within the LI and RB Zoning Districts and identified as 71.12-2-31 & 71.12-2-32 on the Town Tax Maps. This parcel is owned by DP 130, LLC (which is part of Diamond Properties).
2. 777 Bedford Road consisting of 9.72 acres of land located within the LI and RB Zoning Districts and identified as 71.12-2-41 on the Town Tax Maps. This parcel is owned by DP 142, LLC (which is part of Diamond Properties).

The proposed action includes but is not limited to the following:

1. A ShopRite grocery store is proposed to occupy current warehouse/office space within the existing building located at 333 North Bedford Road; the grocery store will occupy 83,618 s.f. of space. As part of ShopRite, an enclosed vestibule and bottle recycling area are proposed additions to the existing building footprint. The proposed full-service grocery store is an allowable use within the underlying zone subject to the issuance of a Special Use Permit.

2. 309 North Bedford Road is proposed to be reduced from 0.75 acres to 0.42 acres along the south side of the lot to be added to 333 North Bedford Road to allow for the intersection alignment with Park Drive. The improvements include the demolition of a portion of the existing building and parking lot modifications. The modifications are proposed to increase the amount of green space on the lot.
3. 383 North Bedford Road is proposed to be increased from 0.43 acres to 0.58 acres to allow for the intersection alignment with Foxwood Circle and to keep access to the lot behind it that does not have frontage along North Bedford Road. The improvements include the demolition of the existing building consisting of a retail store and an auto repair facility. Construction of a new building with future retail use and parking improvements are also proposed. The modifications are proposed to increase the amount of green space on the lot.
4. The project proposes to improve the two existing access driveways along North Bedford Road to align with the existing driveways on the opposite side of the roadway. Sidewalks and crosswalks are proposed to improve pedestrian circulation across the driveways and North Bedford Road, while providing a designated pedestrian route from North Bedford Road to the front of the main building. Traffic signal and roadway striping modifications will be required as part of the improvements which must be approved by NYSDOT. The construction of the southern driveway realignment is not proposed until Phase 3 of the project which would be after the construction and occupancy of ShopRite. In the interim, the southern driveway is proposed to restrict left turns. The 309 NBR driveway is also proposed to restrict exiting left turns in the interim condition.
5. A connection from the proposed round-a-bout adjacent to the northern driveway to connect to the existing parking area within the northern adjacent Kohl's property. The roadway will provide an internal connection that will allow passenger vehicles and delivery trucks to travel between the properties without having to enter onto North Bedford Road. A channelized right turn lane (slip lane) is proposed at the northern driveway to allow southbound truck traffic to enter the site.
6. The parking area on the east and north sides of the main building is proposed to be expanded to provide additional parking spaces and to properly align the parking rows for better circulation and pedestrian access. The revised parking layout will also provide accommodations for the existing delivery trucks that serve the tenants along the east side of the building.
7. The proposed action will result in 20,075 s.f. of disturbance within "Steep Slopes" and 58,320 s.f of disturbance within "Very Steep Slopes" and, therefore, a Steep Slopes Permit is required as part of the proposed action.
8. Drainage improvements within the disturbed portions of the site as well as some parking lot areas at the southern portion of the site that experience slow draining are proposed.
9. Lighting and landscaping improvements are proposed throughout the project area.

10. A recreational Field House at the existing municipal soccer field is proposed. The Field House is proposed to consist of public restrooms, equipment storage room/closet and a small vending machine closet. The roof of the Field House is a proposed observation terrace to view the adjacent field.

The Planning Board of the Village of Mount Kisco will hold a public hearing on Tuesday, March 28, 2023 at 7:30 PM, or as soon thereafter as may be heard, in the Frank J. Di Micco, Sr. room located within Village Hall, 104 Main Street, Mount Kisco, New York to receive public comment.

All interested parties are invited to attend and be heard.

By order of:

Chairman Michael Bonforte
Mount Kisco Planning Board

p:\2018\18118\admin\public hearing - march 28, 2023\draft public notice for village review.docx

NYS Dept. of Transportation
Reg. Director J. Dupont, PE
4 Burnett Blvd.
Poughkeepsie, NY 12603

DP 21 LLC
333 N Bedford Rd
Mount Kisco, NY 10549

Victor Cannistra
Kensico Park Realty, LLC
43 Kensico Dr
Mount Kisco, NY 10549

Meyer Jabaua Hotels
Henry V. Kelley
7 Kenosia Ave, Ste 2A
Danbury, CT 06810

Cushman & Wakefield
8875 Hidden Pkwy, Ste 300
Tampa, FL 33632

Burger King Corp #825
c/o Ryan LLC
PO Box 460189
Houston, TX 77056

Cofarge BPS
2727 LBJ Fwy, Ste 806
Dallas TX 75234

Moynihan, Rebecca
47 Valley View Terr
Mount Kisco, NY 10549

Hagerman Lori Ann
51 Valley View Terr
Mt. Kisco, NY 10549

11 Knowlton LLC
c/o Pamela Healy
40 Foxwood Circle
Mt. Kisco, NY 10549

Aleshin Konstantin
95 Park Dr
Mt. Kisco, NY 10549

Pasillas, Herrera
101 Park Dr
Mt. Kisco, NY 10549

Anuszkiewicz, Daria
86 Park Dr
Mt. Kisco, NY 10549

Jean-Jacques Norma
68 Park Dr
Mt. Kisco, NY 10549

Martorano, Justin
65 Park Dr
Mt. Kisco, NY 10549

Wolman Adam
64 Park Dr
Mt. Kisco, NY 10549

Ludwig Karl T
44 Park Dr
Mt. Kisco, NY 10549

Pellshi, Robert
75 Park Dr
Mt. Kisco, NY 10549

Dejong, John M
50 Park Dr
Mt. Kisco, NY 10549

271 No Bedford Rd. Mt Kisco
Attn: MRE Management
27 Radio Cir
Mt. Kisco, NY 10549

Vitkowski Thomas
103 Park Dr
Mt. Kisco, NY 10549

Davis, Meredith M
109 Park Dr
Mt. Kisco, NY 10549

Dounn, Steven
110 Park Dr
Manchester, NJ 08759

Cruz Elenita
111 Park Dr
Mt. Kisco, NY 10549

Young, Agata K
3 Park Dr
Mt. Kisco, NY 10549

Duelk, Penny
7 Banbury Ave
Mt. Kisco, NY 10549

Kantrowitz, David
6 Park Dr
Mt. Kisco, NY 10549

Calagini
16 Foxwood Cir
Mt. Kisco, NY 10549

Sottle, Mark
11 Foxwood Cir
Mt. Kisco, NY 10549

Hillman Lane, Deborah
14 Foxwood Cir
Mt. Kisco, NY 10549

Dolger, Paul D
PO Box 194
Mount Kisco, NY 10549

Ved, Rashmi
50 Foxwood Cir
Mount Kisco, NY 10549

Fiorino, John
49 Foxwood Cir
Mount Kisco, NY 10549

John, Mary Lyden, Trustees
147 Joyce Pl
Hawthorne, NY 10532

McKillop, Kathy
55 Foxwood Cir
Mount Kisco, NY 10549

Pietrowicz, Ronald
56 Foxwood Cir
Mount Kisco, NY 10549

McLaughlin
67 Foxwood Cir
Mount Kisco, NY 10549

Kirch, Madison
103 Foxwood Cir
Mount Kisco, NY 10549

Katz, Roberta C
101 Foxwood Cir
Mount Kisco, NY 10549

Nash, Andrea
34 Lake Way
Purdys, NY 10578

Potusek Scott J
18 Stonehouse Rd
Somers, NY 10589

Castracan, Michael E
113 Foxwood Cir
Mount Kisco, NY 10549

Soulias, Kim G
59 McManus Road South
Patterson, NY 12563

HVA Realty, LLC
c/o Engie
PO Box 244
Spokane, WA 99210

Garth E Beall Esq
6411 Ivy Lane Ste 200
Greenbelt, MD 20470

MRE Management
27 Radio Circle
Mount Kisco, NY 10549

Tennis Equities, Inc.
77 Kensico Dr
Mount Kisco, NY 10549

Gary E Knell Revocable Trust
3225 Grace St NW, Apt 204
Washington, DC 20007

Waters, Kiernan
27 Knowlton Ave
Mount Kisco, NY 10549

Meaney, Scott
92 Park Dr
Mount Kisco, NY 10549

272 N. Bedford Rd. LLC
c/o Esat Gashi
345 Kear St
Yorktown Heights, NY 10598

Goldman Mark
39 Park Dr
Mount Kisco, NY 10549

Martin Rosa
940 Wiget Lane
Walnut Creek CA 94598

Engel, Michael J
77 Park Dr
Mount Kisco, NY 10549

Horan, Jeannine
71 Park Dr
Mount Kisco, NY 10549

Segal, Alla
48 Park Dr
Mount Kisco, NY 10549

Rosenberg, Jonathan
49 Park Dr
Mount Kisco, NY 10549

Schnipke, Jordan
36 Park Dr
Mount Kisco, NY 10549

DP62LLC
333 N Bedford Rd
Mount Kisco, NY 10549

DP62LLC
PO Box 1493
Hicksville, NY 11802

Alagia, Edward
21 Park Dr
Mount Kisco, NY 10549

Meghana, Dani
18 Park Dr
Mount Kisco, NY 10549

Teevan Helen M
29 Park Dr
Mount Kisco, NY 10549

Sinnott, Jeffrey G
254 Sylvan Lake Rd
Hopewell Junction, NY 12533

Loia, David
8A Christopher Columbus Avenue
Danbury, CT 06810

Fenton, Herbert
12 Park Dr
Mount Kisco, NY 10549

Fairchild Constance
23 Foxwood Cir
Mount Kisco, NY 10549

Margarita Segarra
7 Park Dr
Mount Kisco, NY 10549

Andersen, Alfred N
19 Tioga Lane
Pleasantville, NY 10570

Cericola, Michelle
15 Foxwood Cir
Mount Kisco, NY 10549

Feireis, Erik
7 Foxwood Cir
Mount Kisco, NY 10549

Adam Piscitello
5 Foxwood Cir
Mount Kisco, NY 10549

Reynolds, Kristine R
14 Fairways Dr.
Mount Kisco, NY 10549

Fazio Katy
77 Foxwood Cir
Mount Kisco, NY 10549

Agostino, Patricia
68 Foxwood Cir
Mount Kisco, NY 10549

Amico, Susan P
97 Foxwood Cir
Mount Kisco, NY 10549

Waters, Cynthia I
117 Foxwood Cir
Mount Kisco, NY 10549

Mancini, Richard
8 Elidge Rd
Katonah, NY 10536

Dounn, Steven
110 Foxwood Cir
Mount Kisco, NY 10549

HVJLR Luxury Imports
10240 York Rd
Cockeysville, MD 21030

DP 44, LLC
c/o Diamond Properties
PO Box 1493
Hicksville, NY 11802

Suburban Propane L.P.
Tax Dept
P.O. Box 206
Whippany, NJ 07981-0206

Gas 21 Realty Inc
c/o Bellery
536 Main St
New Paltz, NY 12561

MRE Management
27 Radio Circle
Mount Kisco, NY 10549

Diamond Properties
PO Box 1493
Hicksville, NY 11802

Chia-Ling Tsu
46 Park Dr
Mount Kisco, NY 10549

Yang Zang
350 3rd St, Unit 1705
Cambridge, MA 02142-1143

Chelur Jayadas
41 Park Dr
Mount Kisco, NY 10549

Birnbaum, Sandra
79 Park Dr
Mount Kisco, NY 10549

Colucci, Barbara
73 Park Dr
Mount Kisco, NY 10549

Glatt, Carolyn
24 Oxford Drive
Suffern NY 10901

Powell, Shana
51 Park Dr
Mount Kisco, NY 10549

Lackner Eric A
34 Park Dr
Mount Kisco, NY 10549

NRE Management
27 Radio Circle
Mount Kisco, NY 10549

Klein Jason H
107 Park Dr
Mount Kisco, NY 10549

Chappaqua Road Co LLC
C/o Anthony Belcotti
500 Executive Blvd Ste 203
Ossining, NY 10562

Futterman, George
112 Park Dr
Mount Kisco, NY 10549

1 Park Dr
Mount Kisco, NY 10549

The Donald Zuecker Co
101 W. 55th St
New York, NY 10019

Menon, Maya
5 Park Dr
Mount Kisco, NY 10549

Ciavardini Lisa Marie
107 Waccabuc Rd
Goldens Bridge, NY 10526

Ferlenguez, Bora
11 Park Dr
Mount Kisco, NY 10549

Bueti, Alfredo
55 Beverly Rd
Mount Kisco, NY 10549

Toscano, Dianne
43 Lawrence Drive
White Plains, NY 10603

Zaccari, Nora M
2 Foxwood Cir
Mount Kisco, NY 10549

Hyatt Lanson J
3 Foxwood Cir
Mount Kisco, NY 10549

Leahy, Ann M
30 Overlook Dr
Kingston, NY 12401

Speare Charles
42 Foxwood Cir
Mount Kisco, NY 10549

Kaplan, Judie
38 Foxwood Cir
Mount Kisco, NY 10549

Rubinson Yakov
c/o Alle Segal
48 Park Drive
Mount Kisco, NY 10549

Haverkost, Frances
100 Diplomat Dr 7k
Mount Kisco, NY 10549

Albanese Debora M
114 Austin Rd
Mahopac, NY 10541

Francis Ann Stone Irrev Trst
79 Foxwood Cir
Mount Kisco, NY 10549

Naso, James V
34 Lake Way
Purdys, NY 10578

Reisz, Alexander
63 Foxwood Cir
Mount Kisco, NY 10549

Christine Smith
73 Foxwood Cir
Mount Kisco, NY 10549

Perettine Joseph
90 Coventry Lane
Brewster, NY 10509

Kalaydjian, Alice
37 Wood Road
Bedford Hills NY 10507

Devesta, John P
106 Foxwood Cir
Mount Kisco, NY 10549

Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

c/o Auto Nation Inc.
200 SW 1st Ave
Fort Lauderdale, FL 33301

Notaro, Marci
20 Knowlton Ave
Mount Kisco, NY 10549

Torre Robert C Jr
213 Railroad Ave
Bedford Hills, NY 10507

Pennessi, Christopher
19 Knowlton Ave
Mount Kisco, NY 10549

Hunter Beryl
23 Knowlton Ave
Mount Kisco, NY 10549

Trujillo, Betty
90 Park Dr
Mount Kisco, NY 10549

Lopez, Flor
85 Manchester Dr
Mount Kisco, NY 10549

Lebowitz Eric
Attn: Andrew Himmelfarb
85 Park Dr
Mount Kisco, NY 10549

Husain Mariellen
61 Park Dr
Mount Kisco, NY 10549

Diener, Robert
43 Park Dr
Mount Kisco, NY 10549

Ovadek, Richard F
42 Park Dr
Mount Kisco, NY 10549

Cravotta Donna E
83 Park Dr
Mount Kisco, NY 10549

Montalvo, Michael
58 Park Dr
Mount Kisco, NY 10549

Carp, Kristina
72 Park Dr
Mount Kisco, NY 10549

Charnas Deborah
55 Park Dr
Mount Kisco, NY 10549

Kulawik, Christopher
37 Park Dr
Mount Kisco, NY 10549

Doreen W. Welburn, Trustee
33 Park Dr
Mount Kisco, NY 10549

Paiva Antonio D
115 Park Dr
Mount Kisco, NY 10549

Moore, James K
116 Park Dr
Mount Kisco, NY 10549

Zabirova Irina
24 Park Dr
Mount Kisco, NY 10549

Tomarelli, Scott
20 Park Dr
Mount Kisco, NY 10549

Bonet, Michael
27 Park Dr
Mount Kisco, NY 10549

Mines, Daniel
10904 Northgreen Drive
Lake Worth, FL 33449

Milkey, Peter
9 Foxwood Cir
Mount Kisco, NY 10549

Trpisovsky, Collen K
4 Foxwood Cir
Mount Kisco, NY 10549

Servedio, Ann Marie
35 Foxwood Cir
Mount Kisco, NY 10549

Burns, Hilda
45 Foxwood Cir
Mount Kisco, NY 10549

Kehoe, Eileen
14851 Santa Lucia Dr
Charlotte, NC 28272

Kowalczyk, Stephen
15 Lambert Ridge
Croos River, NY 10518

Roider David J
62 Brook St
Mount Kisco, NY 10549

Lauren Pizzulla
86 Foxwood Cir
Mount Kisco, NY 10549

McNee Kathleen
62 Foxwood Cir
Mount Kisco, NY 10549

Vizioli Antonello R
264 Andrea Rd
Yorktown Heights, NY 10598

Reisz Alexander
64 Foxwood Cir
Mount Kisco, NY 10549

Bednarczyk Denise
98 Foxwood Cir
Mount Kisco, NY 10549

Guerin, Marie M
PO Box 606
West Kennebunkport, ME 04094

Smario Lorraine
1369 King St
Greenwich, CT 06831

Guerin, Marie M
P.O. Box 606
West Kennebunkport, ME 04094

Mcquaid, William L
124 Foxwood Cir
Mount Kisco, NY 10549

Morales, Karen
120 Foxwood Cir
Mount Kisco, NY 10549

Groben Christopher
72 Felter Hills Road
Monroe, NY 10950

William Louis Dreyfuss
PO Box 320
Mount Kisco, NY 10549

Halstead-Quinn Terminal Corp
33 Hubbells Dr
Mount Kisco, NY 10549

Mac Marty Inc
20 Shore Drive
Kingston, MA 02369

Fasulo Gaspare
35 Knowlton Ave
Mount Kisco, NY 10549

Medina, Nereida
100 Park Dr
Mount Kisco, NY 10549

Tostanoski, Edward J
40 Park Dr
Mount Kisco, NY 10549

Salvagno Louis
80 Park Dr
Mount Kisco, NY 10549

Marks, Alex
76 Park Dr
Mount Kisco, NY 10549

Vuksanaj, Parlind
47 Park Dr
Mount Kisco, NY 10549

Stonsby Denise
52 Park Dr
Mount Kisco, NY 10549

283 N Bedford Rd Corp
MRE Management
27 Radio Cir
Mount Kisco, NY 10549

113 Park Drive Realty LLC
C/O Perry Verrone
12 Center Street
Pleasantville, NY 10570

Loffa, Angela
2 Park Dr
Mount Kisco, NY 10549

Spielvogel, Jay
28 Park Dr
Mount Kisco, NY 10549

Lepp, Teresa Maria
502 Kennsington Way
Mount Kisco, NY 10549

Townsend St Assoc's LP
c/o Mosbacher Properties
18 E 48th St 19 Floor
New York, NY 10017

Martabano, William T
325 N Bedford Rd
Mount Kisco, NY 10549

McLeod Bonnie A
13 Park Dr
Mount Kisco, NY 10549

Kenny Kevin J
2650 Quaker Church Rd
Yorktown Heights, NY 10598

Minard, Laura
39 Foxwood Cir
Mount Kisco, NY 10549

Healey Pamela
40 Foxwood Cir
Mount Kisco, NY 10549

Conti, Richard
47 Foxwood Cir
Mount Kisco, NY 10549

Ruiz, Lisa
c/o Foxwood Condominium
PO Box 265
Somers, NY 10589

Whitehead, Adam
c/o Richard Whitehead
34201 Winterberry Dr
Plainview, NY 11803

Alexander Kokh
87 Foxwood Cir
Mount Kisco, NY 10549

Arvind Siriram
74 Foxwood Cir
Mount Kisco, NY 10549

Giordano, James A
c/o James Giordano
600 Clarence Ave, Apt. 20
Bronx, NY 10465

Logan, Susan
71 Foxwood Cir
Mount Kisco, NY 10549

Caravello, James J Jr
25 West Cir
Bedford, NY 10506

Munoz, Mary T
96 Foxwood Cir
Mount Kisco, NY 10549

McLaughlin, Karen
118 Foxwood Cir
Mount Kisco, NY 10549

Bergs, Roswitha
104 Foxwood Cir
Mount Kisco, NY 10549

Village Of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

MRE Management
27 Radio Cir
Mount Kisco, NY 10549

Roedel Partners of Mt Kisco II
PO Box 598
Wilton, NH 03086

Verizon New York Inc.
c/o Duff & Phelps LLC
PO Box 2749
Addison, TX 75001

Mavis Tire
358 Saw Mill River Rd
Ardsley, NY 10546

59 Kensico LLC
27 Radio Circle
Mount Kisco, NY 10549

DiLeo, Maria Guiseppa
39 Knowlton Ave
Mount Kisco, NY 10549

Koch, Katy
93 Park Dr
Mount Kisco, NY 10549

Topolski, Joseph Jr
89 Park Dr
Mount Kisco, NY 10549

Spada, Carol
102 Park Dr
Mount Kisco, NY 10549

Coyne, Patrick T
97 Park Dr
Mount Kisco, NY 10549

Campos Maquire Conseulo
66 Park Dr
Mount Kisco, NY 10549

Kim, Hak Duk
63 Park Dr
Mount Kisco, NY 10549

Tavolilla, George
45 Park Dr
Mount Kisco, NY 10549

Glen, Rebecca
69 Park Dr
Mount Kisco, NY 10549

Troncoso, Rosa
84 Park Dr
Mount Kisco, NY 10549

Gilch, Jeffery
57 Park Dr
Mount Kisco, NY 10549

Stokhamer, Jody
54 Park Dr
Mount Kisco, NY 10549

Ettliger, Robert
59 Stebbins Rd
Carmel, NY 10512

Hardiman, Michael J
23 Park Dr
Mount Kisco, NY 10549

Tanski-Oleszko, Cynthia
126 Chapin Pkwy
Buffalo, NY 14209

MDC
27 Radio Cir
Mount Kisco, NY 10549

DP 102 LLC
333 N Bedford Rd
Mount Kisco, NY 10461

DP 102 LLC
333 N Bedford Rd
Mount Kisco, NY 10549

Steuer Tuppence R
15 Park Dr
Mount Kisco, NY 10549

Priolo Susan
2937 Baisley Ave, Apt. 1
Bronx, NY 10549

Mason Elizabeth
8 Park Dr
Mount Kisco, NY 10549

Belmont, Joseph C Jr
54 Greenwood Lane
Valhalla, NY 10595

Dagostino, Robert J
20 Byram Lake Rd
Mount Kisco, NY 10549

Webster, Irina
131 Werking Rd
E. Greenbush, NY 12061-9302

Collins James W
PO Box 40
Hawthorne, NY 10532

Kemp, Jamie L
129 Foxwood Cir
Mount Kisco, NY 10549

Johnston, Georgette
125 Foxwood Cir
Bedford Hills, NY 10507

Grislis Mara
114 Foxwood Cir
Mount Kisco, NY 10549

Antin, Sandra
105 Foxwood Cir
Mount Kisco, NY 10549

Charisma Associates LLC
PO Box 324
Somers, NY 10589

MRE Management
27 Radio Cir
Mount Kisco, NY 10549

DP 47, LLC
c/o Diamond Properties
PO Box 1493
Hicksville, NY 11802

Greenberg, Gail B
49 Knowlton Ave
Mount Kisco, NY 10549

Jackson Thomas F
31 Knowlton Ave
Mount Kisco, NY 10549

Marreso, Miquel
43 Knowlton Ave
Mount Kisco, NY 10549

Schottin, Rona C
91 Park Dr
Mount Kisco, NY 10549

Marks
88 Park Dr
Mount Kisco, NY 10549

Moreno-Liberum
99 Park Dr
Mount Kisco, NY 10549

Mangione Jessica L
67 Park Dr
Mount Kisco, NY 10549

Gabrielle Volpe Living Trust
c/o Sally J. Boynton LLC
81 Main St, Ste 415
White Plains, NY 10601

Steuer Michael
70 Park Dr
Mount Kisco, NY 10549

Malcolm Miller 1999 Realty Tr.
55 Clubhouse Ln
Scarsdale, NY 10553

John E. Porcelli
135 Radio Cir Drive
Mount Kisco, NY 10549

Campbell
53 Park Dr
Mount Kisco, NY 10549

Koli Esther
35 Park Dr
Mount Kisco, NY 10549

MRE Management
27 Radio Cir Dr.
Mount Kisco, NY 10549

325 N Bedford Rd LLC
325 N Bedford Rd
Mount Kisco, NY 10549

Bando, Christopher
104 Park Dr
Mount Kisco, NY 10549

343 Bedford Realty, LLC
75 Commercial St
Plainview, NY 11803

Lortkipanidze Archil
105 Park Dr
Mount Kisco, NY 10549

Goldstein Marc
108 Park Dr
Mount Kisco, NY 10549

Green, Jonathan
114 Park Dr
Mount Kisco, NY 10549

Weisse Daniel
22 Park Dr
Mount Kisco, NY 10549

Corrales Samuel
17 Park Dr
Mount Kisco, NY 10549

Healy Michael
29 Foxwood Cir
Mount Kisco, NY 10549

Christine Techersch
30 Foxwood Cir
Mount Kisco, NY 10549

Ragusa, Maria A
77 Sunset Way
Tarrytown, NY 10591

Cimo, Stephanie E
25 Foxwood Cir
Mount Kisco, NY 10549

Vena, Michael A
10 Park Dr
Mount Kisco, NY 10549

Corvino Maria
41 Foxwood Cir
Mount Kisco, NY 10549

Del Gaizo, Edward
58 Foxwood Cir
Mount Kisco, NY 10549

Brown, Perry
57 Foxwood Cir
Mount Kisco, NY 10549

Cucchiarella, John T
90 Foxwood Cir
Mount Kisco, NY 10549

Meliambro, Rocco
83 Foxwood Cir
Mount Kisco, NY 10549

Beristain, Melissa
66 Foxwood Cir
Mount Kisco, NY 10549

Ferrara, Philomena
61 Foxwood Cir
Mount Kisco, NY 10549

Piccione, Paula
70 Foxwood Cir
Mount Kisco, NY 10549

Sullivan Hall, Frances
69 Foxwood Cir
Mount Kisco, NY 10549

Visconti Brady, Linda M
10 Somers Hill Rd
Carmel, NY 10512

Fernandini, Edith F
600 Clarence Ave, Apt 2Q
Bronx, NY 10465

Fein, Such, Crane LLP
7 Century Drive, Ste 1
Parsippany, NJ 07054

Brad Schneider
49 Highland Rd
Thornwood, NY 10594

Palmiero, John
11 Reeback Dr
Valhalla, NY 10595

Frederick Vaccaro
100 Foxwood Cir
Mount Kisco, NY 10549

Valle Lourdes L
14 Albion Oval West
Mahopac, NY 10541

275 Kisco Ave., LLC
6411 Ivy Lane, Ste 200
Greenbelt, MD 20770

North County Properties LLC
187 Falmouth Rd
Falmouth, ME 04105

Trinity Investment Properties
21 Lauder Lane
Greenwich, CT 06831

Brooks Realty of Mt. Kisco LLC
15 Kensico Dr
Mount Kisco, NY 10549

Tennis Equities Inc
77 Kensico Dr
Mount Kisco, NY 10549

Vaccaro
94 Park Dr
Mount Kisco, NY 10549

Vaccaro
96 Park Dr
Mount Kisco, NY 10549

Jager Christopher J
87 Park Dr
Mount Kisco, NY 10549

Jacobowitz, Steven O
59 Park Dr
Mount Kisco, NY 10549

Friedlander, David H
81 Park Dr
Mount Kisco, NY 10549

Juarez
38 Park Dr
Mount Kisco, NY 10549

Elgamal, Alyma
106 Park Dr
Mount Kisco, NY 10549

Sassano
26 Park Dr
Mount Kisco, NY 10549

Sorenson
19 Park Dr
Mount Kisco, NY 10549

Lee Jaeyong
4 Park Dr
Mount Kisco, NY 10549

Broth, Jacqueline
31 Park Dr
Mount Kisco, NY 10549

Gentile
16 Park Dr
Mount Kisco, NY 10549

John A. Martabano Trust No. 1
5515 Lake Ridge Drive
Brighton, MI 48116

Belanich, Michael
30 Park Dr
Mount Kisco, NY 10549

Spadaccia, Frank D
31 Foxwood Cir
Mount Kisco, NY 10549

Dellaripa, Frank
14 Park Dr
Mount Kisco, NY 10549

Maritza Budiuck
77 Kenisco Dr
Mount Kisco, NY 10549

Ryan, Evelyne H
9 Park Dr
Mount Kisco, NY 10549

Pasternak, Louise Ann
2924 Nathaniel Run
Williamsburg, VA 23185

Cruz, Jeffrey M
17 Foxwood Cir
Mount Kisco, NY 10549

Stephens, Ross
24 Foxwood Cir
Mount Kisco, NY 10549

Sage Judith E
18 Foxwood Cir
Mount Kisco, NY 10549

Merusi Daniel
PO Box 46
Schenocock, NY 10587

Stasio, Rosemarie
37 Foxwood Cir
Mount Kisco, NY 10549

Naccari, Maria
52 Foxwood Cir
Mount Kisco, NY 10549

Guldner Louise
53 Foxwood Cir
Mount Kisco, NY 10549

Fazio, Gregory
76 Foxwood Cir
Mount Kisco, NY 10549

Townley Anthony
Heritage Hills 469A
Somers, NY 10589

Alexander Fazio
85 Foxwood Cir
Mount Kisco, NY 10549

Ciavardini, Paul W
59 Foxwood Cir
Mount Kisco, NY 10549

Ryan Isbell
93 Foxwood Cir
Mount Kisco, NY 10549

Jessica Robustelli, Inc.
80 Chestnut Ridge
Mt. Kisco, NY 10549

Bonforte, Michael
102 Foxwood Cir
Mount Kisco, NY 10549

Yamagami, Hiroshi
109 Foxwood Cir
Mount Kisco, NY 10549

K. Cullen
Brookside & Foxwood
Somers, NY 10589

Lori Zollo
19 S Broadway, Unit BC
Tarrytown, NY 10591



AFFIDAVIT OF PUBLICATION FROM

Village/Town of Mount Kisco Planning Board

MAR 13 2023

RECEIVED

State of Wisconsin County of Brown, ss.:

On the 13 day of March in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Fett, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed, the instrument.

Linda Fett being duly sworn says that he/she is the principal clerk of THE JOURNAL NEWS, a newspaper published in the County of Westchester and the State of New York, and the notice of which the annexed is a printed copy, on the editions dated :

Zone: Westchester Run Dates: 03/12/2023

Linda Fett Signature

Sworn to before me, this 13 day of March, 2023

Vicky Felty Notary Public, State of Wisconsin, County of Brown

VICKY FELTY Notary Public State of Wisconsin

91925

My commission expires Legend:

WESTCHESTER: Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briarcliff Manor, Bronxville, Buchanan, Carmel, Chappaqua, Cold Spring, Crompond, Cross River, Croton Falls, Croton on Hudson, Dobbs Ferry, Eastchester, Elmsford, Garrison, Goldens Bridge, Granite Springs, Greenburg, Hamson, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Jefferson Valley, Katonah, Lake Peekskill, Larchmont, Lincolnale, Mahopac, Mahopac Falls, Mamaroneck, Millwood, Mohegan Lake, Montrose, Mount Kisco, Mount Vernon, New Rochelle, North Salem, Ossining, Patterson, Peekskill, Pelham, Pleasantville, Port Chester, Pound Ridge, Purchase, Purdys, Putnam Valley, Rye, Scarsdale, Shenorock, Shrub Oak, Somers, South Salem, Tarrytown, Thornwood, Tuckahoe, Valhalla, Verplanck, Waccabuc, White Plains, Yorktown Heights, Yonkers

ROCKLAND: Blaauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Nanuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Ad Number: 0005626681

PUBLIC NOTICE

Please Take Notice a public hearing has been scheduled in connection with applications submitted by the applicant, DP 21, LLC (Diamond Properties) for approval of improvements regarding the following applicable sections of the Village Code:

Chapter 110-33.1 - Natural Resources Protection Regulations (Steep Slopes)
Chapter 110-38 - Change of Use Permit
Chapter 110-45 - Site Plan
Chapter 110-46 - Special Permit (Full Service Grocery Store)

The subject project consists of the following parcels within Mount Kisco.

1.333 North Bedford Road consisting of 37.52 acres of land located within the ML and CL Zoning Districts and identified as 69.50-2-1 on the Village Tax Maps. This parcel is owned by DP 21, LLC (which is part of Diamond Properties). 6.52 acres of 333 North Bedford Road is located within the Town of Bedford.

2.309 North Bedford Road consisting of 0.75 acres of land located within the CL Zoning District and identified as 69.51-1-3 on the Village Tax Maps. This parcel is owned by DP 62, LLC (which is part of Diamond Properties).

3.383 North Bedford Road consisting of 0.43 acres of land located within the CL Zoning District and identified as 69.43-1-2 and 69.43-1-3 on the Village Tax Maps. This parcel is owned by Philar Realty Co., LLC and is being leased by Diamond Properties.

The subject project consists of the following parcels within Bedford:

1.793 Bedford Road consisting of 0.90 acres of land located within the LI and RB Zoning Districts and identified as 71.12-2-31 & 71.12-2-32 on the Town Tax Maps. This parcel is owned by DP 130, LLC (which is part of Diamond Properties).

2.777 Bedford Road consisting of 9.72 acres of land located within the LI and RB Zoning Districts and identified as 71.12-2-41 on the Town Tax Maps. This parcel is owned by DP 142, LLC (which is part of Diamond Properties).

The proposed action includes but is not limited to the following:

1. A ShopRite grocery store is proposed to occupy current warehouse/office space within the existing building located at 333 North Bedford Road; the grocery store will occupy 83,618 s.f. of space. As part of ShopRite, an enclosed vestibule and bottle recycling area are proposed additions to the existing building footprint. The proposed full-service grocery store is an allowable use within the underlying zone subject to the issuance of a Special Use Permit.

2. 309 North Bedford Road is proposed to be reduced from 0.75 acres to 0.42 acres along the south side of the lot to be added to 333 North Bedford Road to allow for the intersection alignment with Park Drive. The improvements include the demolition of a portion of the existing building and parking lot modifications. The modifications are proposed to increase the amount of green space on the lot.

3. 383 North Bedford Road is proposed to be increased from 0.43 acres to 0.58 acres to allow for the intersection alignment with Foxwood Circle and to keep access to the lot behind it that does not have frontage along North Bedford Road. The improvements include the demolition of the existing building consisting of a retail store and an auto repair facility. Construction of a new building with future retail use and parking improvements are also proposed. The modifications are proposed to increase the amount of green space on the lot.

4. The project proposes to improve the two existing access driveways along North Bedford Road to align with the existing driveways on the opposite side of the roadway. Sidewalks and crosswalks are proposed to improve pedestrian circulation across the driveways and North Bedford Road, while providing a designated pedestrian route from North Bedford Road to the front of the main building. Traffic signal and roadway striping modifications will be required as part of the improvements which must be approved by NYS DOT. The construction of the southern driveway realignment is not proposed until Phase 3 of the project which would be after the construction and occupancy of ShopRite. In the interim, the southern driveway is proposed to restrict left turns. The 309 NBR driveway is also proposed to restrict exiting left turns in the interim condition.

5. A connection from the proposed round-a-bout adjacent to the northern driveway to connect to the existing parking area within the northern adjacent Kohl's property. The roadway will provide an internal connection that will allow passenger vehicles and delivery trucks to travel between the properties without having to enter onto North Bedford Road. A channelized right turn lane (slip lane) is proposed at the northern driveway to allow southbound truck traffic to enter the site.

6. The parking area on the east and north sides of the main building is proposed to be expanded to provide additional parking spaces and to properly align the parking rows for better circulation and pedestrian access. The revised parking layout will also provide accommodations for the existing delivery trucks that serve the tenants along the east side of the building.

7. The proposed action will result in 20,075 s.f. of disturbance within "Steep Slopes" and 58,320 s.f. of disturbance within "Very Steep Slopes" and, therefore, a Steep Slopes Permit is required as part of the proposed action.

8. Drainage improvements within the disturbed portions of the site as well as some parking lot areas at the southern portion of the site that experience slow draining are proposed.

9. Lighting and landscaping improvements are proposed throughout the project area.

10. A recreational Field House at the existing municipal soccer field is proposed. The Field House is proposed to consist of public restrooms, equipment storage room/closet and a small vending machine closet. The roof of the Field House is a proposed observation terrace to view the adjacent field.

The Planning Board of the Village of Mount Kisco will hold a public hearing on Tuesday, March 28, 2023 at 7:30 PM, or as soon thereafter as may be heard, in the Frank J. Di Micco, Sr. room located within Village Hall, 104 Main Street, Mount Kisco, New York to receive public comment.

All interested parties are invited to attend and be heard.

By order of:
Mount Kisco Planning Board
9005626681

MAR 23 2023

RECEIVED

State of New York)
) ss:
County of Westchester)

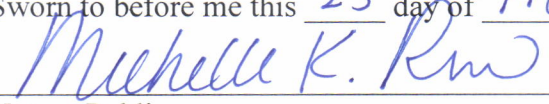
AFFIDAVIT OF POSTING

Gilmar Palacios Chin, being duly sworn, says that on the 23rd day of March 2023, he conspicuously fastened up and posted in seven public places, in the Village/Town of Mount Kisco, County of Westchester, a printed notice of which the annexed is a true copy, to Wit: ---

- Municipal Building – X
104 Main Street
- Public Library X
100 Main Street
- Fox Center X
- Justice Court – Green Street X
40 Green Street
- Mt. Kisco Ambulance Corp X
310 Lexington Ave
- Carpenter Avenue Community House X
200 Carpenter Avenue
- Leonard Park Multi Purpose Bldg X



Gilmar Palacios Chin

Sworn to before me this 23rd day of March 2023


Notary Public

MICHELLE K. RUSSO
NOTARY PUBLIC-STATE OF NEW YORK
No. 01RU6313298
Qualified in Putnam County
My Commission Expires 10-20-2026

MEMORANDUM

DATE: March 9, 2023
TO: Mount Kisco Planning Board and Zoning Board of Appeals
CC: Whitney Singleton, Esq., Village Attorney, Michael P. Musso, P.E.
FROM: Rex Pietrobono
SUBJECT: 180 South Bedford Rd; 2 Sarles Street Mitigation Response and Recommendations

First, I must reiterate my continuous and strong opposition to the Homeland Towers, LLC's 180 South Bedford Road proposed cellular applications pending before both Village Boards.

Nevertheless, as requested by the Mount Kisco Planning Board and Zoning Board of Appeals, I am submitting this Memorandum in response to the memorandum of mitigation options by the Village consultant, Michael Musso, (HDR), in the contingent event the cell tower was ultimately sited at the current location. I believe Mr. Musso did a thoroughly astute investigation of the proposed site, neighboring area, exhaustive review of the application itself and the proposed tower and base compound--and all viewed through HDR's own lens of considerable real-world experience in the placement of other cellular projects throughout the region and pertinent best practices rules and regulations. In short, his report should be the *minimum* basis for mitigation of the significant adverse environmental impacts on the community and neighboring properties.

Bear in mind while considering Mr. Musso's recommendations and my own supplemental details for additional screening, that it was Homeland Towers, LLC., who elected to place a cell tower within a few hundred feet of residences, a nature preserve, and near the Route 172 entrance to the Village. Thus, it is respectfully asked that the Village Boards' focus on mitigation efforts should not be deterred from requiring extensive screening due to any parsimonious objections Homeland Towers, LLC, may raise to the accompanying price tag.

THE BEST MITIGATION IS RELOCATION!

Homeland selected one of the worst locations out of the entire 25 acres to negotiate a lease for a cell tower—between a home, a nature Preserve and a Village entrance. No dense screening to shield the neighboring properties. The Board of Trustees expressed their disdain for the proposed location this past Monday evening (March 6, 2023) where Mayor Gina Picinich said for the record:

The place where there does seem to be agreement by this Board is that the location for the cell tower, as proposed, in the current application before the Planning Board, so close to homes, is not desirable. The place where there appears to be agreement is that we would like to see that tower moved to a different location on that property further from homes. This, however, is not under our authority and remains under the purview of the Planning Board.

Board of Trustees, March 6, 2023, FB video record at 31:28 et seq.

Homeland knowingly painted themselves into a corner to demand the Village bail them out. Whether they *presently* have the right to relocate the tower elsewhere on the 25-acre parcel is not conclusive upon whether they *previously had* that right and waived it. Hence, a self-created or self-inflicted hardship while effectively removing from the Planning Board and ZBA their own determinations of “least impactful” or “least instructive” means of addressing a gap in coverage.

Neither the Boards nor the public know whether Homeland could have leased, or even sub-leased, a 4,000 sq ft spot in a less impactful or least intrusive site out of an entire 25 acres parcel also proposed to house a commercial solar farm since Homeland has not produced their lease(s).

Since when do Boards defer making their pivotal determinations because an applicant says so? Do any of you really believe your Board and Village consultants couldn’t have laid out a better non-segmented plan for that parcel that would be less intrusive or impactful? Rather than being ham-strung, of course you could have done a better job.

The ZBA requested the lease(s)—Homeland declined and elected to rely upon its submissions. Prior to that, the Planning had requested the lease(s)—Homeland refused. As part of the Board’s evaluations, the needed to ascertain whether Homeland had the chance to select a site elsewhere on the same parcel, but less intrusive or impactful means upon that parcel and the surrounding area. That critical element is one of the few afforded by the FCC and relevant caselaw to the local Boards in making their own determinations.

Notwithstanding all the foregoing, should one or both Boards abdicate that determination to the applicant itself and accede to this present off-course navigation, then the following requests are made to *supplement* the consultant’s mitigation report

SUPPLEMENTAL MITIGATION ACTIONS IN ADDITION TO HDR RECOMMENDATIONS:

Expense: At the outset, you should anticipate that the applicant may decry portion(s) of HDR’s report as well as the following supplementary recommendations. While weathering any such objection(s), bear in mind my earlier point that Homeland itself selected, negotiated, and contracted for this terrible location “so close to homes.” The applicant is an experienced commercial entity seeking to site a cell tower at an severely impactful and intrusive location. Their profitability at that proposed location comes at an inverse relationship to our family’s well-being and, in turn, our overall property value. We are afraid for the health of our family and generations to come much more than the aesthetics. There are rapidly advancing technologies and reports detailing the hazards the monopole’s emissions would pose to persons residing too close to such a cellular structure. That real and perceived impact equates to a substantial devaluation of our property as detailed in two October 2020 letters by respected real estate brokers Mariangela Cavaggioni and Dee Roider (see attached). So, make no mistake, while hearing demeaning objections of all proposed mitigation measures, our family, the Preserve, and

the community are already indirectly bearing the costs of mitigation of the cell tower at that proposed location on many fronts.

Monopole texture /color: The natural faux bark finish, (brown matte finish), for example, would likely cost more and require future maintenance—which is a good thing! The applicant should not be off the hook from maintaining the integrity of their responsibilities and conditions. As recommended by HDR (pages 8-9 of their report), the faux bark should go all the way to the top to give what little degree of screening is even available for such a tall stealth-tree monopole as is proposed. The Preserve, our family property, and the passer-by on Rt 172, should be afforded whatever available measures help to mitigate the visual impact of that monopole—and that faux bark is one of them. Viewing the monopole from the surrounding areas should be sufficient reason to require it, but also for all persons passing through the Eastern Gateway to our Village. A painted pole is distinguishable from a natural looking finish whether from the Preserve, our property, and r South Bedford Road. That minimal courtesy could go a long way toward more effective screening and that opportunity should not be lost simply to save Homeland that expense and maintenance.

ON-SITE SUPPLEMENTAL RECOMMENDATIONS

On-site tree screening next to driveway at apex of turn: ” (page 4 of HDR Report) “DWG SP-3 notes 50 trees being removed by the applicant. That is a lot of trees which should be replaced *in addition to* all of the trees required to screen the proposed project.

Preservation of tall pine trees: (Page 4 & 5 HDR Report) During the site visits, and in Mr. Musso’s report, there are at least three (3) critical tall pine trees to be preserved and protected which would be the only partial screening o the monopole from our family property: tagged specifically, as #37, #3083, #43, #38, and #39. On several occasions, Homeland has already acknowledged their significance and critical role in any attempts at partial screening.

Penalty fee for preserved tree damage: (Page 7 HDR Report) The above-referenced three trees are so vital to screening that Mr. Musso and a Planning Board member recommended a penalty or liquidated damages clause by Homeland be required to be paid in the event the applicant damages or destroys one of the aforesaid irreplaceable trees. At the site visit, Homeland stated that they could construct the monopole in the proposed location with a large crane between the trees *and not damage them*. They should be held to that representation. A penalty would act as a warranty against careless construction or maintenance. The sum should be large enough to compel the applicant, its agents, workers, contractors, or other representatives to carefully avoid any contact with those trees and the protection of the root system. It is suggested that a *significant* liquidated damages sum payable to our property (2 Sarles Street) reflecting damage to one of the said existing seventy-foot plus pine trees. Any damage would cause irreparable adverse visual impact and corresponding additional devaluation to our family property. (Note: the tallest Norway Spruce sold by Rosedale Nurseries, Inc. is 26XX ft.) Thus, the penalty should a *high multiple* of such expense to reflect the absence of a

replacement tree of that height. The point of the clause is incentive to carefully keep the three trees safe and sound. All trees planted should be warranted for replacement by Homeland.

Plantings and berm: (Page 10 & 11 of HDR Report) “Drawings show seven (7) new plantings (evergreen; 8 ft tall at planting)” on a four-foot-high dirt berm. The berm is a great idea for protection of trees and shrubs and adds additional height to tree screening. 12 ft tall trees are recommended herein. That extra 4 ft accelerates several years of growth to get to any effective screening height faster. According to a representative at Rosedale Nurseries, Inc., 51 Saw Mill River Road, Hawthorne, NY 10532, 914-769-1300, “Norway spruces grow the tallest, fastest, and do very well in this area.”

Annual professional tree servicing against disease and insects: It is a challenge to grow and protect trees in this immediate area from drought, disease, and insects. While the watering could be done by lay persons, professional tree care is a must to ensure any trees planted by the applicant don’t merely check-off a box but survive and thrive. Our family uses SavATree on an annual basis for many of our most important trees and shrubs.

Removal of parking spaces/by-pass: (Pages 13 & 14 of HDR Report) “[t]he by-pass located uphill from the compound area on can be eliminated from the Site Plan Drawings. . .” and is indicated in the diagram to be removed as a red “X.” That was an improper insinuation of parking within the northern buffer zone and likewise my request for its prohibition for well over a year (drawings indication “Homeland” had proposed these admittedly unnecessary off-site four 9x20’ parallel parking spaces which are expressly prohibited in a buffer zone per our Mount Kisco Code and would have required the removal of three (3) tall pine trees which are vital to screening other portions of our property. Those three (3) trees have been tagged (two of them twice) as follows: #51 (also as #3084), #52, and #53 (also as 2988).

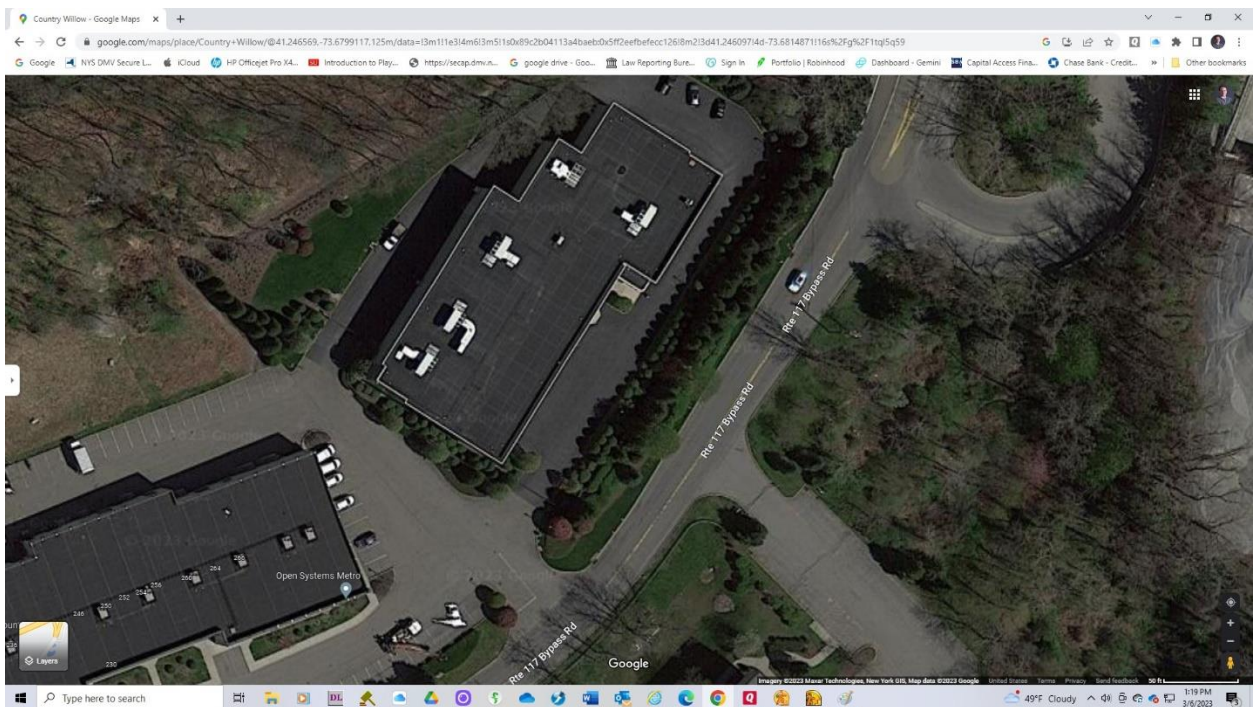
OFF-SITE SUPPLEMENTAL RECOMMENDATIONS FOR 2 Sarles Street Property:

Any of the many HDR recommended mitigation conditions for future Boards’ Resolution, if any, not directly referenced herein to avoid repetition, (including but not limited to, removal of proposed parking spaces, installation of a gate near base of driveway, stealth tree with branches and faux bark, on-site dirt berm, and no nighttime lighting except for necessary manual temporary use while servicing during such hours), are adopted herein as part of our requested recommendations and as a basis for any supplementation of same as well.

Soil for berm: (Pages 17 of HDR Report) the amount of soil needed for +/- 350 linear feet along inside of eastern edge of access road at a height of roughly between four (4) to six (6) feet (depending upon the specific spot along said berm) and eight (8’) feet wide. The berm will help screen the base compound structure of the monopole and serve as a healthy base for new tree and shrub plantings (and transplants of existing trees set forth below). The berm will also help protect our property from incidental encroachments during and after construction of the base and cell tower.

