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September 26, 2023

Anthony B. Gioffre III
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**BY HAND DELIVERY
AND E-MAIL**

Chairperson Wayne Spector
and Members of the Zoning Board of Appeals
Town/Village of Mount Kisco
104 Main Street
Mount Kisco, New York 10549

Re: Rivera Toyota Redevelopment – Rivera Auto Group, Inc.
Area Variance Application
227 Kisco Avenue, Mount Kisco, NY (SBL: 69.57-1-1)

Dear Chairperson Spector and Members of the Zoning Board of Appeals:

On behalf of our Client, Rivera Toyota (also known as Rivera Auto Group, Inc., the “Applicant”), the contract-vendee of the Premises located at 227 Kisco Avenue (the “Premises”), we respectfully submit this letter requesting approval of an Area Variance to permit an addition to the existing service center utilized by the Applicant on said Premises. The Applicant looks forward to enhancing the services it provides for its customer base in a manner that improves the Premises.

The Premises:

The Premises is located at 227 Kisco Avenue (Tax Parcel 69.57-1-1), just north of Hubbels Drive. It comprises 1.16 acres and is classified in the General Commercial (“GC”) Zoning District. It is currently improved with a 13,767 square-foot, 16-bay automobile service center operated by the Applicant. Ingress and egress are provided via Kisco Avenue and Kensico Drive. Immediately to the north of the Premises at 255 Kisco Avenue (Tax Parcel 69.49-3-2) is the Applicant’s facility for the final cleaning of sold vehicles, the use of which will be terminated shortly as a result of the Applicant’s lease for that property coming to an end. The Premises is surrounded by commercial and industrial operations.

THE APPLICANT INTENDS TO IMPROVE THE PREMISES TO ENHANCE CUSTOMER SERVICES:

The Applicant proposes to construct an approximately 3,400 square foot addition to its existing service center, fronting onto Kensico Drive. No new additional service bays will be built as a part of this improvement. Customers will be able to drop off their vehicles for service and pick up their vehicles in an indoor area, where they will be met by valets; and undertake service reviews. Customers will be able to stay on-site in a new waiting area with a café which serves to enhance the customer experience. Their vehicles will enter from Kisco Avenue and exit via Kensico Drive; while parking areas for staff and customers will be clearly delineated.

The Applicant intends to continue to utilize approximately the existing number of mechanics it has on site. Operations will run from 7:30 a.m. to 6:00 p.m. Monday through Friday, and from 7:30 a.m. to 5:00 p.m. on Saturdays. The expanded facility will serve as the Applicant's main maintenance facility.

Approximately 18,000 square feet of the existing asphalt driveway will be regraded and re-paved to accommodate the expanded building. New landscaping, including within the parking lot, will reduce the amount of existing impervious coverage on the Premises.

The proposal before the Board includes modifications to the Site Plan as requested by the Planning Board and Village/Town Staff and Consultants during the review of the Conceptual Site Plan.¹ These modifications include reducing the impervious coverage on site, removing the second driveway off of Kisco Avenue, relocating the dumpster away from the Kensico Drive exit, and re-aligning parking spaces along Kensico Drive.

As a result of this proposal, the Applicant no longer requires service bays to be located at its facility at 325 North Bedford Road, as previously approved by the Planning Board. It is noted that the Applicant's "get ready prep area" (area for the final cleaning and waxing of sold cars) will be located at 325 North Bedford Road, along with expanded retail sales.

Separately, during construction at 227 Kisco Avenue, the Applicant intends to utilize its Premises at 353 Kisco Avenue as its touch point service location where customers will drop off and pick up cars for some repairs (service at 227 Kisco Avenue will continue as feasible during construction). In the long-term, the Applicant will utilize 353 Kisco Avenue for future supplemental maintenance work.