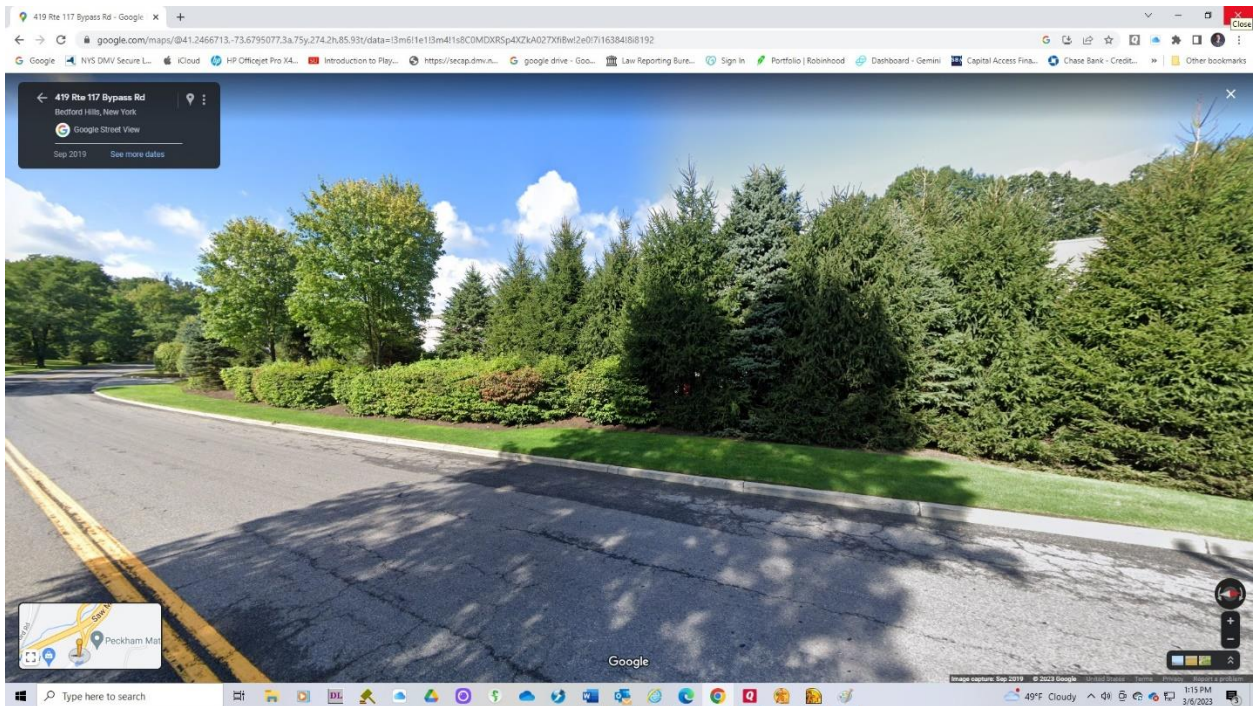
Fencing: (Pages 17 of HDR Report) HDR recommends fencing along the eastern edge of the access road at “6 ft 8 ft” in height. We would recommend limiting the fence height to 6’ high, but then extend the entire length of the linear feet of the fencing to screen our western view of the base compound and lowest portion of the monopole (along with other recommended screening from HDR and herein). That means, the fencing (made of composite material) should run from the southeastern most point of our property to the northwestern property boundary point abutting SBR. My family utilizes every part of our property and we ask the Boards to protect whatever view will remain should a cell tower be approved at the proposed location. Again, expense should be secondary to mitigation efforts. A variance may be necessary in some locations on our property and not others. Thus, we would request a variance to six (6) for our entire property.

Number and Height of New Trees: (Pages 18 of HDR Report) “Plantings-suggested 10-15 new deciduous and coniferous trees and shrubs (mix). . .” To be clear, *more than 15* new trees would be needed to facilitate screening in an organic looking setting to match the rest of our family property. An example of such screening (although ours could be thinner) is shown below in images taken from 268 Route 117 By-pass Road, Bedford Hills, NY 10507.



268 Route 117 By-pass Road, Bedford Hills, NY 10507 et seq.

The section of berm, trees, and shrubs, depicted above and in the following photographs, appears to be roughly 200 linear feet. There appears to be about six (6) trees per fifty feet, plus shrubs. That would require more like twice the amount recommended by HDR numbering about 30 trees, plus many shrub varieties. The trees should be a mix of Norway Spruces, Green Giants, a few dog woods, and other successful local growth trees. The new evergreens should be 12’ height.





Number of shrubs: a mix of many local varieties, deer resistant, consistent with other areas of our family property.

Transplanting some existing trees and shrubs: two (2) existing specimen trees, six (6) small fruit trees, and three (3) “Beauty Bushes, to make room for dirt berm.

Irrigation infrastructure: the trees and shrubs in that far western area lay beyond our water source (well) and some irrigation infrastructure would be needed to maintain all the numerous plantings.

Stones for Short Walls and Terraces Along Berm: an estimated 12-15 yards of “Loose Native Fieldstone” available at Bedford Gravel would need to be available for a series of interrupted short walls and terraces to intermittently shore up the berm and wrap around existing tall pine trees to protect their trunk and roots.

Permission to use access road: to facilitate delivery and installation of soil for berm, trees, shrubs, and stones to driveway for deliveries of soil, trees, shrubs, and stones to that western portion of our family property.

Shed (Pages 18 of HDR Report) We recommend an actual shed and a “faux” one. We need a longer and higher area screening the driveway near monopole and its base from our bedroom windows on the second floor facing west. It would need to be higher and larger than the Code permits without a building permit, thus, a variance(s) will be necessary.

Screening for Route 172: The balloon test at the 180 SBR site showed that the monopole will be visible to passers-by along SBR. All large swath of the public view may effectively be screened off-site with a combination of trees and shrubs and fencing. My family would consider allowing such appropriate screening in the northeast corner of our family property adjacent to Sarles Street and SBR.

Variances: Variances may be needed to effect creation of the berm, fencing, and shed.

Warranty: Homeland should warranty all trees and shrubs in the event they fail within the first five (5) years. Also, as stated previously, an annual service agreement should be entered into with a tree service company to help ensure the new plantings survival.

Part 2-Full Environmental Assessment Form: RF emission testing by a third-party consultant should be performed annually. This issue of emissions testing to ensure ongoing compliance with federal regulations was discussed by Mr. Musso at an informational cellular service seminar this year at the request of the Village Board of Trustees. Part 2, section 16 “Impact on Human Health” should be modified under sub-section (m) “Other impacts:” to describe the acceptable emissions and annual testing.

Mitigation Fund: to avoid future confusion or conflict with any other areas to be mitigated, such as, the Preserve and Route 172, it is recommended that the allocation of funds be made for each specific location along with their specifically approved mitigation efforts as submitted in the HDR Report and each interested party’s own Supplemental Recommendations, if any.

SELF-CREATED HARDSHIP SHOULD NOT ELIMINATE OUR BOARDS’ EVALUATION OF IMPACT:

Homeland is responsible for their own self-created hardship and should likewise be accountable for the expense of efforts to sufficiently mitigate the severe adverse impacts of a 140’ monopole upon the neighboring properties and surrounding community area.

In this case, Homeland’s application seeking a special use permit and variances should be denied outright on the record before the Boards underscoring the rejection of one or both of the two ill-conceived proposed industrial projects being shoehorned into a Conservation District (CD) 25-acre parcel at 180 SBR. Given the established record before the Planning Board of numerous significant environmental impacts that the cell tower (*and* a solar power plant—segmented or not) would have on the environment. *At the very least*, a Positive Declaration is clearly mandated in relation to Homeland’s Planning Board application and a denial of the variances sought from the Zoning Board of Appeals.

If the Planning Board were nonetheless inclined to approve the special use permit and the ZBA the three (3) *necessary* variances for the monopole and its compound, then is respectfully submitted that the February 27, 2023, HDR report of mitigation options, together with my

Supplemental recommendations, be accepted in whole by the Planning Board and ZBA as a condition of satisfying Part 2 of the Environmental Impact Statement.

Arguably, the Village has been shaving off the edges of the proverbial square peg to be forced through the round hole and has disincentivized the applicant to relocate to an alternate site elsewhere on the larger parcel *via* renewed negotiations with the owner to lease a different spot, or perhaps the solar applicant to sub-lease the 4,000 sq ft monopole elsewhere on the 25-acre parcel. For example, alongside the proposed solar farm at the top of the hill, if the solar application were to proceed and thus minimizing the non-segmented adverse impacts upon surrounding areas. As it's been repeated for ages: *where there's a will--there's a way*. It is conceivable that given their vast experience and resources, that had Homeland desired to relocate its proposed monopole to an alternate location—it would be accomplished.

William Raveis Real Estate
Katonah Office
95 Katonah Avenue
Katonah, NY 10536

October 6, 2020

Planning Board
Village/Town of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

RE: Proposed Cell Tower--180 South Bedford Road Entrance

Dear Mount Kisco Planning Board:

My name is Dorothea ('Dee') Roider. I have been a Realtor Estate Broker in Westchester County, New York for the last 34 years, during which time I have held the position as the number one listing agent for 24 consecutive years. In my career I have handled over \$200,000,000 dollars in properties listed and sold.


I am also a life-long resident of Mount Kisco, and as such, I have always been active in local community causes. I am a member of professional organizations including the National Association of Realtors, New York State Association of Realtors, and Hudson Gateway Multiple Listing Services.

It has been brought to my attention that the location of a 145 ft cell tower has been proposed at 180 South Bedford Road in a spot situated between the Pietrobono home, Marsh Sanctuary, and South Bedford Road.

In my professional opinion, the installation of the proposed tower in that location would certainly have a negative impact on and reduce the value of the residence located at 2 Sarles Street, Mount Kisco, NY 10549 by approximately 20%; making said home less saleable, even at a reduced purchase price.

While I understand there may be a need in our community for improved cellular telephone coverage in nearby areas, such a project in that location would create a disproportionately adverse financial impact upon the 2 Sarles Street residence.

In my experience, I have had prospective buyers decline suggested properties for as little as being located near power lines. Having a 145 ft cell tower within such close proximity to the property would certainly reduce its number of potential buyers. I am sure that any potential buyer would have a lot of questions about the cell tower, and, because of all the notice about the proposed cell site and my obligation to my clients, this information would have to be disclosed to any future buyer. Thus, limiting the number of buyers that would be willing to purchase the property.

Sincerely,

Dee Roider

Coldwell Banker Residential Brokerage
Katonah - Bedford
165 Katonah Ave, Katonah, NY 10536

October 7, 2020

Planning Board
Village of Mount Kisco
104 Main Street
Mount Kisco, NY 10549

RE: Cell Tower Proposed for 180 South Bedford Road, Mount Kisco, NY 10549

Members of the Mount Kisco Planning Board:

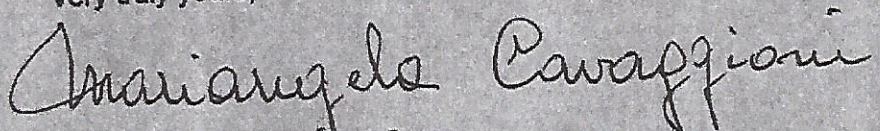
It has come to my attention that Homeland Towers and Verizon Wireless intend to build a 140 foot tall telecommunications structure located very closely to Route 172 and the Pietrobono home at 2 Sarles Street, Mount Kisco, New York 10549, as well as the neighboring Marsh Sanctuary Wildlife Preserve caretaker's house.

As a practicing real estate agent in this area for the past forty-three (43) years and, presently, an associate realtor for Coldwell Banker in Katonah—Bedford, I can affirm that a significant number of buyers will not be interested in purchasing a house, even as nice as the Pietrobono home, with a cell tower so close to it. As it stands today, the present view at the Pietrobono residence is the same as when they bought it in 1996, i.e. wildlife, woods, and roads with no direct view of any other buildings. The introduction of a tall steel tower would undoubtedly **NEGATIVELY IMPACT** their property value.

In my professional opinion, the installation of such a commercial cellular tower structure would have a significant adverse aesthetic impact upon the Pietrobono home causing it to suffer a reduced property value of roughly 18%.

There are other geographic locations in the immediate area which would be far less impactful and concealed from open view of nearby residences and all of the people driving into Mount Kisco. I am confident in the Mount Kisco Village and Town officials to find a suitable location which does not unfairly and adversely impact one of their residential homes.

Very truly yours,


Mariangela Cavappioni

Date: March 22, 2023

To: Planning Board Members, Co-chair people, and Staff

From: John Rhodes, Chair, MKCAC, and Members of MKCAC

Cc: Members of the MKCAC

Re: Public Hearing on Homeland Towers' application to locate a cell tower at 180 S. Bedford Rd.

Please ensure that this document is delivered to all members and staff of the Planning Board, included in the "packet" for the upcoming meeting scheduled on Tuesday, March 28, 2023, and made part of the record for the current Public Hearing regarding the Homeland application for a cell tower facility at 180 South Bedford Road.

The CAC is concerned that this application, which is so clearly morally, legally, and environmentally wrong for the selected location—seems to be close to approval for what we believe may be the wrong reasons.

Aversion to the possibility of a no-fault, no-penalty lawsuit based on outdated Federal regulations is not a valid reason to overturn numerous well-established local and State regulations. Federal Courts have recently found in favor of municipalities contesting the assertions of unfettered privilege put forth by telecom companies in similar cases.

We are also concerned about several aspects of the Public Hearing regarding Homeland Towers' application to build a Cell Tower facility at 180 South Bedford Road.

1. The Draft EAF Part 2, which we believe, contains many errors and omissions;
2. The proposed environmental remediation for the tower and construction site; particularly the need for ongoing maintenance and financial guarantees;
3. The Board Attorney's initial opinion regarding Conservation of Open Space on the entire site;
4. The serious flaws in the applicant's contention that this is the "least impactful site," as required by law.

1. The Draft EAF Part 2

The Draft EAF Part 2 contains many statements that are at odds with our observations and those in Mr. Musso's report.

P1-B (possibly severe)

There is currently a vernal pond on the site, apparently located within the proposed tower platform site (see attached photo). This must be examined and any impact on the pond and the wildlife therein should be added to the list of

environmental impacts to be remediated. We also observed runoff from the site onto the Amphitheater and yard of the Naturalist's Cottage, which was already causing an over-saturated condition in the soil there.

Item 7 (possibly severe)

There definitely will be significant impact on the animals and plants in the planned construction area, possibly severe. We have not seen a habitat study submitted by this applicant for the proposed telecommunication facility site. Considering that substantial parts of the habitat study previously submitted by the Solar Plant applicant for the 180 S. Bedford property have been contested by at least three reputable environmental scientists, the conclusions of that study should not be applied to this part of the property without further examination.

Item 9 C and D (should be "Yes," severe)

Aesthetic Impact: There clearly will be a significant aesthetic impact from this proposed construction. Even the remediation proposed in Mr. Musso's report only partially eliminates the visual impact on the Pietrobono's and the Naturalist's Cottage residences, as well as the historic amphitheater, gravesite, and hiking trails just downhill from the proposed construction site.

Further, the effectiveness of these proposed remediation measures depend heavily on sufficient secure funding and ongoing maintenance measures. We advise that the board should insist on ironclad written guarantees for the funding and maintenance measures, including strong financial penalties that will protect the neighbors against any delays or default by the applicant. This need for effective guarantees is further reinforced by the uneven upkeep record of similar local installations (such as on Kisco Mountain), and the applicant's substantial legal resources as compared with the affected parties.

Item 10 C (should be "Yes", severe)

There are archeologically and culturally significant sites that will be impacted. Though these sites are not yet listed by SHPO, applications for those listings are already being processed. These sites include the Naturalist's Cottage, and the Amphitheater, which is more than 100 years old, and was the site of many famous productions, including the U.S. premier of George Bernard Shaw's play "Man and Superman."

Item 11 – (should be "Yes," severe)

There are clearly visual elements that are very "out of character." A cell tower and platform are completely out of character with a long-time family residence with beautifully landscaped grounds, the historic Amphitheater, and a hundred-year old Naturalist's Cottage, gardens, and nature trails.

Item 12 – (should be "Yes," severe)

There is an adjacent listed CEA with an aquifer that feeds wells in both Mt. Kisco and Bedford. Additionally, the Kisco River tributary that runs between the Cottage

and Amphitheater is part of a DEP- and DEC-protected watershed (Croton), and it is fed directly by run-off from the proposed construction site. A hydrological study is required to assure that no drinking water supplies or protected waterways will be compromised by the proposed construction.

Item 17 – (should be “Yes,” severe)

The proposed construction is inconsistent with Mount Kisco’s Comprehensive Plan, well considered zoning, and our Natural Resources Inventory.

Item 18 D and F – (should be “Yes,” severe)

The proposed project is clearly very inconsistent with Community Character and the current use of community resources.

2. As mentioned in our notes on the EAF draft—The currently proposed environmental remediation for the tower and platform are lacking, particularly in terms of the need for continued maintenance and financial guarantees.

3. The Board Attorney’s initial verbal opinion regarding Conservation requirements for the entire site/parcel.

During the previous Hearing Session, when we raised the question of the statutory requirement for conservation, in perpetuity, of at least 35% of the entire CD-zoned, single-use, parcel—Mr. Singleton offered an initial, verbal opinion that this requirement does not apply this application; because cell towers were not included in that requirement. He further asserted that this requirement only applies to housing development or ground based solar facilities.

Under local law § 110-7 CD Conservation Development District.

[Amended 6-6-1988 by L.L. No. 2-1988; 4-16-1990 by L.L. No. 4-1990; 5-24-1993 by L.L. No. 5-1993; 6-15-1998 by L.L. No. 3-1998; 4-21-2003 by L.L. No. 2-2003]

“[a]The development shall result in the preservation of open space having meaningful scenic, ecological and/or recreational characteristics, with its location, access, shape and dimensions suitable, in the judgment of the Planning Board, for the intended purposes.

The requirement for Open Space Preservation of at least 35% of the acreage for any development on a CD-zoned property is a basic and underlying requirement of the zoning. While this is specifically extended to the new Special Use of Ground-based Solar, there appears to be no mention anywhere in the law of an exception to this underlying requirement for cell towers or any other similar use.

Before issuing a “pass” to this applicant on such a basic and foundational requirement for development on CD-zoned property, we advise that the Planning

Board should request that Mr. Singleton and/or Mr. Miley prepare written opinions for the Board on this critical issue

4. The serious, if not fatal flaws in the applicant's contention that this is the "least impactful site," as required by law.

The Planning Board previously received engineering drawings showing the proposed cellular facility located on a much less impactful site within the 180 S. Bedford property, namely in the vicinity of the old mansion and tennis courts. This previously identified location is many hundreds of feet further from any residence or cultural resource, and a similar tower located there would arguably have virtually no visual impact on the nearest residences or cultural/recreational resources.

The applicant has repeatedly refused to respond to questions regarding this initial site from Planning Board and Zoning Board of Appeals members and staff, as well as from Interested Agencies and affected members of the public. They have not shown why this site was changed to the currently proposed one, and have been unable or unwilling to produce any documentation explaining why the site was changed or is no longer available. Instead, they have simply insisted that their current lease only allows them to build on the much more impactful site within a few yards of the property lines of Mr. Petrobono the Marsh Sanctuary.

The choice of the current site is therefore clearly a "self-imposed hardship" which disqualifies this site from being considered the "least impactful available site" as required by current statutes and case law.

On the basis that the currently proposed site is not the "least impactful site" as required by law, we strongly advise that the Planning Board reject the current application.

Thank you again for your persistence, patience, and hard work in this matter. We trust that you will make a decision which will protect the residents, environment, and cultural legacy of our Village to the greatest possible extent.

John Rhodes
Chairperson
On behalf of the
Mount Kisco CAC



March 22, 2023

Members of the Mount Kisco Planning Board

In October of last year (2022) the Planning Board adopted a Positive Declaration to SEQRA for the Application presented by SCS Sarles Street, LLC . This is old news but, we know that the Applicant for the Solar project is a different party than the Applicant for the Cell Tower, however the owner is the same, and both Applications are for work on the same property. On the current E.A.F., Survey numbers 1, 7, 9, 10, 12, 17 and 18 would need to be reevaluated for significant impact if there was a possibility for re Application of SCS Sarles LLC Solar's plan. Many of these categories have been evaluated as having positive impacts, but not as having significant impact. This could easily be reassessed to have significant impacts if a possibility existed for the Solar project to be reapplied for. The Full Environmental Assessment Form for the Homeland Towers Application has to be analyzed from its total impacts. Segmentation ignores potential negative impacts on this site.

Given the existing EAF for this Application there are several reevaluations for Moderate to large impact to be made, specifically:

- !b) Steep slopes should be reassessed
- 7) Impact on Plants and Animals
- 9a) Visibility from the Marsh Sanctuary Amphitheatre
- 10c) Proximity to Marsh Sanctuary Amphitheatre
- 12b) Reduction in CEA resource designation
- 17 a and c) Land use consistent with local Laws
- 18 f) Inconsistency with character of existing landscape.

If in spite of a needed reevaluation it should be the decision of the Planning Board to issue a Negative Declaration on the Homeland Towers Application it must be with the Condition that no other use will be permitted on the property.

On a separate issue , the Planning Board referred to the ZBA several items with this Application that violated existing Zoning Laws specifically as relates to steep slopes, setbacks and construction heights. The Village Laws clearly were

established to protect owners of residential and park properties from intrusion and should be upheld. The visual and living experiences for Brookside (the Naturalist's house) are ruined by this Tower and variances to approve Applications that would violate such rights should be denied.

Finally, the entryway to 180 South Bedford Road continues to be in need of repair. Water flow across this entryway is damaging the entrance to the Marsh Sanctuary and flowing on to the entry to the Naturalist's cottage and into the stream which is a tributary to the Kisco River. The situation needs to be addressed. The Building Inspector has visited the site and seen the damaging condition. Regardless of the Planning Board's decision on the Homeland Towers Application, this condition needs to be addressed.

F I N E W I N E I M P O R T E R S
A N D W H O L E S A L E R S



POLANER
SELECTIONS
OPEN YOUR MIND & TASTE

March 2, 2023

Planning Board
Village of Mount Kisco

Dear Planning Board Co-Chairs,

I am requesting a 6 month extension for the April 12th, 2022 Planning Board Resolution for our project at 11-19 North Moger Ave:
Negative Declaration of Significance
Subdivision Approval
Steep Slopes Permit
Site Plan Approval

We have met all the conditions for the planning board to approve and sign our site plans. Attached are the approved site plans with signatures.

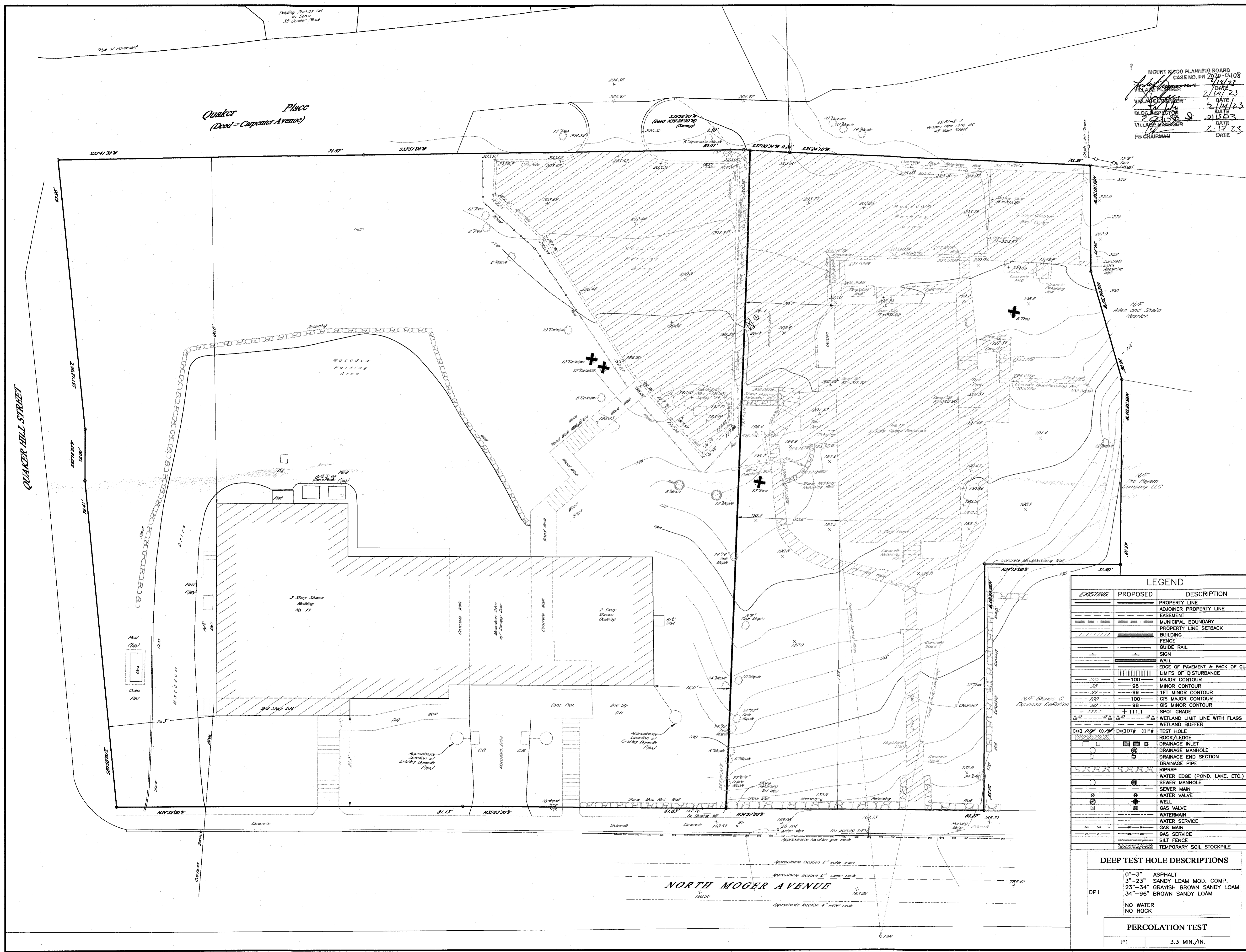
We have met almost all of the conditions for the application for a demolition permit. We are still waiting on a demolition letter from Con Edison for the completion of both the electrical and gas disconnections to the building. The electrical disconnection has been completed. We are still waiting for the gas disconnect work to be completed. We have been working with Con Edison on this process and paperwork since December 2022.

Thank you for your consideration.

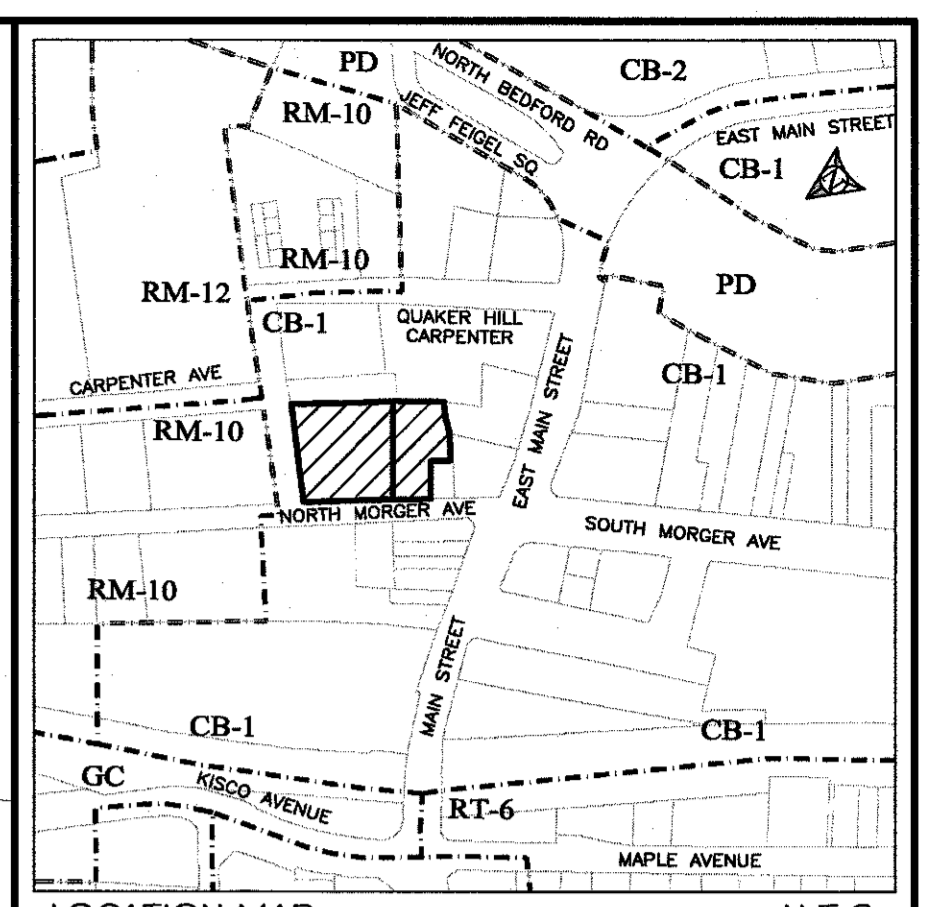
Best,

Tina Fischer
Owner 19 North Moger Ave LLC

19 NORTH MOGER AVE MT KISCO NEW YORK 10549 T
EL 914 244 0404 FAX 914 244 0505
WWW.POLANERSELECTIONS.COM



MOUNT KISCO PLANNING BOARD
CASE NO. 19 2020-0108
DATE 2/14/23
DATE 2/14/23
DATE 2/15/23
DATE 2/17/23



LOCATION MAP N.T.S.

- CONSTRUCTION NOTES:**
1. THE CONTRACTOR SHALL LOCATE AND VERIFY IN THE FIELD ALL UTILITIES, SEWER, WATER, GAS, ELECTRICAL, ETC. PRIOR TO THE START OF CONSTRUCTION. CONTRACTOR SHALL CALL CODE 753 (FORMERLY CODE 53) PRIOR TO THE START OF CONSTRUCTION.
 2. THE INSTALLATION OF WATER AND SEWER SHALL BE INSPECTED UNDER THE DIRECTION OF A N.Y. STATE LICENSED PROFESSIONAL ENGINEER.
 3. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REQUIRED AS INDICATED ON THIS PLAN OR THE EROSION CONTROL PLAN OR AS DIRECTED BY THE GOVERNING AGENCY IN ACCORDANCE WITH THE CURRENT EDITION OF "NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROL" (BLUE BOOK).
 4. AS BUILT PLANS IF REQUIRED, SHALL BE CERTIFIED BY A N.Y. STATE LICENSED SURVEYOR OR PROFESSIONAL ENGINEER.
 5. ALL PROPERTY DISTURBED IN THE RIGHT-OF-WAY OR ON PRIVATE LANDS, SHALL BE RESTORED TO ACCEPTABLE CONDITIONS, AS REQUIRED BY THE GOVERNING AGENCY.
 6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL APPLICATIONS AND PERMITS REQUIRED FOR CONSTRUCTION.
 7. THE ROAD AND UTILITIES SHALL BE STAKED IN THE FIELD BY A NEW YORK STATE LICENSED SURVEYOR OR ENGINEER.
 8. UNDERGROUND UTILITIES: GAS, ELECTRIC, CABLE, TELEPHONE, ETC. SHALL BE AS REQUIRED BY THE GOVERNING AGENCY AND THE APPROPRIATE UTILITY COMPANY.
 9. ALL PROPOSED OR DISTURBED SLOPES, 1:1 OR GREATER SHALL BE STABILIZED WITH AN EROSION CONTROL BLANKET.
 10. IN LIEU OF BLASTING, ROCK RIPPING WILL BE USED WHEREVER POSSIBLE. IF BLASTING IS REQUIRED, BLASTING WILL OCCUR IN ACCORDANCE WITH REGULATIONS AND STANDARDS PRESCRIBED BY THE GOVERNING AGENCY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL NECESSARY PERMITS IF BLASTING IS REQUIRED.
 11. NO REPRESENTATION OF THE SUB-SURFACE SOIL CONDITIONS ON THIS SITE ARE MADE OR IMPLIED. IT IS THE DEVELOPER/CONTRACTOR'S RESPONSIBILITY TO ENSURE ALL IMPROVEMENTS ARE PLACED ON SOIL WITH A SUITABLE BEARING CAPACITY.

DEMO TREE LIST

QTY	SIZE	TYPE
1	8"	TREE
2	12"	CATALPA
1	12"	TREE

TOTAL OF 4 TREES TO BE REMOVED UNDER THIS DEVELOPMENT.

DEMO LEGEND

- TREE TO BE REMOVED
- EXISTING FEATURE TO BE REMOVED
- TREE TO BE PROTECTED



IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 7209(2), FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY. IF ANY ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

LEGEND

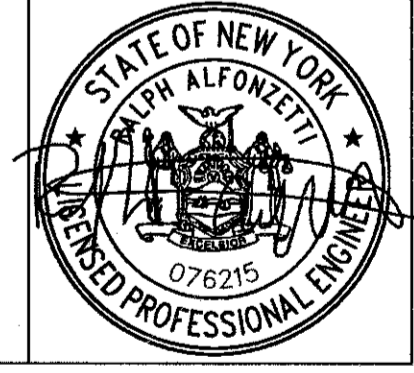
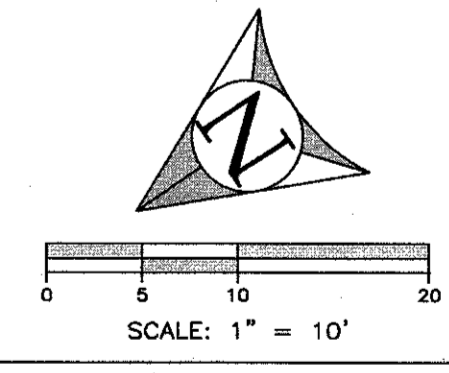
EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	ADJOINER PROPERTY LINE
---	---	EASEMENT
---	---	MUNICIPAL BOUNDARY
---	---	PROPERTY LINE SETBACK
---	---	BUILDING
---	---	FENCE
---	---	GUIDE RAIL
---	---	SIGN
---	---	WALL
---	---	EDGE OF PAVEMENT & BACK OF CURB
---	---	LIMITS OF DISTURBANCE
---	---	MAJOR CONTOUR
---	---	MINOR CONTOUR
---	---	1FT MINOR CONTOUR
---	---	GIS MAJOR CONTOUR
---	---	GIS MINOR CONTOUR
---	---	SPOT GRADE
---	---	WETLAND LIMIT LINE WITH FLAGS
---	---	WETLAND BUFFER
---	---	TEST HOLE
---	---	ROCK/ALEDGE
---	---	DRAINAGE INLET
---	---	DRAINAGE MANHOLE
---	---	DRAINAGE END SECTION
---	---	DRAINAGE PIPE
---	---	RIPRAP
---	---	WATER EDGE (POND, LAKE, ETC.)
---	---	SEWER MANHOLE
---	---	SEWER MAIN
---	---	WATER VALVE
---	---	WELL VALVE
---	---	GAS VALVE
---	---	WATERMAIN
---	---	WATER SERVICE
---	---	GAS MAIN
---	---	GAS SERVICE
---	---	SILT FENCE
---	---	TEMPORARY SOIL STOCKPILE

DEEP TEST HOLE DESCRIPTIONS

DP1	0'-3" ASPHALT 3'-23" SANDY LOAM MOD. COMP. 23'-34" GRAYISH BROWN SANDY LOAM 34'-96" BROWN SANDY LOAM NO WATER NO ROCK
-----	--------------------------------------------------------------------------------------------------------------------------------------

PERCOLATION TEST

P1	3.3 MIN./IN.
----	--------------



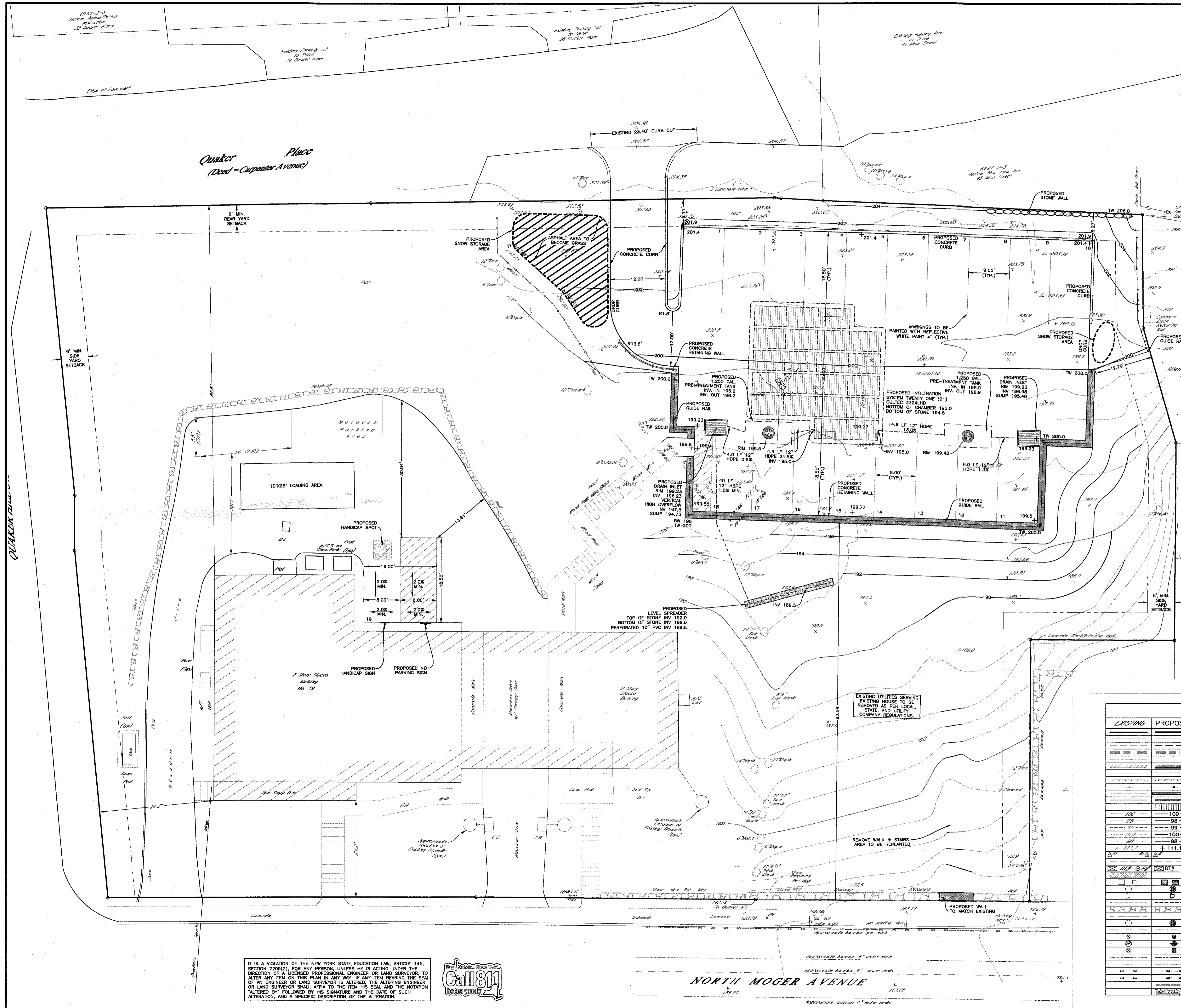
ALFONZETTI ENGINEERING, P.C.
14 SMITH AVE, MT. KISCO, N.Y. 10549
914-666-9800 INFO@ALFONZETTIENG.COM

SITE DATA

OWNER/APPLICANT: 19 N. MOGER AVE LLC
SITE ADDRESS: 19 N. MOGER AVE, MOUNT KISCO, NY 10549
TAX MAP #: 69.81-2-7 & 69.81-2-1
LOT AREA: 0.796 AC
ZONING: CB-1
REVISIONS: REVISED SEPTEMBER 28, 2022; REVISED JUNE 3, 2022; REVISED JANUARY 20, 2022; REVISED DECEMBER 17, 2021

EXISTING CONDITIONS & DEMOLITION PLAN
DECEMBER 18, 2020

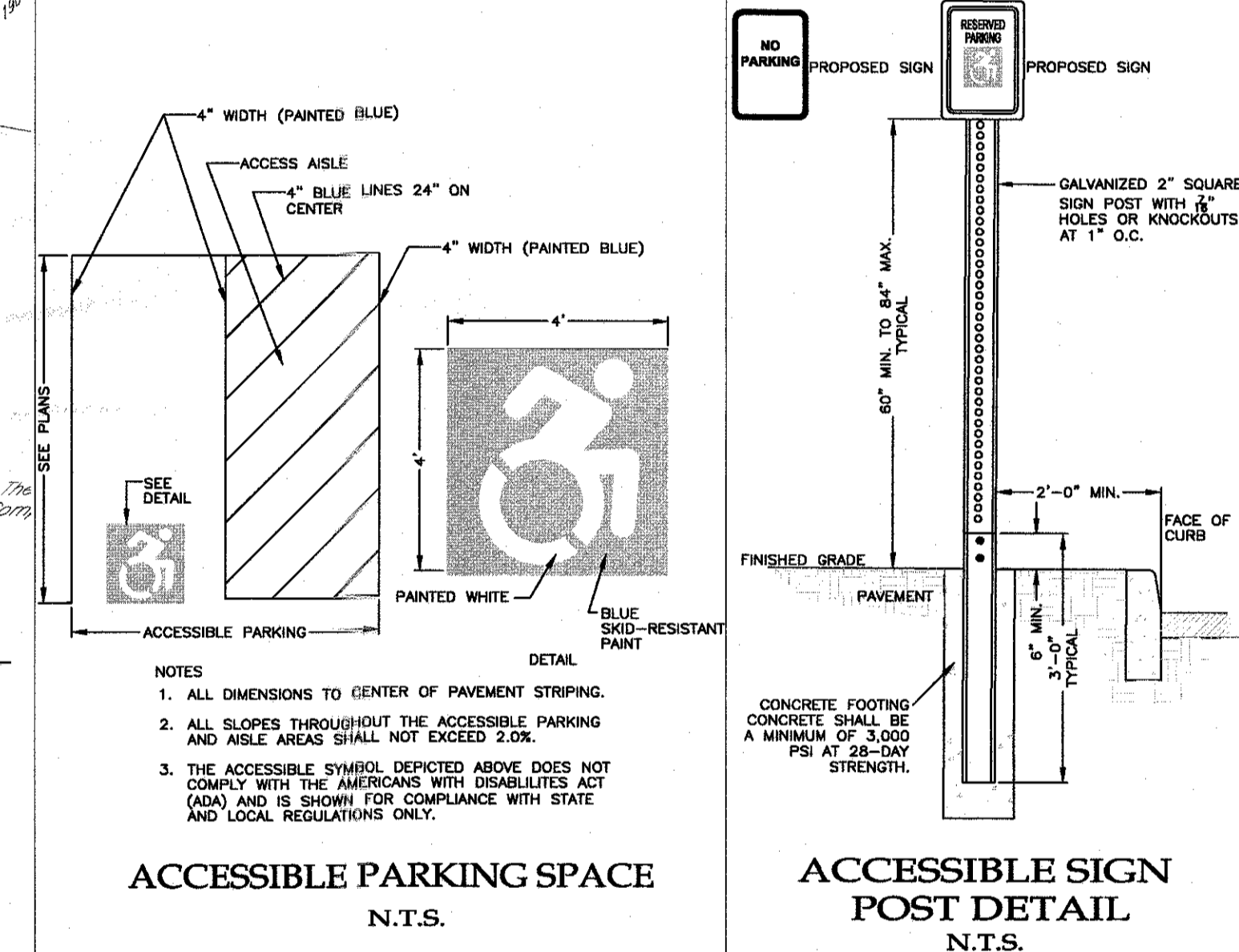
PROJECT: 19 N. MOGER AVE LLC
VILLAGE OF MOUNT KISCO,
WESTCHESTER COUNTY, NEW YORK



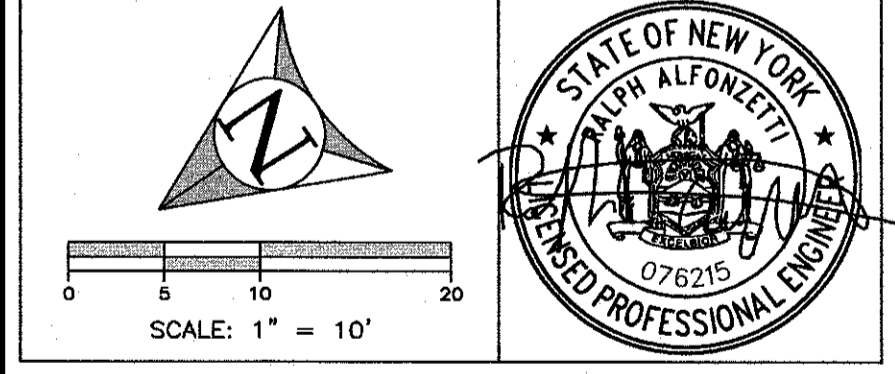
ZONING CONFORMANCE TABLE				
ZONING DISTRICT	CB-1 (CENTRAL BUSINESS DISTRICT - 1)			
	REQUIRED OR ALLOWED	19 N MOGER AVE EXISTING	11 N MOGER AVE EXISTING	PROPOSED
GROSS LOT AREA		23,199 S.F.	11,487 S.F.	34,686.0 S.F.
50% WETLAND AREA		N/A	N/A	0.0 S.F.
25% STEEP SLOPES 20%-25%		N/A	N/A	4,344.0 S.F.
50% STEEP SLOPES 25%+		N/A	N/A	12,963.0 S.F.
MINIMUM NET LOT AREA	N/A	N/A	N/A	17,379.0 S.F.
FRONT YARD SETBACK	NONE REQUIRED	21.2 FT.	62 FT.	21.2 FT
SIDE YARD SETBACK	NONE REQUIRED BUT 6 FT IF PROVIDED	25.3 FT.	23.8 FT.	25.3 FT
REAR YARD SETBACK	NONE REQUIRED BUT 6 FT IF PROVIDED	80.8 FT.	20.7 FT.	80.8 FT.
LANDSCAPE BUFFER	NONE REQUIRED	N/A	N/A	N/A
LOT WIDTH	NONE REQUIRED	N/A	N/A	N/A
LOT DEPTH	NONE REQUIRED	N/A	N/A	N/A
BUILDING HEIGHT	3 STORIES/40 FT.	2 STORIES	2 STORIES	2 STORIES
MAXIMUM BUILDING COVERAGE	90%	16.13% (3,742 S.F.)	13.80% (1,585 S.F.)	21.53% (3,742 S.F.)
MAXIMUM DEVELOPMENT COVERAGE	100%	36.06% (8,365 S.F.)	62.9% (7,453 S.F.)	82.69% (14,372 S.F.)

IMPERVIOUS COVERAGE		
EXISTING IMPERVIOUS COVERAGE	PROPOSED IMPERVIOUS COVERAGE	NET DECREASE IN IMPERVIOUS COVERAGE
15,818 S.F.	14,372 S.F.	1,446 S.F.