AREA VARIANCE RELIEF REQUESTED:

The proposed addition comprises an extension of the building length by 56 feet, as shown in the enclosed drawings and renderings, which will result in a building length of 196 feet running from east to west. The Applicant is requesting that the ZBA grant Area Variance relief from Section 110-25(C) of the Zoning Code to permit a building length of 196 feet where 160 feet is permitted in the GC Zoning District, a variance of 36 feet - as noted in the Building Inspector's September 7, 2023 Memorandum (enclosed at **Exhibit D**).²

AREA VARIANCE STANDARDS:

New York State Village Law Section 7-712-b(3)(b) and New York State Town Law Section 267-b(3)(b) provide that a ZBA shall consider the benefit to the Applicant if the Area Variance is granted as weighed against the detriment to the health, safety, and welfare of the neighborhood or community by such grant.

¹ The Planning Board is currently undertaking review of a request for Site Plan Approval.

² In Building Inspector Miley's September 7, 2023 Memorandum, a need for an area variance for the proposed location of the trash container enclosure was noted. This enclosure has since been relocated to be made zoning-compliant and a variance is no longer warranted.

In executing this balancing test, New York State Village and Town Law direct that the ZBA shall consider:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance;
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than the Area Variance;
3. Whether the requested Area Variance is substantial;
4. Whether the proposed Area Variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA but shall not necessarily preclude the granting of the Area Variance.

The five area variance factors set forth are a tool for the ZBA to use in determining whether to grant the requested relief. It is important to note that no single factor is determinative in assessing an area variance application. For the following reasons and based on the evidence in the record, we respectfully submit that upon balancing the area variance criteria, the granting of the requested relief is warranted:

- 1. *Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the Area Variance.***

The granting of the requested Area Variance relief will not produce any undesirable change in the character of the neighborhood or detriment to nearby properties. The Premises is surrounded by commercial, industrial, and institutional uses, the design of which reflect that of the proposed addition. These include a DARCARS BMW dealer and service center across Kisco Avenue at 250 Kisco Avenue, the Applicant's existing service and cleaning center at 255 Kisco Avenue, and the DARCARS Lexus of Mt. Kisco Dealer at 275 Kisco Avenue. The proposed addition will simply provide more efficient space for operations for a use that currently exists in the neighborhood and zoning district, and which has existed on the premises since 2015. Furthermore, this addition will increase economic activity in the GC Zoning District and provide additional motor maintenance options for local residents.

The addition itself will be visible from structures containing Halstead-Quinn Propane Supplier, the William Louis-Dreyfus Foundation, and a dental studio, which are respectively industrial, institutional, and commercial in nature and contain on-site parking; as well as from the on-site parking lot servicing the DARCARS Lexus of Mt. Kisco Dealer at 275 Kisco Avenue. Moreover, the design of the proposed addition, as shown in the enclosed renderings, will reflect the design of the existing service center on the Premises, and be shorter than the existing structure.

The addition will be setback 48 feet from the north property line, 53 feet from the east property line, and 66 feet from the south property line (which is farther back than the existing 15-foot setback from the south property line) – creating a significant buffer between the addition and

surrounding properties.

It is notable that the proposed addition will make the structure on the Premises comparable in length to that of surrounding structures (if not shorter), including the DARCARS Lexus of Mt. Kisco Dealer at 275 Kisco Avenue, with a length over 270 feet; the DARCARS BMW Dealer at 250 Kisco Avenue, at over 300 feet in length; and the nearby Mount Kisco Commons Shopping Center, at over 700 feet in length (as seen in **Image 1** Below). The proposed 190-foot building length here is in character with that of the structures in the surrounding neighborhood.



Image 1: Numerous Nearby Buildings Have Longer Lengths than the Addition Proposed at the Premises

It is noted that as a result of the proposed addition and associated improvements, the dumpster at the rear of the Premises will be relocated to an enclosure, the parking lot will be regraded, curb cuts will be repaired, and additional landscaping will be introduced inside the parking lot and surrounding the Premises – improving the visual appearance of the Premises. Moreover, as a result of the proposed improvements, vehicles will only enter from Kisco Avenue and leave off of Kensico Drive, as compared to the current situation where cars could theoretically enter off of Kensico Drive; the secondary driveway off of Kisco Avenue will be removed; and service, customer, and staff parking spaces will be clearly demarcated. As a result of these more carefully regulated travel patterns, safety for motorists in the area will be improved.

Accordingly, the Applicant respectfully submits that the proposed conditions that are the subject of this Application are not out of character with the neighborhood and create no undesirable change to the community and this factor weighs in favor of the ZBA granting the requested variance relief.

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an Area Variance.

New York State Town Law Section 267-b(3)(b)(2) and Village Law Section 7-712-B(3)(b)(2) require the ZBA to consider “whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance.” The range of appropriate alternatives is limited by two standards: first, the alternative must still provide the benefit sought by the Applicant and, second, it must be feasible for the Applicant to pursue. A ZBA may not deny a variance and attempt to relegate the Applicant to an alternative design that is a “profound departure” from, or substantially costlier than, the design proposed in the variance.³ There is no practicable alternative available to the Applicant. The Applicant seeks to expand the footprint of their service operations at the Premises, ensuring it remains as the Applicant’s main service center as its lease at 255 Kisco Avenue comes to an end. Moreover, by expanding the existing structure, the Applicant can maintain its principal service center in a district where such a use is permitted; in a neighborhood with similar uses; and in proximity to its approved retail center at 325 North Bedford Road and secondary service center at 353 North Bedford Road. The only other option available to the Applicant is obtaining property elsewhere, and establishing a new principal service center in a different location.

As a result, the Applicant has no feasible alternatives to accommodate this proposed addition other than to seek the requested Area Variance relief.

3. Whether the requested variance is substantial.

It is respectfully submitted that upon consideration of the facts and circumstances in this situation, the requested Area Variance is not substantial. The substantiality of a variance cannot be judged solely on a comparison of the percentage deviation from the mandated requirements of the Zoning Code (here a 22.5% variance is requested).⁴ Indeed, the overall effect of granting the relief is the appropriate inquiry.⁵ The ZBA must therefore consider the surrounding neighborhood

³ See Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460 (2d Dep’t 2002). See also, Baker v. Brownlie, 248 A.D.2d 527 (2d Dep’t 1998) and Salkin, New York Zoning Law & Practice § 29:36 Administrative Relief from Zoning Regulations: Variances.

⁴ See Aydelott v. Town of Bedford Zoning Bd. of Appeals, N.Y.L.J. June 25, 2003, p. 21, col. 4 (Sup. Ct. 2003) (“consideration of this percentage deviation alone, taken in a vacuum, is not an adequate indicator of the substantiality [and] a large deviation can have little or no impact depending on the circumstances of the variance application.”).

⁵ See Lodge Hotel v. Town of Erwin Zoning Bd. of Appeals, 2007 WL 5649523 No. 94817 (Jan. 24, 2007) at *5, affirmed, 43 A.D.3d 1447, 843 N.Y.S.2d 744 (4th Dep’t 2007) (“[s]ubstantiality cannot be judged in the abstract; rather, the totality of relevant circumstances must be evaluated in determining whether the

and nearby lots when determining whether the Application is substantial. When viewed in the totality of the circumstances, the proposed addition will not adversely impact neighboring properties and the requested variance should not be considered substantial, particularly in light of the numerous other similarly-situated buildings identified above that exceed a length of 160 feet.

These circumstances include, without limitation, that the proposed addition merely expands a use that has been on the Premises since 2015 (in a commercial zoning district); the parking lot will be repaired and regraded; additional landscaping will be added to the Premises; the addition will be setback sufficiently from neighboring properties; the path of travel for vehicles will be regulated; and more. Reviewing these circumstances, it is clear that the requested variance relief is not substantial.