PROPOSED PARKING CALCULATIONS 19 NORTH MOGER AVENUE				
EXISTING BUILDING	SPACES PER CODE	SPACES REQUIRED	SPACES PROVIDED	
FIRST FLOOR (OFFICES)	2,166 S.F.	N/A	0	
SECOND FLOOR (OFFICE)	3,535 S.F.	1 PER 250 S.F.	14.14	
BASEMENT (UTILITIES)	836 S.F.	N/A	0	
			14.14 (15)	19



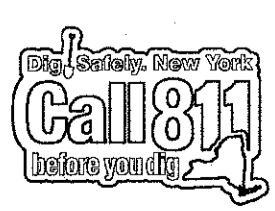
LEGEND		
EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	ADJOINER PROPERTY LINE
---	---	EASEMENT
---	---	MUNICIPAL BOUNDARY
---	---	PROPERTY LINE SETBACK
---	---	BUILDING
---	---	GUIDE RAIL
---	---	SIGN WALL
---	---	EDGE OF PAVEMENT & BACK OF CURB
---	---	TEST HOLE
---	---	LIMITS OF DISTURBANCE
---	---	MAJOR CONTOUR
---	---	MINOR CONTOUR
---	---	1FT MINOR CONTOUR
---	---	GIS MAJOR CONTOUR
---	---	GIS MINOR CONTOUR
---	---	SPOT GRADE
---	---	WETLAND LIMIT LINE WITH FLAGS
---	---	WETLAND BUFFER
---	---	ROCK/LEDGE
---	---	DRAINAGE INLET
---	---	DRAINAGE MANHOLE
---	---	DRAINAGE END SECTION
---	---	DRAINAGE PIPE
---	---	RIPRAP
---	---	WATER EDGE (POND, LAKE, ETC.)
---	---	SEWER MANHOLE
---	---	SEWER MAIN
---	---	WATER VALVE
---	---	WELL
---	---	GAS VALVE
---	---	WATERMAIN
---	---	WATER SERVICE
---	---	GAS MAIN
---	---	GAS SERVICE
---	---	SILT FENCE
---	---	TEMPORARY SOIL STOCKPILE



ALFONZETTI ENGINEERING, P.C.
 14 SMITH AVE, MT. KISCO, N.Y. 10549
 914-666-9800 INFO@ALFONZETTIENG.COM

SITE DATA	
OWNER/APPLICANT: 19 N. MOGER AVE LLC	
SITE ADDRESS: 19 N. MOGER AVE, MOUNT KISCO, NY 10549	
TAX MAP #: 69.81-2-7 & 69.81-2-1	
LOT AREA: 0.796 AC	REVISED SEPTEMBER 28, 2022
ZONING: CB-1	REVISED JUNE 3, 2022
	REVISED JANUARY 28, 2022
	REVISED DECEMBER 17, 2021
DRAWING: SITE PLAN	
DECEMBER 18, 2020	
PROJECT: 19 N. MOGER AVE LLC	
VILLAGE OF MOUNT KISCO, WESTCHESTER COUNTY, NEW YORK	

IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 7209(2), FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY. IF ANY ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL ATTACH TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

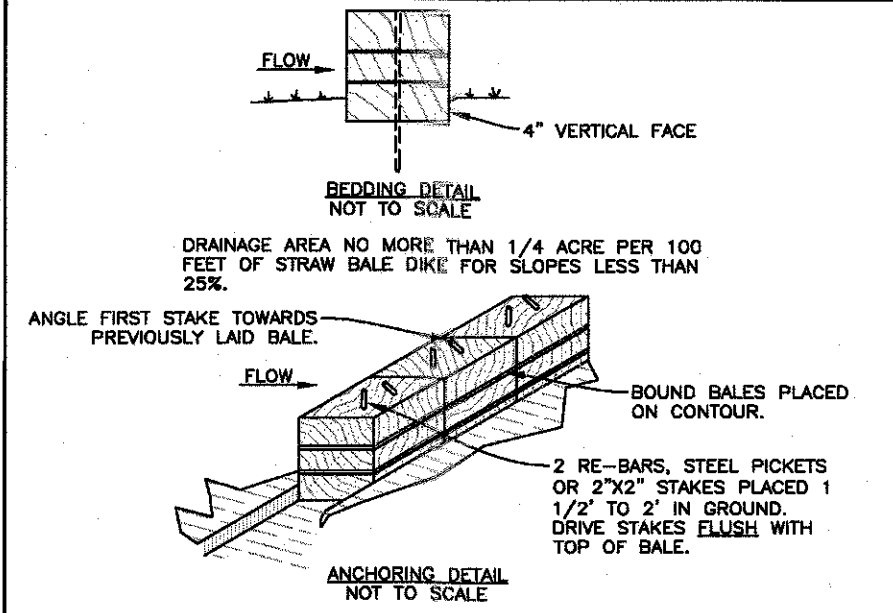


NORTH MOGER AVENUE

SHEET
02
OF
05

EROSION CONTROL NOTES:

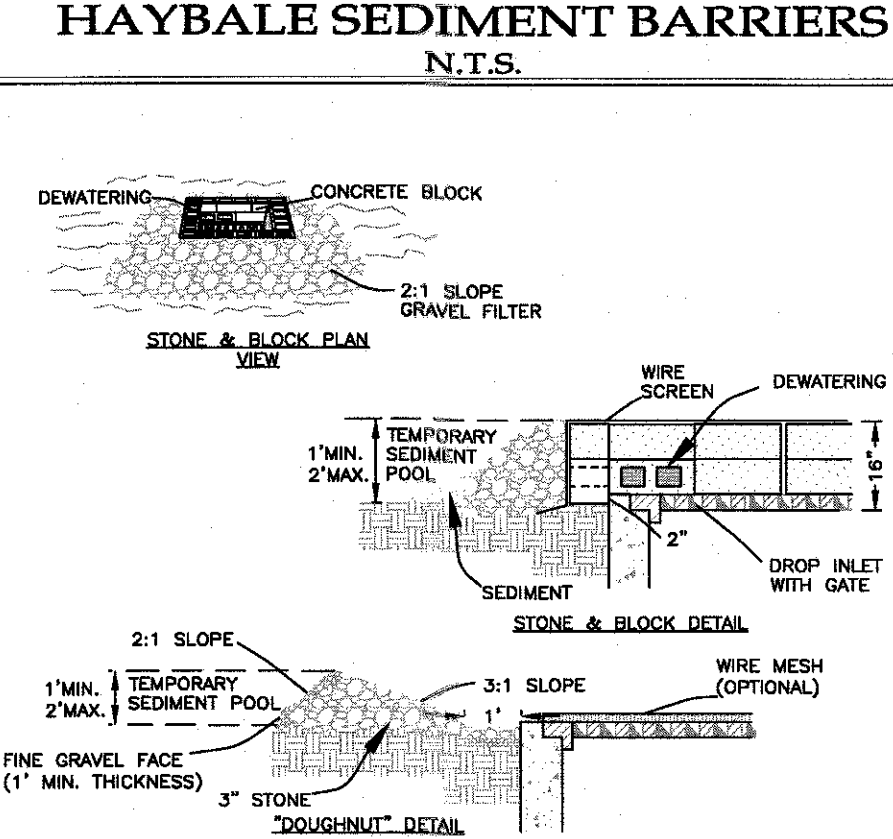
- CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL SEDIMENT AND EROSION CONTROL MEASURES. THE SEDIMENT AND EROSION CONTROL PRACTICES ARE TO BE INSTALLED PRIOR TO ANY MAJOR SOIL DISTURBANCES, AND MAINTAINED IN EFFECTIVE CONDITION THROUGHOUT THE CONSTRUCTION PERIOD OR UNTIL PERMANENT PROTECTION IS ESTABLISHED.
- PRIOR TO ANY EXCAVATION, SILT FENCE SHALL BE INSTALLED AT THE LOCATIONS NOTED ON THE EROSION CONTROL PLAN. ADDITIONAL SILT FENCE MAY BE REQUIRED BY THE ENGINEER IN THE FIELD. SILT FENCING SHALL BE MAINTAINED IN EFFECTIVE CONDITION AND SHALL NOT BE REMOVED UNTIL DISTURBED AREAS ARE THOROUGHLY STABILIZED.
- INSTALL ANTI-TRACKING PAD AT ALL CONSTRUCTION ENTRANCES. ANTI-TRACKING PAD SHALL BE 2'-3" DIAMETER CRUSHED STONE 6" DEEP.
- TIMELY MAINTENANCE OF SEDIMENT CONTROL STRUCTURES IS THE RESPONSIBILITY OF THE CONTRACTOR. ALL STRUCTURES SHALL BE MAINTAINED IN GOOD WORKING ORDER AT ALL TIMES. THE SEDIMENT LEVEL IN ALL SEDIMENT REMOVING DEVICES SHALL BE CLOSELY MONITORED AND SEDIMENT REMOVED PROMPTLY WHEN MAXIMUM LEVELS ARE REACHED OR AS ORDERED BY THE ENGINEER. SEDIMENT SHALL BE DISPOSED OF IN A MANNER THAT DOES NOT RESULT IN ADDITIONAL EROSION OR POLLUTION. ALL SEDIMENT CONTROL STRUCTURES SHALL BE INSPECTED ON A REGULAR BASIS, AND IMMEDIATELY AFTER EACH RAINFALL TO INSURE PROPER OPERATION AS DESIGNED. ANY REQUIRED REPAIRS SHALL BE MADE IMMEDIATELY.
- ALL TOPSOIL REQUIRED FOR FINAL GRADING AND STORED ON SITE SHALL BE LIMED, FERTILIZED, TEMPORARILY SEEDED AND MULCHED WITHIN 7 DAYS OR OTHERWISE STABILIZED. DO NOT STOCKPILE MATERIALS ON STEEP SLOPES, IN DRAINAGE SWALES OR IN WETLAND AREAS. SURROUND ALL STOCKPILE AREAS WITH STAKED HAYBALES OR SILT FENCE.
- ALL SLOPES CONSTRUCTED WITH FILL MATERIAL AND ALL SLOPES WITH GRADE 3:1 OR STEEPER SHALL BE TOPSOILED, SEEDED, MULCHED AND STABILIZED WITH STAKED TOBACCO NETTING, OR EROSION BLANKET AS NOTED, UNLESS OTHERWISE DIRECTED.
- ANY DISTURBED AREAS THAT WILL BE LEFT EXPOSED MORE THAN 7 DAYS AND NOT SUBJECT TO CONSTRUCTION TRAFFIC, SHALL IMMEDIATELY RECEIVE TEMPORARY SEEDING. MULCH SHALL BE USED IF THE SEASON PREVENTS THE ESTABLISHMENT OF A TEMPORARY COVER. DISTURBED AREAS SHALL BE LIMED AND FERTILIZED PRIOR TO TEMPORARY SEEDING.
- ALL DISTURBED AREAS WITHIN 500 FEET OF A BUILDING SHALL BE WETTED AS NECESSARY TO PROVIDE DUST CONTROL. A WATERING TRUCK WILL BE USED IN DRY SEASON TO WET DUST AREAS.
- THE CONTRACTOR SHALL KEEP THE ROADWAYS WITHIN THE PROJECT CLEAR OF SOIL AND DEBRIS AND IS RESPONSIBLE FOR ANY STREET CLEANING NECESSARY DURING THE COURSE OF THE PROJECT.
- ALL CATCH BASINS AND DRAIN INLETS ARE TO BE PROTECTED WITH SEDIMENT FILTERS THROUGHOUT THE CONSTRUCTION PERIOD AND UNTIL ALL DISTURBED AREAS ARE STABILIZED.
- UTILITY LINE EXCAVATED MATERIAL SHALL BE TEMPORARILY STOCKPILED ON THE HIGH SIDE OF EXCAVATION SO RUNOFF IS DIRECTED AWAY FROM TRENCH. AFTER BACK-FILLING, AREA IS TO BE TOPSOILED, SEEDED AND MULCHED.
- SEDIMENT AND EROSION CONTROL STRUCTURES SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE DRAINAGE AREA HAS BEEN PROPERLY STABILIZED BY PERMANENT MEASURES.
- ALL AREAS OF DISTURBED SOIL SHALL BE STABILIZED BY THE CONTRACTOR. IN ADDITION TO ALL SPECIFIED EROSION CONTROL DEVICES, THE CONTRACTOR SHALL TAKE ALL STEPS PRUDENT AND NECESSARY TO STABILIZE THE SITE AT ALL TIMES.
- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CURRENT EDITION OF "NEW YORK STATE STANDARDS AND SPECIFICATIONS FOR EROSION AND SEDIMENT CONTROLS" (BLUE BOOK).



CONSTRUCTION SPECIFICATIONS

- BALES SHALL BE PLACED AT THE TOE OF A SLOPE OR ON THE CONTOUR AND IN A ROW WITH ENDS TIGHTLY ADJUTING THE ADJACENT BALES.
- EACH BALE SHALL BE EMBEDDED IN THE SOIL A MINIMUM OF (4) INCHES, AND PLACED SO THE BINDINGS ARE HORIZONTAL.
- BALES SHALL BE SECURELY ANCHORED IN PLACE BY EITHER TWO STAKES OR RE-BARS DRIVEN THROUGH THE BALE. THE FIRST STAKE IN EACH BALE SHALL BE DRIVEN TOWARD THE PREVIOUSLY LAID BALE AT AN ANGLE TO FORCE THE BALES TOGETHER. STAKES SHALL BE DRIVEN FLUSH WITH THE BALE.
- INSPECTION SHALL BE FREQUENT AND REPAIR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED.
- BALES SHALL BE REMOVED WHEN THEY HAVE SERVED THEIR USEFULNESS SO AS NOT TO BLOCK OR IMPEDE STORM FLOW OR DRAINAGE.

HAYBALE SEDIMENT BARRIERS N.T.S.

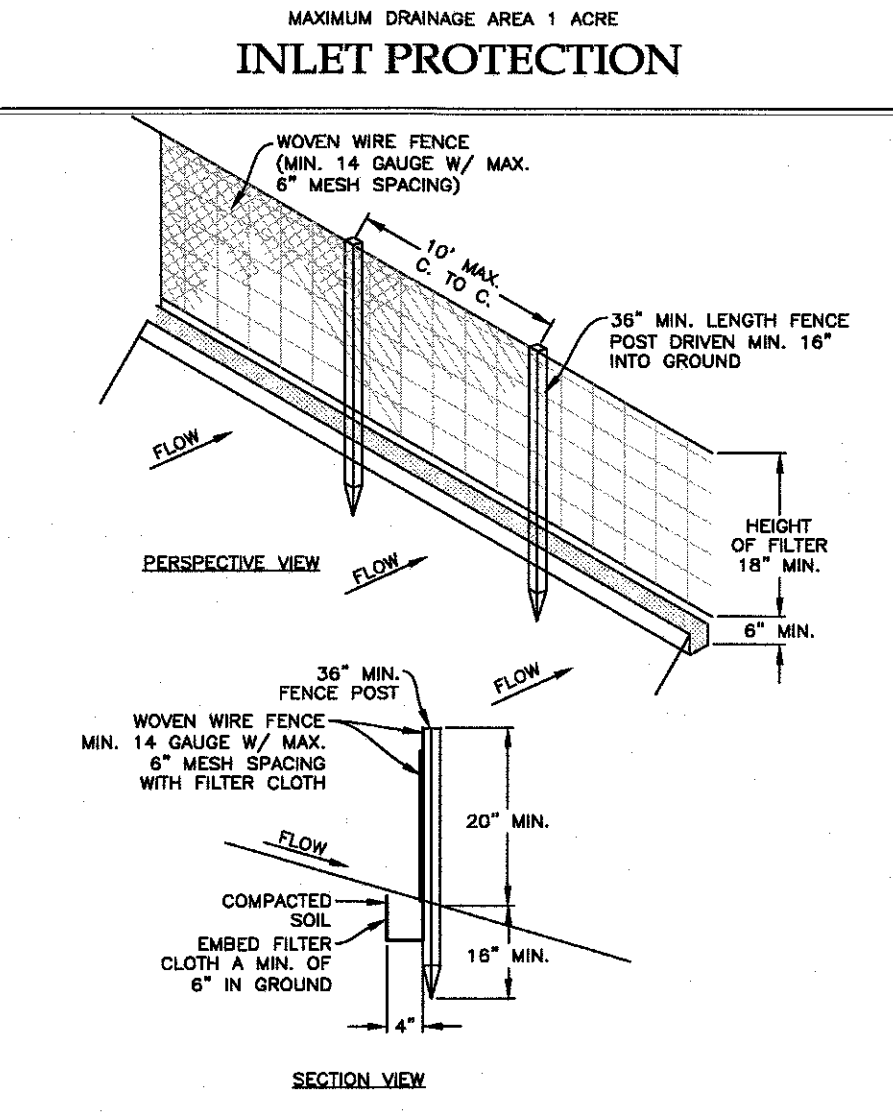


CONSTRUCTION SPECIFICATIONS

- LAY ONE BLOCK ON EACH SIDE OF THE STRUCTURE ON ITS SIDE FOR DOWELING. FOUNDATION SHALL BE 2 INCHES MINIMUM BELOW REST OF INLET AND BLOCKS SHALL BE PLACED AGAINST INLET FOR SUPPORT.
- HARDWARE CLOTH OR 1/2" WIRE MESH SHALL BE PLACED OVER BLOCK OPENINGS TO SUPPORT STONE.
- USE CLEAN STONE OR GRAVEL 1/2-3/4 INCH IN DIAMETER PLACED 2 INCHES BELOW TOP OF THE BLOCK ON A 2:1 SLOPE OR FLATTER.
- FOR STONE STRUCTURES ONLY, A 1 FOOT THICK LAYER OF THE FILTER STONE WILL BE PLACED AGAINST THE 3 INCH STONE AS SHOWN ON THE DRAWINGS.
- AFTER BINDER COURSE IS INSTALLED, INLET PROTECTION SHALL BE PAVED SURFACE INLET PROTECTOR.
- PAVED SURFACE INLET PROTECTION SHALL INCLUDE SAND BAGS, COMPOST FILTER SOCKS, GEO-TUBES FILLED WITH BALLAST, AND MANUFACTURED SURFACE BARRIERS. PEA GRAVEL CAN ALSO BE USED IN CONJUNCTION WITH THESE PRACTICES.

STONE & BLOCK INLET PROTECTION N.T.S.

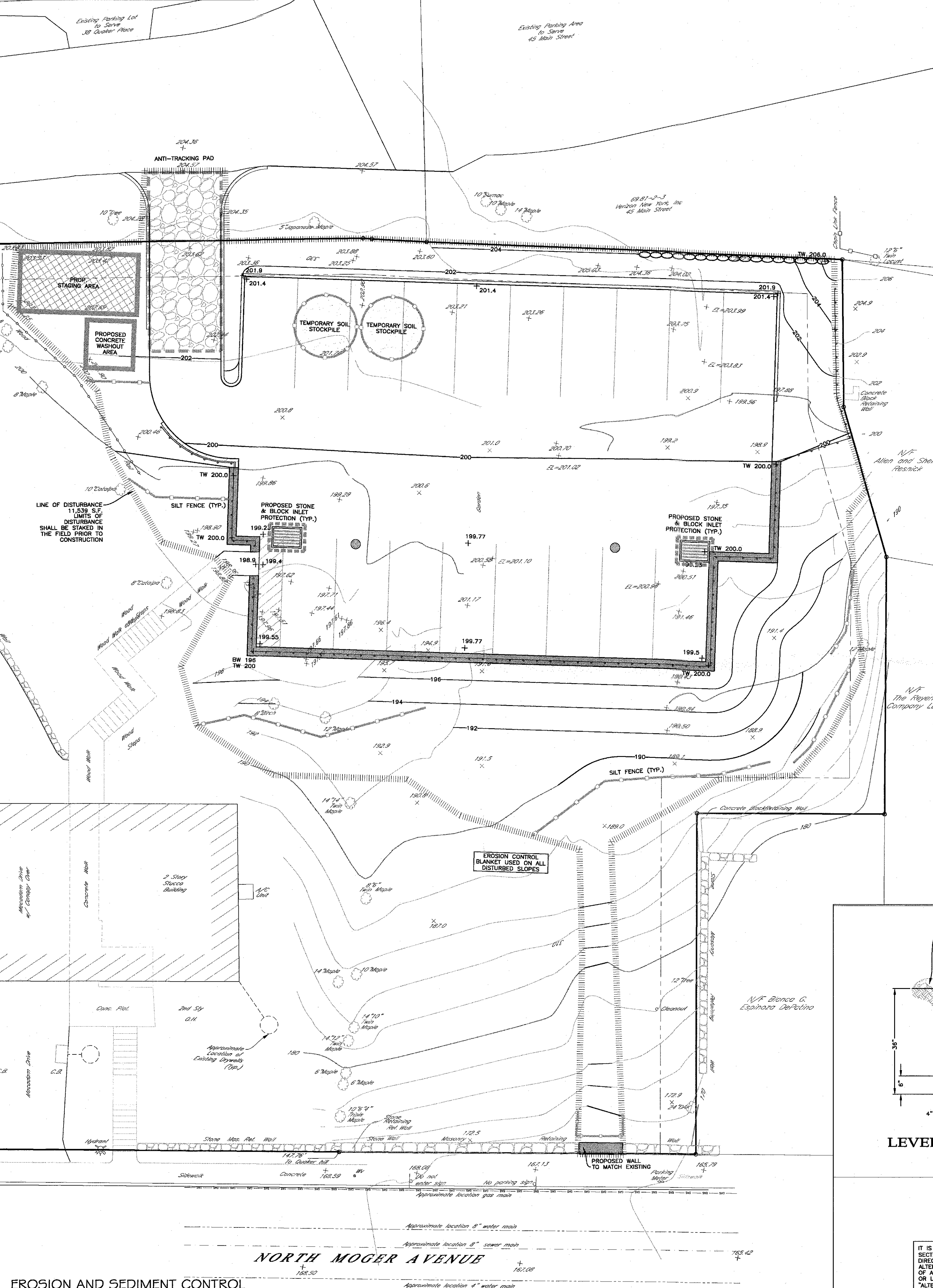
INLET PROTECTION



CONSTRUCTION SPECIFICATIONS

- WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POST WITH TIES OR STAPLES. POST SHALL BE STEEL EITHER 1" OR 1 1/2" TYPE OR HARDWOOD.
- FILTER CLOTH TO BE FASTENED SECURELY TO WOVEN WIRE FENCE WITH TIES SPACED EVERY 24" AT TOP AND MID SECTION. FENCE SHALL BE WOVEN WIRE, 6" MAXIMUM MESH OPENING.
- WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVERLAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER # 1 (MMA) 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
- PRE-FABRICATED UNITS SHALL MEET THE MINIMUM REQUIREMENTS SHOWN.
- MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

SILT FENCE N.T.S.



EROSION AND SEDIMENT CONTROL N.T.S.

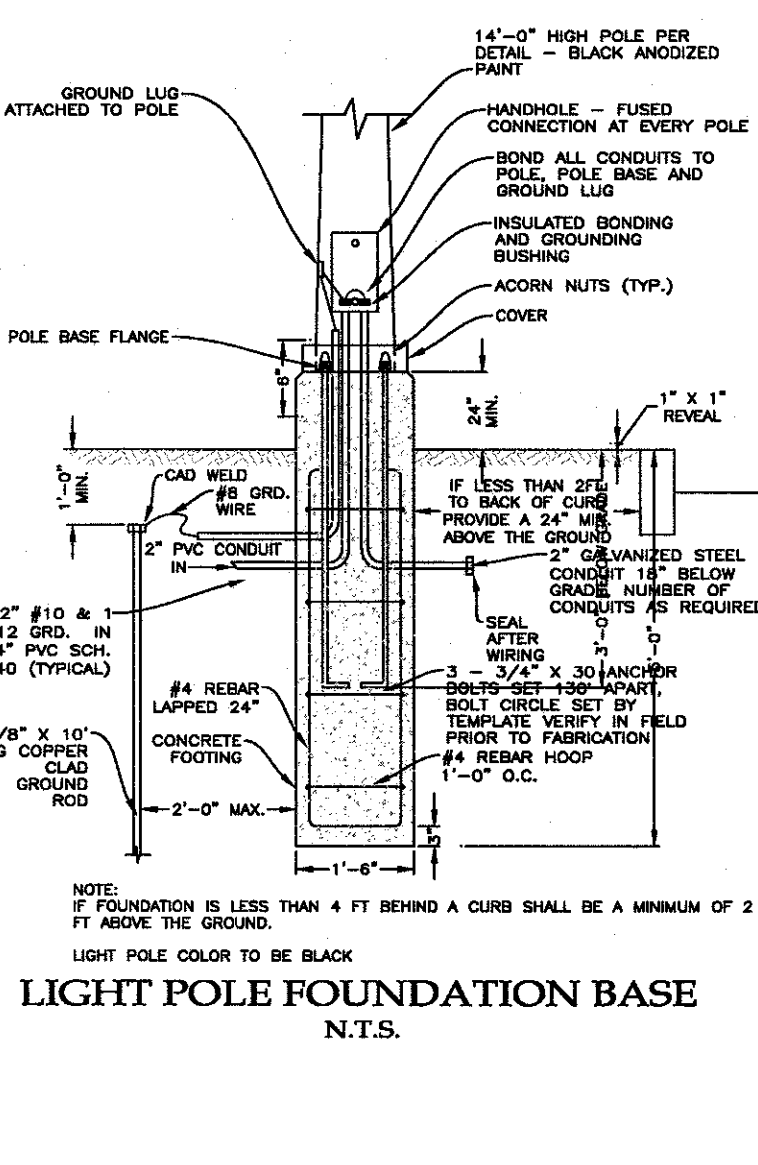
EROSION CONTROL MAINTENANCE SCHEDULE						
DEVICE	WEEKLY	MONTHLY	BI-ANNUALLY	ANNUALLY	PRIOR TO SIGNIFICANT RAINFALL	AFTER SIGNIFICANT RAINFALL
HAYBALES		INSPECT		REPLACE	INSPECT	INSPECT/CLEAN
SILT FENCE		INSPECT		INSPECT	INSPECT	INSPECT/CLEAN
ANTI-TRACKING PAD	INSPECT		RESTORE			INSPECT
INLET PROTECTION		INSPECT	RESTORE		INSPECT	INSPECT/CLEAN
CATCH BASINS/DRAIN INLETS	INSPECT (DURING CONSTRUCTION)		CLEAN			INSPECT

INDIVIDUAL RESPONSIBLE FOR POST-CONSTRUCTION MAINTENANCE: TINA FISHER, 19 N MOGER AVE, MOUNT KISCO, NEW YORK 10549, (914) 244-0404

LEGEND

EXISTING	PROPOSED	DESCRIPTION
---	---	PROPERTY LINE
---	---	ADJACENT PROPERTY LINE
---	---	EASEMENT
---	---	MUNICIPAL BOUNDARY
---	---	PROPERTY LINE SETBACK
---	---	BUILDING
---	---	FENCE
---	---	GUIDE RAIL
---	---	SIGN
---	---	WALL
---	---	EDGE OF PAVEMENT & BACK OF CURB
---	---	LIMITS OF DISTURBANCE
---	---	MAJOR CONTOUR
---	---	MINOR CONTOUR
---	---	1FT MINOR CONTOUR
---	---	GIS MAJOR CONTOUR
---	---	GIS MINOR CONTOUR
---	---	SPOT GRADE
---	---	WETLAND LIMIT LINE WITH FLAGS
---	---	WETLAND BUFFER
---	---	TEST HOLE
---	---	ROCK/LEVEE
---	---	DRAINAGE INLET
---	---	DRAINAGE MANHOLE
---	---	DRAINAGE END SECTION
---	---	DRAINAGE PIPE
---	---	WATER EDGE (POND, LAKE, ETC.)
---	---	SEWER MANHOLE
---	---	SEWER MAIN
---	---	WATER VALVE
---	---	WELL
---	---	GAS VALVE
---	---	WATERMAIN
---	---	WATER SERVICE
---	---	GAS MAIN
---	---	GAS SERVICE
---	---	SILT FENCE
---	---	TEMPORARY SOIL STOCKPILE

LEGEND



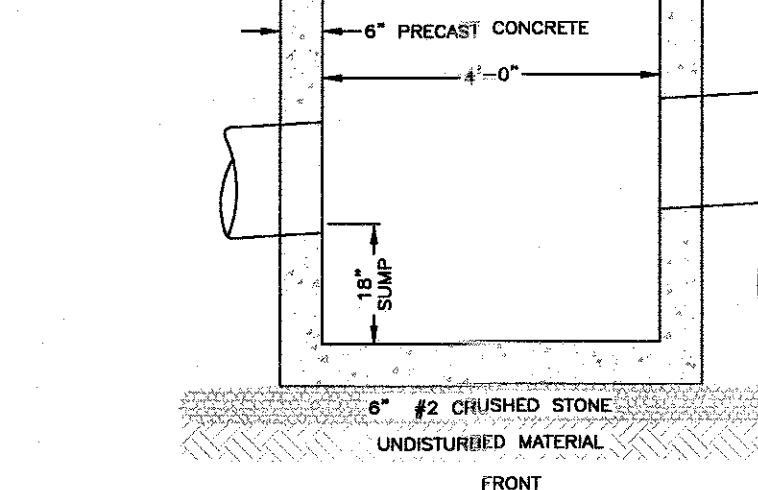
LIGHT POLE FOUNDATION BASE N.T.S.

FRAME AND GRATE SHALL BE LAMN AREAS: PATTERN #2225 AS MANUFACTURED BY CAMPBELL FOUNDRY CO., OR APPROVED EQUAL.

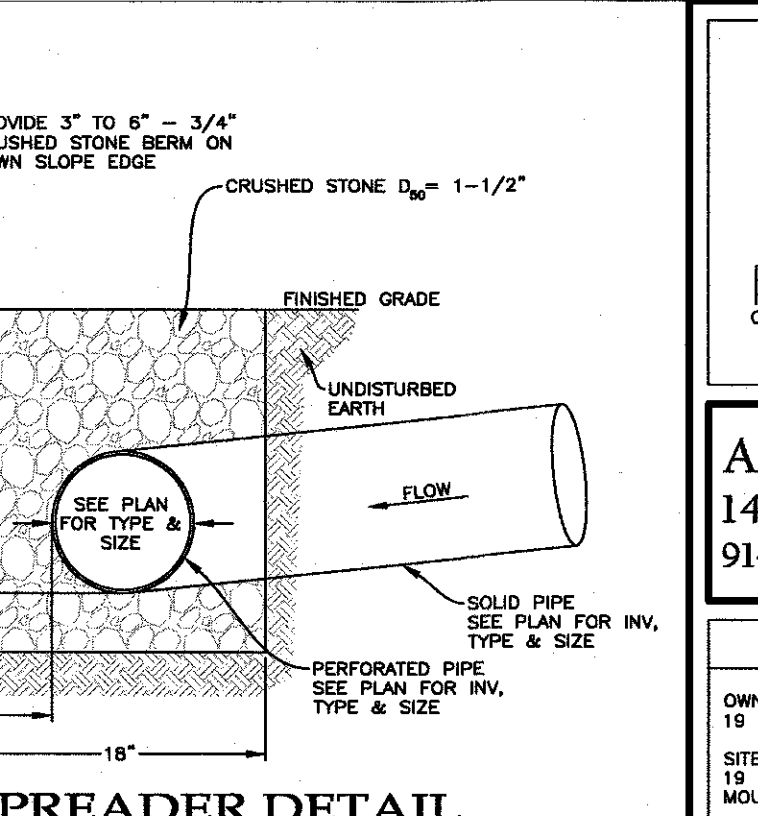
PAVED AREAS: PATTERN #3408 AS MANUFACTURED BY CAMPBELL FOUNDRY CO., OR APPROVED EQUAL.

NOTE: USE STEPS FOR DEPTH GREATER THAN 4' (CAMPBELL NO. 2356 OR EQUIV.)

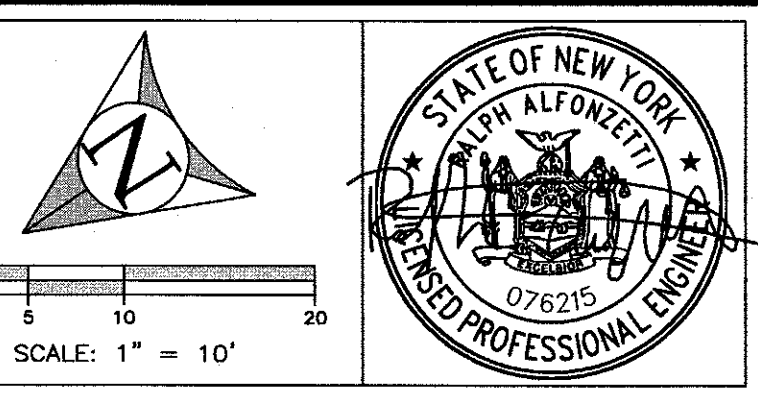
NOTE: ALL FRAME AND GRATES SHALL BE SET IN ORDER TO CORRESPOND WITH THE FINAL TOP COURSE ELEVATION.



DRAIN INLET N.T.S.



LEVEL SPREADER DETAIL N.T.S.



ALFONZETTI ENGINEERING, P.C.
 14 SMITH AVE, MT. KISCO, N.Y. 10549
 914-666-9800 INFO@ALFONZETTIENG.COM

STATE OF NEW YORK
 ALFONZETTI ENGINEERING
 LICENSED PROFESSIONAL ENGINEER
 076215

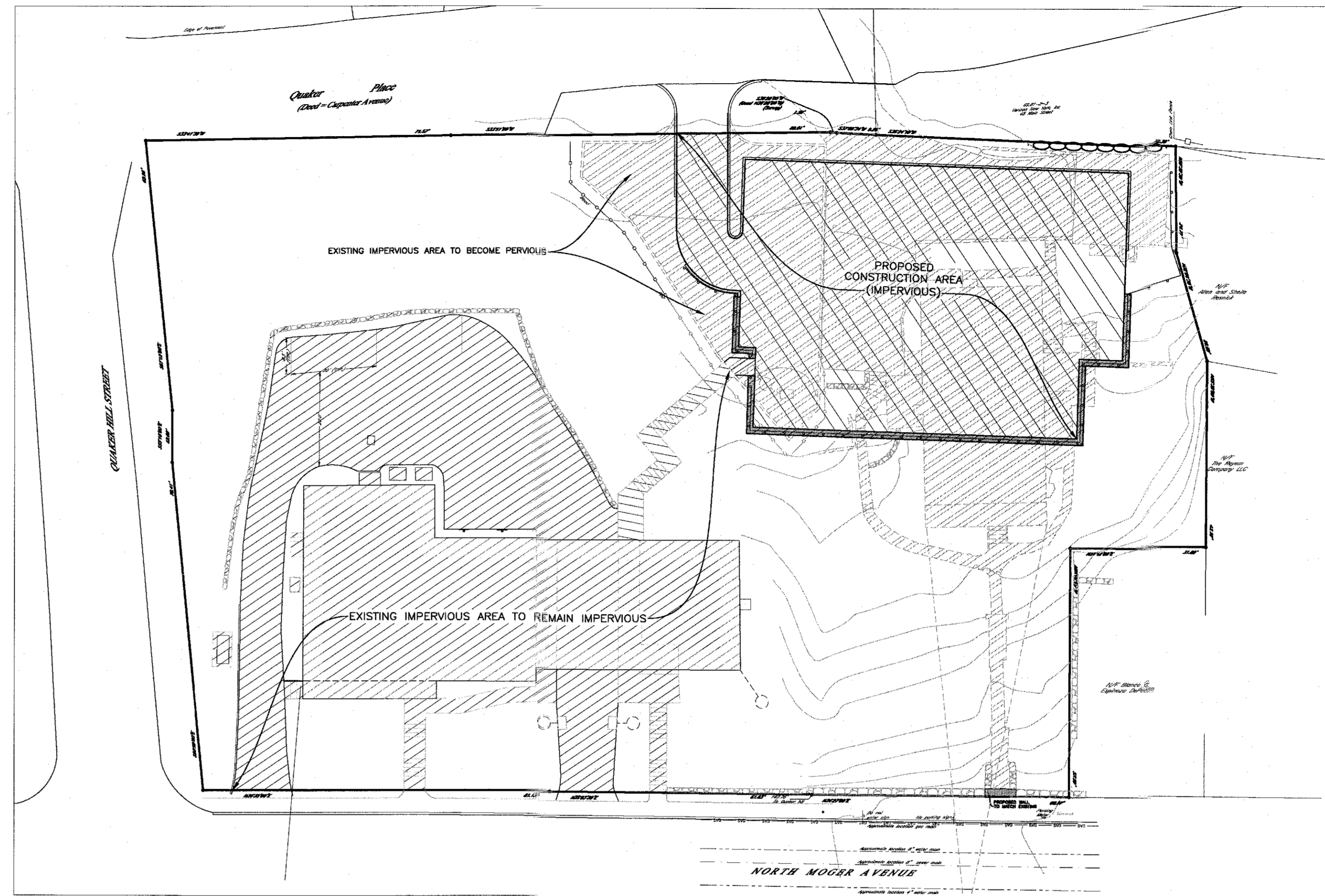
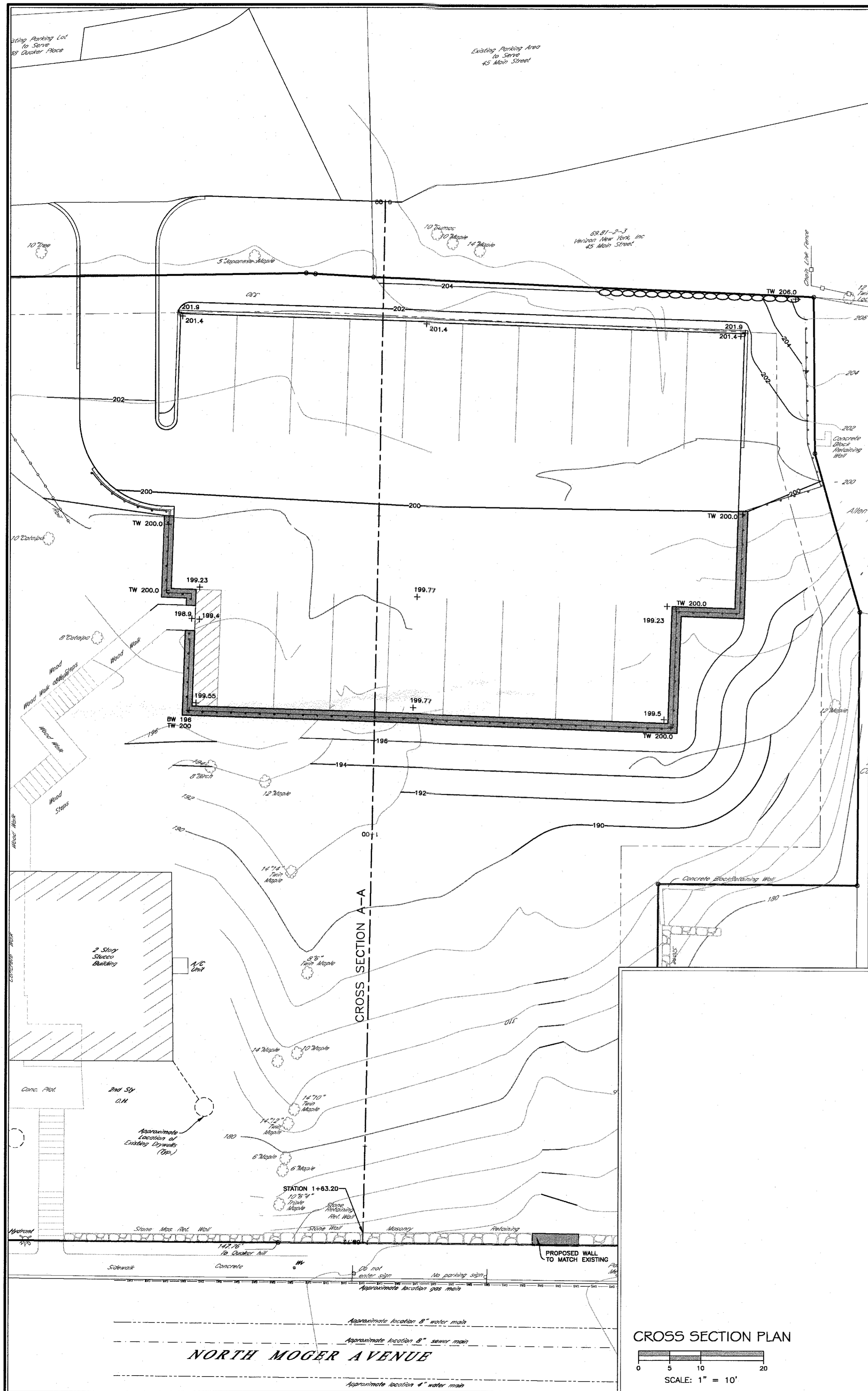
SITE DATA
 OWNER/APPLICANT: 19 N. MOGER AVE LLC
 SITE ADDRESS: 19 N. MOGER AVE, MOUNT KISCO, NY 10549
 TAX MAP #: 69.81-2-7 & 69.81-2-1
 LOT AREA: 0.798 AC
 ZONING: CB-1
 REVISED NOVEMBER 21, 2022
 REVISED SEPTEMBER 28, 2022
 REVISED JUNE 3, 2022
 REVISED JANUARY 28, 2022
 REVISED DECEMBER 17, 2021

DRAWING # SEDIMENT CONTROL PLAN AND DETAILS
 DECEMBER 18, 2020

PROJECT: 19 N. MOGER AVE LLC
 VILLAGE OF MOUNT KISCO,
 WESTCHESTER COUNTY, NEW YORK

SHEET: 03 OF 05

IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 146, SECTION 700(2)(b), FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY, IF ANY ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED. THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.



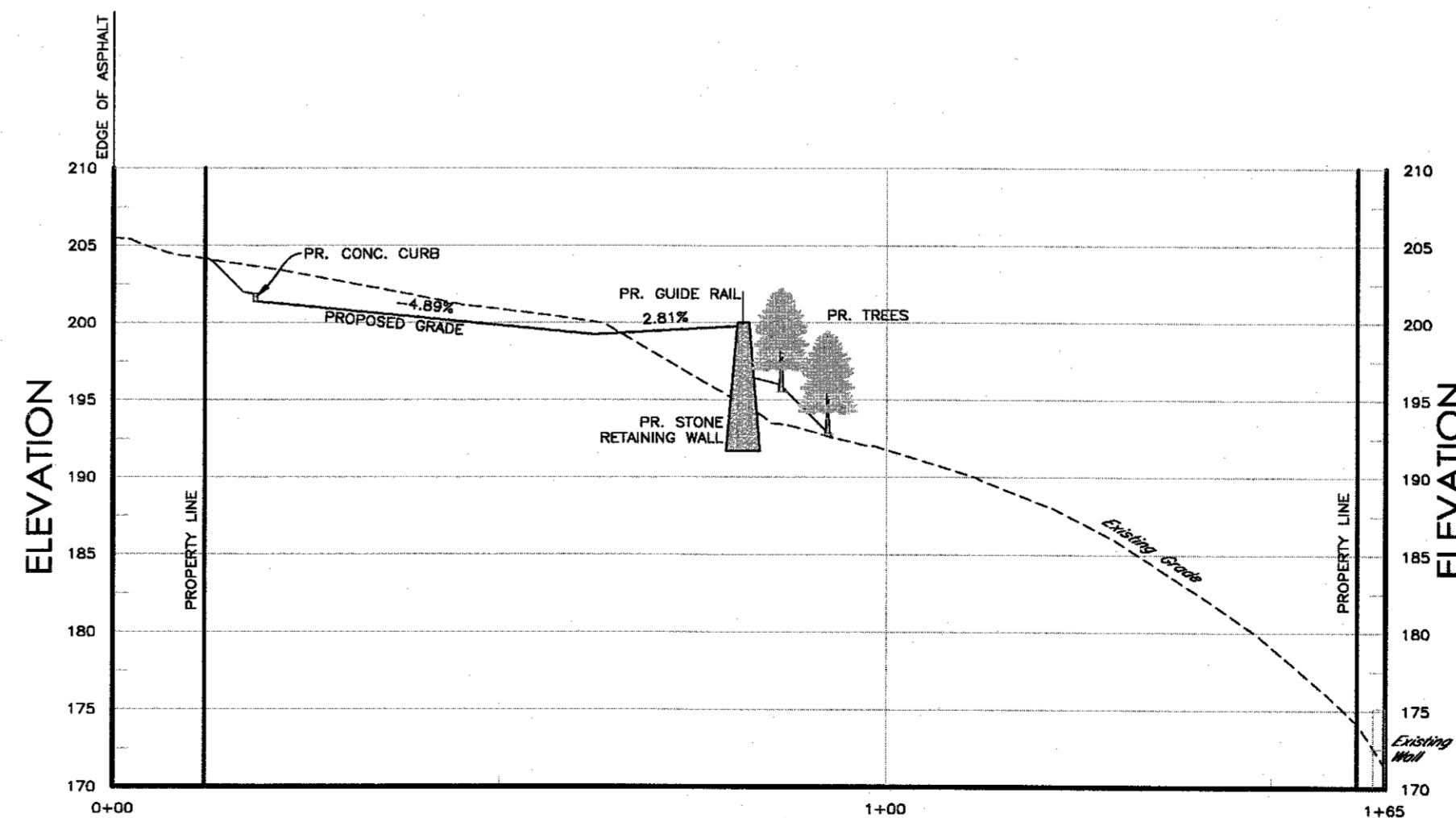
EXISTING & PROPOSED IMPERVIOUS AREA PLAN

SCALE: 1" = 20'

LEGEND	
	PROPOSED CONSTRUCTION AREA (IMPERVIOUS)
	EXISTING IMPERVIOUS AREA TO REMAIN IMPERVIOUS
	EXISTING IMPERVIOUS AREA TO BECOME PERVIOUS



IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 7202(2), FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY. IF ANY ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.



PROPOSED PARKING LOT CROSS SECTION A-A
 HORIZONTAL SCALE: 1" = 10'
 VERTICAL SCALE: 1" = 5'

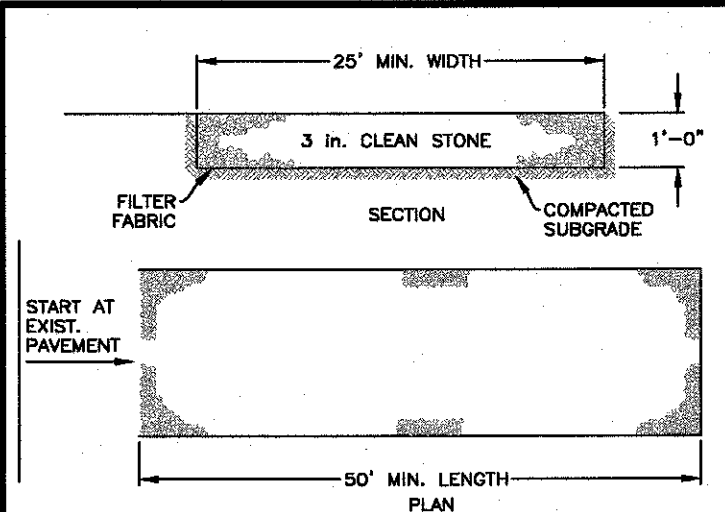
CROSS SECTION PLAN

SCALE: 1" = 10'

SEE PLAN FOR SCALE

ALFONZETTI ENGINEERING, P.C.
 14 SMITH AVE, MT. KISCO, N.Y. 10549
 914-666-9800 INFO@ALFONZETTIENG.COM

SITE DATA	
OWNER/APPLICANT: 19 N. MOGER AVE LLC	REVISIONS: REVISED OCTOBER 24, 2022 REVISED SEPTEMBER 28, 2022 REVISED JUNE 3, 2022 REVISED JANUARY 28, 2022 REVISED DECEMBER 17, 2021
SITE ADDRESS: 19 N. MOGER AVE, MOUNT KISCO, NY 10549	LOT AREA: 0.796 AC
TAX MAP #: 69.81-2-7 & 69.81-2-1	ZONING: CB-1
DRAWING: CROSS SECTION PLAN & IMPERVIOUS AREA PLAN JANUARY 28, 2022	
PROJECT: 19 N. MOGER AVE LLC VILLAGE OF MOUNT KISCO, WESTCHESTER COUNTY, NEW YORK	

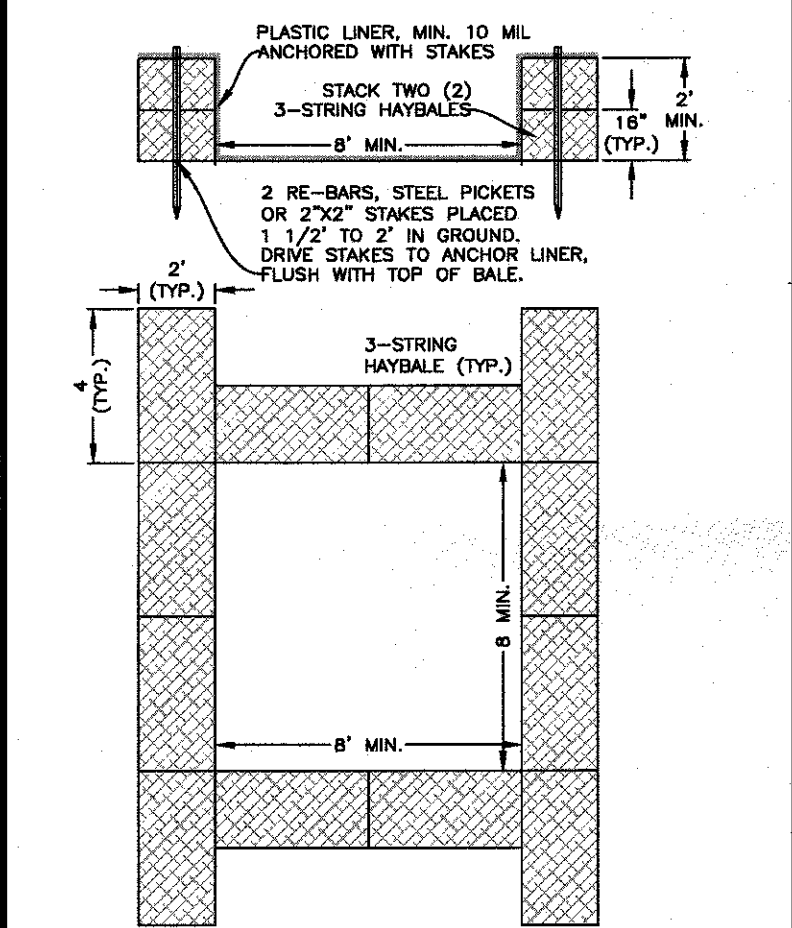


TO BE PROVIDED AT ALL POINTS OF EQUIPMENT INGRESS OR EGRESS ONTO PUBLIC RIGHTS-OF-WAY.

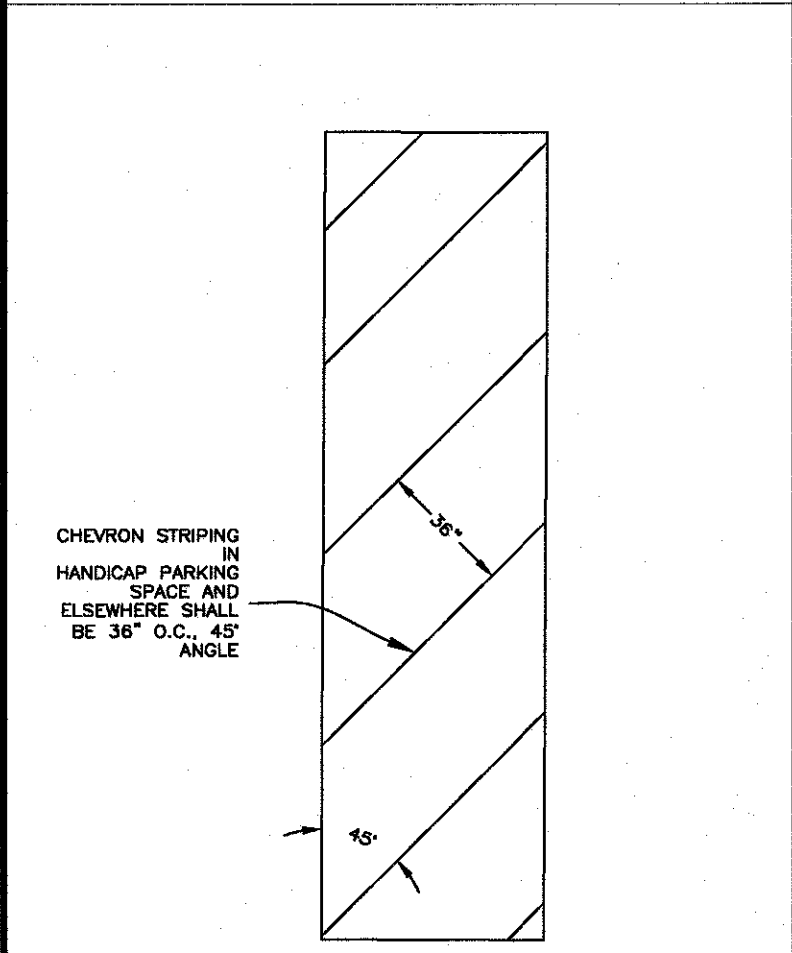
INSTALLATION NOTES

1. STONE SIZE - USE 3" STONE, OR RECLAIMED OR RECYCLED CONCRETE EQUIVALENT
2. LENGTH - AS REQUIRED, BUT NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY)
3. THICKNESS - NOT LESS THAN SIX (6) INCHES.
4. WIDTH - 25 FEET MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS IS REQUIRED
5. FILTER CLOTH - WILL BE PLACED OVER THE ENTIRE AREA PRIOR TO PLACING OF STONE. FILTER CLOTH WILL NOT BE REQUIRED ON A SINGLE FAMILY RESIDENCE LOT.
6. SURFACE WATER - ALL SURFACE WATER FLOWING OR DIVERTED TOWARD CONSTRUCTION ENTRANCES SHALL BE PIPED ACROSS THE ENTRANCE. IF PIPING IS IMPRACTICAL, A MOUNTABLE BERM WITH 5:1 SLOPES WILL BE PERMITTED.
7. MAINTENANCE - THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION WHICH WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT OF WAY. THIS MAY REQUIRE PERIODIC TOP DRESSING WITH ADDITIONAL STONE AS CONDITIONS DEMAND AND REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT. ALL SEDIMENT SPILLED, DROPPED, WASHED OR TRACKED ONTO PUBLIC RIGHT OF WAY MUST BE REMOVED IMMEDIATELY.
8. WASHING - WHEELS SHALL BE CLEANED TO REMOVE SEDIMENT PRIOR TO ENTRANCE ONTO PUBLIC RIGHT OF WAY. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH STONE AND WHICH DRAINS INTO AN APPROVED SEDIMENT TRAPPING DEVICE.
9. PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

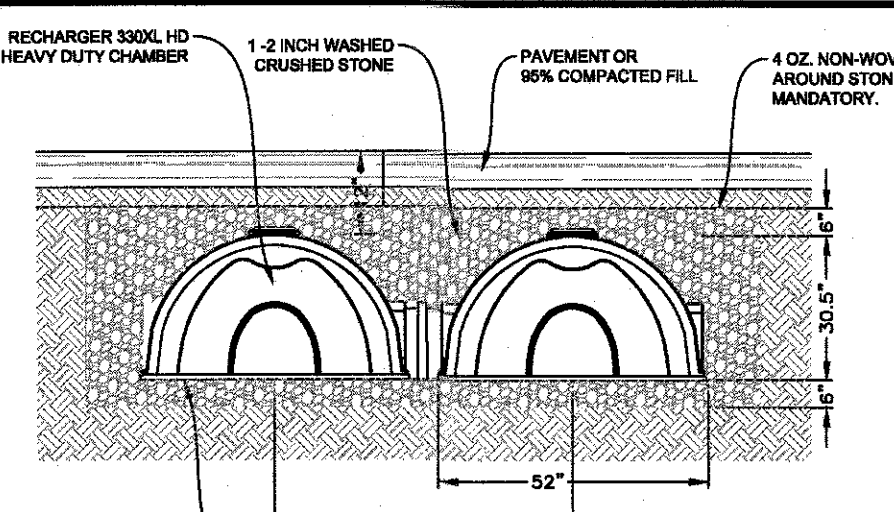
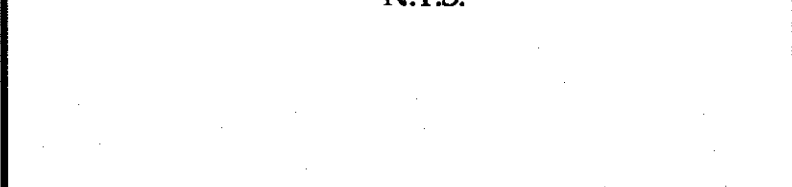
STABILIZED CONSTRUCTION ENTRANCE (ANTI-TRACKING PAD) N.T.S.