To the extent that the ZBA may believe otherwise, we respectfully remind the ZBA that the mere fact that a variance is deemed “substantial”, or fails to meet any of the other factors, does not preclude granting an area variance based on the application of the overall balancing test.⁶

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

The requested variance relief will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or community. The enclosed lighting plan shows that the proposed addition will not create light spillage onto surrounding properties. Moreover, the proposed landscaping will minimize the visibility of the proposed addition from surrounding properties, and reduce the site development coverage on the Premises from 77% to a zoning-compliant 73%. No wash areas will be included in the expanded structure, minimizing wastewater production. Furthermore, regulating the way vehicles access and leave the site and the removal of the secondary driveway off of Kisco Avenue will improve safety for local motorists.

The Planning Board has declared its intent to serve as a Lead Agency under SEQRA, and a Short Environmental Assessment Form (“EAF”) has been included in this application and is annexed hereto as **Exhibit F**).

variance sought is, in actuality, a substantial one.”). See also Friends of Shawangunks, Inc. v. Zoning Bd. of Appeals of Town of Gardiner, 56 A.D.3d 883 (3d Dep’t 2008) (although variances were substantial, the ZBA properly determined area variances will not have a substantial impact on the community); Schaller v. New Paltz Zoning Bd. of Appeals, 108 A.D.3d 821 (3d Dep’t 2013) (upholding ZBA determination that an area variance was not substantial when compared to nearby buildings).

⁶ See Church of Jesus Christ of Latter Day Saints v. ZBA of Town/Village of Harrison, 296 A.D.2d 460 (2d Dep’t 2002) (determination that a request that was determined “substantial” did not excuse Zoning Board of Appeals from applying the overall balancing test).

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Zoning Board of Appeals, but shall not necessarily preclude the granting of the Area Variance.

The need for the Area Variance relief requested herein is not self-created but is instead the result of the Zoning Code's permitted uses and the existing conditions of the Premises. Automobile repair shops are a permitted use in the GC District and several such uses exist in close proximity to the Premises. The Applicant merely seeks to provide more efficient space for operations. This will allow the Applicant to continue to have its principal service center where it has conducted service operations since 2015; in an area home to such uses. Therefore, it is respectfully submitted that the Applicant's request for Area Variance relief here is not self-created. To the extent that the ZBA may believe otherwise, we respectfully remind the ZBA that this factor is not dispositive to the overall balancing test pursuant to New York State Village Law Section 7-712-b(3)(b)(5) and New York State Town Law Section 267-b(3)(b)(5).

CONCLUSION:

For the reasons set forth above, and as will be further discussed at the public hearing on this matter, the Applicant requests that the Area Variance relief be granted to allow the proposed addition. The Applicant respectfully submits that the proposed addition conforms with the existing neighborhood. The benefit to the Applicant of approving the requested relief outweighs any conceivable harm to the community. The proposed relief is the minimum variance relief that meets the Applicant's needs and at the same time fully protects the character of the neighborhood and health, safety, and welfare of the community.

In support of this Application, please find enclosed the following Exhibits:

- Exhibit A:** Zoning Board of Appeals Application Form;
- Exhibit B:** Draft Public Notice and 300-Foot Neighbor Radius Map and List;
- Exhibit C:** Photographs of Premises;
- Exhibit D:** Building Inspector Peter Miley's September 7, 2023 Memorandum;
- Exhibit E:** Deed for Premises; and
- Exhibit F:** Short Environmental Assessment Form.

Also enclosed you will find full-sized sets of the Site Plan Drawings prepared by Insite Engineering and dated September 26, 2023, comprising the following sheets:

- EX-1: Existing Conditions Plan;
- EX-2: Layout and Landscape Plan;
- Grading and Utilities Plan;
- Erosion and Sediment Control Plan;
- Details; and
- Details.

Moreover, enclosed you will find full-sized sets of the Architectural Drawings prepared by Bryan Zelnick, Architect and dated August 22, 2023, comprising the following sheets:

- SK-1.00: Proposed Plan;
- LT-100.00: Lighting Plan.
- A3.1 to A3.2: Building Elevation; and
- P.1 to P.4: 3D Views.

Furthermore, enclosed are full-sized copies of a Survey prepared for Trinity Investment Properties, dated November 14, 2022.