CONCRETE WASHOUT DETAIL N.T.S.

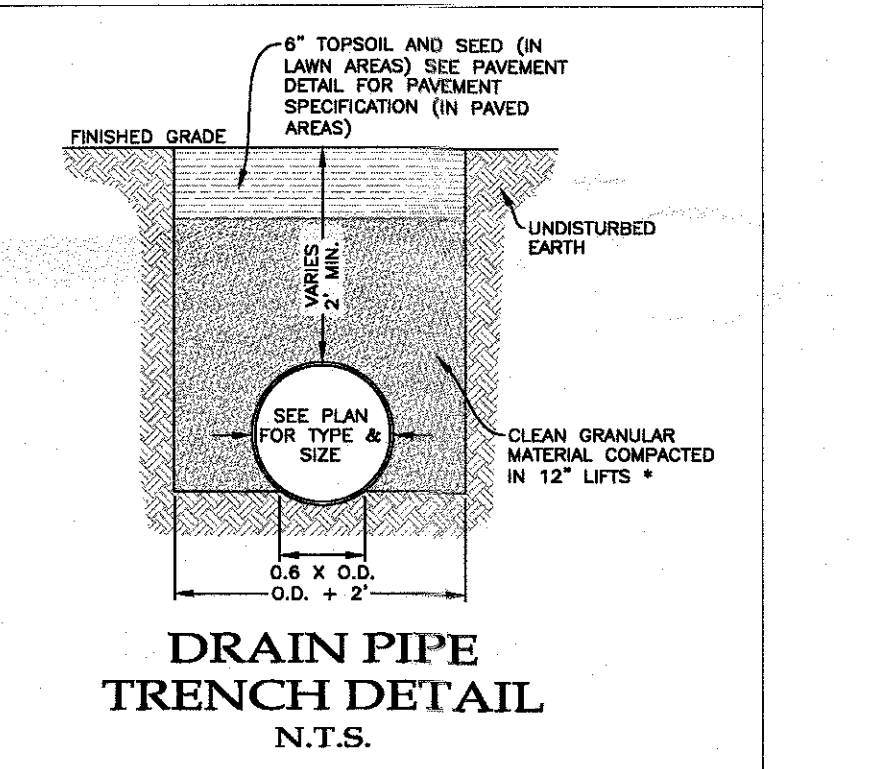
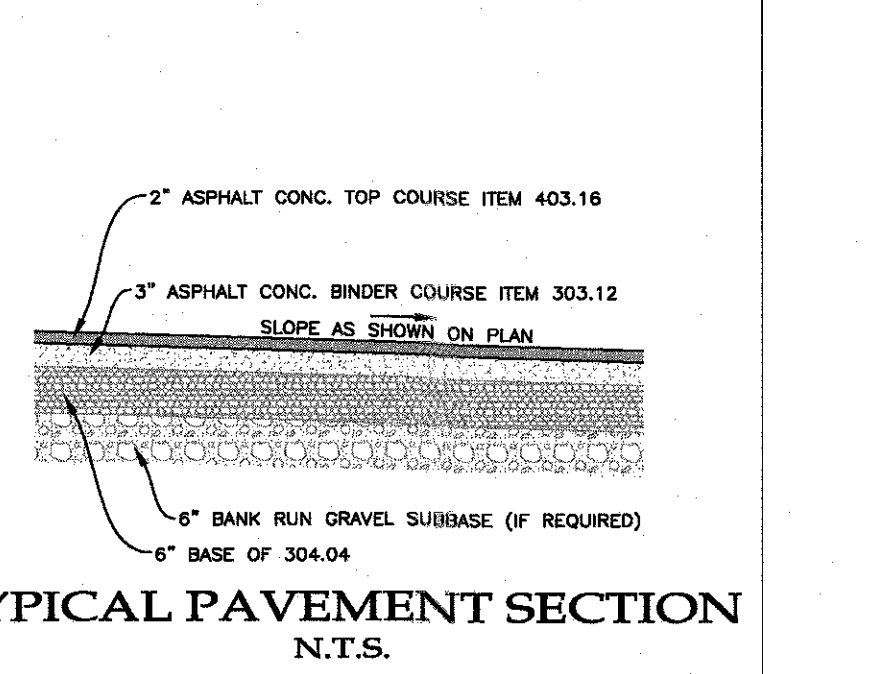


PAVEMENT MARKING DETAIL N.T.S.

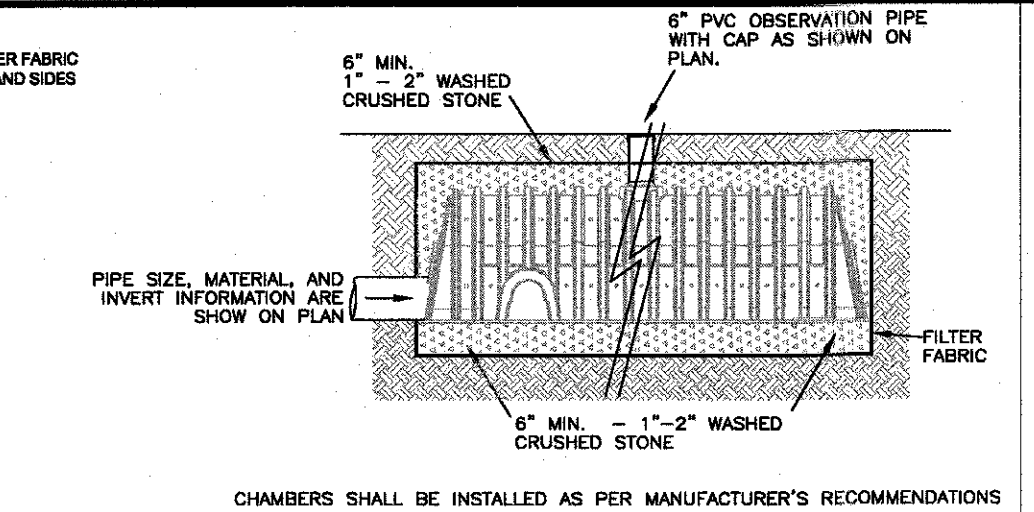
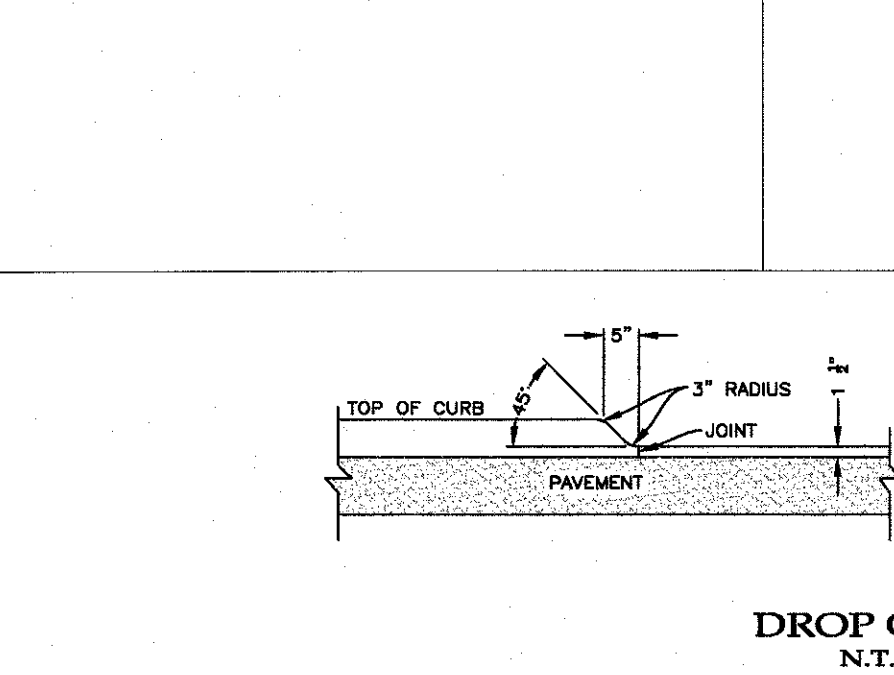
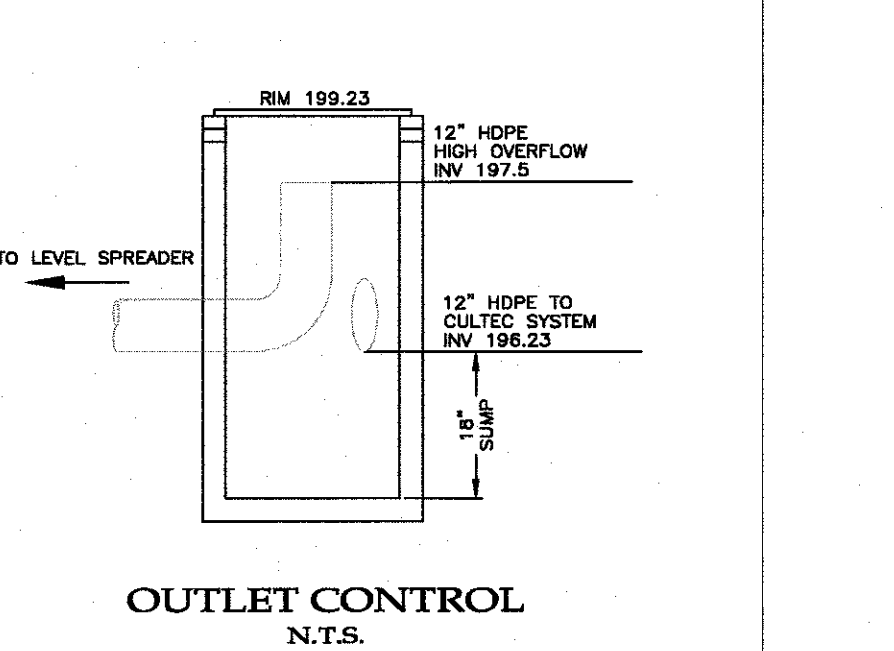


STORMWATER CHAMBER CROSS SECTION N.T.S.

STORMWATER CHAMBER INSTALLATION N.T.S.

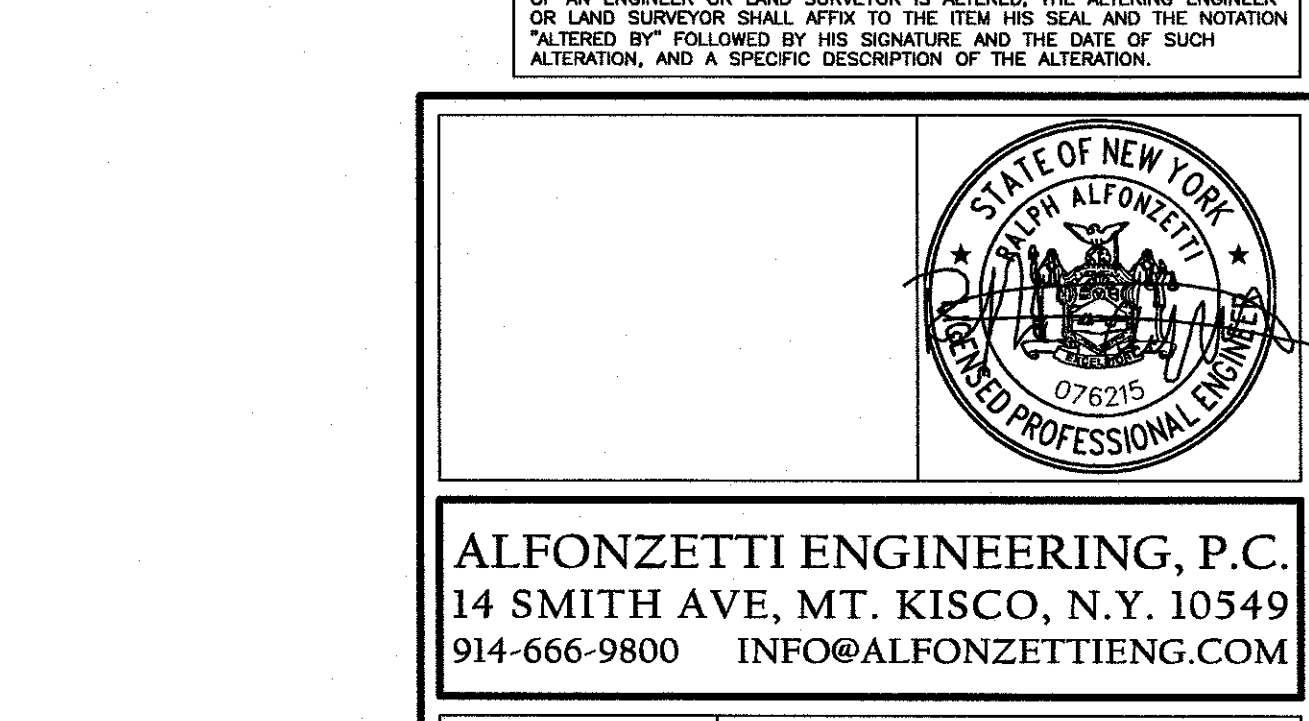
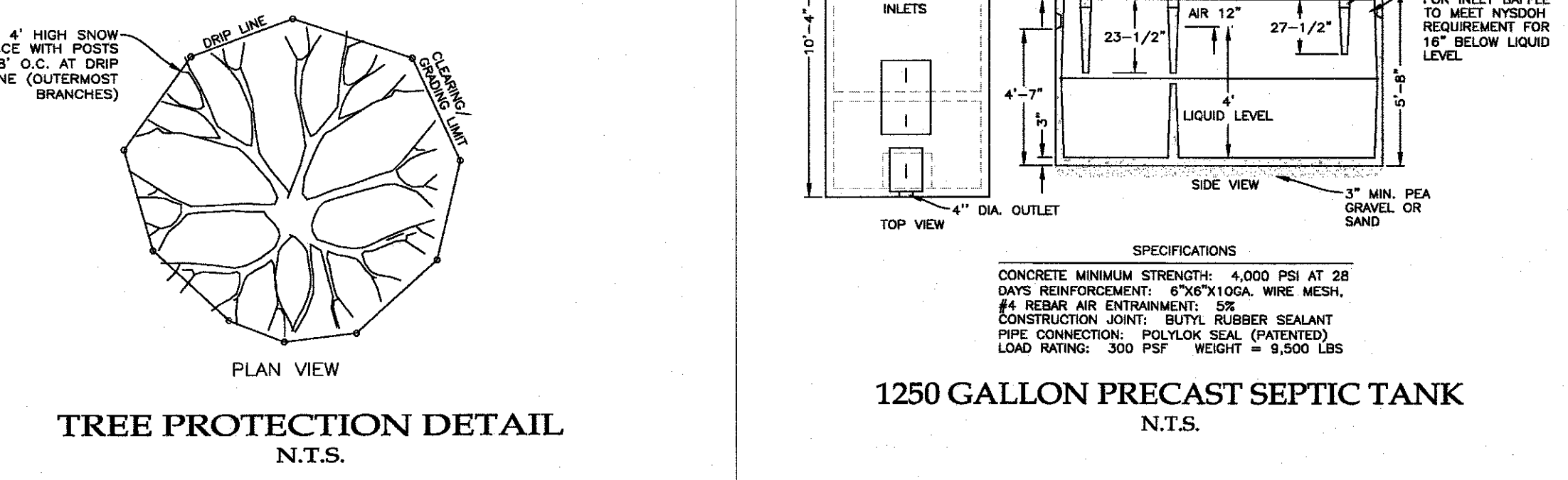
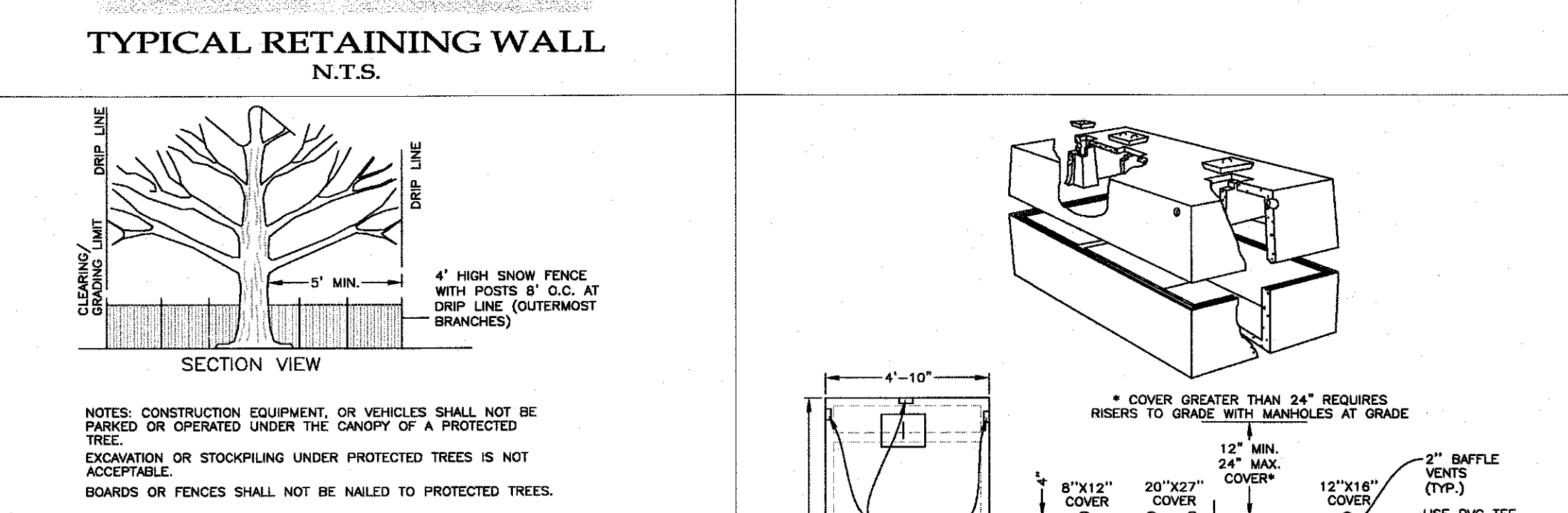
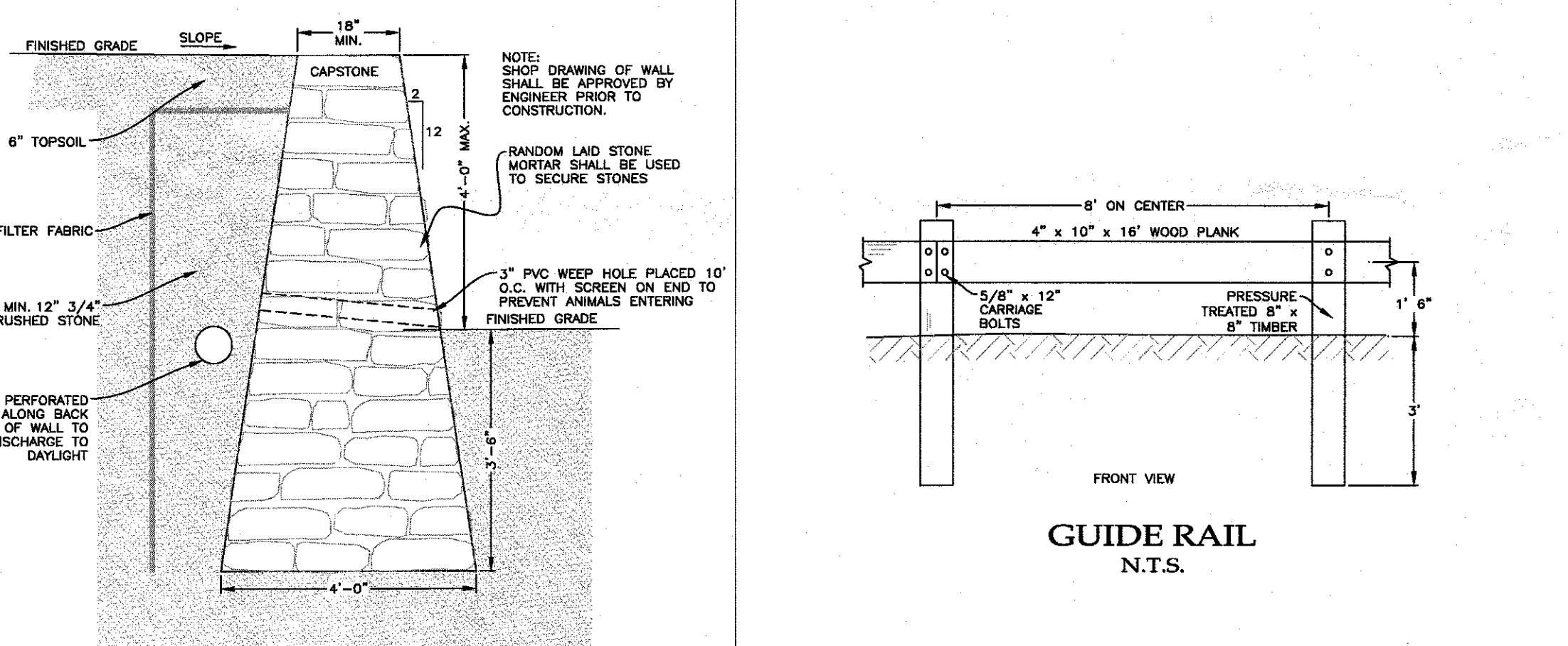
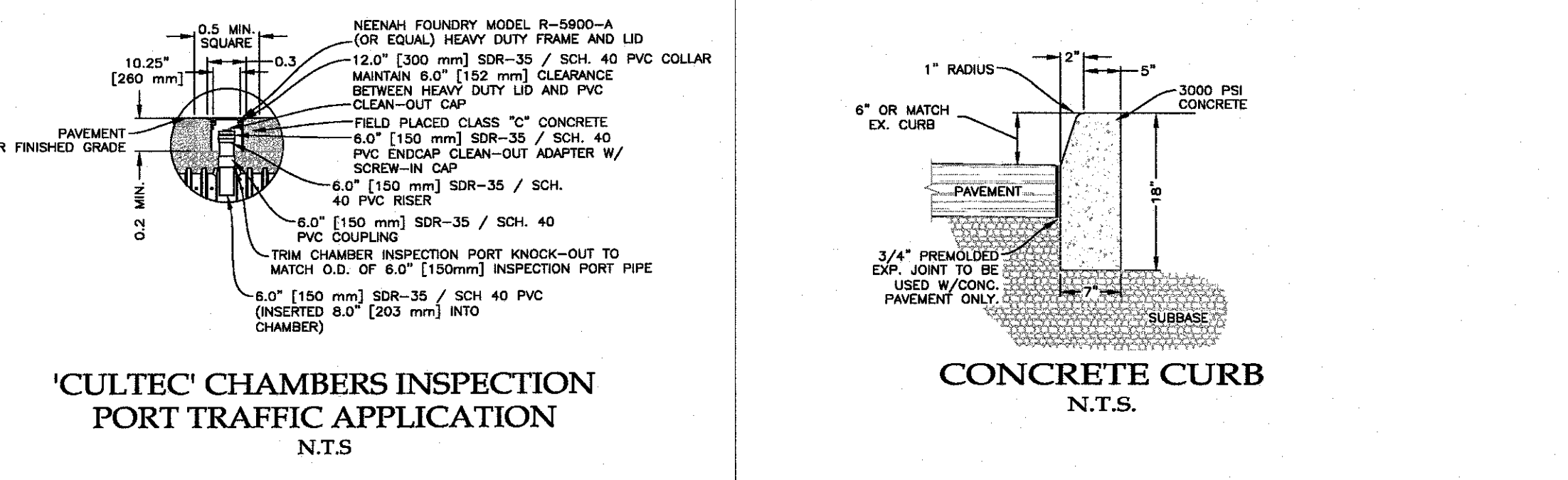
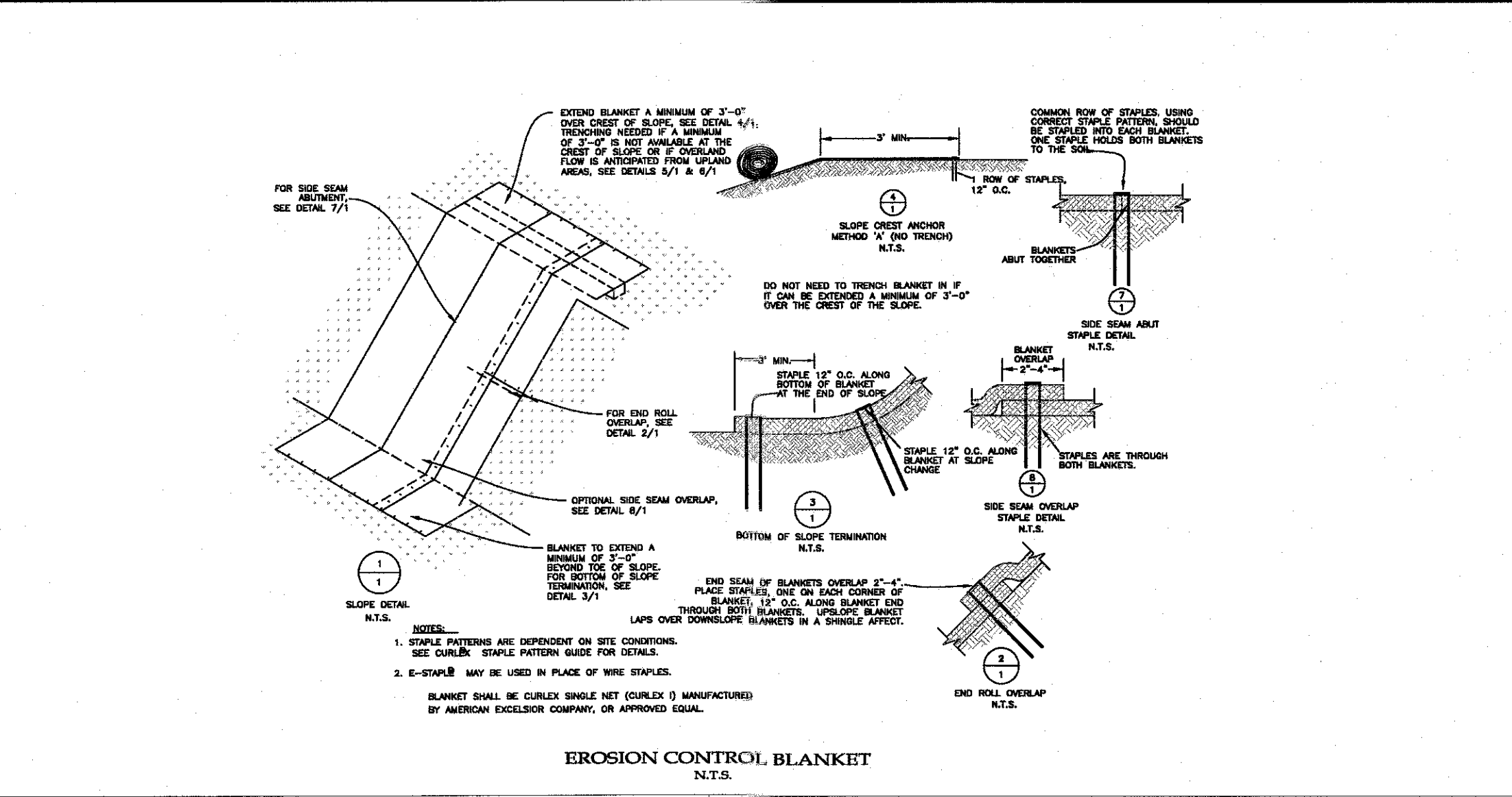
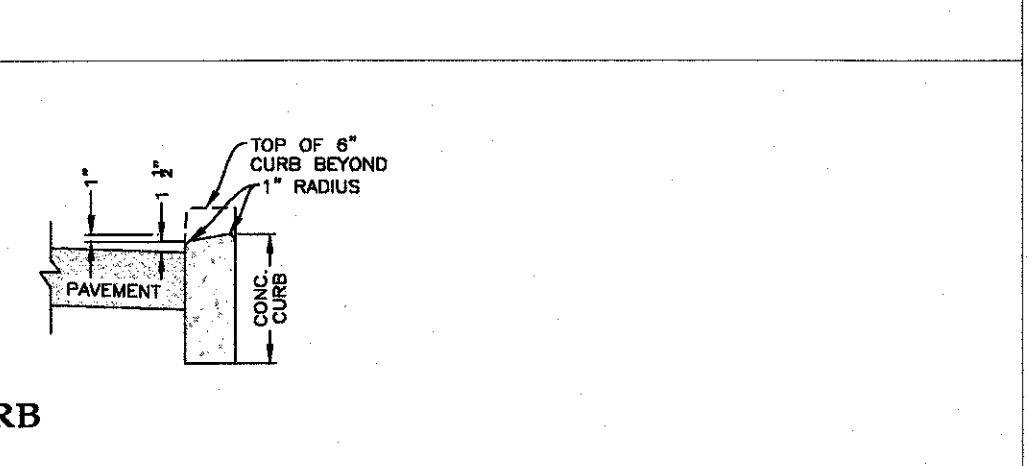


OUTLET CONTROL N.T.S.



STORMWATER CALCULATIONS

DESIGN STORM (100 YR.):	IN.	9.2
HYDROLOGIC SOIL TYPE:		B
PROPOSED CM:		98
REQUIRED STORAGE VOLUME CALCULATION:		
PR. RUNOFF DEPTH:	IN.	8.96
RUNOFF DEPTH:	IN.	8.96
RUNOFF VOLUME:	c.f.	4479.8
REQUIRED STORAGE VOLUME:	c.f.	4479.8
CHAMBER INFORMATION:		
LENGTH OF 1 CHAMBER:	FT.	8.5
WIDTH OF 1 CHAMBER:	FT.	4.33
HEIGHT OF CHAMBER:	FT.	2.54
WIDTH OF STONE SURROUNDING CHAMBER:	FT.	1
DEPTH OF STONE UNDER CHAMBER:	FT.	0.5
STONE VOID RATIO:		0.33
VOLUME PER CHAMBER (AS PER MANUFACTURER):	C.F./F.	7.46
TRENCH SIZE:		
TRENCH WIDTH:	FT.	6.33
TRENCH LENGTH (UNIT LENGTH):	FT.	1
TRENCH HEIGHT:	FT.	3.04
TRENCH VOLUME:	C.F./F.	19.24
STONE VOID VOLUME:	C.F.	3.89
PERCOLATION AREA:	S.F./F.	6.33
PERCOLATION RATE:	MIN./IN.	6.67
PERCOLATION HOLE DIAMETER:	IN.	10
WATER LEVEL DROP:	IN.	1
AVERAGE DEPTH OF WATER:	IN.	8.5
PERCOLATION HOLE BOTTOM AREA:	S.F.	0.55
PERCOLATION HOLE SIDE AREA:	S.F.	1.85
PERCOLATION HOLE TOTAL AREA:	S.F.	2.40
PERCOLATION VOLUME CHANGE:	C.F.	0.045
ADJUSTED PERCOLATION RATE:	C.F./S.F./DAY	4.09
PERCOLATION VOL. PER DAY:	C.F./DAY/F.	25.9
SOIL CLOGGING FACTOR:		25%
PERCOLATION WITH CLOGGING:	C.F./DAY/F.	19.4
TOTAL VOLUME OF CHAMBERS:	C.F./DAY/F.	30.8
REQUIRED LENGTH CHAMBERS:	L.F.	145.64
REQUIRED NUMBER OF CHAMBERS @ 7 L.F./CHAMBER:		20.81
PROPOSED NUMBER OF CHAMBERS:		21.00



Call 811

IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 7209(2), FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY. IF ANY ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

ALFONZETTI ENGINEERING, P.C.
14 SMITH AVE, MT. KISCO, N.Y. 10549
914-666-9800 INFO@ALFONZETTIENG.COM

STATE OF NEW YORK
ALFONZETTI
LICENSED PROFESSIONAL ENGINEER
07625

SITE DATA

OWNER/APPLICANT:
19 N. MOGER AVE LLC

SITE ADDRESS:
19 N. MOGER AVE,
MOUNT KISCO, NY 10549

TAX MAP #:
69.81-2-7 &
69.81-2-1

LOT AREA: 0.796 AC

ZONING: CB-1

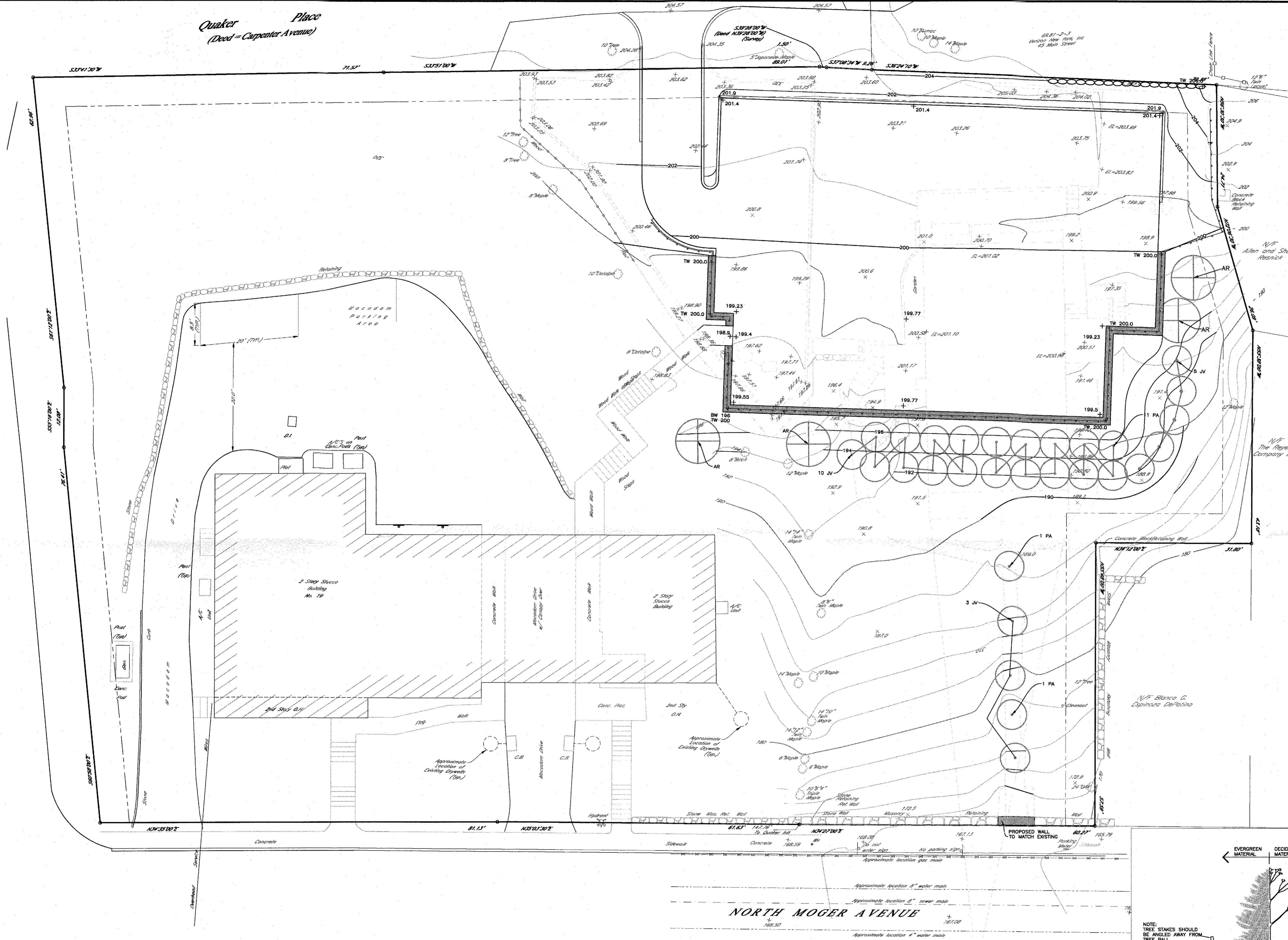
DRAWING: **SITE DETAILS**

SEPTEMBER 26, 2022

PROJECT: **19 N. MOGER AVE LLC**
VILLAGE OF MOUNT KISCO,
WESTCHESTER COUNTY, NEW YORK

SHEET 05 OF 05

Quaker Place
(Deed - Carpenter Avenue)



PLANT LIST

KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE
AR	4	ACER RUBRUM	NATIVE RED MAPLE	4" CAL. MIN.
JV	18	JUNIPERUS VIRGINIANA	EASTERN RED CEDAR	10'-12' HT
PA	13	PICEA GLAUCA	NATIVE WHITE SPRUCE	6'-7' HT

GENERAL NOTES:

LANDSCAPING DESIGN SHOWN HEREON PREPARED BY FRANK GIULIANO LANDSCAPE ARCHITECTS, 8 PINE TREE DRIVE, KATONAH, NY 10536

TREE PRESERVATION CHART

EXISTING TREE LOCATION	RATIO OF HEALTHY TREE REPLACEMENT	NUMBER OF TREES TO BE REMOVED	NUMBER OF PROPOSED REPLACEMENT TREES
LESS THAN 25% SLOPE	0:1	3	10
25%+ SLOPE	2:1	1	25
TOTAL NUMBER OF TREES		4	35

TREE NOTES:

PRIOR TO THE COMMENCEMENT OF ANY DEVELOPMENT ACTIVITY ON ANY PART OF A SITE, THE BUILDING INSPECTOR SHALL MEET WITH THE DEVELOPER AND HIS/HER CONSTRUCTION MANAGER TO ENSURE THAT:
1. THOSE TREES DESIGNATED TO BE PRESERVED ARE PHYSICALLY IDENTIFIED ON THE SITE SO AS TO BE EASILY RECOGNIZABLE AS TREES TO BE PROTECTED.
2. THE IDENTIFIED MEASURES TO PROTECT TREES BEFORE, DURING AND FOR A PERIOD OF TWO YEARS AFTER CONSTRUCTION ARE IMPLEMENTED.

PLANTING SPECIFICATIONS:

GENERAL: ALL PLANTS, TREES AND SHRUBS, SHALL MEET THE SPECIFICATIONS FOR "PLANT MATERIAL" AS PER THE AMERICAN HORTICULTURAL SOCIETY. ALL PLANTS SHALL BE GUARANTEED FOR TWO FULL YEARS FROM THE TIME THE LANDSCAPING IS FORMALLY ACCEPTED BY THE OWNER AND THE VILLAGE OF MOUNT KISCO.

PLANTING: ALL PLANTS SHALL BE PLANTED IN PLANTING PITS TWO TIMES THE DIAMETER OF THE PLANT BALL OR CONTAINER, AND 12" DEEPER THAN THE PLANT BALL OR CONTAINER. THE PLANTS SHALL BE PLANTED AT THE SAME GRADE AS THEY WERE IN THE CONTAINER OR NURSERY. MODIFIED SOIL-BACKFILL FOR ALL PLANTING PITS SHALL BE AS FOLLOWS: TWO PARTS NATIVE SOIL, ONE PART SCREENED TOPSOIL AND ONE PART PEAT MOSS OR HUMUS. "ROOTS PLUS" SHALL BE ADDED TO ALL BACKFILL, AS PER LABEL. DIRECTIONS. ALL PLANTINGS IN DETENTION PONDS AND RAIN GARDENS SHALL BE IMPLEMENTED "BY HAND".

MULCHING: ALL PLANTING BEDS, INCLUDING ENTIRE AREA OF RAIN GARDENS SHALL BE MULCHED WITH FOUR (4) INCHES OF SHREDDED CEDAR BARK. ALL TREES SHALL BE MULCHED WITH THREE (3) INCHES OF SHREDDED BARK IN A FOUR (4) FOOT DIAMETER CIRCLE AROUND EACH PROPOSED TREE. NO MULCH SHALL BE INSTALLED IN DETENTION PONDS.

WATERING: THE CONTRACTOR SHALL WATER ALL PLANTED MATERIAL UNTIL FORMAL ACCEPTANCE OF THE LANDSCAPING FROM THE OWNER AND THE VILLAGE OF MOUNT KISCO.

SEEDING LAWN AREAS: ALL DISTURBED AREAS SHALL BE SEED AS FOLLOWS: ALL AREAS TO BE SEED SHALL HAVE A MINIMUM OF FOUR (4) INCHES OF TOPSOIL AS A BASE. SEED BED SHALL BE FINE GRADED, WITH ALL STONES AND DEBRIS OVER 1" IN DIAMETER REMOVED. SEED SHALL BE SPREAD AT THE RATE OF 10 POUNDS PER 1000 SQUARE FEET. ENTIRE AREA SHALL BE COVERED WITH "PENNY-MULCH" AT THE RATE OF ONE BAG PER 700 S.F., AND INSTALLED AS PER MANUFACTURER'S SPECIFICATIONS. AN ORGANIC STARTER FERTILIZER SHALL BE SPREAD PRIOR TO SEED MIX. SEED MIX SHALL BE "NORTHEAST" MIX BY PENNINGTON SEED COMPANY OR EQUAL.



IT IS A VIOLATION OF THE NEW YORK STATE EDUCATION LAW, ARTICLE 145, SECTION 2208(2), FOR ANY PERSON, UNLESS HE IS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER OR LAND SURVEYOR, TO ALTER ANY ITEM ON THIS PLAN IN ANY WAY. IF ANY ITEM BEARING THE SEAL OF AN ENGINEER OR LAND SURVEYOR IS ALTERED, THE ALTERING ENGINEER OR LAND SURVEYOR SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION."

SCALE: 1" = 10'

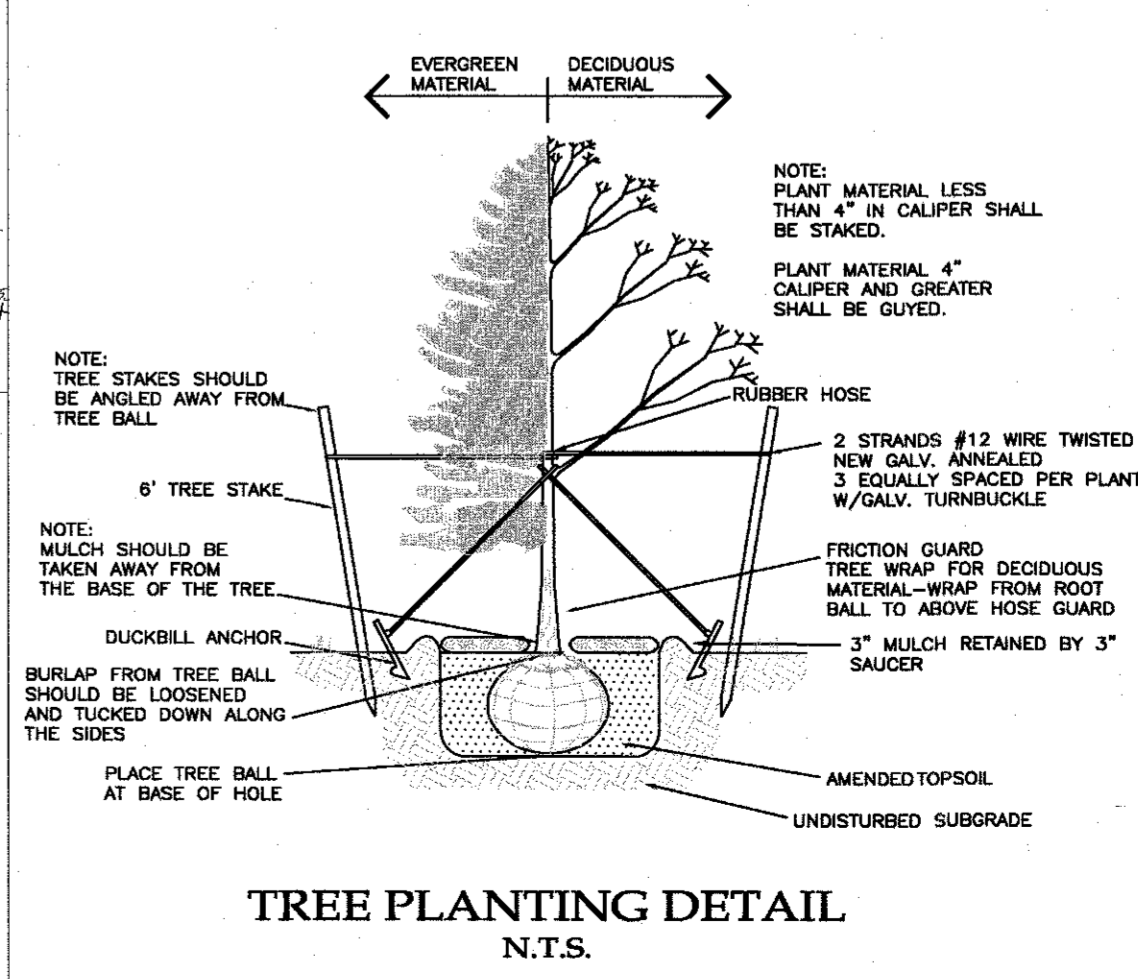
ALFONZETTI ENGINEERING, P.C.
14 SMITH AVE, MT. KISCO, N.Y. 10549
914-666-9800 INFO@ALFONZETTIENG.COM

SITE DATA

OWNER/APPLICANT:	19 N. MOGER AVE LLC
SITE ADDRESS:	19 N. MOGER AVE, MOUNT KISCO, NY 10549
TAX MAP #:	68.81-2-7 & 68.81-2-1
LOT AREA:	0.796 AC
ZONING:	CB-1
REVISIONS:	REVISED SEPTEMBER 28, 2022 REVISED JUNE 3, 2022 REVISED JANUARY 28, 2022

PLANTING PLAN
DECEMBER 17, 2021

PROJECT: 19 N. MOGER AVE LLC
VILLAGE OF MOUNT KISCO,
WESTCHESTER COUNTY, NEW YORK



March 15, 2023

Sent Via Email

Village/Town of Mount Kisco
Planning Board
104 Main St.
Mount Kisco, NY 10549

Village/Town of Mount Kisco
Planning Board

MAR 17 2023

RECEIVED

**Re: 215 Lexington Avenue
Parcel Id# 80.32-4-6
Site Plan Approval Extension**

Dear Ms. Pickard and Messrs. Polese and McGuirk:

As you know, this firm represents the Bagnato 205 Lexington Ave Corp. (“Applicant”), owner of the property located at 215 Lexington Avenue, Mount Kisco, New York (“Property”). On September 14, 2021, your Board granted the Applicant amended site plan approval. After expiration of the 2021 approval, your Board re-approved the site plan application on June 14, 2022¹.

Pursuant to the Planning Board’s resolution of approval, Conditions #1 - #7 had to be satisfied within six months of the date the resolution was filed with the Clerk. In this case, the Planning Board resolution was filed with the Village Clerk on October 5, 2022. And, therefore, is set to expire on or about April 5, 2023. The Applicant and its consultants have been diligently working to satisfy Conditions #1- #7, however, several of those conditions require approval by outside agencies. Specifically, the Applicant had to obtain approvals from both the New York City Department of Environmental Protection (“DEP”) and the Westchester County Department of Public Works (DPW”).

The Applicant recently received its approval from DEP. Unfortunately, we are still awaiting approval from the DPW. Accordingly, in order to avoid expiration of its approval while we continue to work with DPW, the Applicant respectfully requests a six-month extension. Please place this matter on your next available agenda for review and the grating of the requested extension.

¹ Please note that the June 14, 2022 site plan approval resolution was not signed by the Planning Board Chairman until October 5, 2022. The Site Plan Resolution of Approval was filed with the Town/Village Clerk on October 5, 2022.

If you have any questions or concerns, please don't hesitate to contact me.

Very truly yours,

Kory Salomone

Kory Salomone

Cc: Client
Whitney Singleton, Esq.
Jan K. Johannessen, AICP
Ralph Alfonzetti, P.E.

MARK F. FARRELL

Attorney at Law
84 Smith Avenue
Mount Kisco, New York 10549
Telephone: (914) 666-4000 Email: farrellesq@gmail.com

Village/Town of Mount Kisco
Planning Board

MAR 23 2023

RECEIVED

Admitted New York

March 20, 2023

Ms. Michelle Russo
Planning Board Secretary
Village/Town of Mount Kisco
104 Main Street
Mount Kisco, New York 10549

Re: Oakwood Cemetery
Application PB2329-0380/Resolution dated September 24, 2019

Dear Ms. Russo:

The Planning Board has generously granted extensions of Oakwood Cemetery's site plan approval for construction of an office and utility building. Oakwood is requesting further extension of six (6) months to gain final approval of its project from the New York State Cemetery Board.

The COVID 19 pandemic caused major disruptions throughout the State of New York, in both government and business, the effects of which continue. Price fluctuations and material shortages have also proved challenging. However, Oakwood is confident it can and will bring the project to fruition.

On behalf of Oakwood Cemetery, I thank you for your attention to this request.

Yours very truly,



MARK F. FARRELL

MFF:me

LAW OFFICES OF
SNYDER & SNYDER, LLP

94 WHITE PLAINS ROAD
TARRYTOWN, NEW YORK 10591

(914) 333-0700

FAX (914) 333-0743

WRITER'S E-MAIL ADDRESS

lsnyder@snyderlaw.net

NEW YORK OFFICE
445 PARK AVENUE, 9TH FLOOR
NEW YORK, NEW YORK 10022
(212) 749-1448
FAX (212) 932-2693

LESLIE J. SNYDER
ROBERT D. GAUDIOSO
DOUGLAS W. WARDEN
JORDAN M. FRY

DAVID L. SNYDER
(1956-2012)

NEW JERSEY OFFICE
ONE GATEWAY CENTER, SUITE 2600
NEWARK, NEW JERSEY 07102
(973) 824-9772
FAX (973) 824-9774

REPLY TO:

Tarrytown Office

March 20, 2023

Planning Board
Village/Town of Mount Kisco
104 Main Street
Mount Kisco, New York 10549

Village/Town of Mount Kisco
Planning Board

MAR 22 2023

RECEIVED

RE: NY-Mt. Kisco VZ-CO (SC)-Extension Request
New York SMSA Limited Partnership d/b/a Verizon Wireless'
Public Utility Personal Wireless Service Facility at the property known as
45 East Main Street, Mount Kisco, New York

Dear Members of the Planning Board:

We are the attorneys for New York SMSA Limited Partnership d/b/a Verizon Wireless ("Verizon Wireless") in connection with its personal wireless service facility ("Facility") on the existing communication building located at 45 East Main Street, Mount Kisco, New York. As you recall, the Planning Board granted special permit and site plan approval for the Facility on October 12, 2021.

The Resolution appears to provide that construction of the Facility shall commence within six (6) months of the date of the Resolution and all remaining conditions contained therein shall be satisfied within one (1) year of commencement of construction. As indicated in the attached Verizon Wireless' letter to Inspector Miley, dated January 23, 2023, construction commenced within six (6) months. I have been informed that the Facility is substantially completed as of the date hereof. However, due to supply chain issues, the Facility is not completely done. Therefore, to the extent applicable, Verizon Wireless respectfully requests a one (1) year extension for full compliance with the plans.¹

Kindly place this extension request on your next agenda. If you have any questions, please do not hesitate to call me at (914) 333-0700.

Respectfully submitted,


Leslie J. Snyder

cc: Peter Miley, Inspector
Verizon Wireless

¹ Please note that New York State case law suggests that the one year limitation for completion is only permissible if a community's zoning law sets forth the imposition of such durational limitation. The Zoning Code of Mount Kisco does not set forth the one year limitation for completion of the Facility here, and therefore it is respectfully submitted that the one (1) year limitation should be disregarded. See e.g. Dil-Hil Realty vs. Schultz, 53 AD2d 263. Although the Village Code provides for a durational limitation in Section 110-27.1G., that section only applies to a personal wireless facility in the PWSF (Personal Wireless Service Facility Overlay) district. Here, Facility is in the CB-1 (central business) district and not the PWSF so said section is not applicable.



Verizon Wireless
4 Centerock Rd
West Nyack, NY 10994
914-747-7000

January 23, 2023

Peter Miley, Building Inspector
Village/Town of Mount Kisco
104 Main Street
Mount Kisco, New York 10549

RE: NY-Mt. Kisco VZ-CO (SC) – Building Permit #20220157
New York SMSA Limited Partnership d/b/a Verizon Wireless (“ Verizon Wireless”)
Public Utility Personal Wireless Service Facility at the property known as
45 East Main Street, Mount Kisco, New York

Dear Inspector Miley:

As you recall, on April 12, 2022, Building Permit #20220157 was issued for Verizon Wireless’ public utility personal wireless service facility (“Facility”) on the building at 45 East Main Street. Upon receipt of said Building Permit, work commenced in connection with the Facility. Said work has consisted of working with the property owner to prepare the space within the building for Verizon Wireless’ utility connections and installing all necessary utility connections within the building up to the roof.

Due to supply chain issues, the project has taken longer than initially expected. Verizon Wireless is aware that the building permit is set to expire this coming April. Verizon Wireless is earnestly working with its team to complete the remaining work prior to that deadline. Once the work is completed, I will direct Ms. Snyder to reach out to you in connection with closing the permit.

Verizon Wireless looks forward to improving our wireless service in the community, including emergency wireless 911 service.

If you have any questions, please contact Leslie Snyder of Snyder & Snyder, LLP, the attorneys representing Verizon Wireless in connection with this matter, at 914-333-0700.

Sincerely yours,


Robert Czarniawski

Verizon Wireless Network Real Estate Specialist, NY Metro

MEMORANDUM

TO: Members of the Mount Kisco Planning Board

CC: Michelle Russo
Whitney Singleton, Esq.
Anthony Oliveri, P.E.
Peter Miley

FROM: Jan K. Johannessen, AICP 
Village Planner

DATE: March 9, 2023

RE: Site Plan (Formal) Approval
61 Smith Properties, LLC
61 Smith Avenue
Section 80.41, Block 1, Lot 7

PROJECT DESCRIPTION

The subject property is located at 61 Smith Avenue and within the OC (Cottage Office) Zoning District. The subject property is developed with a mixed-use building containing professional office space on the first and second floors and a 2-bedroom apartment on the third floor. The applicant is seeking Amended Site Plan Approval, as the existing condition is not consistent with the site plan of record, dated April 25, 1963.

SEQRA

The proposed action has been preliminarily identified as a Type II Action and is categorically exempt from the State Environmental Quality Review Act (SEQRA).

REQUIRED APPROVALS

1. Site Plan Approval is required from the Planning Board.
2. Per the Building Inspector, area variances are required from the Zoning Board of Appeals.

COMMENTS

1. This office defers review of the plan for parking and zoning compliance to the Building Inspector; the Building Inspector has identified that variances are required for drive aisle and parking space dimensions.
2. To assisting in softening the view of parking spaces, it is recommended that landscaping be incorporated between the parking space and the existing retaining wall to its east.
3. The plans should clarify whether the bollard lighting will be installed on top or at the base of the retaining wall; provide detail illustrating the bollard in relationship to the wall.
4. Existing floodlights should be identified to be removed (being replaced with building mounted downward lighting).

In order to expedite the review of subsequent submissions, the applicant should provide annotated responses to each of the comments outlined herein.

PLANS REVIEWED, PREPARED BY THE HELMES GROUP, LLP:

- Property Survey, Site Plans, Zoning Information & Reference Photographs (1.0), dated January 24, 2023
- Site Drainage Calculations & Proposed Modifications to Existing Drainage Structure (1.1), dated January 24, 2023
- Proposed Site Lighting & Landscape Plans (2.0), dated January 24, 2023
- Proposed Handicap Accessible Parking Area and Related Details (2.1), dated January 24, 2023
- Existing Floor Plans & Building Code Data (3), dated July 5, 2022
- Proposed Plans, Schedules, Details (4), dated July 5, 2022

DOCUMENTS REVIEWED:

- Letter, prepared by The Helmes Group, dated February 2, 2023

JKJ/dc

MEMO

To: Members of the Mount Kisco Planning Board

C: Edward W. Brancati, Village Manager
Peter Miley, Building Inspector
Whitney Singleton Village Attorney,
Jan K. Johannessen AICP, Village Planner

From: Anthony Oliveri, P.E.

Date: March 10, 2023

Re: 61 Smith Avenue
Village/Town of Mount Kisco

With regard to the above mentioned project, this office has reviewed the following plans and submittals:

- Plans entitled: “Code compliant Third Floor Apartment for Existing Building for: 61 Smith Properties, LLC”, prepared by The Helmes Group, last dated 1/24/23;

Our remaining comments are as follows:

1. It is noted that the existing drain inlet modification is shown to be on the rear property line, this work may require permission from the adjacent property owner.
2. It should be verified that the proposed H/C accessible space surface material is acceptable under NYS Building Code as ADA compliant.

We will be happy to continue our review once additional information is provided. Please feel free to contact me if you have any questions.

Thank you



LEONARD BRANDES
A R C H I T E C T

Date: March 8, 2023

Project: Planning Board
Village/Town of Mount Kisco
104 Main Street
Mt. Kisco, New York 10549

Project: One Family Residence with Office at Basement Level
77 Smith Avenue
Mt. Kisco, New York 10549
ID # 80.41-01-03

Subject: Request to Land Bank Approved Parking Lot Post Lights
Zoning District: OC

To the members of the Planning Board,

Thank you for taking the time to review this matter and thank you for your understanding.

The mixed use commercial and residential property located at 77 Smith Ave was recently purchased and refurbished to allow for a basement office on the premises.

It is in a commercial zone.

We understand that lighting in this zone is required for businesses to keep safe lighting in parking areas after dark.

The lighting proposed on the approved plan shows two (2) pole lights on either side of the parking lot. There is already a good amount of light at the property. In addition, there already exists several sconce lights on the side and rear of the building. Bollard lighting & additional sconces on the side is not required at this time.

This would add significant cost to the project and we feel that the lighting is excessive for the properties use, which is a 1 family plus basement office.

Currently, we are the owners and tenants in this building, we maintain it as our property management office. The hours we keep are from 8am-3pm M-F. We typically are out well before dark. The residents of the 1 family on the premises expressed discomfort with the excess lighting explaining that it was quite bright already with the current lighting.

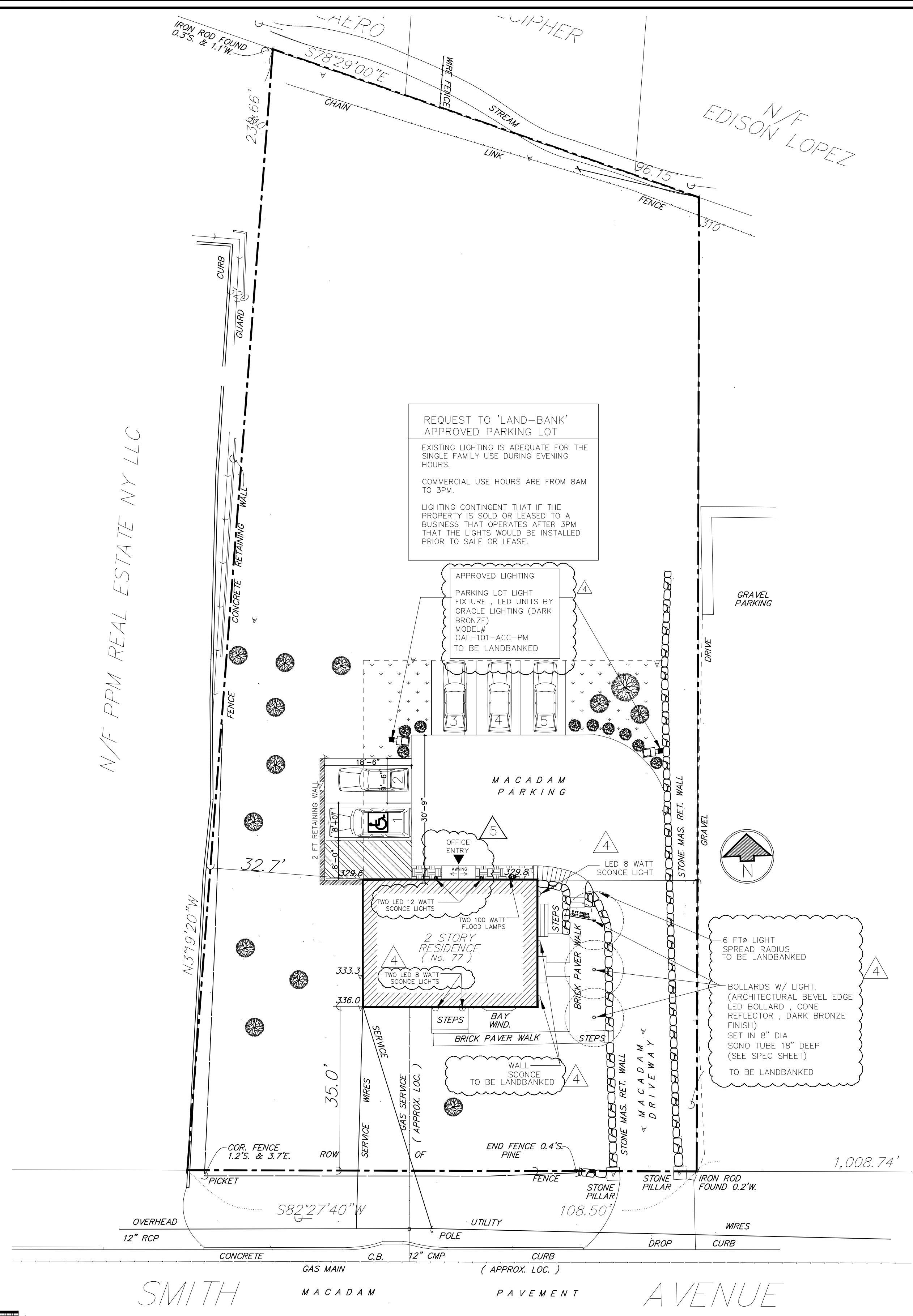
We are asking the planning board to approve the Land Banking of these two light poles, the 3 Bollard lights, 2 side sconces and Awning Downlights with the contingency that if the property is sold or leased to a business that operates after 3pm the lights will be put in before that sale or lease. We ask that this letter serve as the request in lieu of a Planning Board appearance, but, have no issue presenting to the Planning Board during a meeting if needed.

Again, thank you for considering this matter and we look forward to hearing your response.

Leonard Brandes, AIA

Leonard Brandes-Architectural Representative Agent for Lexington Properties d.b.a. PL Property Management Corp. and 77 Smith Ave Mount Kisco LLC.

Gus Levy, Owner, Lexington Properties d.b.a. PL Property Management Corp. and 77 Smith Ave Mount Kisco LLC.



PROPOSED LIGHTING PLAN @ PARKING
SCALE 1" = 15'-0"

- 1- PARKING LOT LIGHT FIXTURE , LED UNITS BY ORACLE LIGHTING (DARK BRONZE)
MODEL# OAL-101-ACC-PM (POLE MOUNT)
WATTAGE= 105W
CCT= (40K)(SEE SPEC. SHEET FOR MORE INFO)
- 2- 12.5 FT HIGH ROUND STRAIGHT ALUMINUM LIGHT POLE , 4" DIA & 0.125 THICKNESS (MODEL 8A4RS125. SEE SPEC SHEET.)
- 3- POLE , SET ON LIGHT POLE BASE
2'x2'x5' LIGHT CONC. POLE BASE BY NCRD
MODEL: LPB2424 (SEE DETAIL & SPEC SHEET FOR MORE INFO)
- 4- NOTE: SELECTED LIGHT POLE HAS DARK BRONZE FINISH
AND FIXTURES TO BE INSTALLED IN A PERMANENT DOWNWARD FACING POSITION.
LIGHTS TO BE ADJUSTED TO 3-4 FOOTCANDLES
- 5- PARKING LIGHTS TO OPERATE ON MOTION SENSOR AFTER 10 PM
- 6- THE POLE MOUNTED LIGHTS SHALL BE REDUCED TO 50% OF ITS NORMAL OPERATING ILLUMINANCE LEVEL AT 7 PM AND SHALL REMAIN AT THIS REDUCED ILLUMINANCE LEVEL UNTIL 4 AM. THE POLE MOUNTED LIGHTS AND THE BOLLARD LIGHTS SHALL BE ON MOTION SENSORS AND THE CANOPY LIGHTS LOCATED AT REAR OF THE BUILDING SHAPP BE TURNED OFF AT THE CLOSE OD BUSINESS
- 7- WITH THE EXCEPTION OF SECURITY LIGHTING, ALL EXTERIOR LIGHTING ON THE SUBJECT PROPERTY SHALL BE TURNED OFF AFTER BUSINESS HOURS



PROPOSED REAR ELEVATION
SCALE 1/4" = 1'-0"

Leonard H. Brandes · ARCHITECT

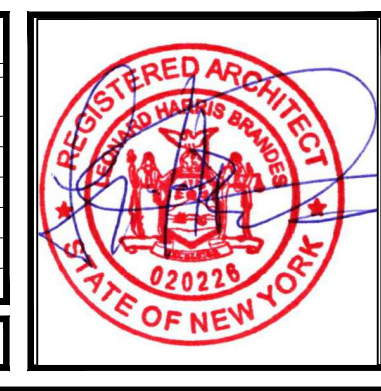
TWO SPENCER PLACE
SCARSDALE
914-472-8421

SUITE 12
NEW YORK 10583
NCARB Certified

Architecture
Planning & Design

REVISIONS		
No.	Date	Revisions
1	8-11-2022	PER COMMENTS
2	8-24-2022	PER COMMENTS
3	11-10-2022	FINAL PER BUILDING DEPT
4	11-17-2022	EXIST'G & LANDBANKED LIGHTING
5	3-8-23	EXIST'G & LANDBANKED LIGHTING

Drawn By: E.B



Project. REQUEST FOR LAND BANK LIGHTING
PROPOSED ALTERATIONS @
77 SMITH AVENUE
MOUNT KISCO , NEW YORK

Dwg. Title.
PROPOSED LIGHTING PLAN @ PARKING

Drawing No.
L-001
NOV 1, 2022

LEXINGTON PROPERTIES



February 2, 2023

Hand Delivered

& Via Email: mrusso@mountkisco.ny.gov

Michael Bonforte, Chair
Village/Town of Mt. Kisco Planning Board
104 Main Street
Mt. Kisco, NY 10549

Project: 61 Smith Avenue, Mount Kisco, NY (Owner: 61 Smith Properties LLC)
Existing Mixed-Use, 2-1/2 Story Wood-Frame Building containing Offices on
First & Second Floor Levels with 2-Bedroom Apartment on Third Floor Level

Subject: Follow-up Submission in connection with
Application for Amended Site Plan Approval (Site Plan – Formal)

Dear Chair Bonforte & Members of the Planning Board:

As a follow-up to our previous appearance before the Planning Board, attached please find six (6) hard copies of the following updated information:

- Drawing 1.0 Property Survey, Site Plans, Zoning Information & Reference Photographs (Last dated 1-24-23)
- Drawing 1.1 – Site Drainage Calculations & Proposed Modifications to Existing Drainage Structure (Last dated 1-24-23)
- Drawing 2.0 – Proposed Site Lighting & Landscape Plans (Last dated 1-24-23)
- Drawing 2.1 – Proposed Handicap Accessible Parking Area and Related Details (Last dated 1-24-23)
- Drawing 3 – Existing Floor Plans & Building Code Data (Last dated 7-5-22)
- Drawing 4 – Proposed Plans, Schedules, Details (Last dated 7-5-22)

A complete digital copy of this letter along with all the information listed above was also emailed to the Planning Board Office in PDF format to the attention of Ms. Michele Russo as noted on the cover page of this letter.

As requested by the Planning Board at our 7/12/22 meeting, the Owner and I met at the property on Tuesday 8/2/22 with the Village/Town Consultants. In attendance representing the Village/Town were Peter Miley - Building Inspector, Anthony Oliveri, PE – Engineer and Jan Johannessen, Planner. The purpose of this meeting was to determine a way to accommodate an Accessible Parking Space close to the main entrance of the building and to review the Existing Storm Drainage Conditions to determine if it is adequate for the current site conditions. (Reference is made to the attached Email dated 7/14/22 from Peter Helmes.) The following addresses each of these items:

Accessible Parking Space

It was determined that the best way to accommodate an Accessible Parking Space was to locate it near the front of the building in the side yard. It was also determined that the use of “GrassPave2” (a pervious ADA compliant reinforced grass surface suitable for parking) could be used to avoid adding impervious coverage to the property. (Reference is made to Drawing 2.1 for location, layout and details.)

Storm Drainage

After reviewing the existing Storm Drainage, the Village/Town Engineer recommended that we improve the outflow at the rear of the property to provide a direct connection to the existing drainage Inlet and to provide a clean-out for maintenance. This direct connection will prevent stormwater from over-shooting the drainage inlet in a heavy storm event. (Reference is made to Drawing 1.0 for Site Drainage Plan and to Drawing 1.1 for Storm Drainage Analysis and Details)

In addition, the Village/Town Engineer requested that a NYS Licensed Civil Engineer review the existing site conditions and provide an analysis with calculations to determine the maximum storm event that the existing storm drainage system could handle. A review and analysis was completed by Bibbo Associates, Consulting Engineers. As a result of their analysis, it has been determined that the existing storm drainage system can handle a 50-year storm event which we are advised is sufficient for this property. (Reference is made to Drawing 1.1 which contains both the Letter from Bibbo Associates along with their Analysis / Findings.)

If possible, we would like to be placed on the Agenda for the March 14, 2023 Planning Board Meeting, which I understand begins at 7:30 p.m. If for some reason we cannot get onto the Agenda for the 3/14/23 meeting, kindly advise.

If you have any questions or require any additional information, please do not hesitate to contact me.

Respectfully submitted,

THE HELMES GROUP, LLP



Peter J. Helmes, AIA
Architect

PJH:LAS

cc: Barbara Banks-Schwam, Member - 61 Smith Properties, LLC
Michelle Russo, Planning Board Secretary

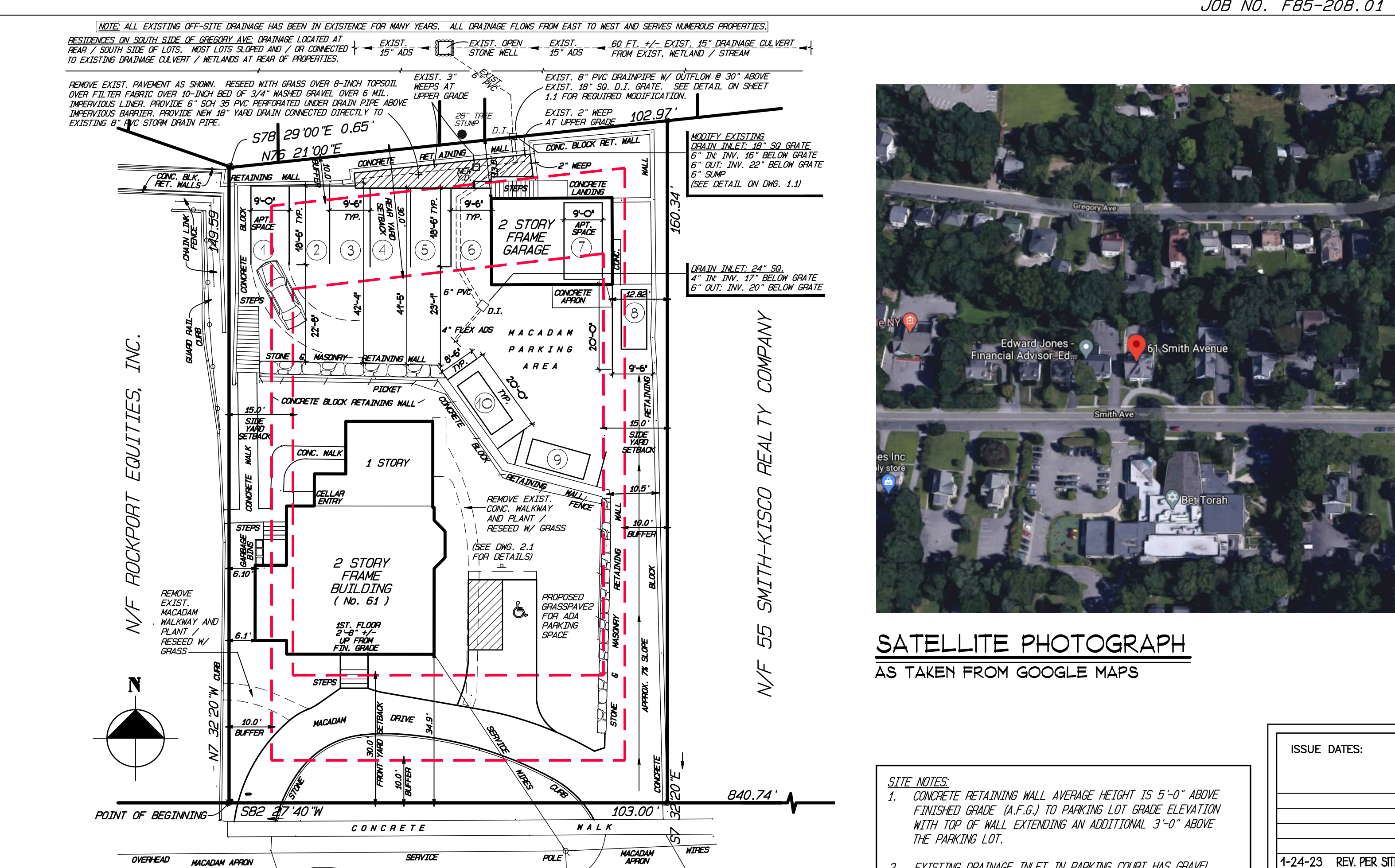
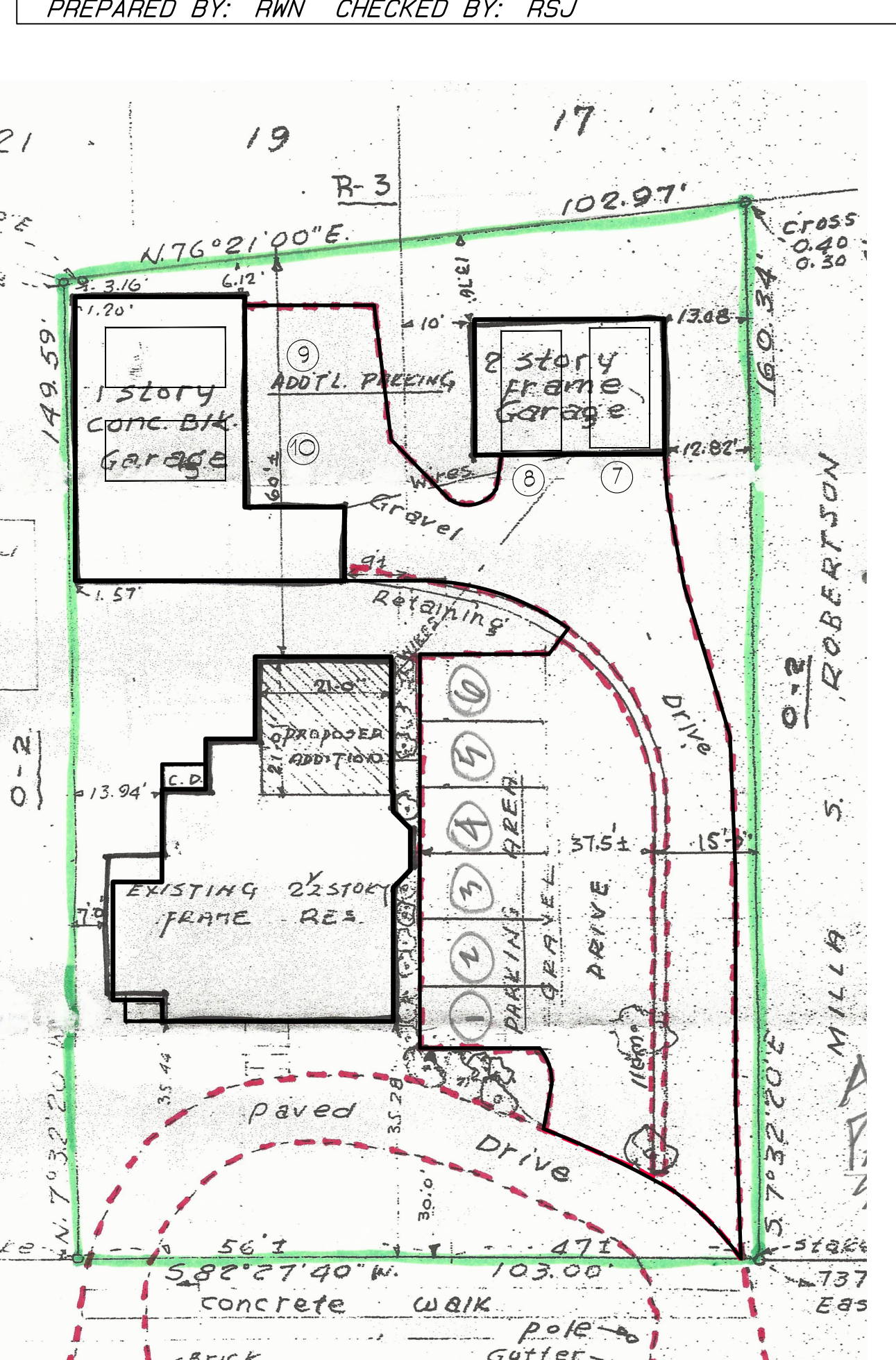
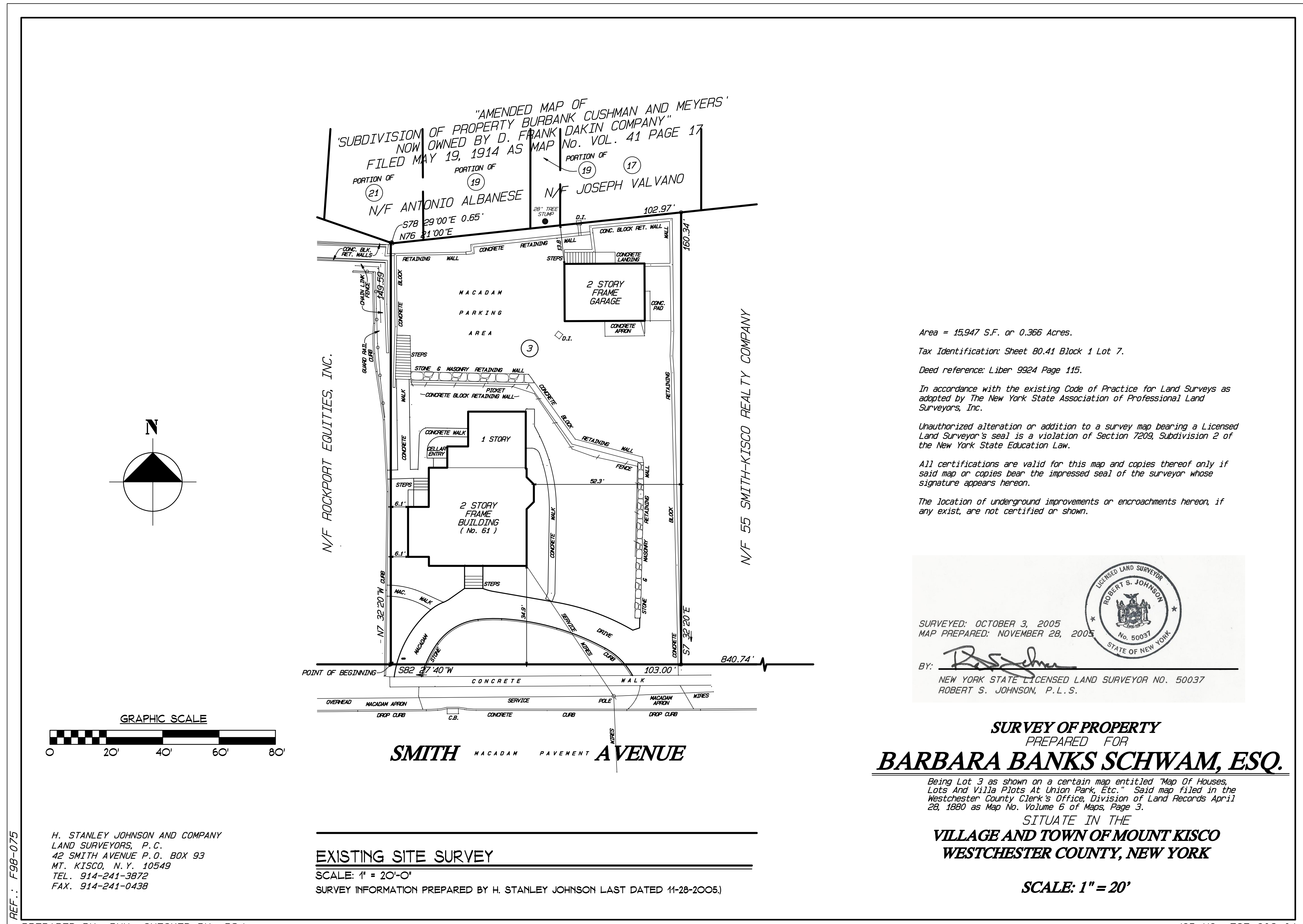
Enclosures

- Updated Drawings as listed at the beginning of this letter
- Email dated 7/14/22 from Peter Helmes

FR – Planning Board



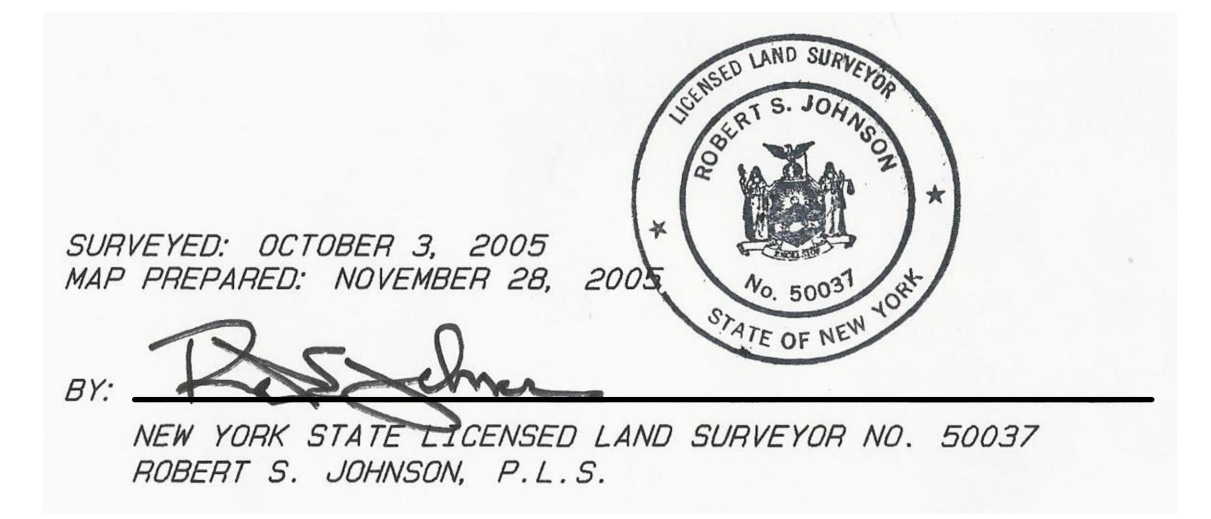
REFERENCE PHOTOGRAPHS
SCALE: NOT TO SCALE



- SITE NOTES:**
- CONCRETE RETAINING WALL AVERAGE HEIGHT IS 5'-0" ABOVE FINISHED GRADE (A.F.G.) TO PARKING LOT GRADE. ELEVATION WITH TOP OF WALL EXTENDING AN ADDITIONAL 3'-0" ABOVE THE PARKING LOT.
 - EXISTING DRAINAGE INLET IN PARKING COURT HAS GRAVEL BOTTOM AT APPROXIMATELY 16" BELOW FINISHED GRADE. OWNER TO CLEAN BASIN / SUMP TO 6" BELOW LOWEST PIPE INVERT AND COVER WITH 2" LAYER OF 3/4" WASHED GRAVEL.

VILLAGE OF MOUNT KISCO, NEW YORK
Table of Dimensional Requirements
SHEET 80.41, BLOCK 1 LOT 7
ZONING DISTRICT OC (Cottage Office District)

	Required	Previous Approved Site Plan (Approved 4/5/63)	Proposed
Minimum Net Lot Area	0.230 Acre 10,000 SF	0.366 Acre 15,947 SF	(No Change)
Maximum Building Coverage	35% 5,581 Sq. Ft.	23% 3,650 Sq. Ft.	15% 2,412 Sq. Ft.
Maximum Development Coverage	60% (9,568 Sq. Ft.)	61.27% (9,770 Sq. Ft.) (exist. non-conforming)	61.24% (9,766 Sq. Ft.) (9,766 Sq. Ft.) (Note: Current Conditions is 10,097 Sq. Ft. / 63.31% non-conforming)
Minimum Lot Width	50 FT	103 FT	(No Change)
Minimum Building Setbacks			
Front	30 FT	34.9 FT	(No Change)
Rear	30 FT	3.16 FT (to detached garage) (exist. non-conforming)	13.80 FT (to detached garage) (exist. non-conforming)
Side (West)	15 FT	1.57 FT (exist. non-conforming)	6.10 FT (exist. non-conforming)
Side (East)	15 FT	12.82 FT (to detached garage) (exist. non-conforming)	12.82 FT (to detached garage) (exist. non-conforming)
Maximum Height			
Stories or Feet	2-1/2 35 FT	2-1/2 30 FT	(No Change)
Required Buffer			
Front	10 FT	34.9 FT	(No Change)
Rear	10 FT	3.16 FT (to detached garage) (exist. non-conforming)	13.80 FT (to detached garage) (exist. non-conforming)
Side (West)	15 FT	1.57 FT (exist. non-conforming)	6.10 FT (exist. non-conforming)
Side (East)	15 FT	12.82 FT (to detached garage) (exist. non-conforming)	12.82 FT (to detached garage) (exist. non-conforming)



SURVEY OF PROPERTY PREPARED FOR BARBARA BANKS SCHWAM, ESQ.
Being Lot 3 as shown on a certain map entitled Map Of Houses, Lots And Villa Plots At Union Park, Etc., Said map filed in the Westchester County Clerk's Office, Division of Land Records April 28, 1880 as Map No. Volume 6 of Maps, Page 3.
SITUATE IN THE VILLAGE AND TOWN OF MOUNT KISCO WESTCHESTER COUNTY, NEW YORK
SCALE: 1" = 20'

MT. KISCO OFF-STREET PARKING REQUIREMENTS

Residential One-Family: 2 Spaces required
Non-Residential Professional Offices: 1 Space / 250 square feet

Floor Area Tabulation

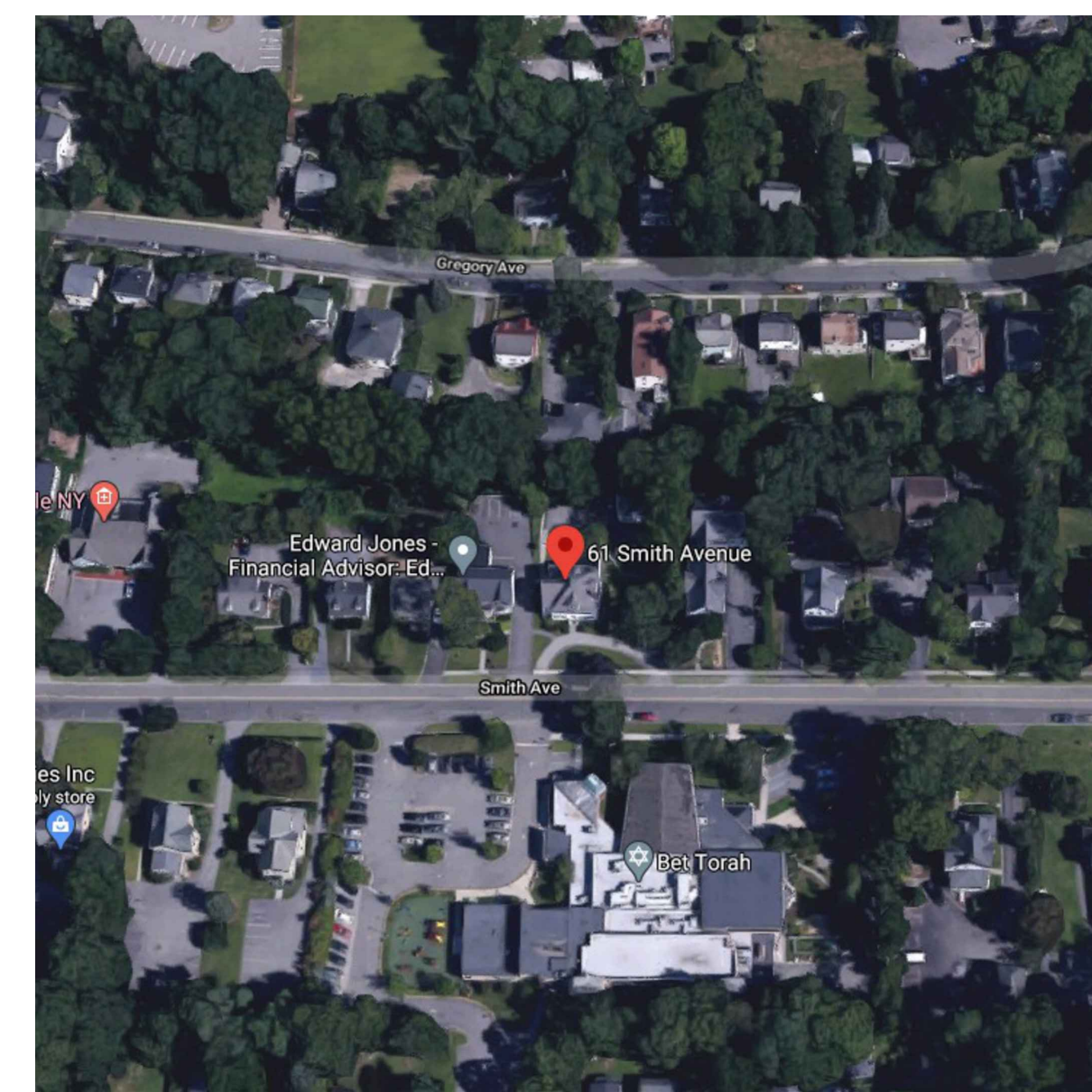
Basement Floor (Unused Vacant Space):	1,363 gross square feet
First Floor Professional Office Space:	1,778 gross square feet
Second Floor Professional Office Space:	1,293 gross square feet
Third Floor Residential 2-Bedroom Apt:	936 gross square feet
Total Building Floor Area:	5,370 gross square feet

Off-Street Parking Calculations:

Total Professional Office Space: 3,071 s.f. / 250 = 12 spaces
Total Residential 2-Bedroom Apt: 936 s.f. = 2 spaces
Total Off-Street Parking Spaces Required = 14 spaces
(4 space deficiency as per 4/25/63 Planning Board Approval / Resolution of Site Plan Approval.)

Existing Off-Street Parking Spaces Provided = 10 spaces*
Proposed Off-Street Parking Spaces Previously Approved = 10 spaces

*Pre-approved Site Plan only required 10 Spaces. Required aisle width is 24-feet yet 19-feet was approved. The Proposed Site Plan provides 22'-8" aisle width at the tightest point which is a significant improvement from the 19-feet previously approved. Also, the 22'-8" aisle is functional due to the limited number of parking spaces involved. See turning radii for SUV on proposed site plan on this drawing.



ISSUE DATES:

CODE COMPLIANT THIRD FLOOR APARTMENT FOR EXISTING BUILDING FOR: **61 SMITH PROPERTIES LLC.**

61 SMITH AVENUE MT. KISCO, NY.

PROPERTY SURVEY, SITE PLANS, ZONING INFORMATION & REFERENCE PHOTOGRAPHS
SCALE: AS INDICATED

DRAWN BY: NED
CHECKED BY: PJH
DRAWING NO.: **1.0**

THE HELMES GROUP, LLP
ARCHITECTURE + ENGINEERING
PROJECT MANAGEMENT
184 KATONAH AVENUE, KATONAH, NY 10536
TEL: (914) 232-4633 FAX: (914) 232-0768
EMAIL: thg@thelmesgroup.com

Via E-Mail

January 19, 2023

Mr. Peter Helmes AIA
The Helmes Group, LLP
184 Katonah Ave
Katonah, NY 10536-2112

Re: Site Plan - Drainage
61 Smith Properties, LLC
61 Smith Avenue
Mt. Kisco, NY

Dear Mr. Helmes:

At your request Bibbo Associates, LLP has analyzed the drainage tributary to a 6-inch diameter outlet pipe (which connects to an existing 8-inch outlet pipe) located through a wall at the rear of the property.

The tributary area was taken as the whole property from the street line to the rear wall. HydroCAD 2017 was utilized to check the flow of a 50-year storm (7.74" of rain) with the following input:

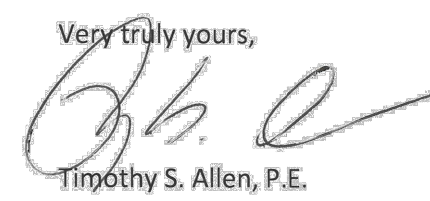
Area = 14,511 s.f.
Curve Number = 93
Time of Concentration = 9.4 min.

The analysis resulted in a flow of 1.9 c.f.s. passing through the 6-inch diameter pipe at approximately 95% depth of pipe (see analysis enclosed).

In conclusion the existing 6-inch diameter pipe is sufficient to pass the 50-year storm event.

This is adequately sized for this project.

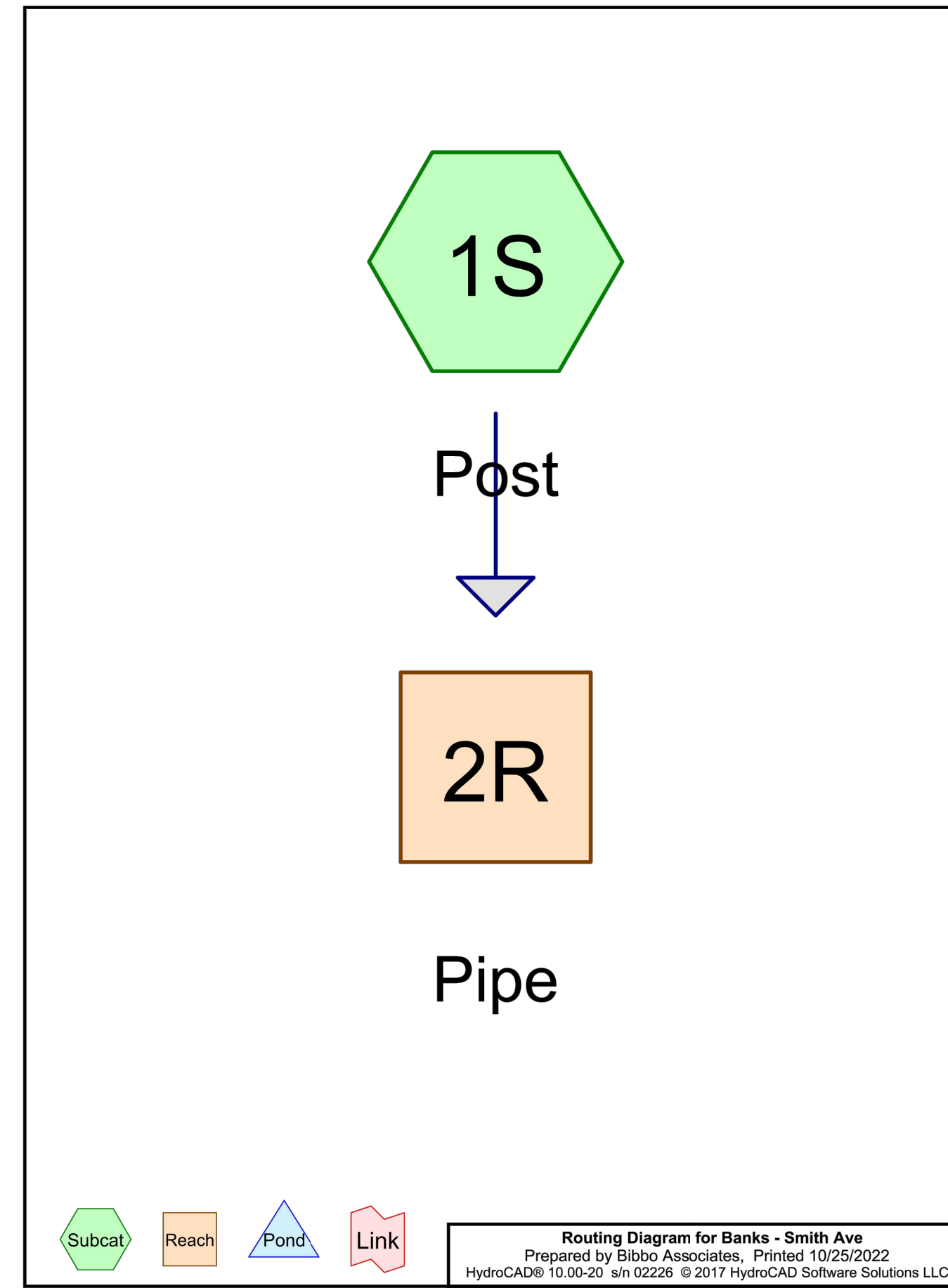
Please do not hesitate to call with any questions or require anything further.

Very truly yours,

Timothy S. Allen, P.E.