Under separate cover, a check made out to the Village/Town in the amount of \$750, representing the relevant Application Fee, is being submitted to the Board.

For all of the reasons set forth herein and in the accompanying documents, it is respectfully submitted that this Application for Area Variance relief should be granted in its entirety. The Applicant looks forward to appearing at the October 17, 2023 ZBA meeting to answer any questions you may have regarding this matter. In the meantime, should the ZBA or Village/Town Staff have any questions or comments regarding the foregoing, please do not hesitate to contact me.

Very truly yours,

Anthony B. Gioffre III

Anthony B. Gioffre III
Enclosures

cc: Peter J. Miley, Village/Town Building Inspector
Client
Bryan Zelnick Architect, PC
Insite Engineering
Maximillian Mahalek, Esq.

Exhibit A

Date: _____

Case No.: _____

Fee: _____

Date Filed: _____

Village/Town of Mount Kisco
Municipal Building
104 Main Street, Mt. Kisco, NY 10549

Zoning Board of Appeals
Application

Appellant: Ken Hicks, Rivera Toyota

Address: 325 North Bedford Road, Mount Kisco, NY 10549

Address of subject property (if different): 227 Kisco Avenue, Mount Kisco, NY 10549

Appellant's relationship to subject property: _____ Owner X Lessee _____ Other _____

Property owner (if different): Trinity Properties, LLC

Address: 21 Lauder Lane, Greenwich, CT 06831

TO THE CHAIRMAN, ZONING BOARD OF APPEALS: An appeal is hereby taken
from the decision of the Building Inspector, Peter Miley
dated September 7, 2023 . Application is hereby made for the following:

X Variation **or** _____ Interpretation of Section 110-25.C
of the Code of the Village/Town of Mount Kisco,

to permit the: _____ Erection; X Alteration; _____ Conversion; _____ Maintenance
of _____ the auto service facility.

_____ in accordance with plans filed on (date) 8/22/23

for Property ID # 69.57-1-1 located in the GC Zoning District.

The subject premises is situated on the North side of (street) Hubbels Drive

_____ in the Village/Town of Mount Kisco, County of Westchester, NY.

Does property face on two different public streets? Yes/No

(If on two streets, give both street names) Kisco Avenue/Hubbels Drive

Type of Variance sought: _____ Use X Area

Is the appellant before the Planning Board of the Village of Mount Kisco with regard to this property? Yes

Is there an approved site plan for this property? Yes in connection with a
Proposed or X Existing building; erected (yr.) Prior to 1976

Size of Lot: 177 feet wide 304 feet deep Area 50,450 s.f.

Size of Building: at street level 121 feet wide 140 feet deep

Height of building: 23' 9 1/16" Present use of building: Commercial/Automotive Use

Does this building contain a nonconforming use? No Please identify and explain: _____

Is this building classified as a non-complying use? No Please identify and explain: _____

Has any previous application or appeal been filed with this Board for these premises?
Yes/No? No

Was a variance ever granted for this property? No If so, please identify and explain: _____

Are there any violations pending against this property? No If so, please identify and explain: _____

Has a Work Stop Order or Appearance Ticket been served relative to this matter?
Yes or X No Date of Issue: _____

Have you inquired of the Village Clerk whether there is a petition pending to change the subject zoning district or regulations? None known of.

I submit the following attached documents, drawings, photographs and any other items listed as evidence and support and to be part of this application:

The following items **MUST** be submitted:

- a) Attached hereto is a copy of the order or decision (Notice of Denial) issued by the Building Inspector or duly authorized administrative official issued 9/7/23 upon which this application is based.
- b) Copy of notice to the administrative official that I have appealed, setting forth the grounds of appeal and have requested the application to be scheduled for a public hearing.
- c) A typewritten statement of the principal points (facts and circumstances) on which I base my application with a description of the proposed work.
- d) Ten (10) sets of site plans, plat or as-built survey drawings professionally signed and sealed (as may be required).
- e) A block diagram with street names, block and lot numbers, and street frontage showing all property affected within 300' of the subject property, with a North point of the compass indicated.
- f) A full list of names and addresses of the owners of all property shown on the above noted block diagram that lie within or tangent to the 300' radius from the subject property.
- g) A copy of the Public Notice for the public hearing of this application.
- h) A sworn Affidavit of Mailing, duly notarized, that a true copy of said Public Notice has been sent by mail to all property owners within 300 feet of this premises at least 10 days prior to the public hearing.