TSA/mme
Enclosure
cc: B. Banks-Schwam
File

Site Design • Environmental

Mill Pond Offices • 293 Route 100 • Suite 203 • Somers, New York 10589
Phone: 914.277.5805 • Fax: 914.277.8210
Website: www.bibboassociates.com • E-mail: bibbo@bibboassociates.com



Banks - Smith Ave rainfall 24-hr SOP 50-yr Rainfall=7.74"
Prepared by Bibbo Associates Printed 10/25/2022
HydroCAD® 10.00-20 s/n 02226 © 2017 HydroCAD Software Solutions LLC Page 2

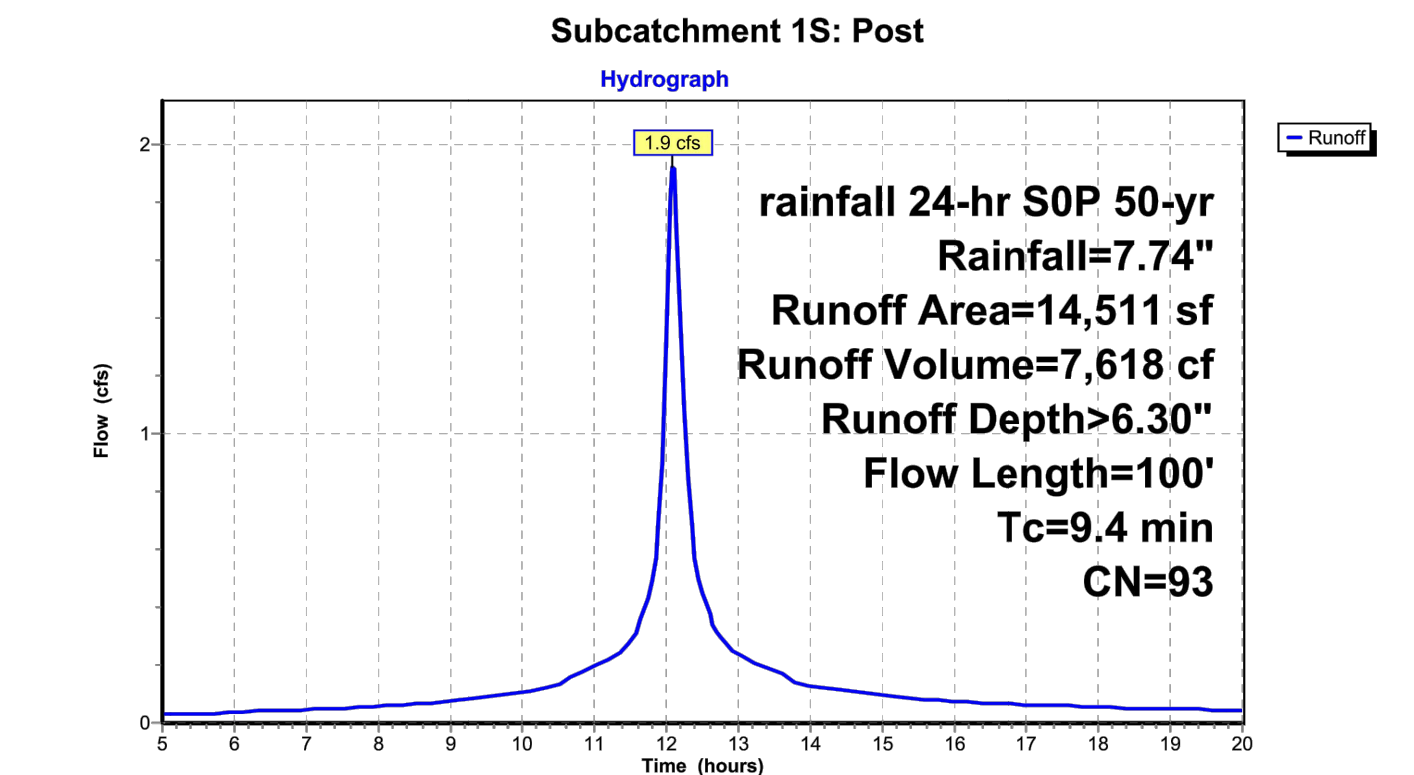
Summary for Subcatchment 1S: Post

Runoff = 1.9 cfs @ 12.09 hrs, Volume= 7,618 cf, Depth= 6.30"

Runoff by SCS TR-20 method, UH=SCS, Weighted-CN, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
rainfall 24-hr SOP 50-yr Rainfall=7.74"

Area (sf)	CN	Description
4,170	80	>75% Grass cover, Good, HSG D
10,341	98	Impervious
14,511	93	Weighted Average
4,170	28.74	% Pervious Area
10,341	71.26	% Impervious Area

Tc Length (min)	Slope (ft/ft)	Velocity (ft/sec)	Capacity (cfs)	Description
9.0	60	0.0083	0.11	Sheet Flow, Grass: Short n= 0.150 P2= 3.41"
0.4	40	0.0500	1.71	Sheet Flow, Smooth surfaces n= 0.011 P2= 3.41"
9.4	100	Total		



Banks - Smith Ave rainfall 24-hr SOP 50-yr Rainfall=7.74"
Prepared by Bibbo Associates Printed 10/25/2022
HydroCAD® 10.00-20 s/n 02226 © 2017 HydroCAD Software Solutions LLC Page 3

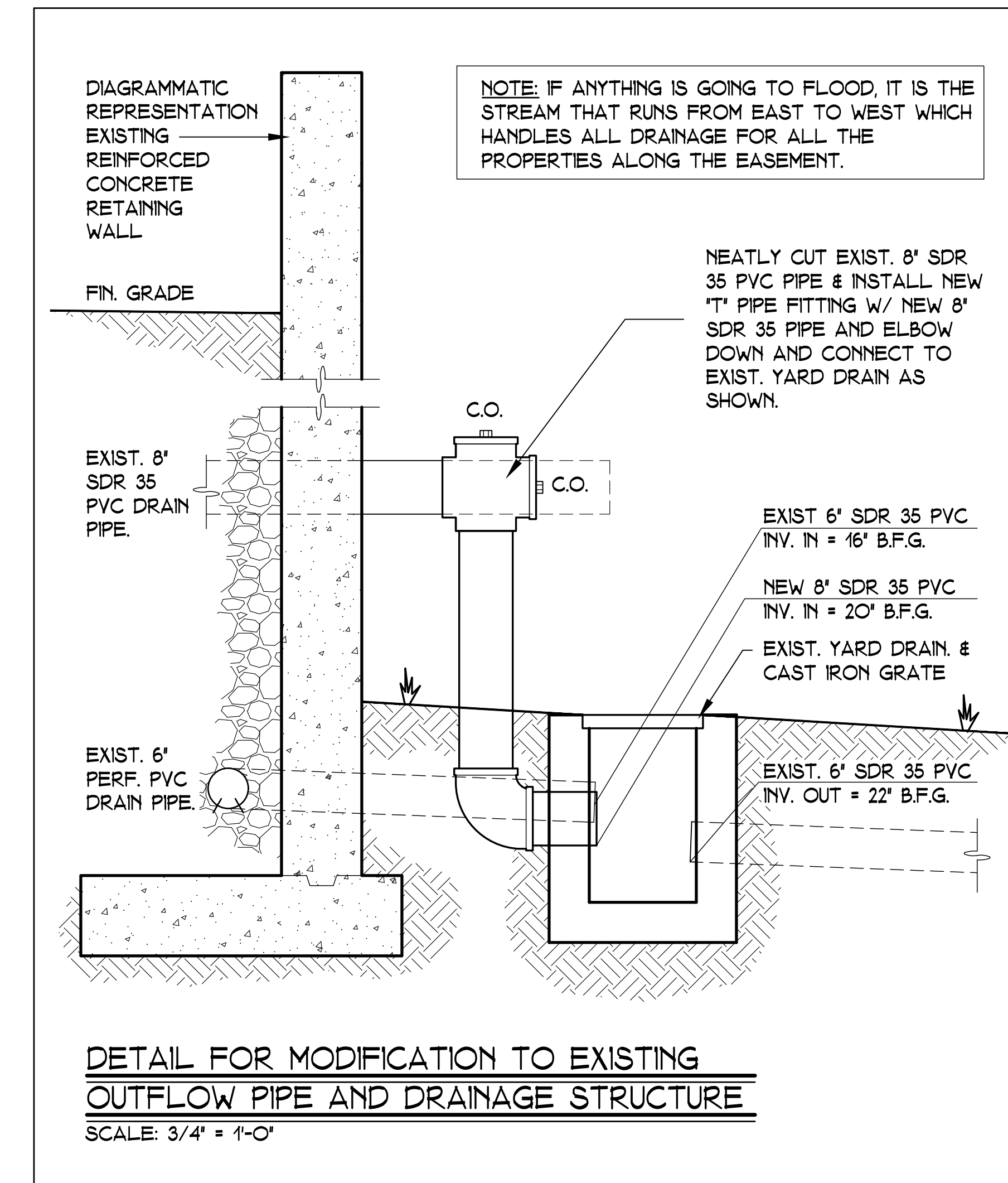
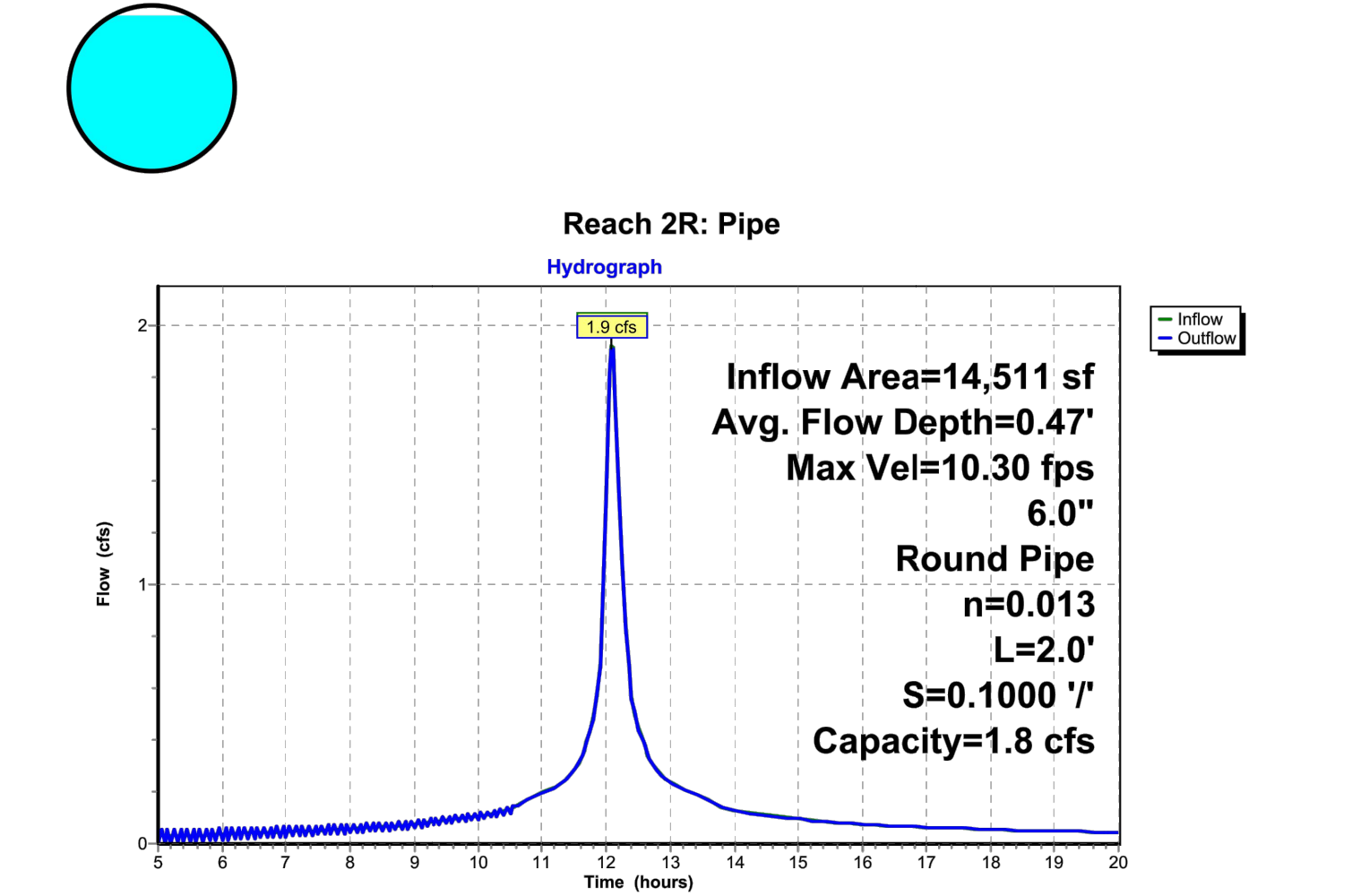
Summary for Reach 2R: Pipe



Inflow Area = 14,511 sf, 71.26% Impervious, Inflow Depth > 6.30" for 50-yr event
Inflow = 1.9 cfs @ 12.09 hrs, Volume= 7,618 cf
Outflow = 1.9 cfs @ 12.09 hrs, Volume= 7,615 cf, Atten= 1%, Lag= 0.0 min

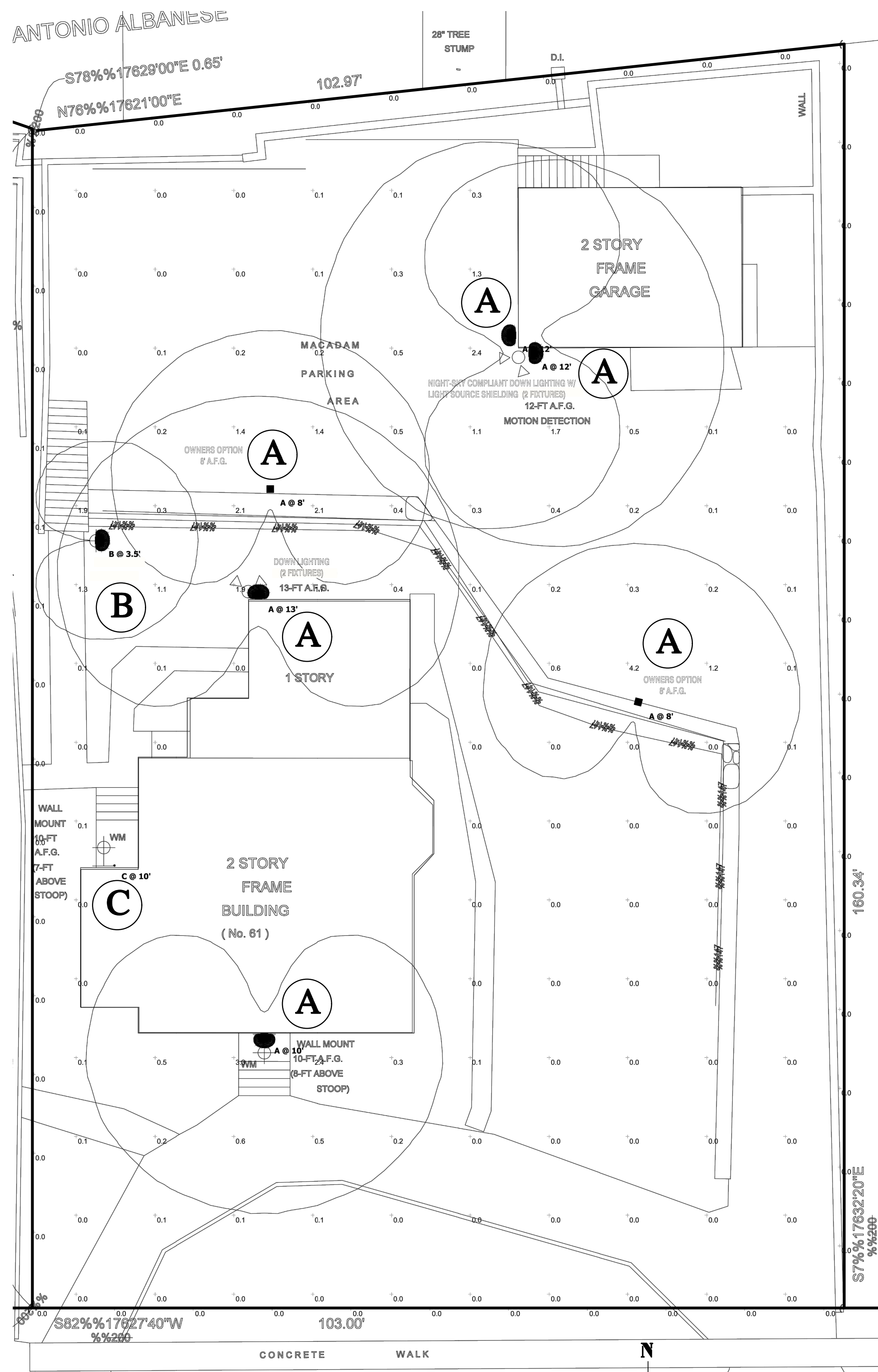
Routing by Stor-Ind+Trans method, Time Span= 5.00-20.00 hrs, dt= 0.05 hrs
Max. Velocity= 10.30 fps, Min. Travel Time= 0.0 min
Avg. Velocity= 4.78 fps, Avg. Travel Time= 0.0 min

Peak Storage= 0 cf @ 12.09 hrs
Average Depth at Peak Storage= 0.47"
Bank-Full Depth= 0.50' Flow Area= 0.2 sf, Capacity= 1.8 cfs

6.0" Round Pipe
n= 0.013 Corrugated PE, smooth interior
Length= 2.0' Slope= 0.1000 1'
Inlet Invert= 0.20', Outlet Invert= 0.00'



ISSUE DATES:	CODE COMPLIANT THIRD FLOOR APARTMENT FOR EXISTING BUILDING FOR: 61 SMITH PROPERTIES LLC.		MT. KISCO, NY.
	61 SMITH AVENUE		
	SITE DRAINAGE CALCULATIONS & PROPOSED MODIFICATIONS TO EXISTING DRAINAGE STRUCTURE SCALE: AS INDICATED		DRAWN BY: NED CHECKED BY: PJH
			DRAWING NO.:
	 <p>THE HELMES GROUP, LLP ARCHITECTURE • ENGINEERING PROJECT MANAGEMENT 184 KATONAH AVENUE, KATONAH, NY 10536 TEL: (914) 232-4633 FAX: (914) 232-0768 EMAIL: thg@thehelmesgroup.com</p>		1.1
1-24-23 REV. PER SITE MTG. W/ VILLAGE CONSULTANTS			



SITE LIGHTING & PHOTOMETRIC PLAN
 SCALE: 1" = 10'-0"
 SURVEY INFORMATION PREPARED BY H. STANLEY JOHNSON LAST DATED 11-28-2005
 PHOTOMETRIC DATA AS PREPARED BY ANDREW ZETTERSTROM, ACUTY BRANDS LIGHTING, INC.

ARC2 LED Architectural Wall Luminaire

Specifications
 Depth (D1): 9.25"
 Depth (D2): 7.5"
 Height: 5"
 Width: 14"
 Weight: 11 lbs (without options)

ARC LED Family Overview

Luminaire	Standard Efficacy	Color Temp.	P1	P2	P3	P4	P5
ARC1 LED	4W	8W	1,500	2,000	3,000	4,000	6,500
ARC2 LED	4W	8W	1,500	2,000	3,000	4,000	6,500

Ordering Information

Series	Package	Color Temperature	Voltage	Options	Finish
ARC1 LED	P1 1,500 Lumens	30K 3000K	120V	EMC Energy hungry bulb, (C-compliant 9W, 12V, 100V)	DBRO Dark bronze
	P2 2,000 Lumens	40K 4000K	120V	EMC Energy hungry bulb, (C-compliant 9W, 12V, 100V)	DBLD Black
	P3 3,000 Lumens	50K 5000K	120V	PE Button type photocell for dusk-to-dawn operation	DNWD Natural aluminum
	P4 4,000 Lumens			EMC Energy hungry bulb, (C-compliant 9W, 12V, 100V) with an external current, untested separately!	DNWD White
	P5 6,500 Lumens			SPRO 50K 5000K	DBSD Sandstone
				INO 120V	DNWD Tinted dark bronze
					DBLD Tinted black
					DNWD Tinted natural aluminum
					DBRO Tinted white
					DBSD Tinted sandstone

EXAMPLE: ARC2 LED P2 40K MVOLT PE DBRO

LITHONIA LIGHTING COMMERCIAL OUTDOOR One Lithonia Way • Conyers, Georgia 30012 • Phone: 1-800-705-SERV (3787) • www.lithonia.com
 © 2005 Acuity Brands Lighting, Inc. All rights reserved. ARC2 LED Rev. 10/14/09

WALL MOUNTED FIXTURE TYPE (A)

Trika TRB Approval - Specification

Project: 61 Smith Ave
 Qty: Luminaire: TRB FGF 3 15 3K 120-277-XX-TX

Head Module: One cast A356 aluminum cap mechanically assembled by two anti-vandal screws to the optical module. These two screws allow quick and easy access.

Base Module: Tube 5" (12.7cm) Ø made of 6061-T6 aluminum alloy. An A356 aluminum collar is welded to the tube and allows the head module to be mechanically secured with one screw. The whole module is mechanically fastened to the anchor plate with four screws.

Bolt Circle: Recommended installation at 3 1/2" (9cm) Ø. Available from 3 1/4" to 3 1/2" (8cm to 9cm) Ø.

Anchor Bolts: Supplied by Cyclone: 3/8" Ø x 12" (Ø=3), 4 galvanized anchor bolts, 8 nuts and 8 washers for leveling.

Optical Module: The cast A356 aluminum heat sink is optimized to minimize the temperature of the LEDs, increasing their longevity and efficiency. The lens module is mechanically assembled for easy replacement. A flat Frosted Tempered Glass (FTG) lens is attached to a cast aluminum frame. The optics is fully IP67 thanks to the EPDM gasket. The high efficiency LED circuit is mechanically assembled on the heat sink. The lifetime of the LEDs is 100,000 hours. It is based on the LM-80 test and extrapolated with TM-21. This data is calculated when 50% of the LEDs produce 70% of their initial luminous flux (L70). The minimum color rendering index (CRI) is 70. The lenses are made of acrylic and designed to illuminate only where needed while achieving excellent uniformity with maximum spacing. Produces 0% uplight. The type according to IES.

Driver Module: The self-adjusting Class 2 (20 to 40V) driver is removable without tools.

Primary Voltage of: 120V, 50/60Hz, THD max 20%. The high power factor is of 98%. The operating temperature is from -40°F (-40°C) to 130°F (50°C). Complies with RoHS. Assembled with quick-disconnect connectors. Complete with 10kV tripartite overvoltage protection for live, neutral and ground lines according to IEEE/ANSI C62.41 2002 C. The driver offers 0-10 Volts output.

Wiring / Hardware: Type TEV 14-7, 12" (30cm) minimum exceeding luminaire. All electrical connections between the modules are provided with quick-disconnect connectors for easy maintenance. All outside accessible hardware is stainless steel.

Color: Textured or Smooth (SM) finish. The application of durable polyester powder coating meets AAMA 2604 requirements (5 years at all weather conditions). The finish meets ASTM G7, B117, D1654 and D2247 standards for salt spray and moisture. Cyclone recommends a textured finish for this product.

Weight: 17 lbs / 8 kg

BOLLARD LIGHT FIXTURE TYPE (B)

LUMINIS SQ500 SERIES SYRIOS SQUARE - LED WALL UP OR DOWN LIGHT

TYPE: QUANTITY: PRODUCT:

CATALOG NUMBER	FIXTURE	SUFFIX	REFLECTOR	VOLTAGE	FINISH	OPTION	OPTION	OPTION

MATERIALS
 Syrios Square LED is made of corrosion resistant 356 aluminum alloy with a copper (Cu) content of less than 0.1%. The main housing is made of stainless extruded aluminum, with an integrally sealed LED light module designed for optimal heat dissipation, and lighting performance.

MOUNTING
 Maximum weight: 2.8 lbs (1.3 kg). The mounting plate is designed to fit on a 4" (102mm) octagonal electrical box using 3 1/2" (89mm) C/C mounting holes or 2 1/2" (63.5mm) rectangular electrical box using 3 1/8" (95mm) C/C mounting holes.

CERTIFICATION
 Tested to UL589 and CSA 22.2 #250. ETL listed wet location. Rated IP66.

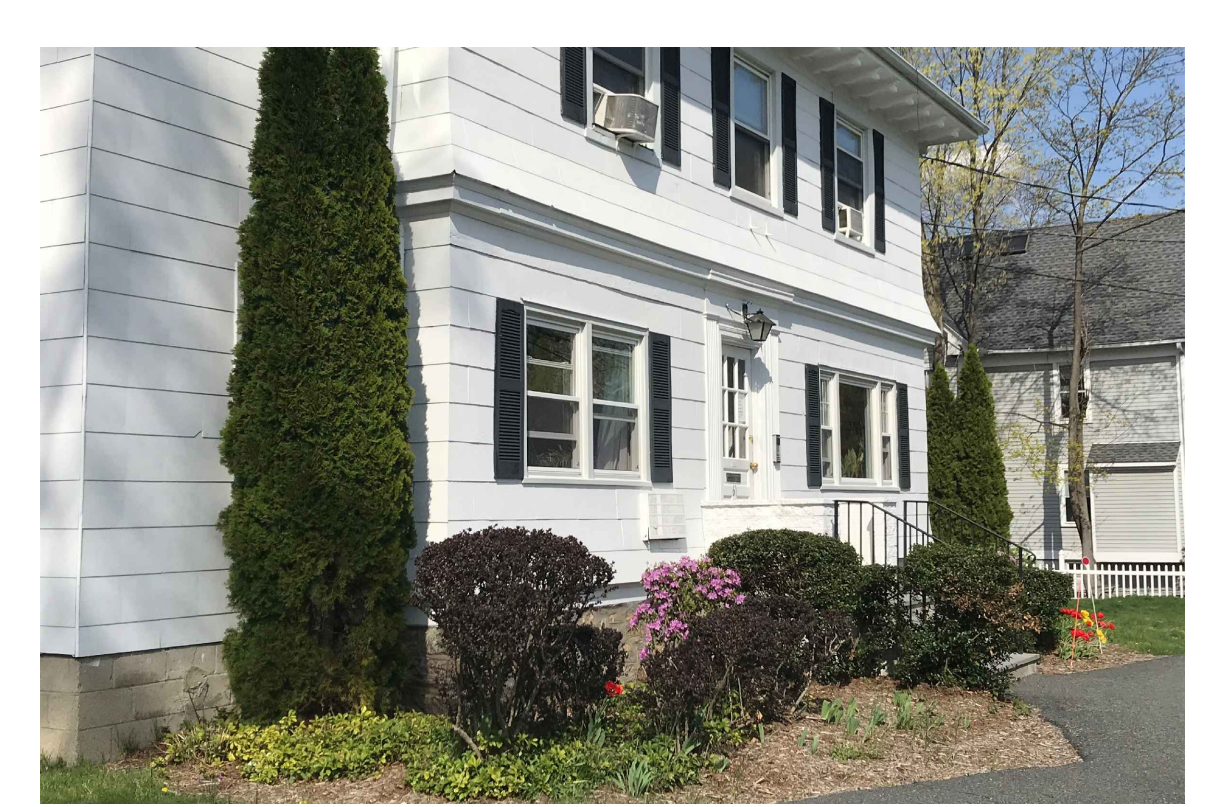
ELECTRICAL DRIVER
 Standard driver is 0-10V dimming-ready (dims to 10%) with 100-277 multi-voltage compatibility (50-60Hz), operating temperature range of -30°C (-22°F) to 55°C (131°F), output over voltage protection, output over current protection and output short circuit protection with auto-recovery.

LED
 Standard 4000K/80CRI. Optional 2700K & 3000K. Optional Amber LED for turtle sensitive areas. Wavelengths: 384.5nm to 597nm.

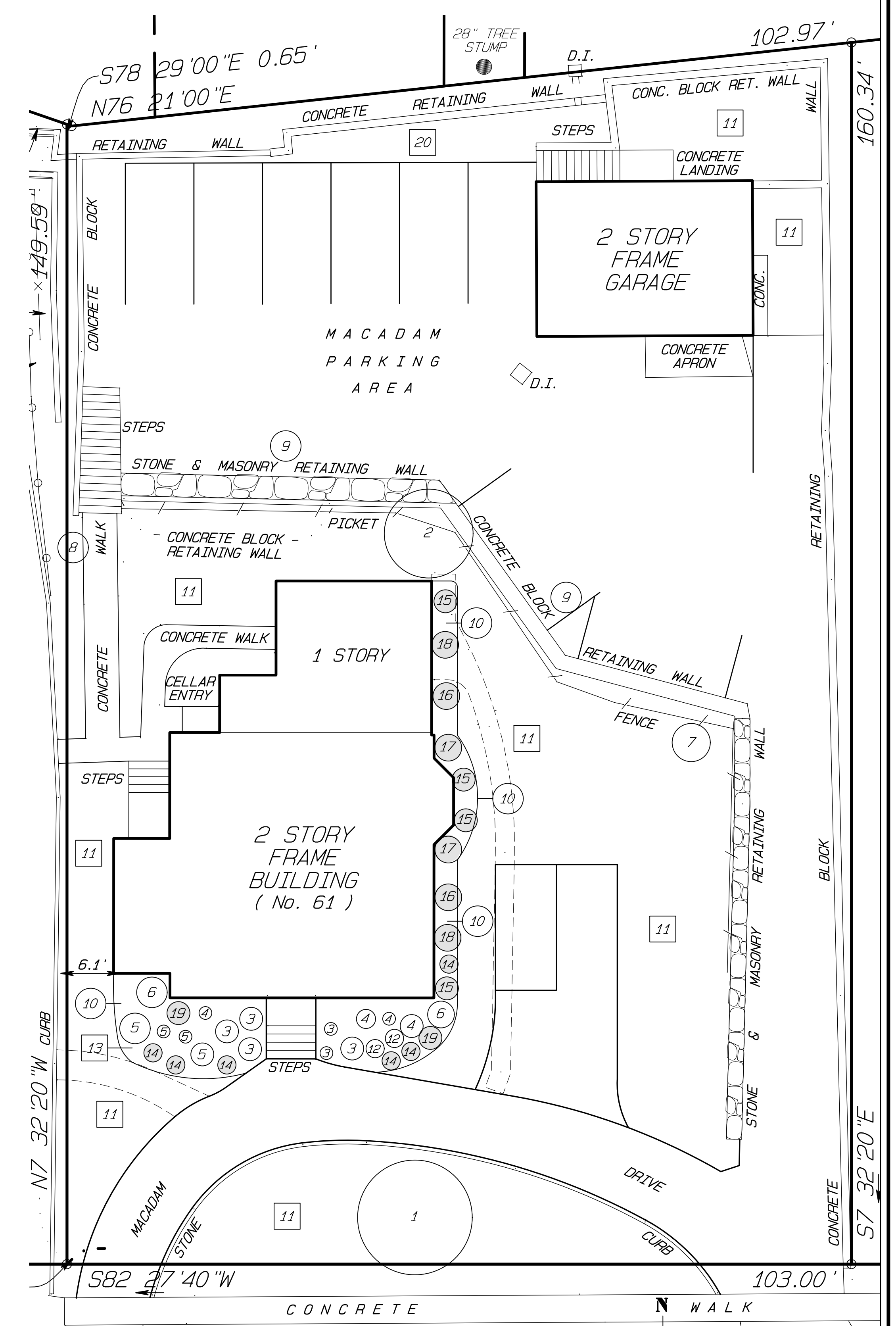
LIFE
 >55,000hrs L70 (based on IESNA TM-21 Test Method and LM-80 data). Up to 95,000hrs L80 (calculated projection from LM-80 data).

FINISH
 Five-stage preparation process includes preheating of cast aluminum parts for an extraction. Powder coating is applied through an electrostatic process, and oven cured for long term finish.

WALL MOUNTED FIXTURE TYPE (C)



LANDSCAPE REFERENCE PHOTOGRAPHS
 NO SCALE



LANDSCAPE PLAN
 SCALE: 1" = 10'-0"
 SURVEY INFORMATION PREPARED BY H. STANLEY JOHNSON LAST DATED 11-28-2005

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Property Line	+	0.0 fc	0.1 fc	0.0 fc	N/A	N/A
Site	+	0.4 fc	4.2 fc	0.0 fc	N/A	N/A

Schedule

Symbol	Label	Image	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage	Plot
A			4	Lithonia Lighting	ARC2 LED P1 40K	ARC2 LED P1 40K LED with P1 Performance Package 4000K	1	1587	0.86	10.6112	
B			1	Cyclone Lighting	TRB-FGF-3-15W-3K	Trika bollard	1	936	0.9	18	
C			1	Lumina Canada Inc.	SQ500-L31NR-49	Syrios Square S	1	536	0.9	10.16	

Chapter 110. Zoning

Article V. Supplementary Regulations

§ 110-32. Supplementary landscaping and illumination regulations.

C. Illumination. (Amended 4-21-2003 by L.L. No. 2-2003)

(1) Purpose and intent. The Village Board of Trustees hereby finds that the regulation of outdoor lighting in the Village of Mount Kisco is necessary to prevent misdirected or excessive artificial light, caused by inappropriate or misaligned light fixtures that produce glare, light trespass, and/or unnecessary sky glow; and also that such regulation is necessary to discourage the waste of electricity and to improve or maintain night-time public safety, utility and security.

(2) Light trespass. All new light fixtures, except street lighting, shall be designed, installed and maintained to prevent light trespass, as specified below:

(a) At the lot lines of the subject property, illumination from the light fixtures shall not exceed 0.1 footcandle on residentially zoned property or 0.5 footcandle on non-residentially zoned property, measured in a vertical plane.

(b) Outdoor light fixtures shall be directed so that there will be no objectionable direct light emissions, and light fixtures near adjacent property may require additional shielding devices to prevent light trespass.

LANDSCAPE SCHEDULE

KEY#	QTY	COMMON NAME	SIZE	REMARKS
1	EXIST.	OAK TREE	48" DIA	EXISTING
2	EXIST.	OAK TREE	14" DIA	EXISTING
3	EXIST.	HOLLY BUSH	18"-36" DIA X 36" H	EXISTING
4	EXIST.	PURPLE AZALEA	20"-42" DIA X 36" H	EXISTING
5	EXIST.	BARBERRY SHRUB	20"-32" DIA X 36" H	EXISTING
6	EXIST.	DARK GREEN ARBORVITAE	42"-48" DIA X 12-16 FT. H	EXISTING
7	EXIST.	RHODODENDRON	60" DIA X 7 FT. H	EXISTING
8	EXIST.	LILAC TREE (ASSUMED TREE TYPE)	48" DIA X 8 FT. H	EXISTING
9	EXIST.	IVY	---	EXISTING
10	---	PLANTING BED	---	EDGE ALL PLANTING BEDS, WEED AND MULCH WITH SWEET PEAT (DARK BROWN MULCH)
11	EXIST.	GRASS	---	EXISTING & SEED ALL DISTURBED AREAS
12	EXIST.	HYACINTH	1 - GALLON	EXISTING
13	EXIST.	PACHYSANDRA	---	EXISTING
14	6	DAY LILLYS - STELLA D'ORO	1 GALLON	NEW PLANTING
15	4	PENNISETUM ALOPECUROIDES (GRASS) PLANT	2 TO 3 FOOT	NEW PLANTING
16	2	BOXWOOD - GREEN MOUNTAIN	18 - 24 INCHES	NEW PLANTING
17	2	HYDRANGEA BUSH (PINK)	5 - GALLON	NEW PLANTING
18	2	HYDRANGEA BUSH (BLUE)	5 - GALLON	NEW PLANTING
19	2	AZALEA	3 - GALLON	NEW PLANTING
20	---	NEW GRASS	---	NEW PLANTING

ISSUE DATES:

61 SMITH AVENUE
61 SMITH PROPERTIES LLC.
 MT. KISCO, NY.

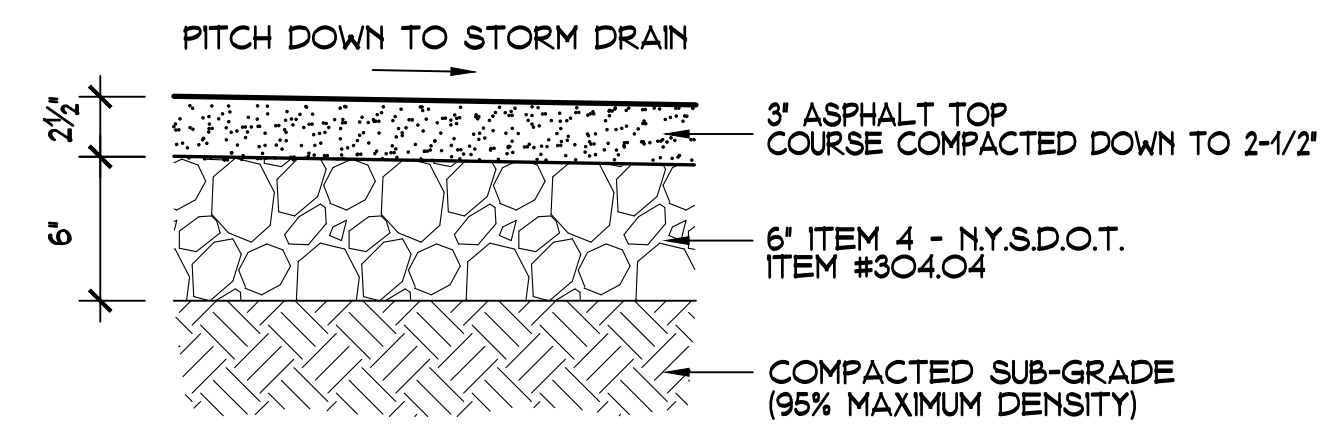
PROPOSED SITE LIGHTING & LANDSCAPE PLANS
 SCALE: AS INDICATED

DRAWN BY: NED
 CHECKED BY: PJH
 DRAWING NO.: **2.0**

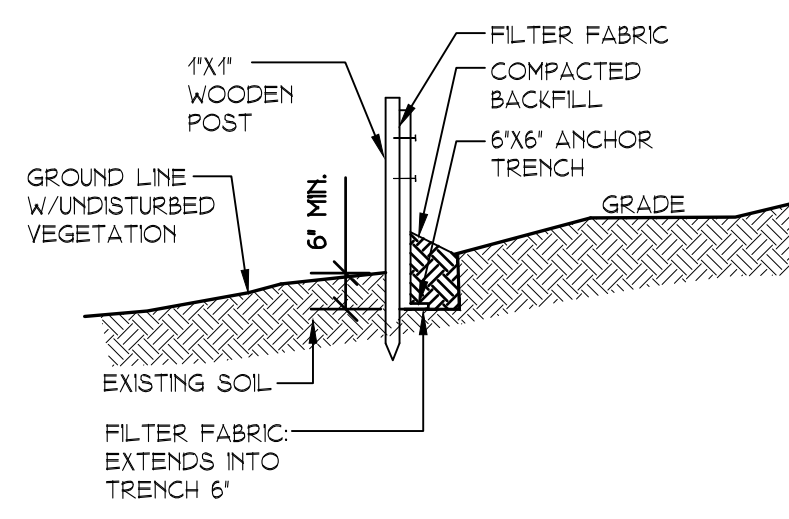
THE HELMES GROUP, LLP
 ARCHITECTURE • ENGINEERING
 PROJECT MANAGEMENT
 184 KATONAH AVENUE, KATONAH, NY 10536
 TEL: (914) 232-4633 FAX: (914) 232-0768
 EMAIL: thg@thelmesgroup.com

SCOPE OF WORK FOR NEW GRASSPAVE2 POROUS GRASS PAYER SYSTEM FOR NEW HANDICAP ACCESSIBLE PARKING AREA

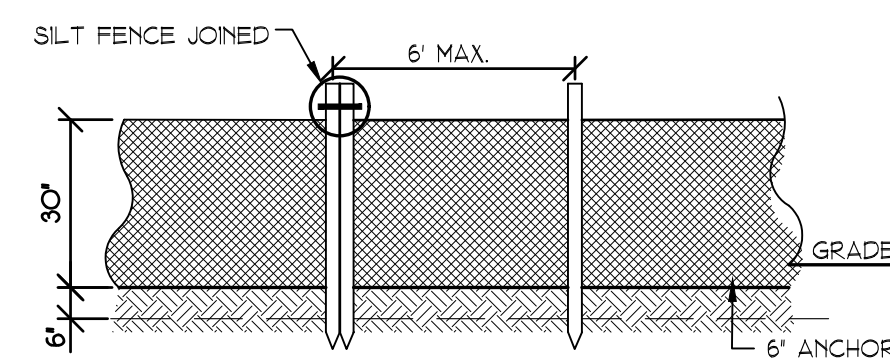
- SEQUENCE OF CONSTRUCTION**
1. VERIFY LOCATION OF ALL UNDERGROUND UTILITIES AND OVERHEAD ELECTRIC WIRES PRIOR TO STARTING CONSTRUCTION. THIS INCLUDES, BUT IS NOT NECESSARILY LIMITED TO UNDERGROUND FUEL TANKS, PIPING, UNDERGROUND WATER LINES, UNDERGROUND ELECTRICAL FOR ANY SITE LIGHTING, ETC. EXTREME CARE SHALL BE TAKEN TO PREVENT DAMAGE TO OR DISTURBANCE OF THESE ITEMS.
 2. PROVIDE PORT-A-JON TOILET DURING CONSTRUCTION.
 3. PROVIDE HAYBALES AND/OR SILT FENCE AS REQUIRED PRIOR TO THE START OF ANY EARTHWORK DISTURBANCE AND MAINTAIN UNTIL PERMANENT VEGETATION HAS BEEN ESTABLISHED. (SEE SILT FENCE DETAIL ON THIS SHEET)
 4. STOCKPILES OF SOIL SHALL BE RINGED WITH SILT FENCE OR HAYBALES AND COVERED WITH TARPS. OTHERWISE, ALL EXCESS MATERIAL SHALL BE PROPERLY DISPOSED OF OFF-SITE.
 5. REMOVE EXISTING CONCRETE AND/OR ASPHALT SIDEWALKS ALONG EAST AND WEST SIDES OF BUILDING WHERE INDICATED AND SUPPLEMENT WITH TOPSOIL AS NEEDED.
 6. REMOVE EXISTING TOPSOIL AND INSTALL NEW PERMEABLE GRASSPAVE2 (POROUS GRASS PAYER SYSTEM) FOR NEW HANDICAP ACCESSIBLE PARKING AREA. (SEE DETAIL ON THIS SHEET) PROVIDE FLUSH BELGIUM BLOCK CURB AT PERIMETER OF HANDICAP ACCESSIBLE AREA.
 7. PROVIDE AND INSTALL RESERVED PARKING SIGN ON 2-1/2" DIAMETER SCH 40 GALVANIZED PIPE POST. SIGN TO STATE RESERVED PARKING WITH HANDICAP SYMBOL (SEE DETAIL ON THIS SHEET).
 8. UPON COMPLETION OF CONSTRUCTION, REMOVE ALL EXCESS TOPSOIL, RESTORE AND REPLANT ALL DISTURBED AREAS WITH GRASS SEED, MULCH WITH STRAW TO STABILIZE IN LIEU OF PLANTING GRASS SEED. SITE CONTRACTOR TO PROVIDE ADD/ALTERNATE PRICE FOR INSTALLING SOD IN LIEU OF GRASS SEED.



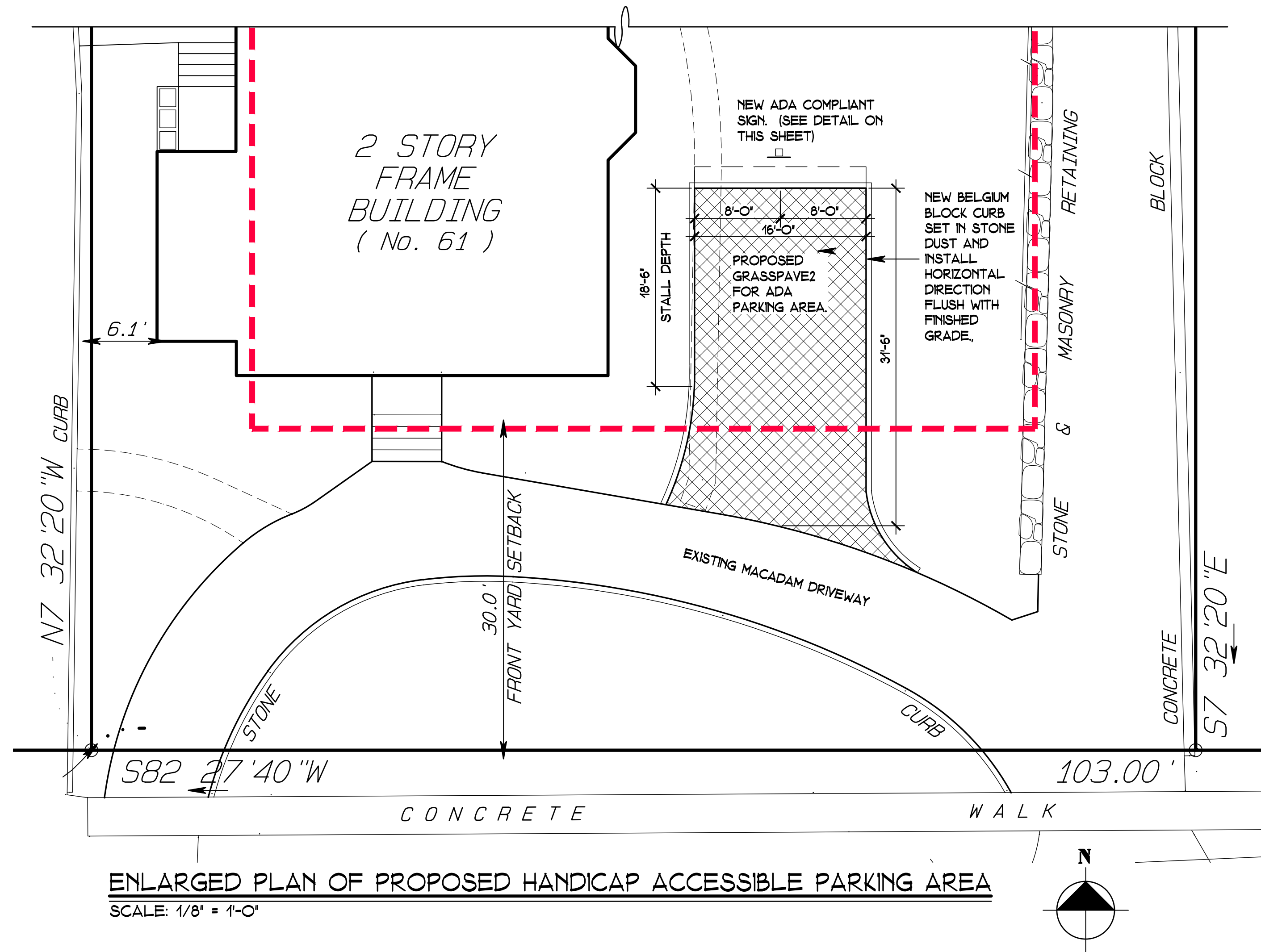
TYPICAL PAVEMENT DETAIL FOR ANY REQUIRED PAVEMENT PATCHING OR REPAIRS.
SCALE: N.T.S.



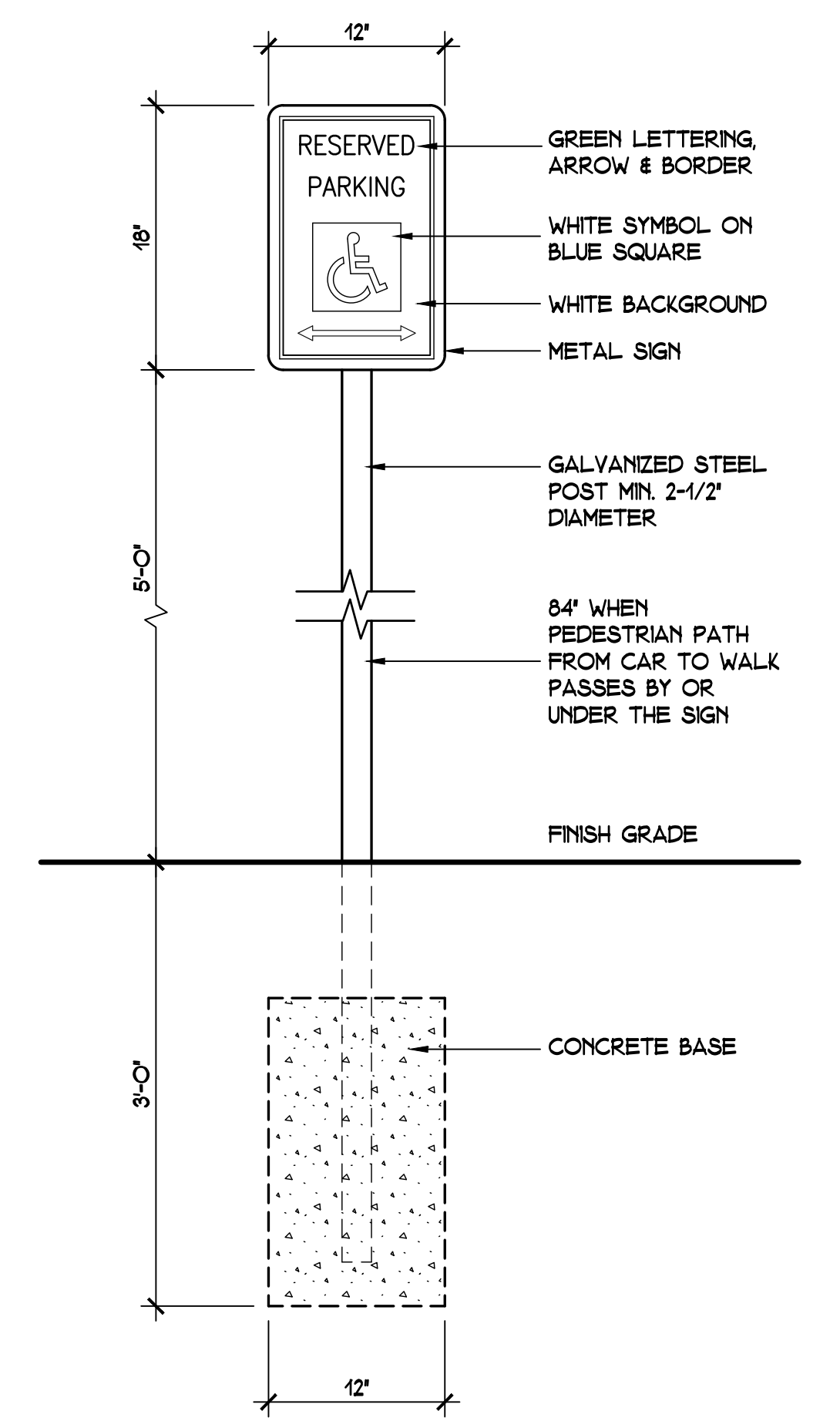
SILT FENCE DETAIL
N.T.S.



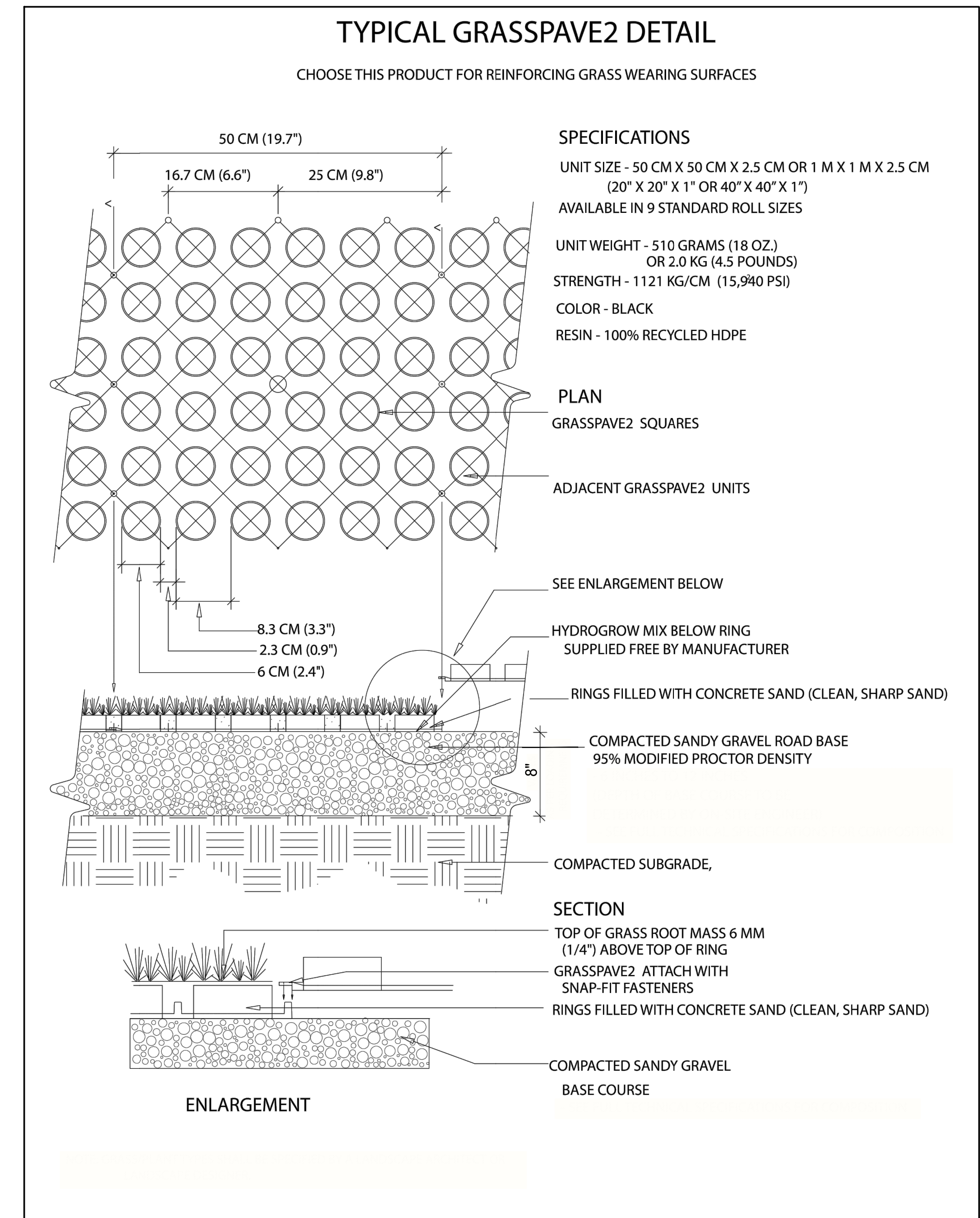
SILT FENCE DETAIL
N.T.S.



ENLARGED PLAN OF PROPOSED HANDICAP ACCESSIBLE PARKING AREA
SCALE: 1/8" = 1'-0"



SIGN DETAIL FOR HANDICAP PARKING AREA
SCALE: 1" = 1'-0"



TYPICAL GRASSPAVE2 DETAIL
CHOOSE THIS PRODUCT FOR REINFORCING GRASS WEARING SURFACES

NOT TO SCALE

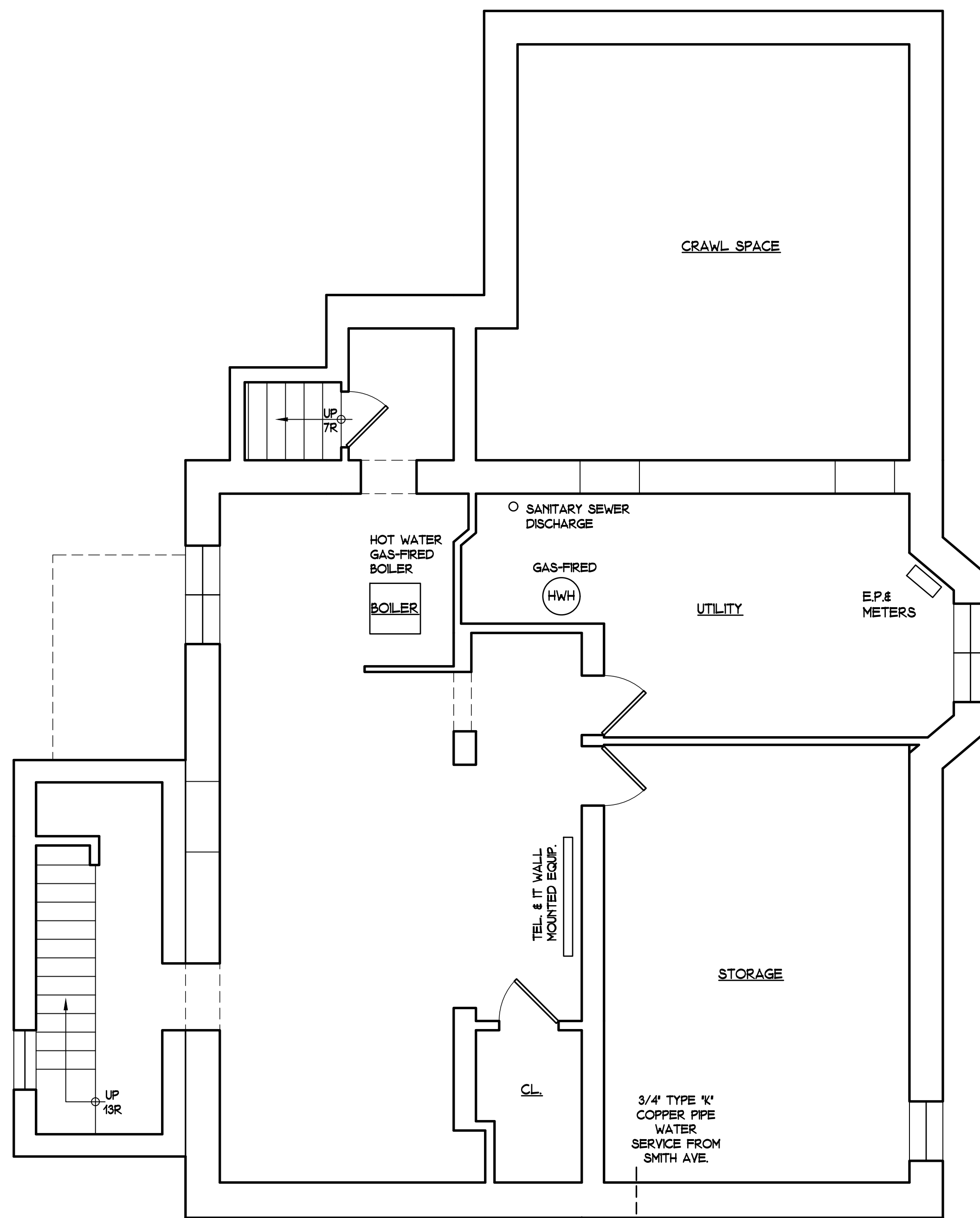
Invincible Structures, Inc.
GPDET18.DWG

16265 E. 33RD DR., SUITE 20
AURORA, COLORADO 80011
800-233-1510 OR 303-233-8383
FAX: 800-233-1522 OR
303-233-8282
www.invinciblestructures.com
rev. 1/18

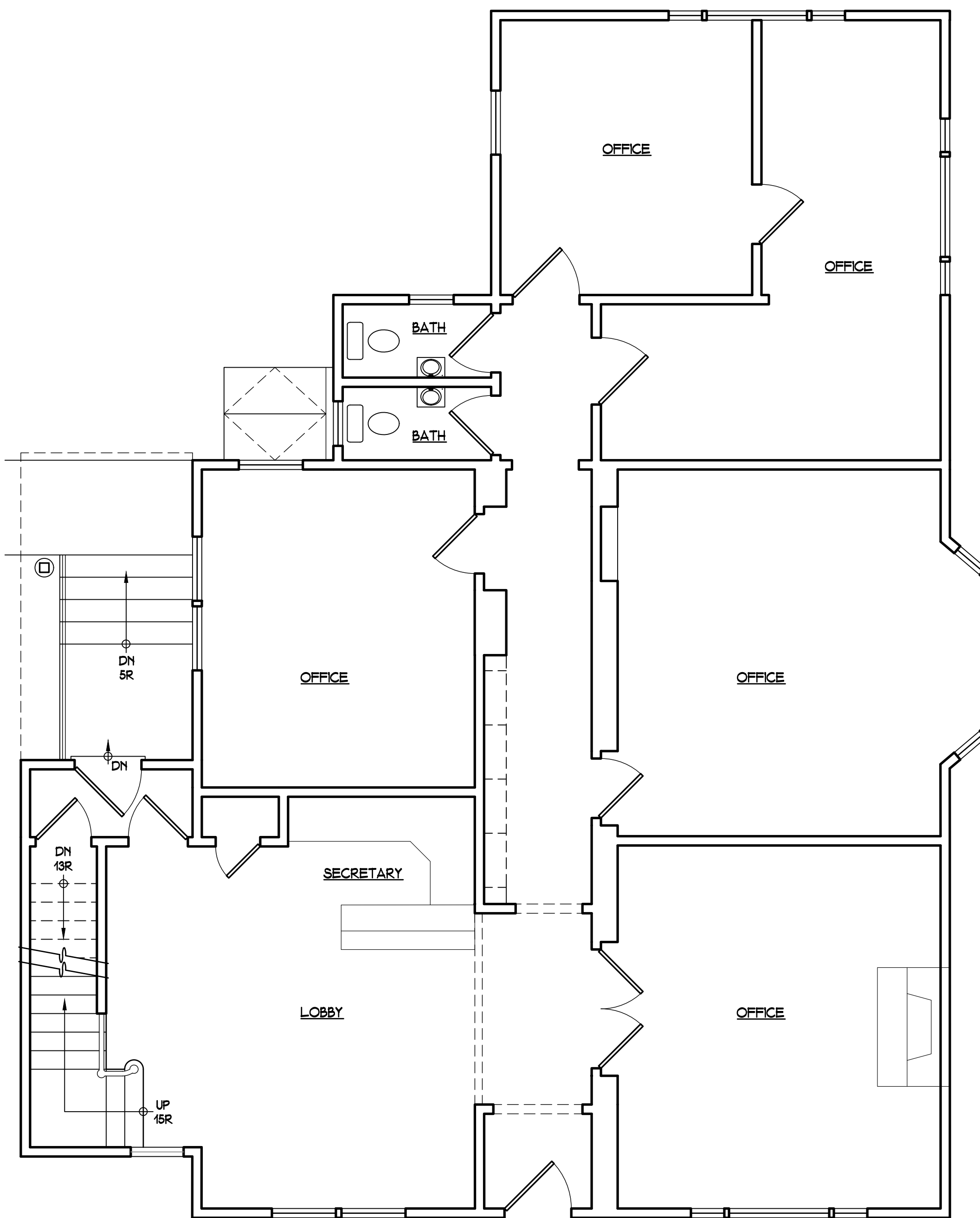
1 OF 1

- SCOPE OF WORK FOR CONTRACTOR PRICING**
1. SAW-CUT AND REMOVE EXISTING SECTION OF PARKING LOT AT NORTH END OF REAR PARKING LOT. REMOVE ASPHALT SECTION AND REPLACE AS PER NOTE ON PROPOSED SITE PLAN. (SEE DRAWING 1.0.) SITE CONTRACTOR TO PROVIDE ADD ALTERNATE PRICE FOR INSTALLING SOD IN LIEU OF GRASS SEED.
 2. SAW-CUT EXISTING 8-INCH PVC PIPE OUTFLOW ABOVE EXISTING YARD DRAIN AT NORTH END OF PROPERTY. PROVIDE 'T' CONNECTION WITH CLEANOUTS AND EXTEND DRAIN PIPE DOWN TO CREATE NEW UNDERGROUND CONNECTION TO EXISTING YARD DRAIN AS SHOWN IN DETAIL ON DRAWING 1.1.
 3. REMOVE 9-INCHES DEPTH OF EXISTING TOPSOIL AT WEST SIDE OF HOUSE AND INSTALL NEW PERMEABLE GRASSPAVE2 (POROUS GRASS PAYER SYSTEM) FOR NEW HANDICAP ACCESSIBLE PARKING AREA. (APPROXIMATELY 562 SQUARE FEET. SEE GRASSPAVE2 DETAIL AND SITE PLAN LAYOUT ON THIS SHEET.) PROVIDE AN 8-INCH BASE COURSE OF A COMPACTED SANDY GRAVEL ROAD BASE OVER A COMPACTED SUB-GRADE. SAND / GRAVEL BASE MUST CONFORM TO MANUFACTURERS SPECIFICATIONS. LAYOUT ROLL OF 1-INCH THICK OF GRASSPAVE2 WITH RING SIDE UP OVER BASE COURSE WITH HYDROGROW MIX AND LEVEL. APPLY 2-INCH LAYER OF SOD ROOT SIDE DOWN OVER GRASSPAVE2 MAT. WET BOTTOM OF SOD AND HAND TAMP UNTIL ROOTS ARE PRESSED INTO THE SAND BASE THEN WETTED AGAIN. (SEE MANUFACTURERS INSTALLATION SPECIFICATION) PROVIDE FLUSH BELGIUM BLOCK CURB SET INTO STONE DUST AT PERIMETER OF GRASS PAVE HANDICAP ACCESSIBLE PARKING AREA. PROVIDE 'RESERVED PARKING' SIGN WITH 2-1/2" DIAMETER GALVANIZED STEEL POST AT CENTER OF NORTH END HANDICAP AREA. (SEE DETAIL ON DRAWING 2.1 FOR SIGN INSTALLATION)
 4. REMOVE EXISTING ASPHALT WALKWAY CONNECTING THE ADJACENT PROPERTY ON THE WEST TO THE FRONT DRIVEWAY. REMOVE EXISTING CONCRETE WALKWAY ON THE EAST / SIDE OF THE BUILDING. REPLACE WITH TOPSOIL AND PLANT GRASS SEED AND MULCH WITH STRAW TO STABILIZE. IN LIEU OF PLANTING GRASS SEED, SITE CONTRACTOR TO PROVIDE ADD ALTERNATE PRICE FOR INSTALLING SOD IN LIEU OF GRASS SEED.
 5. PROVIDE ALL LANDSCAPE PLANTINGS AS INDICATED ON THE LANDSCAPING PLAN ON DRAWING 2.0

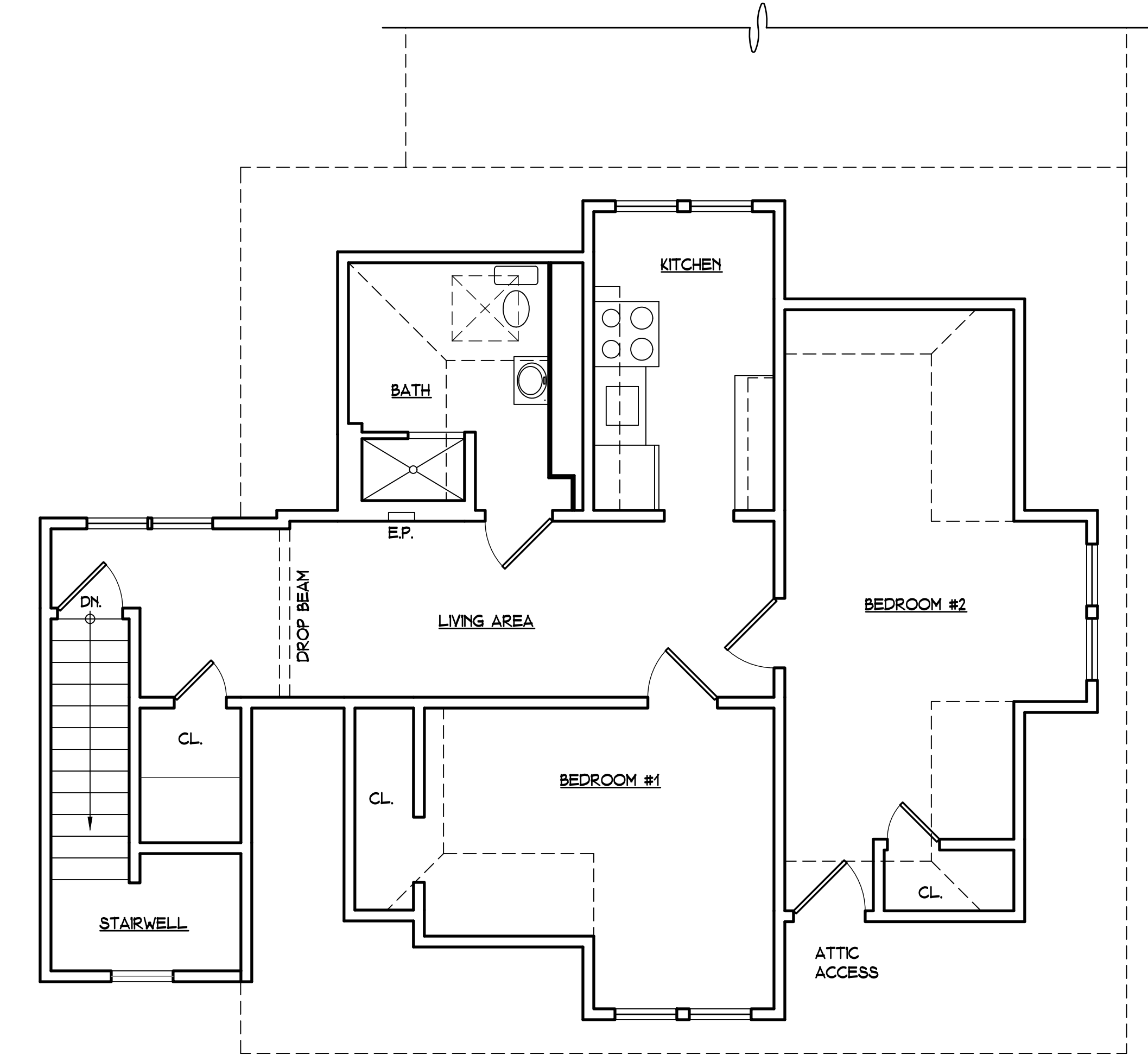
ISSUE DATES:	CODE COMPLIANT THIRD FLOOR APARTMENT FOR EXISTING BUILDING for:		
	61 SMITH AVENUE		MT. KISCO, NY.
	61 SMITH PROPERTIES LLC.		
	PROPOSED HANDICAP ACCESSIBLE PARKING AREA AND RELATED DETAILS	SCALE: AS INDICATED	DRAWN BY: NED
			CHECKED BY: PJH
			DRAWING NO.:
			2.1
	184 KATONAH AVENUE, KATONAH, NY 10536 TEL: (914) 232-4633 FAX: (914) 232-0768 EMAIL: thg@thelmesgroup.com		
1-24-23			



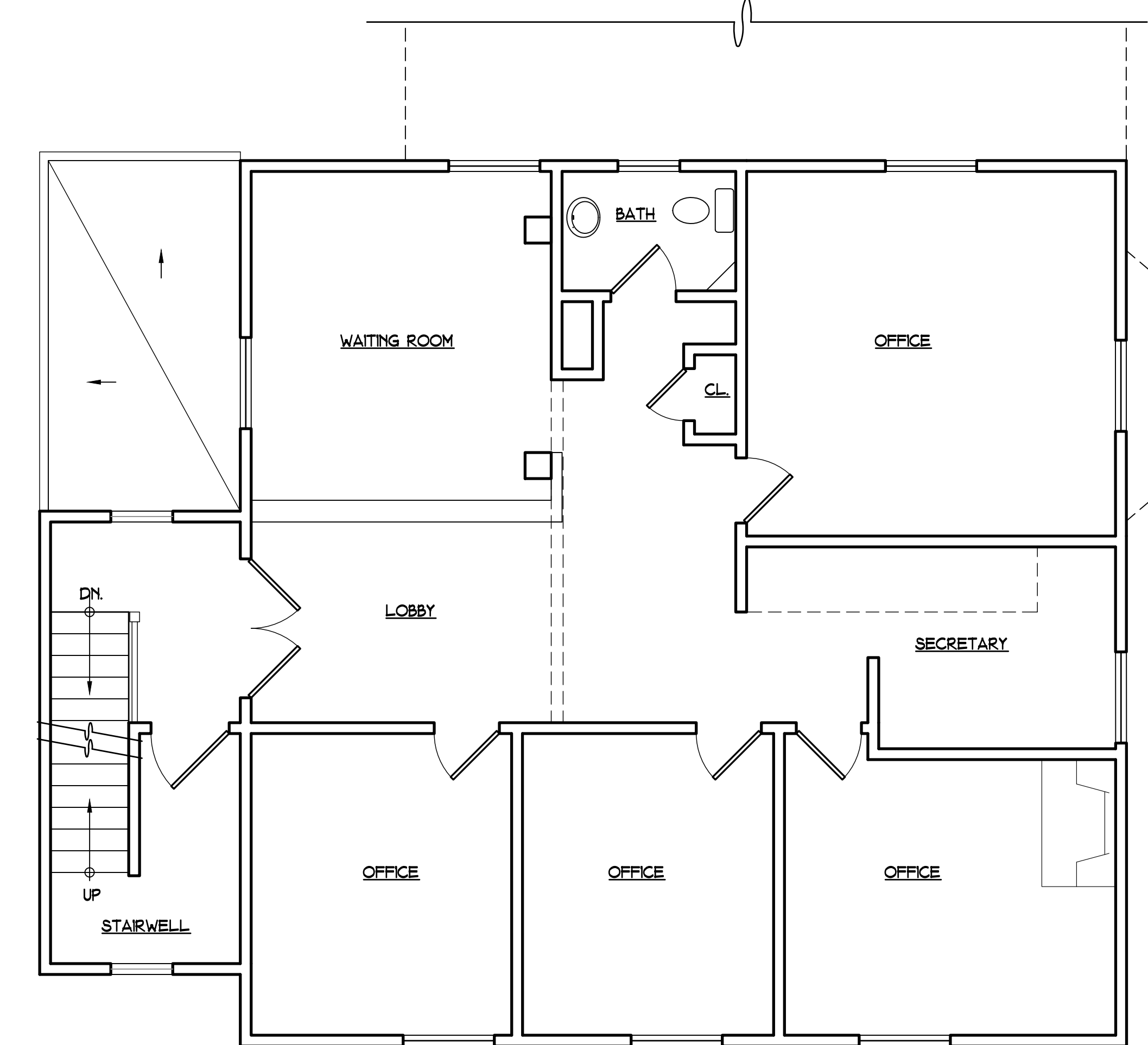
EXIST. BASEMENT FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 BASEMENT: 1363 G.S.F. (NOT INCLUDING CRAWL SPACE)
 CRAWL SPACE: 416 G.S.F.



EXIST. FIRST FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 FIRST FLOOR: 1778 G.S.F.



EXISTING THIRD FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 SECOND FLOOR: 936 G.S.F.



EXISTING SECOND FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 SECOND FLOOR: 1293 G.S.F.

Basic Building Code Data

Applicable Codes:
 2020 Building Code of New York State
 2020 Existing Building Code of New York State
 2020 Fire Code of New York State
 2020 Plumbing Code of New York State

Occupancy Classification and Use:
 Group B - (Business / Offices) (page 44)
 Group R-3 (Residential) (page 51)

Type of Construction: Type VB (page 118)
Fire-Resistance Rating Requirements for Building Elements (Hours) (page 117)
Primary Structural Frame: 0 Hours
Bearing Walls:
 Exterior: 0 Hours
 Interior: 0 Hours
Non-Bearing Walls & Partitions:
 Exterior: 0 Hours
 Interior: 0 Hours
Floor Construction & Associated Secondary Members: 0 Hours
Roof Construction & Associated Secondary Members: 0 Hours

Allowable Stories above Grade Plane for Type VB Construction (Table 504.4) (pages 103-104)
 Group B (Non-Sprinkler) - 2 Stories above grade plane
 Group R-3 (Sprinkler) - 3 Stories above grade plane

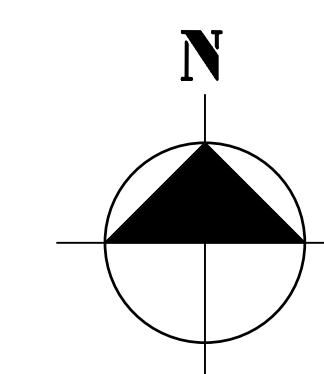
Allowable Building Area for Type VB Construction (Table 506.2) (pages 107-108)

Use Group	Max. Allowable	Existing
Group B (Non-Sprinkler)	9,000 square feet	3,071 square feet
Group R-3 (Sprinkler)	Unlimited	936 square feet

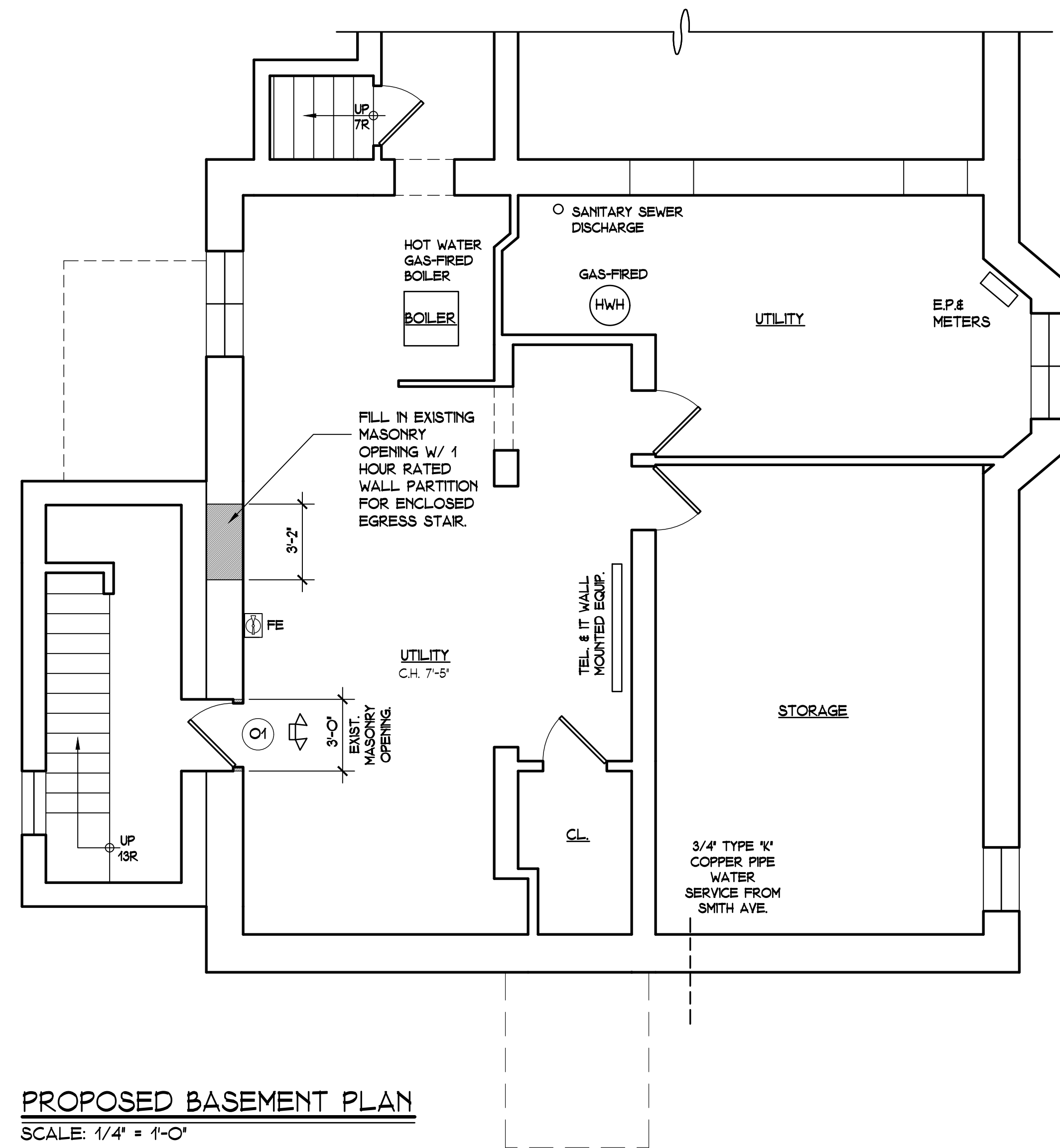
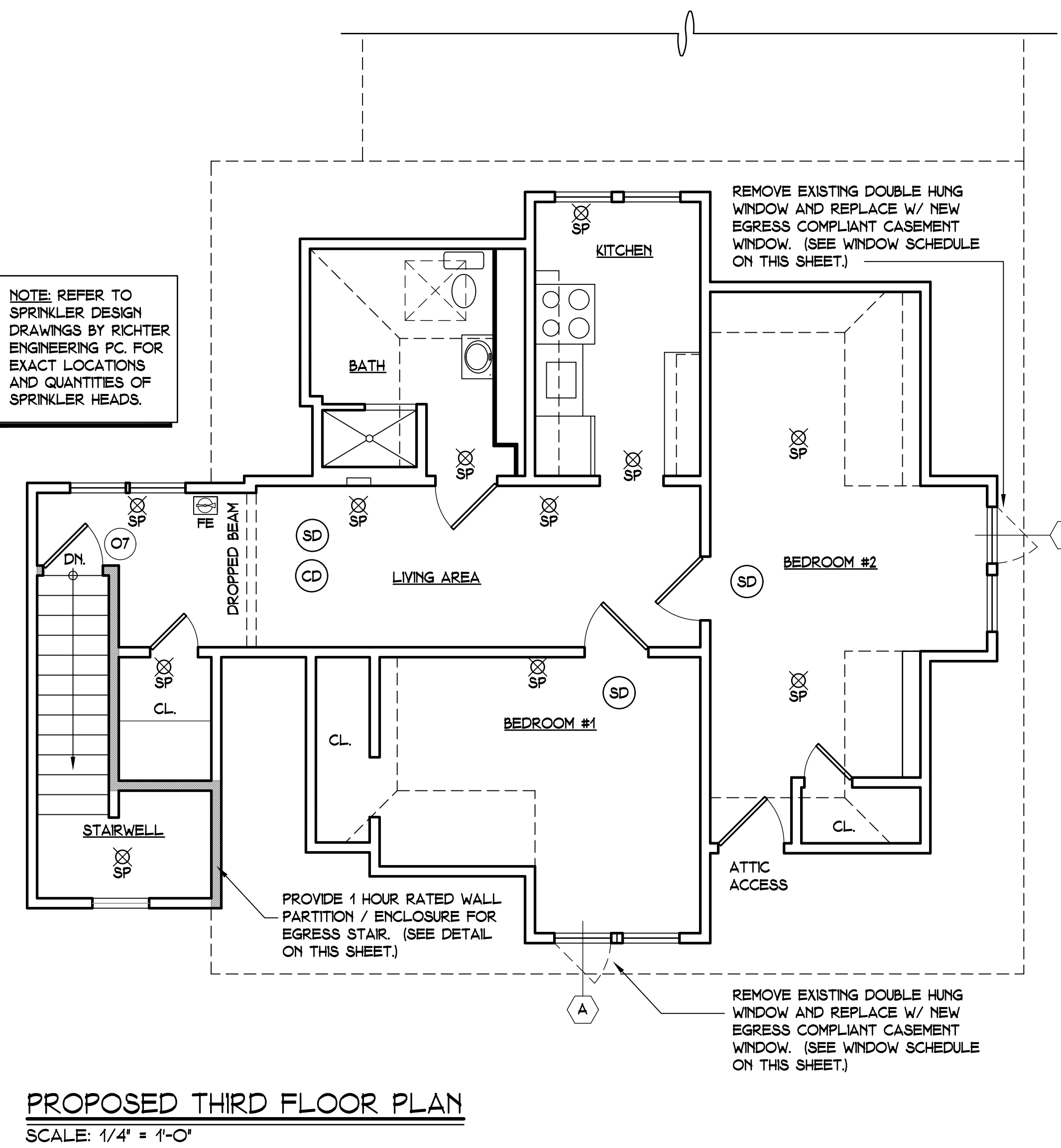
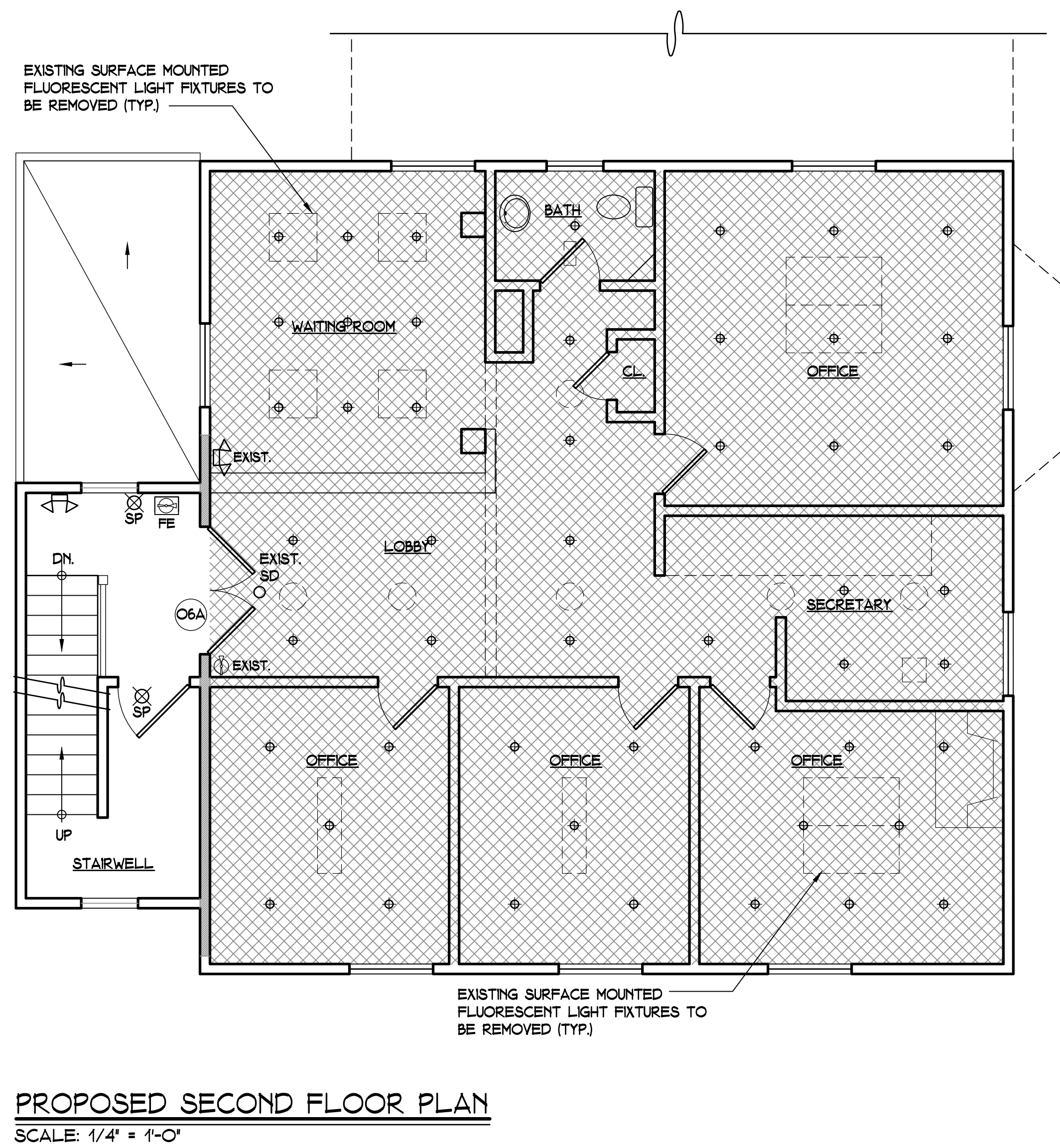
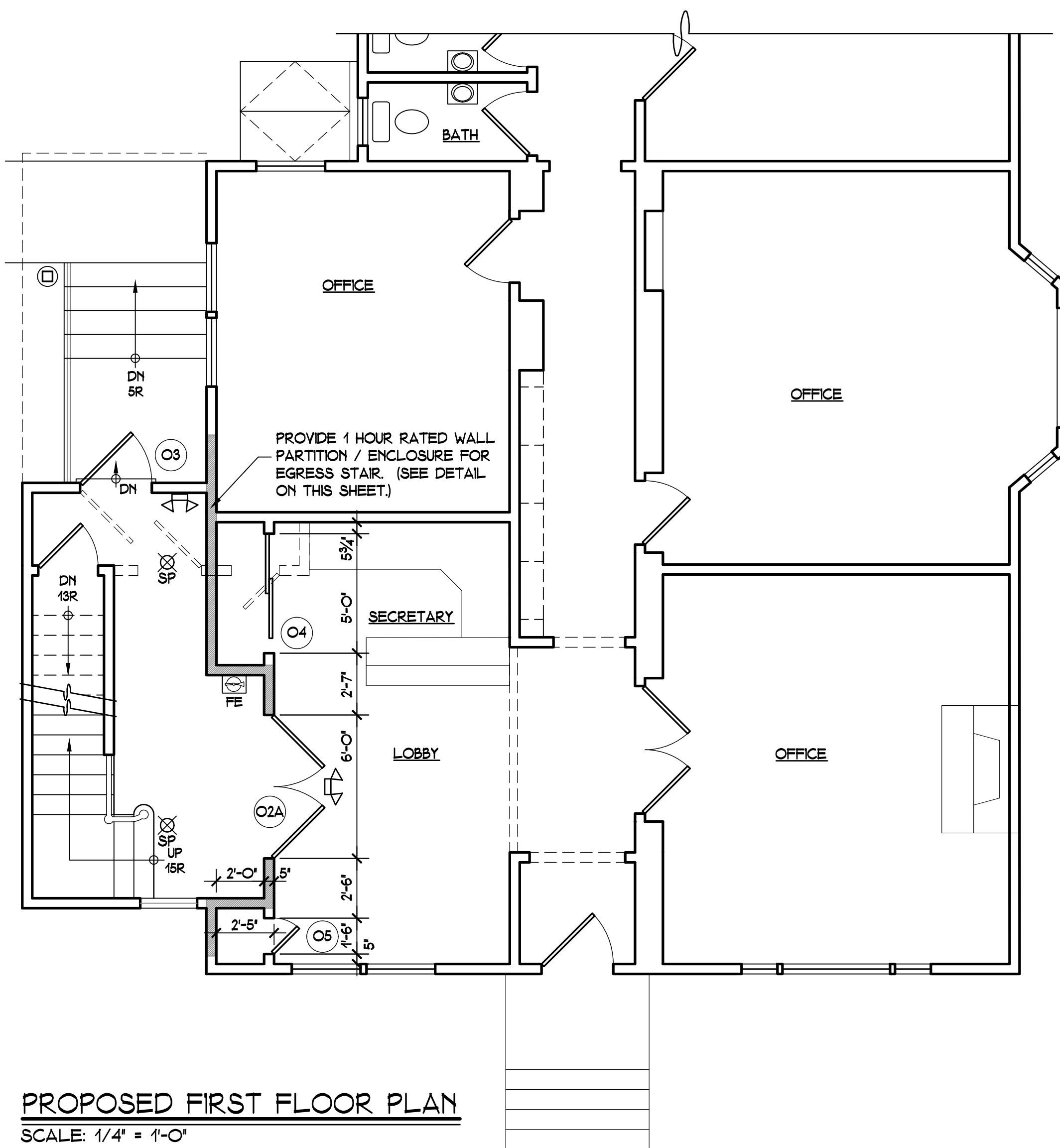
Mixed Use and Occupancies (Section 508) (page 111) (Table 508.4 page 113)
 R-3 (Sprinkler) to B (Non-Sprinkler) 2 Hours

Shaft Enclosures: (Section 713) (page 137)
 2-hour rating required where connecting four (4) stories or more and 1-hour rating where less than 4-stories.

Shaft Enclosure at Exterior Walls are not required. (Section 713.6) (page 137)

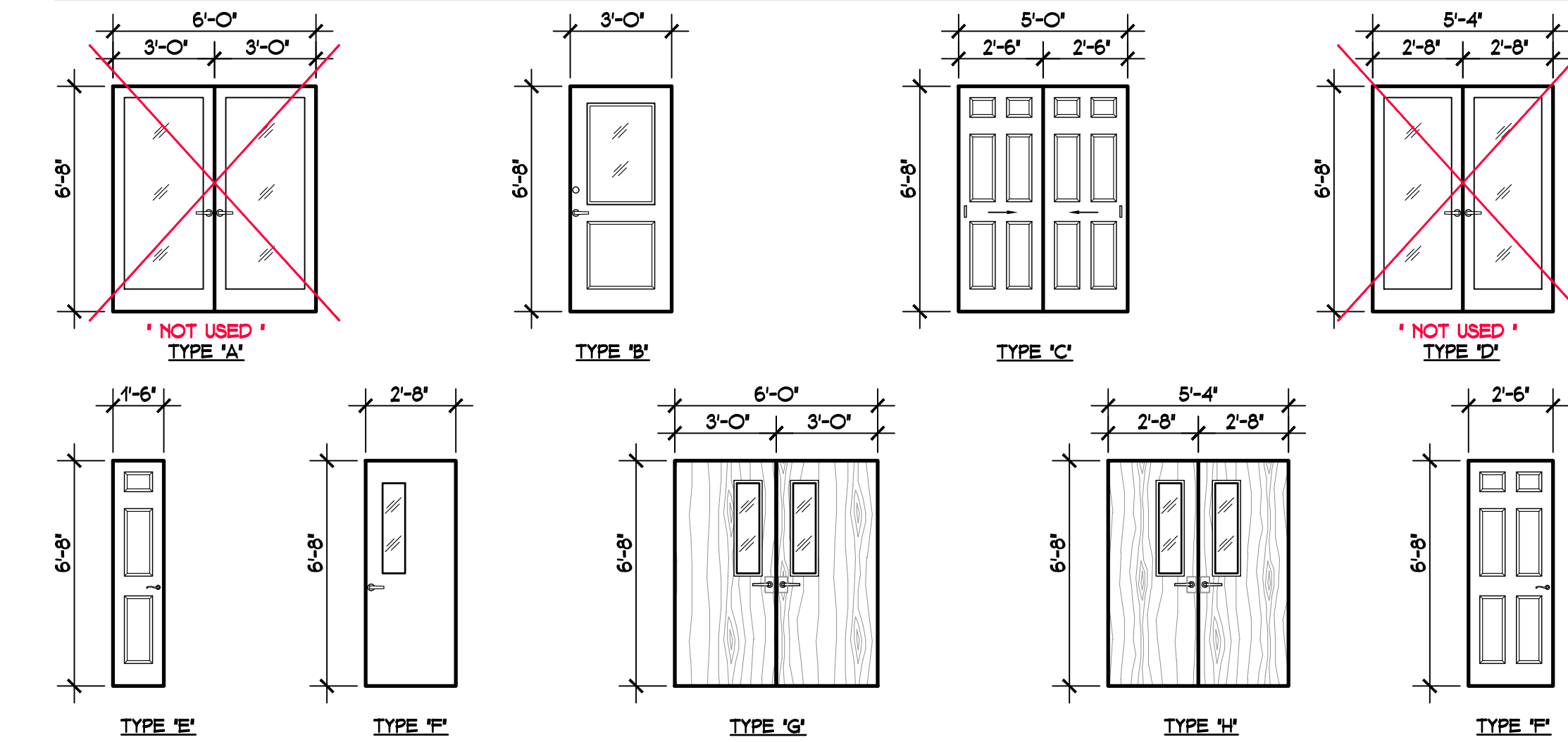


ISSUE DATES: 7-5-22 6-16-22 6-30-21 3-11-21	CODE COMPLIANT THIRD FLOOR APARTMENT FOR EXISTING BUILDING FOR: 61 SMITH PROPERTIES LLC.		MT. KISCO, NY.
	61 SMITH AVENUE		
EXISTING FLOOR PLANS & BUILDING CODE DATA SCALE: AS INDICATED		DRAWN BY: NED CHECKED BY: PJH	DRAWING NO.: 3
184 KATONAH AVENUE, KATONAH, NY 10536 TEL: (914) 232-4633 FAX: (914) 232-0768 EMAIL: thg@thehelmesgroup.com			



DOOR SCHEDULE										
NO.	MATERIAL	WIDTH	HEIGHT	THICK.	TYPE	FRAME	SILL	HARDWARE	RATING	REMARKS
BASEMENT LEVEL										
O1	MTL. & GLASS	32"	6'-8"	1-3/4"	F	MTL.	N/A	ALLOWANCES	45 MIN.	SELF CLOSING
FIRST FLOOR LEVEL										
O2	MTL. & GLASS	PR. 36" DOORS	6'-8"	1-3/4"	A	MTL.	N/A	ALLOWANCES	1-HR.	SEE NOTE #1 (NOT USED)
O2A	WOOD & GLASS	PR. 36" DOORS	6'-8"	1-3/4"	G	WOOD	N/A	ALLOWANCES	45 MIN.	SEE NOTE #2
O3	FIBERGLASS	36"	6'-8"	1-3/4"	B	WOOD	ALUM.	ALLOWANCES	N/A	SEE NOTE #2
O4	WOOD	PR. 30" DOORS	6'-8"	1-3/4"	C	WOOD	N/A	ALLOWANCES	N/A	SLIDING DOORS
O5	WOOD	48"	6'-8"	1-3/4"	E	WOOD	N/A	ALLOWANCES	N/A	---
SECOND FLOOR LEVEL										
O6	MTL. & GLASS	PR. 32" DOORS	6'-8"	1-3/4"	D	MTL.	N/A	ALLOWANCES	1-HR.	SEE NOTE #3 (NOT USED)
O6A	WOOD & GLASS	PR. 32" DOORS	6'-8"	1-3/4"	H	WOOD	N/A	ALLOWANCES	45 MIN.	SEE NOTE #3
THIRD FLOOR APARTMENT LEVEL										
O7	WOOD	30"	6'-8"	1-3/4"	F	WOOD	N/A	ALLOWANCES	45 MIN.	SEE NOTE #4

NOTE #1: NEW PRELITE METAL & GLASS DOORS W/ FRAMES. 1 HOUR FIRE RATING AND SELF CLOSING. (SEE DOOR O2A FOR DOOR ALTERNATE)
 NOTE #2: REPLACE EXIST. IN-SWING DOOR W/ FIBERGLASS OUT-SWING DOOR WITH VISION PANEL PER EGRESS REQUIREMENTS.
 NOTE #3: REPLACE EXIST. PAIR OF 32" FRENCH DOORS W/ NEW PRELITE METAL & GLASS DOORS WITH FRAME. 1 HOUR RATING & SELF CLOSING. (SEE DOOR O6A FOR DOOR ALTERNATE)
 NOTE #4: REPLACE EXIST. WOOD DOOR W/ 45 MIN. FIRE RATED DOOR. PROVIDE SELF CLOSING HARDWARE.
 NOTE #5: 1-3/4" SOLID CORE 45 MIN. "C" LABEL WOOD DOOR W/ MAX. 1248 SQ. IN. OF CLEAR FIRE GLASS BY FIRE-LITE OR APPROVED EQUAL.



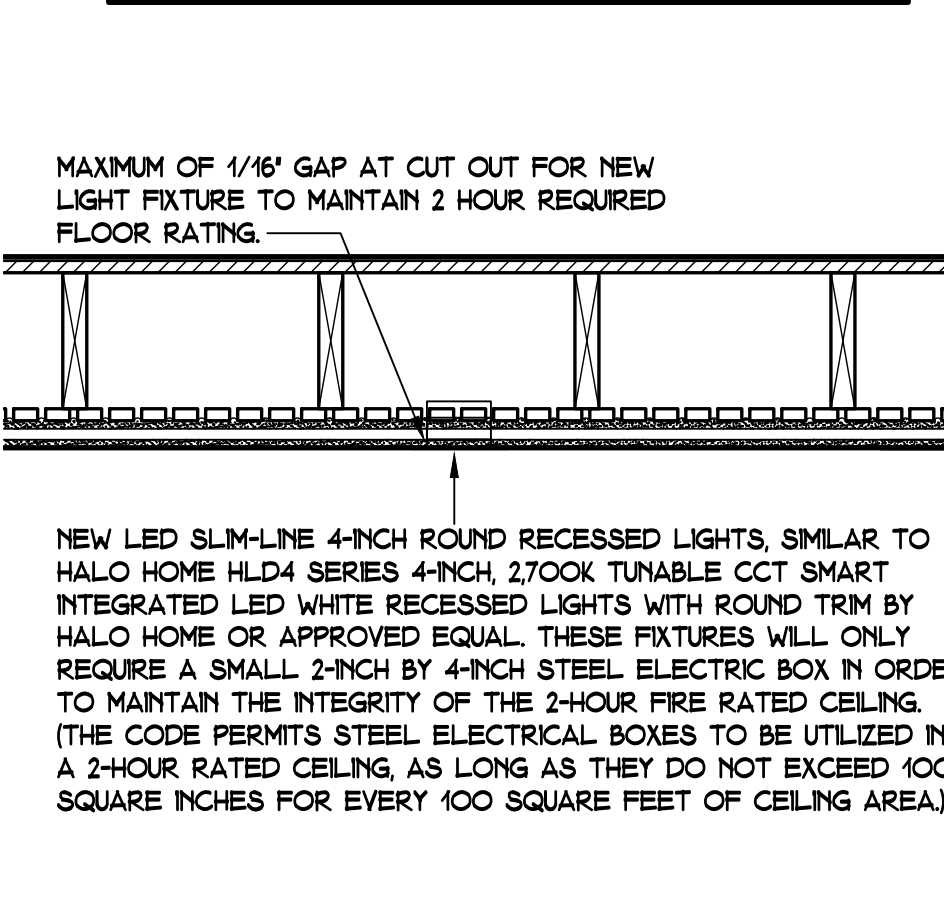
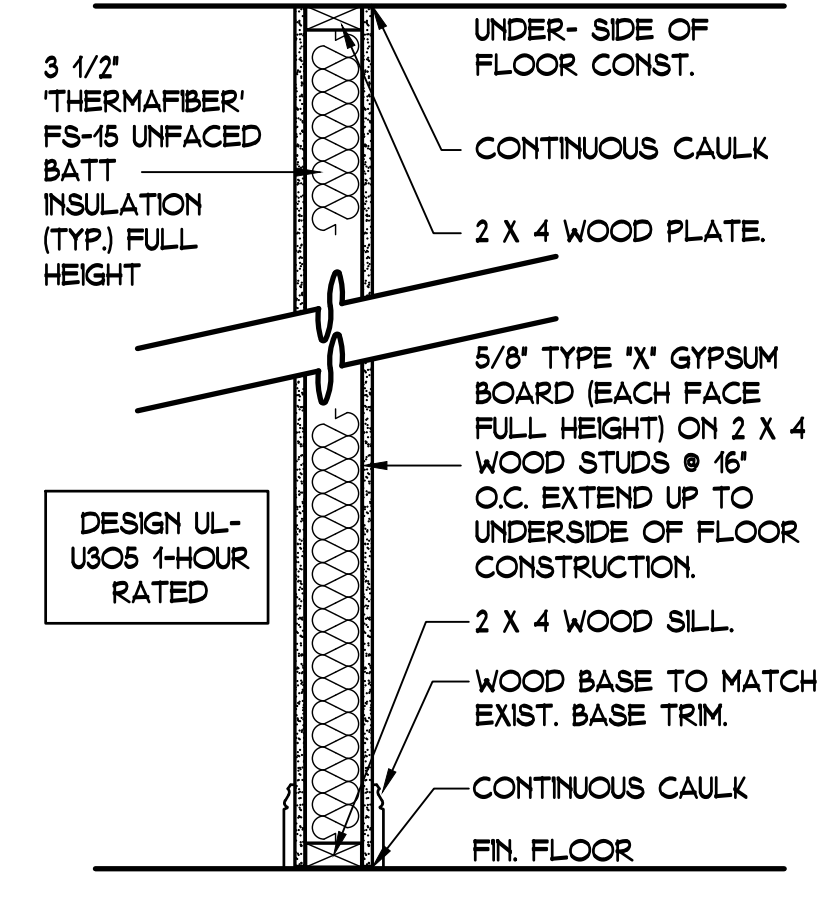
WINDOW SCHEDULE							
NO.	QTY.	TYPE	MANUFACTURER	MODEL NO.	WINDOW SIZE	MATERIAL / FINISH	REMARKS
A	2	CASEMENT	ANDERSEN 400 SERIES	CW14	28" X 49"	VINYL CLAD WOOD	SEE NOTE #1

NOTE #1: REPLACE EXIST. SINGLE DOUBLE HUNG WINDOW WITH NEW EGRESS COMPLIANT (MIN. 5.7 SF. OPENING) FINISH TO BE AS SELECTED BY OWNER. PROVIDE LEFT HINGE AND RIGHT HINGE CASEMENT WINDOW AND LOCATE AS INDICATED ON PLAN. PROVIDE MUNTIN CONFIGURATION TO MATCH ADJACENT EXISTING DOUBLE HUNG WINDOWS.