NOTE: APPLICANT MUST CAUSE A TRUE COPY OF THE PUBLIC NOTICE TO BE PUBLISHED IN THE OFFICIAL NEWSPAPER OF THE VILLAGE AT LEAST 15 DAYS PRIOR TO THE PUBLIC HEARING.

- i) A true copy of the filed deed and/or signed lease or contract for the use of the subject property.
- *j) At least two sets of unmounted photographs, 4" by 6" in size, showing actual conditions on both sides of street, between intersecting streets. Print street names and mark premises in question.
- *k) A floor plan of the subject building with all the necessary measurements.
- *l) A longitudinal section of the subject building and heights marked thereon as well as front elevations.

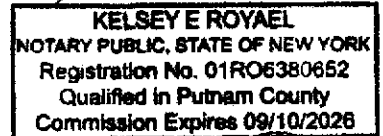
*** Optional - As Needed**

I hereby depose & say that all the above statements and the statements contained in the papers submitted herewith are true.

(Appellant to sign here)

Sworn to before me this day of: September 23, 2023

Notary Public, Putnam, County, NY



[TO BE COMPLETED IF APPELLANT IS NOT THE PROPERTY OWNER IN FEE]

~~State of New York~~ }
~~County of Westchester~~ } ss

RONALD NAPOLI

Trinity Properties LLC
LAUREN. greenwich CT.

Being duly sworn, deposes and say that he resides at LAUREN. greenwich CT. in the ~~County of Westchester, in the State of New York~~, that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Village of Mount Kisco, County of Westchester aforesaid and known and designated as number 69.57-1-1 and that he hereby authorized KEN HICKS to make the annexed application in his behalf and that the statements contained in said application are true.

Ken Hicks 9/25/23
(sign here)
Ken Hicks
Trinity Properties LLC

Exhibit B

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 17th day of October 20 23 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of

Ken Hick, Rivera Toyota

(Name of Applicant)

325 North Bedford Road, Mount Kisco, NY

(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated 9/7/2023
(Date of Denial Letter)
denying the application dated to permit the _____.
(Proposed Work)

The property involved is known as 227 Kisco Avenue, Mount Kisco, NY
(Address of Property)

and described on the Village Tax Map as Section 69.57 Block 1 Lot 1

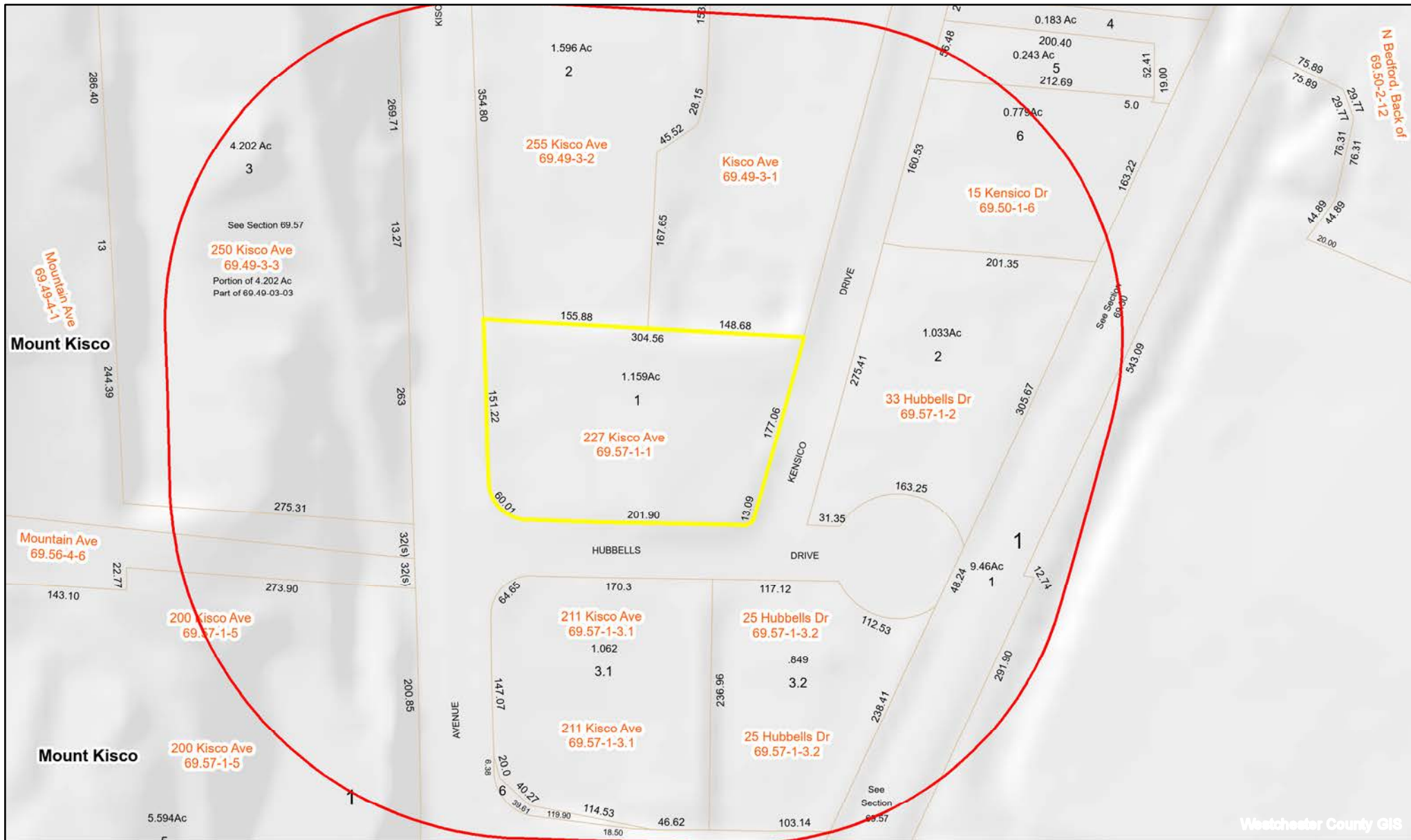
and is located on the North side of Hubbels Drive in a
east/west/n/s (Street Name)

GC Zoning District. Said Appeal is being made to obtain a
variance from Section(s) 110-25.C and 110-30.D of the
(Identify specific zoning code section number(s))

Code of the Village/Town of Mount Kisco, which requires the proposed auto service facility to be no more than 160' in length and that the dumpster be located no closer to the side lot line than the principal building.

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

227 Kisco Ave. ID: 69.57-1-1 (Mount Kisco)



September 19, 2023

Tax parcel data was provided by local municipality. This map is generated 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 local municipality assessor's office.

1:1,500



0 70 140 280
ft

Westchester County GIS

GIS
http://giswww.westchestergov.com
Michaelian Office Building
148 Martine Avenue Rm 214
White Plains, New York 10601

300' Radius Property Owner's List							
SBL	OWNERNAME		PROPADDRESS	MAILINGADDRESS	CITY	STATE	ZIP
69.49-3-1	275 Kisco LLC		265-281 Kisco Ave	6411 Ivy Ln Ste 200	Greenbelt	MD	20770
69.49-3-2	255 Kisco LLC		255 Kisco Ave	7550 Wisconsin Ave Fl 6th	Bethesda	MD	20814
69.49-3-3	HVA Realty, LLC	c/o Tax Dept	250 Kisco Ave	200 SW 1st Ave Fl 11	Fort Lauderdale	FL	33301
69.49-4-1	Village of Mount