LEGEND	
⊕	HALO RL4 4' 2700K RETROFIT RECESSED LED LIGHT FIXTURE. (OR APPROVED EQUAL) SEE INSTALLATION DETAIL #2 ON THIS SHEET.
⊙	SMOKE DETECTOR - HARD WIRED / INTERCONNECTED.
⊙	CARBON MONOXIDE DETECTOR - HARD WIRED / INTERCONNECTED.
⊗	SPRINKLER HEAD. (VERIFY & UPDATE EXIST. SPRINKLER SYSTEM IF REQ'D. FOR CODE COMPLIANT SYSTEM) (SEE SPRINKLER DRAWINGS)
FE	FIRE EXTINGUISHER - SURFACE MOUNTED. MODEL #L-94442 (L) LISTED MULTI-PURPOSE DRY CHEMICAL BY KIDDE OR APPROVED EQUAL.
⬆	EXIT SIGN WITH BATTERY BACKUP EMERGENCY LIGHT.
▬	1-HOUR FIRE RATED PARTITION. (SEE PARTITION DETAIL ON THIS SHEET)
▨	REQUIRED CEILING AREA FOR 2-HOUR FIRE RATING (APPROX. 1,150 S.F.). SEE FLOOR CONST. DETAILS & FIREPROOFING INFORMATION ON DWG 5.

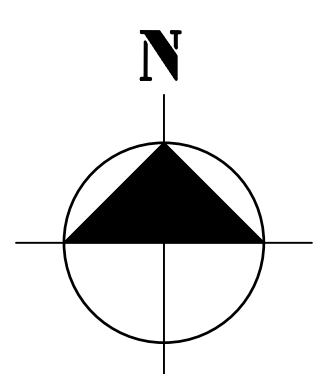
MINIMUM ROOM AREA	
(PER 2020 RESIDENTIAL CODE OF NYS.) (SECTION R304 & R305 PG. 54)	
BEDROOM #1	CLG. HT. 5 FT. TO 7 FT. A.F.F. = 14 SF CLG. HT. ABOVE 7'-0" A.F.F. = 118 SF TOTAL HABITABLE AREA = 132 SF (88% OF CLG. ABOVE 7'-0")
BEDROOM #2	CLG. HT. 5 FT. TO 7 FT. A.F.F. = 38 SF CLG. HT. ABOVE 7'-0" A.F.F. = 159 SF TOTAL HABITABLE AREA = 197 SF (71% OF CLG. ABOVE 7'-0")

LIGHT & VENTILATION	
(PER 2020 RESIDENTIAL CODE OF NYS.) (SECTION R303 PG. 52)	
BEDROOM #1	TOTAL HABITABLE AREA = 132.00 SF MIN. LIGHT REQUIREMENT (8%) = 10.56 SF MIN. VENTILATION REQ'D (4%) = 5.28 SF WINDOW PROVIDED: (14%) = 19.60 SF
BEDROOM #2	TOTAL HABITABLE AREA = 197.00 SF MIN. LIGHT REQUIREMENT (8%) = 15.76 SF MIN. VENTILATION REQ'D (4%) = 7.88 SF WINDOW PROVIDED: (10%) = 19.60 SF



1 1 HR. PARTITION DETAIL
SCALE: 1" = 1'-0"

2 NEW 4" RECESSED LED FIXTURE
SCALE: 1" = 1'-0"



ISSUE DATES: 7-5-22, 6-16-22, 6-30-21, 3-11-21

61 SMITH AVENUE, MT. KISCO, NY.

61 SMITH PROPERTIES LLC.

PROPOSED PLANS, SCHEDULES, DETAILS
SCALE: AS INDICATED

THE HELMES GROUP, LLP
ARCHITECTURE + ENGINEERING
PROJECT MANAGEMENT
184 KATONAH AVENUE, KATONAH, NY 10526
TEL: (914) 232-4633 FAX: (914) 232-0768
EMAIL: thg@thelmesgroup.com

DRAWN BY: NED
CHECKED BY: PUH
DRAWING NO.: 4

From: Peter Helmes pjh@thehelmesgroup.com

Subject: 61 Smith Avenue - Request to Schedule Job Site Meeting to review Storm Drainage and Handicap Accessibility / Parking

Date: July 14, 2022 at 10:22 AM

To: Planning & Zoning Secretary - Village of Mount Kisco planning@mountkisco.ny.gov

Cc: Peter J. Miley pmiley@mountkisco.ny.gov, Anthony Oliveri anthony@drepc.com, Jan Johannessen jjohannessen@kelses.com, Ms. Patti Tipa, Office Assistant - Mt. Kisco Building Dept. ptipa@mountkisco.ny.gov, Barbara Banks barbarabanks.schwam@gmail.com

Bcc: Peter J. Helmes peter.j.helmes@gmail.com



Michelle,

At the Planning Board Meeting this past Tuesday evening, the Planning Board Chairman requested that I coordinate with both the Building Inspector and the Town Engineer to further investigate the existing storm drainage conditions and the potential for providing a handicap accessible parking space.

Existing Storm Drainage Conditions

In general, the rear of the properties along both Smith Avenue and Gregory Avenue typically slope downward to a low lying drainage swale / culvert. This drainage swale / culvert appears to be shared by all properties and I believe eventually drains into the storm drain system on Lexington Avenue. I believe this then outflows to the low lying wetland areas at the bottom of Lexington Avenue.

To my knowledge this drainage has been in existence for more than 50-years and continues to serve all of these properties. The Planning Board Chairman mentioned that the outflow pipe from the 61 Smith Avenue property extends horizontally and in a heavy storm could overshoot the yard drain below. We would propose installing a 90-degree elbow with a straight section of pipe which would extend directly down to approximately a foot above the yard drain such that the yard drain could be periodically cleaned when necessary. Again, this entire drainage swale / culvert is shared by all properties and I do not believe any drainage easement exists on any of the properties.

Handicap Accessible Parking / Upgrades

The Planning Board asked Peter Miley, Building Inspector and myself to put our heads together to see what we can come up with to address handicap accessibility upgrades and possibly locating a handicap accessible parking space in the front of the building. However, I understand the Zoning does not permit parking in a front yard, therefore, we would need to defer to Peter Miley for guidance.

Summary

I believe the above were the two (2) sticking points that need to be resolved before we can appear again before the Planning Board.

Based on the above, I think it would be most productive if a meeting could be scheduled on-site with the Building Inspector and the Village Consultants, which I would assume would not take more than 15-30 minutes.

Kindly advise if you can arrange this meeting on-site. Both myself and Barbara Banks-Schwam, the Owner, and we will make ourselves available for whatever would be convenient for the Building Inspector and the Village Consultants.

Thank you for your attention with regard to the above and I look forward to hearing back from you.

Very truly yours,

Peter

Peter J. Helmes, AIA

THE HELMES GROUP, LLP

Architecture/Engineering/Project Management

184 Katonah Avenue

Katonah, New York 10536

Tel. (914) 232-4633


Mobile: (203) 482-3484

pjh@thehelmesgroup.com

MEMORANDUM

TO: Members of the Mount Kisco Planning Board

CC: Michelle Russo
Whitney Singleton, Esq.
Anthony Oliveri, P.E.
Peter Miley

FROM: Jan K. Johannessen, AICP 
Village Planner

DATE: March 9, 2023

RE: 28 Barker Owners Corp.
28 Barker Street
Section 69.73, Block 4, Lot 2

PROJECT DESCRIPTION

The subject property is located at 28 Barker Street and within the RM-29 Zoning District. The subject property is developed with an existing 3-story (25-unit) apartment building with 22 off-street parking spaces. The existing condition is inconsistent with the site plan of record and the applicant is proposing to legalize the existing layout. At the same time, the applicant is proposing modifications to internal driveways and parking areas, the construction of retaining walls, the construction of a roofed garbage enclosure, lighting and other related improvements.

SEQRA

The proposed action has been preliminarily identified as a Type II Action and is categorically exempt from the State Environmental Quality Review Act (SEQRA).

REQUIRED APPROVALS/REFERRALS

1. Site Plan Approval is required from the Planning Board.
2. A Special Use Permit may be required from the Planning Board. If deemed applicable, a public hearing is required to be held on the Special Use Permit.
3. A Steep Slopes Permit may be required from the Planning Board. If deemed applicable, a public hearing is required to be held on the Steep Slopes Permit.
4. The application must be referred to the Westchester County Planning Board in accordance with Section 239-m of the General Municipal Law. The Planning Board Secretary will coordinate this referral (full referral).
5. The subject property is located within the NYC East of Hudson Watershed and proposed land disturbance exceeds 5,000 s.f. Coverage under New York State Department of Environmental Conservation (NYSDEC) SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001) will be required.

COMMENTS

1. This office defers review of the plan for parking and zoning compliance to the Building Inspector.
2. According to Section 110-14B(2)(b) of the Zoning Code, multi-family development is allowed on parcels less than 40,000 s.f. in area, subject to the issuance of a Special Use Permit. While the use is not changing, the site is not developed in accordance with plans on file with the Building Department and modifications to the site are proposed. A determination should be made as to whether the proposed action requires a Special Use Permit.
3. A steep slopes analysis shall be prepared. The following slope categories shall be shaded on the plan (0 - <15%, 15% - <25%, ≥25%); proposed disturbance within each category shall be identified on the plan in tabular form. A determination shall be made as to whether a Steep Slopes Permit is required. If deemed required, the applicant shall demonstrate compliance with Section 110-33.1 of the Zoning Code; applicable paragraphs of this code section shall become notes on the plan to ensure compliance.
4. The bulk zoning table should be revised to include the minimum required lot area; landscape buffer setbacks; and maximum building length.
5. The plan shall be revised to illustrate and dimension all required minimum zoning setback lines (front, rear, side yard setbacks), including landscape buffers.

6. The applicant shall provide a plan or figure which graphically depict/shade the areas accounted for when tabulating the building and development coverage calculations.
7. In accordance with Section 110-31G(1) of the Zoning Code, no accessory structure shall be located closer to any street line or side lot line than does the principal structure on the lot. The refuse enclosure and the relocated shed (off-site) appear to be located within zoning setbacks.
8. Consideration should be given to eliminating the parking space immediately adjacent to the refuse enclosure so this area can be utilized for landscaping and screen the structure when viewed from the street.
9. In accordance with Section 110-28D of the Zoning Code, driveways serving parking areas containing 20 or more parking spaces shall be at least 18 feet in width. The width of the driveway varies and while certain sections comply, others do not. Portions of the driveway get as narrow as 12'-2" wide.
10. In accordance with Section 110-28H(4) of the Zoning Code, parking is prohibited in the front and side yard setbacks, within 10 feet of the rear property line or between the street line and the front wall of the principal structure. Parking is being provided within the front and side yard zoning setbacks (parking is getting closer to the westerly side property line).
11. The applicant shall demonstrate compliance with the off-street loading requirements provided under Section 110-29 of the Zoning Code.
12. A detailed lighting plan, demonstrating compliance with Sections 110-32C of the Zoning Code, shall be submitted for review. Illuminance levels shall be measured in footcandles and shall be depicted via a photometric plan identifying proposed footcandle measurements every 10 feet and extending over the property line by at least 20 feet. Photometrics shall be provided over the proposed site plan and shall be included in the plan set as prepared by the project architect. The following illuminance measurements shall be provided in tabular form on the plan: maximum, minimum, average during operating hours, average during non-operating hours, maximum to minimum ratio, and average to minimum ratio.
13. Unless otherwise approved, all light fixtures shall be full cut-off fixtures and shall direct the light downward toward the ground. Provide construction details and specifications for all proposed light fixtures, poles, pole foundations, and mounting brackets; provide manufacturer catalog cut sheets for all exterior lighting, including building mounted fixtures.
14. The applicant shall prepare and submit and landscaping plan demonstrating compliance with Section 110-32A of the Zoning Code. The plan shall illustrate the location of all proposed plant material and shall include a corresponding plant schedule identifying the specie type, size and quantity of all proposed plant material. Cross-section installation details shall be provided for

proposed trees and shrubs, as applicable. Opportunities for landscaping exist along the site's frontage on Barker Street; in front of the building facing the parking area; and along the westerly property line, between the property line and the proposed wall. It appears that two (2) existing trees are proposed to be removed; replacement trees (4" min. caliper) should be incorporated into the landscape plan.

15. Provide a driveway profile through the centerline of the driveway (from curb cut to curb cut).
16. What is the purpose of the 6-foot chain link fence proposed along the easterly property line, adjacent to the proposed guardrail? Can it be reduced to 4-feet in height?
17. The site plan notes a gravel area (to remain) behind the proposed refuse enclosure. What is its purpose, and should it be removed/restored?
18. Consider concrete bollards to protect the building corners from vehicles circulating the site (SW and SE corners).
19. Existing blacktop curbing should be replaced with concrete curb where the parking lot is being modified; concrete curbs are required by Village Code.
20. The plan shall illustrate and quantify the limits of disturbance (s.f.).
21. Provide elevations and details associated with the garbage enclosure; identify the maximum height of the structure.
22. The plan shall identify locations devoted to snow storage.
23. It is recommended that the application be referred to the Fire Department for review and to assess apparatus circulation.
24. The applicant shall submit an updated existing condition survey (boundary and 2-foot contours), signed and sealed by a NYS Licensed Land Surveyor.
25. The application form has not been completed correctly. Certain questions have been left blank and other questions are answered both "yes" and "no". Please revise and resubmit.

Mount Kisco Planning Board
March 9, 2023
Page 5 of 5

In order to expedite the review of subsequent submissions, the applicant should provide annotated responses to each of the comments outlined herein.

PLANS REVIEWED, PREPARED BY ARQ, DATED SEPTEMBER 9, 2021:

- Title Sheet (T-1)
- Existing & Demolition Site Plan and Details (S-1)
- Proposed Site Plan & Truck Maneuver and Details (S-2)
- Proposed Grading & Drainage Plan, Notes, Details and Pre-Post Development Maps (S-3)

DOCUMENTS REVIEWED:

- Planning Board Application
- Short EAF, dated January 24,2022

JKJ/dc

MEMORANDUM

To: Members of the Mount Kisco Planning Board

C: Edward W. Brancati, Village Manager
Peter Miley, Building Inspector
Whitney Singleton Village Attorney,
Jan K. Johannessen AICP, Village Planner

From: Anthony Oliveri, P.E.

Date: March 10, 2023

Re: 28 Barkers Owners Corp.
28 Barker Street
Site Plan
Village/Town of Mount Kisco

With regard to the above mentioned project, this office has reviewed the following plans and submittals:

- Plans set entitled: “Amended Site Plan & New Ret. Wall”, prepared by ARQ Architecture, P.C., dated 9/9/2021;

Our preliminary comments are as follows:

1. Parking requirements and zoning review to be conducted by the Building Inspector.
2. An existing conditions topographic survey must be submitted, signed and sealed by a licensed land surveyor.
3. Existing “plot plans” on sheet T-1 are illegible.
4. Coverage under the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity - GP-0-20-001 will be required for any disturbance exceeding 5,000 S.F. and an appropriate Stormwater Pollution Prevention Plan (SWPPP); the proposed limit of disturbance should be clearly delineated on the plan.
5. Trench drains should be considered to capture stormwater runoff from the driveways, existing included. No runoff should enter the Village ROW.
6. Stormwater calculations sizing the proposed detention system must be provided; an outlet control structure must be provided connected to the catch basin in the ROW.
7. All rims, inverts pipe sizes etc. that are proposed must be noted on the plan.
8. Clarify if full depth asphalt replacement or resurfacing is proposed.
9. Continuous concrete drop curbs, driveway aprons and/or sidewalk and ramps must be provided at each curb cut.

10. Painted arrows should be considered in the drive aisles.
11. 90° parking spaces appear to be substandard length and the aisle provided, substandard width.
12. Retaining walls over 4' in height must be fully engineered and structural calculations provided prior to building permit issuance.
13. The proposed segmental retaining walls may require a tie back system in some areas which may not be possible in close proximity of the property line as shown.
14. Any excavation in proximity of the adjacent building must consider effect on the foundations to prevent undermining.
15. The plan must delineate areas of steep slopes in conformance with §110-33.1 of the code for a determination on permitting.
16. Compliance with §93-33 of the code with regard to driveway slopes must be demonstrated.

We will be happy to complete our review once additional information is provided.

Thank you

VILLAGE OF MOUNT KISCO PLANNING BOARD APPLICATION

Type of Application (please check all that apply)

- Site Plan (Conceptual)
 Site Plan (Formal)
 Subdivision
 Special Use Permit
 Change of Use Permit
 Wetland Permit
 Steep Slopes Permit

For Conceptual Site Plan Applications, complete Page 1 only and provide signatures on Page 2

Name of Applicant (not agent): 28 Barker Owners Corp. (Mr. Frank D'Onofrio, Treasurer)
Address: 28 Barker Street, Mt. Kisco, New York 10549
Phone Number: (914) 725-9666 **Email:** andfrajontd@aol.com
Applicant's relationship to property: Property Owner

Name of Property Owner (if different from above) Same As Above
Address: _____
Phone Number: _____ **Email:** _____

Name of Agent (Firm Name/Contact Person): ARQ Architecture, P.C. (Mr. Jorge B. Hernandez, R.A, A.I.A.)
Address: 100 Executive Boulevard, Suite 204, Ossining, New York 10562
Phone Number: (914) 944-3377 **Email:** jb@arqpc.com

Application Information

Project Name: 28 Barker Owners Corp.
Project Address/Location: 28 Barker Street, Mt. Kisco, N.Y. 10549
Tax Parcel ID Number(s): 69.73 - 4 - 2
Project Description: Amended Site Plan & New Retaining Wall.

Total parcel size (square feet and acres): 25,882 S.F.

Zoning District(s): RM-29 **Existing Use:** Residential **Proposed Use:** Residential

Does the subject property have a Site Plan of Record? Yes No

Last approved use according to the last issued Certificate of Occupancy? _____

For Office Use Only

Total Fee Paid: \$ _____

Initial Escrow Deposit: \$ _____

Number of off-street parking spaces - Existing: 22 Proposed: 23

Number of newly created building lots (if applicable): Not Applicable

Do any easement agreements, covenants or deed restrictions apply to this property? Yes No

If yes, please list these documents and attach copies _____

Identify all other permits/approvals required:

Agency	Approval Required	Type of Permit
Village Board of Trustees	<input type="checkbox"/> Yes <input type="checkbox"/> No	
Village Zoning Board of Appeals (ZBA)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Village Architectural Review Board (ARB)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Approval
Village Building Department	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Building Permit
Village Department of Public Works (DPW)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Westchester County Department of Health (WCDH)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Westchester County Department of Public Works (WCDPW)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
NYC Department of Environmental Protection (NYCDEP)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
NYS Department of Environmental Conservation (NYSDEC)	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
NYS Department of Transportation (NYSDOT)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
U.S. Army Corps of Engineers (ACOE)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Other	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Total anticipated area of construction activity as defined under the most recent NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity: <5,000 s.f. ≥5,000 s.f. - <1 acre >1 acre

Will the project disturb any Village regulated wetlands or wetland buffer areas? Yes No

If yes, quantify area of disturbance: _____ s.f. wetland disturbance; _____ s.f. of wetland buffer disturbance

Will proposed action disturb any "steep slopes" (≥15 percent)? Yes No Area disturbed: _____ s.f.

Will proposed action disturb any "very steep slopes" (≥25 percent)? Yes No Area disturbed: _____ s.f.

Are any trees with a diameter of ≥4-inches proposed to be removed? Yes No Quantity: 2

If yes, will any trees be removed from steep slopes? Yes No Quantity: 1

Is the site located within a Flood Hazard Area as defined by FEMA? Yes No

I hereby certify that the above information is factually correct to the best of my knowledge. By applying for the permit/approval(s) herein, the below individuals expressly authorize Village Officials and Planning Board members access to the subject property for schedule site visits and inspections.

Applicant: Frank D'Onofrio [Signature] February 28, 2022
 (print name) (signature) (date)

Owner: Frank D'Onofrio [Signature] February 28, 2022
 (print name) (signature) (date)

VILLAGE OF MOUNT KISCO PLANNING BOARD

104 Main Street
Mount Kisco, New York 10549
914-864-0022
www.mountkisco.org

PLANNING BOARD SUBMISSION CHECKLIST

PROJECT NAME: 28 Barker Street

Application materials (required for all applications)

- *Planning Board application form completed and signed by all applicable parties
- Unless otherwise instructed, a completed Short Environmental Assessment Form (EAF) as available from the NYSDEC website
- *Application fee and initial escrow deposit as identified by the Planning Board Secretary
- *Most recent property deed
- *Survey of property – Level of detail required to be determined by the Planning Board, Building Inspector and/or the Planning Board’s consultants
- *Previously approved Planning Board Site Plan of Record and Planning Board Resolutions, available through the Building Department, if applicable
- *Identification of any known zoning variances (previously granted or required/proposed)
- *Completed Coverage Calculations Worksheet
- *Business plan providing a detailed description of the proposed use/operation
- Floor plans of the existing and proposed condition as prepared by a NYS licensed architect or engineer
- Architectural elevations prepared by a NYS licensed architect or engineer, if applicable
- *The applicant shall provide a digital submission including PDFs of all forms, applications, documents, reports, and plans to the Planning Board Secretary on a flash drive or CD-ROM

() Indicates that this item is required for the first submission, including Conceptual Site Plan Applications*

Items to be included on Site Plans and other plans presented to the Planning Board (Subdivisions, Special Use Permits, Change of Use Permits, Wetland Permits, and Steep Slope Permits, as determined applicable)

General information and Existing Conditions

- *Location of project by street address
- *The section, block and lot number(s) of the subject property taken from the latest assessment roll
- *A location map identifying the location of the subject property in context to the surrounding area
- *Name and mailing address of the owner of record and the applicant, if different
- *Name and mailing address of the person, firm, or organization preparing the plan
- *Date of the plan preparation/revision - provide common revision dates on each sheet
- *North arrow; scale bar
- *Unless otherwise approved, plans shall be prepared as a scale of 1 inch = 30 feet
- *Zoning district boundary lines
- *Zoning setback lines and dimensions
- Landscape buffer setback lines and dimensions
- Ownership information for all adjacent parcels taken from the latest assessment roll
- The location, width and purpose of all existing and proposed easements, covenants, reservations and areas dedicated to public use within or adjacent to the property
- Existing topography as illustrated by use of contour lines with intervals of two (2) feet or less, referred to a datum satisfactory to the Village Engineer
- Adjacent structures and uses within fifty (50) feet of the subject property
- The location, names and existing widths of adjacent streets, including curbs
- *The location and limits of all existing improvements including buildings, structures, paved areas, gravel areas, vehicular and pedestrian access, driveways, parking stalls,

() Indicates that this item is required for the first submission, including Conceptual Site Plan Applications*

- loading areas, sidewalks, exterior lighting, walls, fencing, and landscaping on and adjacent to the subject property
- Locations, dimensions, grades and flow directions of existing sewers, drainage features, culverts, and waterlines, as well as other underground and aboveground utilities within and adjacent to the subject property

Demolition and Removals

- Clearly identify any existing improvements or structures which are proposed to be removed, including utilities

Environmental Features

- If the subject property contains wetlands or surface water features or will require a wetland permit, wetlands and watercourses that are jurisdictional to the Village of Mount Kisco shall be delineated by a wetland scientist, shall be survey located, and shall be shown on a plan. A wetland delineation report shall be provided prepared to the satisfaction of the Village Wetland Consultant
- If disturbance to steep slopes is proposed, provide a calculation of disturbance within each applicable slope category and demonstrate compliance with Section 110-33.1A of the Zoning Code. The plan shall illustrate via shading, the portions of the site comprised of steep slopes (distinguish between slopes categories)
- If tree removal is proposed, trees with a diameter ≥ 4 inches as measured 1.5 feet above grade shall be survey located and shown on a plan (location, diameter, specie type). Identify all trees to be removed or preserved
- Mitigation plan (associated with wetland permits and steep slope permits)
- The location and extent of wooded areas, rock outcrops and other significant environmental features
- The location, boundary and elevation of any FEMA Flood Hazard Areas, if applicable

Proposed Development

- For subdivisions and/or lot line realignments, provide a subdivision plat in compliance with Chapter 94 of the Village Code
- *Bulk zoning table comparing the existing and proposed conditions to the requirements of the underlying zoning district(s)
- Average grade calculation to determine proposed building height, if applicable

() Indicates that this item is required for the first submission, including Conceptual Site Plan Applications*

- *Off-street parking and loading calculations comparing the existing and proposed condition to the requirements listed under Sections 110-28 and 110-29 of the Zoning Code
- Limits of construction activity line with area calculation (square feet)
- *The location and limits of all proposed improvements including buildings, structures, paved areas, vehicular and pedestrian access, driveways, parking stalls, loading areas, sidewalks, exterior lighting, walls, fencing, and landscaping on and adjacent to the subject property. Profiles and cross-sections shall be provided, as necessary
- Locations, dimensions, grades and flow directions of all proposed utilities including sanitary and storm sewers, drainage features, culverts, and waterlines, as well as other underground and aboveground utilities within and adjacent to the subject property. Profiles and cross-sections shall be provided, as necessary
- Preparation of a Stormwater Pollution Prevention Plan (SWPPP) in accordance with NYSDEC standards and requirements, as determined necessary by the Village Engineer, including drainage calculations
- Construction details, profiles and sections, as determined necessary
- Grading plan, indicating how proposed new grades will meet existing grades
- Location and cross-section of any new wall
- The location and plans for any proposed signage
- Landscaping plan, including location, size, specie type, and quantity of proposed plant material, prepared by a NYS registered landscape architect
- A lighting plan prepared to demonstrate compliance with 110-32 of the Zoning Code
- The location, limits and description of any proposed easements or covenants
- Any contemplated public improvements on adjoining properties
- *Any additional information required under the Village Code or as determined necessary by the Planning Board, Building Inspector, or by the Planning Board's consultants

Supplementary Regulations

- The applicant shall determine/demonstrate compliance with the Article V of the Zoning Code, including supplementary use and development regulations, as applicable

() Indicates that this item is required for the first submission, including Conceptual Site Plan Applications*

Upon findings of the Planning Board that due to special conditions particular to the subject property, certain of the information identified above is not necessary or appropriate or that strict compliance with said requirements may cause extraordinary or unnecessary hardships, the Planning Board may vary or waive the provision of such information, provided that such waiver will not have detrimental effects on public health, safety or general welfare or have the effect of nullifying the intent and purpose of the application, Official Map, Village Comprehensive Plan or Village Code

This checklist is provided as a guide. The Planning Board may require additional information as determined necessary.

The undersigned agrees that, to the best of his or her knowledge, the submission materials have been prepared in accordance with this checklist.

Name of Design Professional: Jorge B, Hernandez, R.A., A.I.A.

Signature of Design Professional: 

Date: January 24, 2022

(Indicates that this item is required for the first submission, including Conceptual Site Plan Applications*

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

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

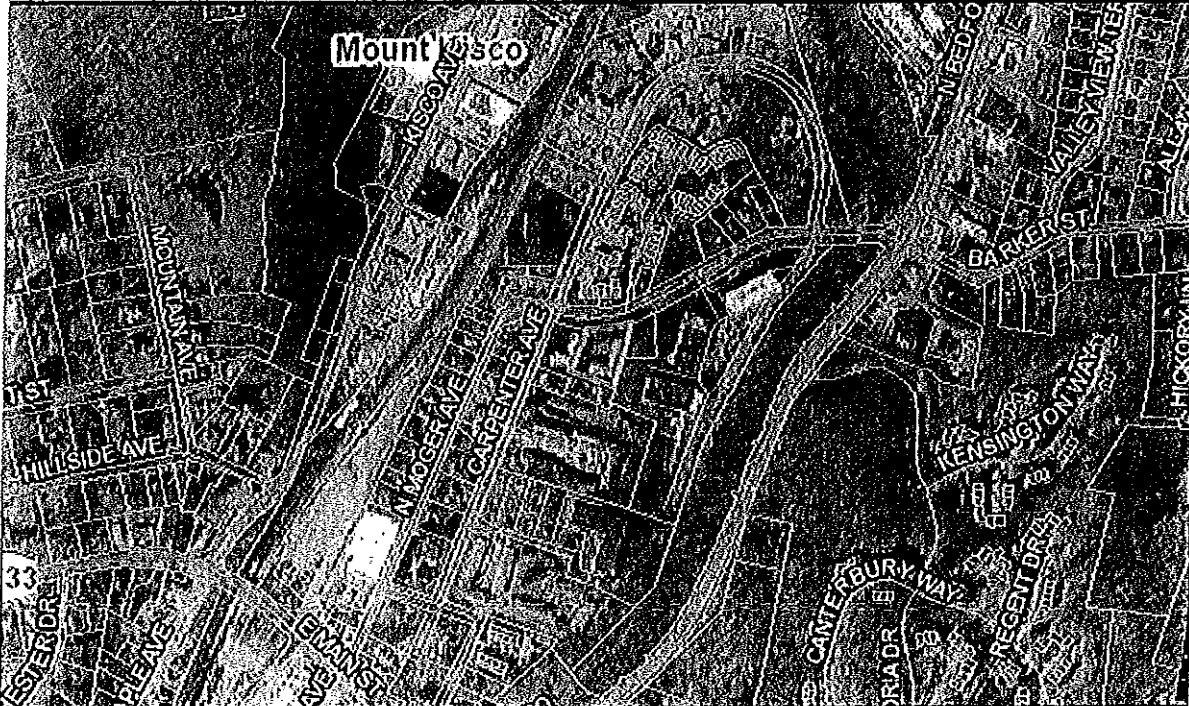
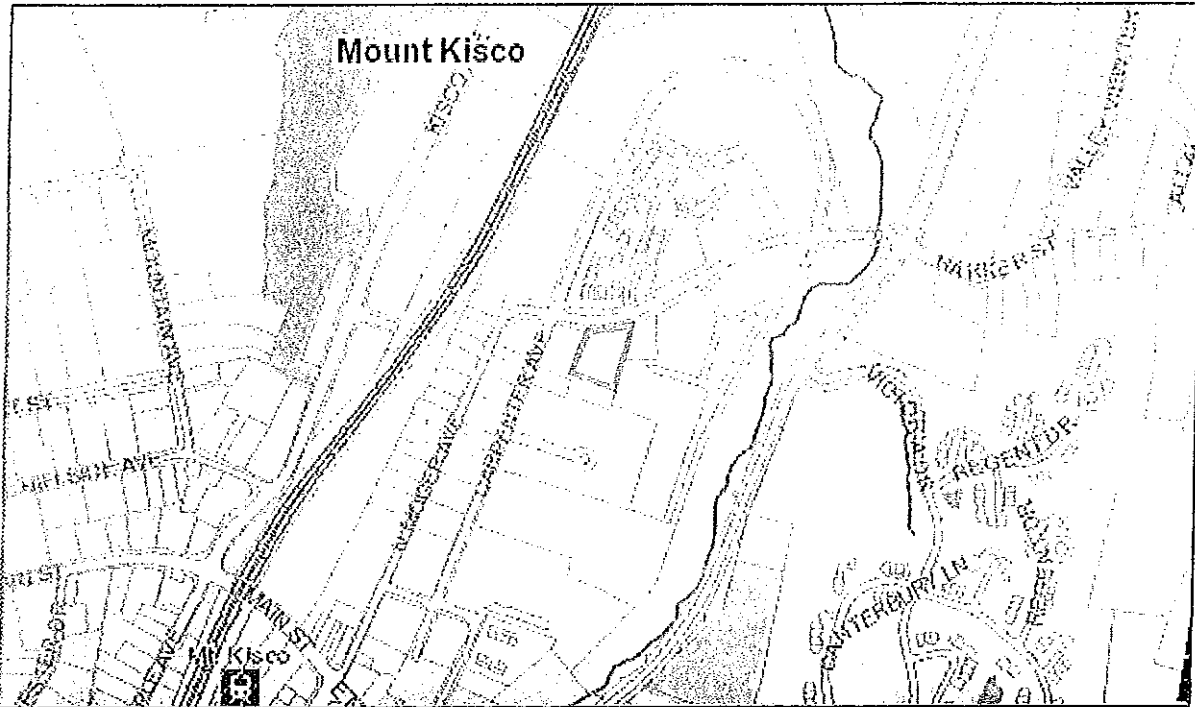
Part 1 - Project and Sponsor Information		
28 BARKER STREET		
Name of Action or Project:		
28 BARKER STREET		
Project Location (describe, and attach a location map):		
28 Barker Street, Mt. Kisco, NY (Nearest Cross Street/Intersection = Barker Street & Carpenter Ave.) = SEE ATTACHED		
Brief Description of Proposed Action:		
Amended Site Plan & New Retaining Wall		
Name of Applicant or Sponsor:		Telephone: (914) 944-3377
JORGE B, HERNANDEZ, R.A., A.I.A. (SPONSOR)		E-Mail: JB@ARQPC.COM
Address:		
ARQ ARCHITECTURE, P.C., 100 EXECUTIVE BOULEVARD, SUITE 204		
City/PO:	State:	Zip Code:
OSSINING	NEW YORK	10562
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation?		NO YES
If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		<input checked="" type="checkbox"/> <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency?		NO YES
If Yes, list agency(s) name and permit or approval: Mt. Kisco Planning Board - Approval Mt. Kisco Building Dept. - Building Permit		<input type="checkbox"/> <input checked="" type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		0.031 acres
b. Total acreage to be physically disturbed?		.18 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.59 acres
4. Check all land uses that occur on, adjoining and near the proposed action.		
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland		

Tax Parcel Maps

Address: 28 Barker St

Print Key: 69.73-4-2

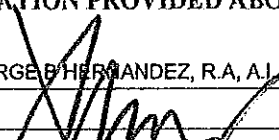
SBL: 06907300040020000000



Disclaimer:

This tax parcel map is provided as a public service to Westchester County residents for general information and planning purposes only, and should not be relied upon as a sole informational source. The County of Westchester hereby disclaims any liability from the use of this GIS mapping system by any person or entity. Tax parcel boundaries represent approximate property line location and should NOT be interpreted as or used in lieu of a survey or property boundary description. Property descriptions must be obtained from surveys or deeds. For more information please contact the assessor's office of the municipality.

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO	YES	N/A
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ NOT APPLICABLE (SITE PLAN/RETAINING WALL)	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ NOT APPLICABLE (SITE PLAN/RETAINING WALL)	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: <u>JORGE B. HERNANDEZ, R.A, A.J.A.</u>	Date: <u>January 24, 2022</u>	
Signature: 		

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

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

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

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

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

PRINT

RESET

VILLAGE OF MOUNT KISCO

104 Main Street
Mount Kisco, New York 10549
www.mountkisco.org

COVERAGE CALCULATION WORKSHEET

Project Name: 28 Barker Owners Corp.

Tax Parcel ID Number(s): 69.73 - 4 - 2

Relevant definitions from the Village's Zoning Code are provided on the following page

Building Coverage – Enter "0" below if category is not applicable

- | | |
|-------------------------------------------------------------------------------------------------------------------|-----------------------|
| 1. Total lot area (s.f.) = | 1. <u>25,882</u> s.f. |
| 2. Maximum permitted Building Coverage (s.f.) = | 2. <u>8,665</u> s.f. |
| 3. Portion of lot covered by the principal building:
<u>6,295</u> s.f. (existing) + <u>0</u> s.f. (proposed) = | 3. <u>6,295</u> s.f. |
| 4. Portion of lot covered by accessory building(s):
<u>0</u> s.f. (existing) + <u>0</u> s.f. (proposed) = | 4. <u>0</u> s.f. |
| 5. Portion of lot covered by other structures:
<u>0</u> s.f. (existing) + <u>0</u> s.f. (proposed) = | 5. <u>0</u> s.f. |
| 6. Total Building Coverage (add Lines #3 through #5) = | 6. <u>6,295</u> s.f. |

Development Coverage – Enter "0" below if category is not applicable

- | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|
| 1. Total lot area = | 1. <u>25,882</u> s.f. |
| 2. Maximum permitted Development Coverage = | 2. <u>20,022</u> s.f. |
| 3. Total Building Coverage from Line #6 Above = | 3. <u>6,295</u> s.f. |
| 4. Portion of lot covered by asphalt, concrete, gravel, or similar materials
<u>12,616</u> s.f. (existing) + <u>1,359</u> s.f. (proposed) = | 4. <u>13,975</u> s.f. |
| 5. Portion of lot covered by other improved surfaces =
<u>0</u> s.f. (existing) + <u>0</u> s.f. (proposed) = | 5. <u>0</u> s.f. |
| 6. Total Development Coverage (add Lines #3 through #5) = | 6. <u>20,270</u> s.f. |

If Line #6 is less than or equal to Line #2, the proposed action is zoning compliant; if Line #6 is greater than Line #2, the proposed action is noncompliant

R-96-259

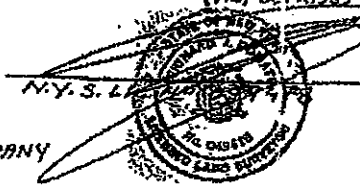
TITLE NO: SA-92727-WX

SURVEY OF TAX LOT 2,
BLOCK 4, SECTION 69.73
VILLAGE OF MOUNT KISCO,
TOWN OF MOUNT KISCO,
WESTCHESTER COUNTY,
NEW YORK.

RICHARD J. DOMATO

LAND SURVEYOR

Qualified by License
82 N. 1st Street - Suite 40
Mt. Kisco, L.I.C. 10550
(914) 647-0565

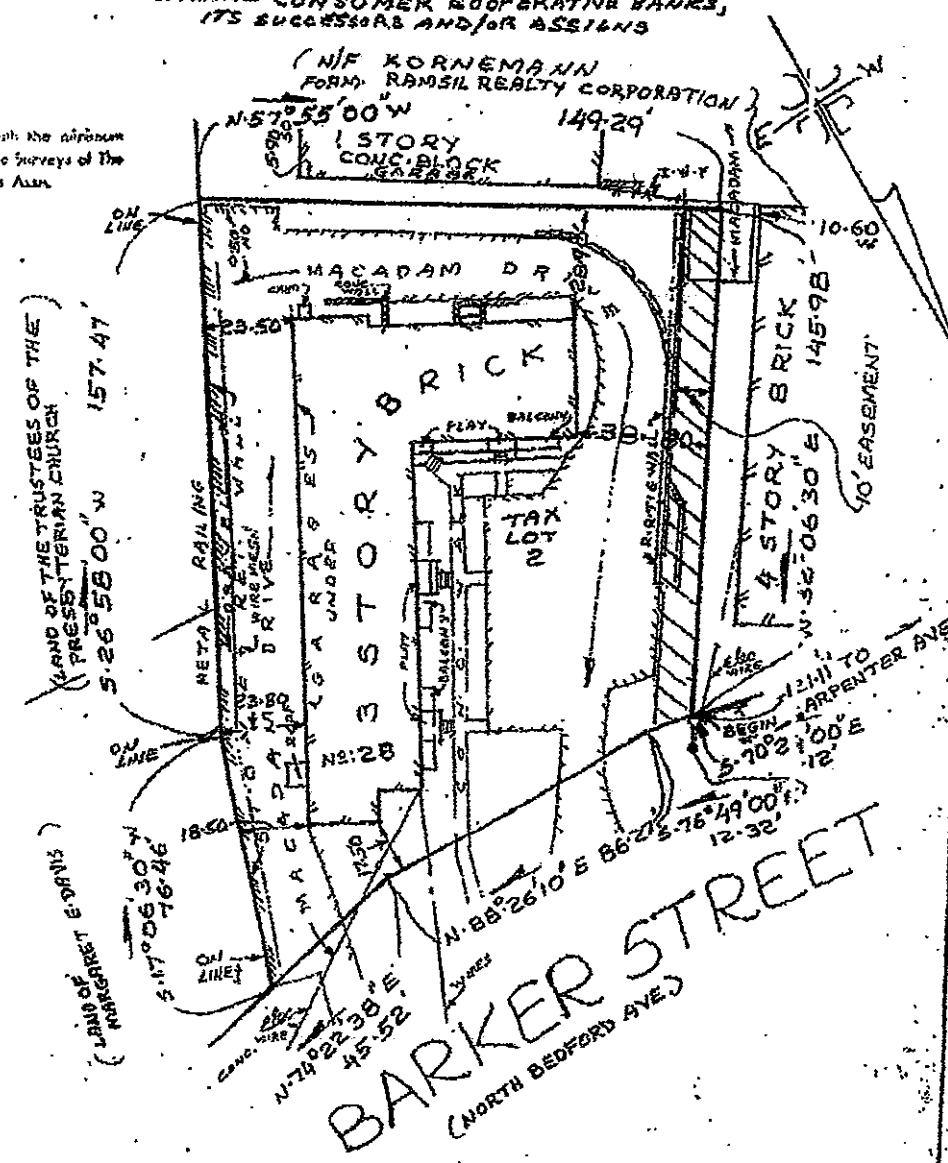


DATE: OCT. 3, 1996 SCALE: 1"=30'

CERTIFIED TO: CHICAGO TITLE INSURANCE COMPANY
STATEWIDE ABSTRACT CORP.
28 BARKER OWNERS CORP.
NATIONAL CONSUMER COOPERATIVE BANKS,
ITS SUCCESSORS AND/OR ASSIGNS

(N/F KORNEMANN
FORM) RAMSIL REALTY CORPORATION

In accordance with the minimum
standards for Title Surveys of the
N.Y.S. Land Title Act.



REVISED: BROUGHT TO DATE JUNE 13, 2003 ASD

(LAND OF THE TRUSTEES OF THE
PRESBYTERIAN CHURCH
5-26-58 00" W 157.47'

(LAND OF THE TRUSTEES OF THE
PRESBYTERIAN CHURCH
5-17-06 30' W 76.46'

BARKER STREET
(NORTH BEDFORD AVE.)
N 88° 26' 10" E 86.2' S 76° 49' 00" E 12.32'

"SURVEYED AS IN POSSESSION"

R-96-259

H13

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT. THIS INSTRUMENT SHOULD BE SIGNED BY LAWYERS ONLY.

THIS INDENTURE, made the 23rd day of APRIL, nineteen hundred and ninety six
BETWEEN MT. KISCO-MOGER ASSOCIATES
1350 Avenue of the Americas
Suite 2802
New York, NY 10019

3P
7/19

party of the first part, and

MT. KISCO-MOGER LLC
1350 Avenue of the Americas
Suite 2802
New York 10019

party of the second part,

* now known as a town of
Mount Kisco

WITNESSETH that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

BEGINNING at the corner formed by the intersection of the easterly side of Carpenter Avenue with the southerly side of North Moger Avenue; thence along the southerly side of North Moger Avenue, South 65° 01' 00" East 110.28 feet to a point in said side of said Avenue; thence continuing along the southerly side of said Avenue, South 70° 24' East 10.83 feet to land now or late of Beatrice Feinstein; thence along the same, South 32° 06' 30" West 145.98 feet to a point; thence continuing along land now or late of Beatrice Feinstein, South 57° 55' East 149.29 feet to land now or formerly of Trustees of Presbyterian Church; thence along the same, South 26° 58' West 42.73 feet to land now or late of Herman A. Schmidt; thence along the same, following a stone wall, South 28° 00' West 23 feet to the most southerly corner of the premises herein described and land now or late of Jesse French; thence along said land, North 57° 55' West 154.72 feet to land now or late of Gilbert R. Knapp; thence along the same, North 32° 06' 30" East 43.17 feet to a point; thence continuing along said land now or late of French, North 57° 55' West 120 feet to the easterly side of Carpenter Avenue; thence along the same, North 32° 06' 30" East 149.85 feet to the point of beginning.

TOGETHER with an easement in a 10 foot strip along the easterly line of premises above as more particularly set forth in an Agreement between Katerius Gerken, Henry Tawes and Hilda Kornemann, parties of the first part, and Tillie Feldman, party of the second part, dated May 6, 1954 and recorded in the Office of the County Clerk of Westchester County, Division of Land Records, formerly Register's Office of Westchester County, New York on May 17, 1954 in Liber 5328 of Conveyances, page 493.

TOGETHER with all right, title and interest, if any, of the party of the first part, in and to any streets and roads abutting the above-described premises to the center lines thereof; TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to said premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 33 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires. IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN WITNESS OF:

[Signature]

MT. KISCO-MOGER ASSOCIATES
* *[Signature]*



1928 493

THIS INDENTURE made on the 6th day of May, 1954, between KATHERINA OSERKER, residing at 174-23 26th Avenue, Flushing, New York, HENRY TEMES, residing at 32-37 42nd Street, Long Island City, New York, and HILDA KORNEMANN, residing at Now Peltz, New York, parties of the first part, and TILLIE WELDMAN, residing at 24 Bay 32nd Street, Brooklyn New York, as party of the second part

WITNESSETH:

WHEREAS, the parties of the first part have simultaneously herewith conveyed to the party of the second part the premises located in the Town of Bedford, County of Westchester and State of New York, bounded and described as follows:

"All that lot of land, situate, lying and being in the Town of Bedford, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at the corner formed by the intersection of the easterly side of Carpenter Avenue with the southerly side of North Bedford Avenue; thence along the southerly side of North Bedford Avenue, South 65 degrees 01' 50" East 110.28 feet to a point in said side of said Avenue; thence continuing along the southerly side of said Avenue, South 70 degrees 24' East 10.83 feet to land now or late of Beatrice Fein-Stein; thence along the same, South 32 degrees 06' 30" West 145.98 feet to a point; thence continuing along land now or late of Beatrice FeinStein, South 77 degrees 55' East 149.29 feet to land now or formerly of Trustees of Presbyterian Church; thence along the same South 26 degrees 58' West 42.23 feet to land now or late of Herman A. Schmidt; thence along the same following along a stone wall, south 28 degrees 01' West 23 feet to the most southerly corner of the premises herein described and land now or late of Jesse French; thence along said land, North 77 degrees 55' West 174.72 feet to land now or late of Gilbert G. Krapp; thence along the same, North 32 degrees 06' 30" East 45.17 feet to a point; thence continuing along said land now or late of French, North 77 degrees 55' West 120 feet to the easterly side of Carpenter Avenue; thence along the same, North 32 degrees 06' 30" East 149.85 feet to Beginning."

hereinafter referred to as Parcel A, and

WHEREAS, the parties of the first part own the premises adjacent and contiguous to the aforementioned

10-5000 404
WESTCHESTER MAR 21 1914

Parcel A bounded and described as follows;

"All that lot or parcel of land situate, lying and being in the Village of Mount Kisco, Town of Bedford, County of Westchester and State of New York, bounded and described as follows:

BEGINNING at the Northwest corner of the herein described parcel, on the Southerly side of North Bedford Avenue, adjoining the Northeast corner of land formerly of Ramsil Realty Corporation and now or formerly of Kornemann, Gerken and Taves, said corner being 121.11 feet Easterly from the intersection of the Easterly side of Carpenter Avenue with the Southerly side of North Bedford Avenue, as measured along the Southerly side of North Bedford Avenue; thence Easterly along the Southerly side of North Bedford Avenue, the following courses and distances: South 70 degrees 24' 00" East 1.12 feet; South 76 degrees 49' 00" East 12.32 feet; North 88 degrees 50' 00" East 12.24 feet; North 79 degrees 31' 00" East 12.29 feet and North 74 degrees 06' 00" East 116.23 feet to land now or formerly of Margaret E. Davis; thence Southerly along land of Margaret E. Davis and the land of the Trustees of the Presbyterian Church, South 17 degrees 06' 30" West 97.81 feet and South 26 degrees 53' 00" West 157.67 feet to land formerly of Ramsil Realty Corporation now or formerly of Kornemann, Gerken and Taves; thence Westerly along said last mentioned land, North 57 degrees, 55' 00" West 149.25 feet to the Easterly line of the first mentioned land formerly of Ramsil Realty Corporation, now or formerly of Kornemann, Gerken and Taves; thence Northerly along said last mentioned land, North 32 degrees 06' 30" East 145.98 feet to the Southerly side of North Bedford Avenue and the point or place of beginning."

which premises are hereinafter known as Parcel B, and

WHEREAS, the parties of the first part represent that they have caused a 4000 gallon oil tank, together with a pipeline connecting such tank with the improvement on Parcel A, to be buried, in whole or in part in Parcel B, all of which tank lies within a ten foot strip along the northeasterly boundary of Parcel B and which strip runs parallel with and contiguous to Parcel A, and

WHEREAS, it is the intention of the parties hereto that the party of the second part, her heirs and assigns shall have the exclusive right to use such oil tank for the purpose of supplying fuel oil to the improvement now on Parcel A for so long as said building or any part thereof may stand upon said Parcel A

NOW, THEREFORE, in consideration of the sum of \$1.00 and other good and valuable consideration paid by the party

of the second part to the parties of the first part, the parties of the first part hereby convey and grant to the party of the second part, her heirs, and assigns forever, the right, privilege and easement to maintain the said oil tank and the pipe line connections from said tank to Parcel A so that said tank may be used to store oil for the purpose of supplying fuel oil to Parcel A and to use an area of Parcel B along the northeasterly boundary thereof and running parallel with and contiguous to Parcel A, such area in Parcel B having a width of ten feet and a length sufficient (1) to permit an oil truck to enter into Parcel B from Parcel A for the purpose of delivering oil to said tank and (2) to maintain, repair, replace or renew said tank, and for no other purpose. It is not the intention of the parties of the first part to convey or grant title to the aforesaid strip of land, but solely an easement therein.

And the parties of the first part hereby covenant for themselves, their heirs and assigns forever not to use said oil tank or in any way to interfere with the use of said oil tank which shall be maintained for the exclusive benefit of Parcel A.

The aforementioned right, privilege, easement and covenant shall run with the land for the benefit of aforementioned Parcel A and shall continue in perpetuity so long as said oil tank or any replacement thereof remains buried in Parcel B or until the present structure on Parcel A, known as Kisco Gardens Apartments, or any part of it remains standing.

This easement shall in no wise be construed as prohibiting the parties of the first part, their heirs and assigns, from building a structure on Parcel B, provided however, that such structure does not in any way interfere

18265828 MAR 1966

with the above described right, privilege and easement given to the second party under this instrument.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and seals the day and year first above mentioned.

Katherina Gerken

Henry Tesco

Hilda Kormanmann

STATE OF NEW YORK)
COURTY OF QUEENS) ss:

On the 6th day of May, nineteen hundred and fifty-four before me came KATHERINA GERKEN, HENRY TESCO and HILDA KORMANMAN to me known and known to me to be the individuals described in, and who executed, the foregoing instrument, and acknowledged to me that they executed the same.

I. Maxwell Small

I. MAXWELL SMALL, Notary Public
State of New York, No. 128023
Qualified in Queens County
New York State N.Y.

I. MAXWELL SMALL, Notary Public
State of New York, No. 128023
Qualified in Queens County
New York State N.Y.

The foregoing instrument was endorsed for record as follows: The property affected by this instrument is situate in the TOWN OF BEDFORD County of Westchester, N.Y. A true copy of the original EASEMENT AGREEMENT RECORDED MAY 17, 1954 at 6 PM at request of I. MAXWELL SMALL

FEES: 7.10

No. 17862

EDWARD L. WARRER, County Clerk

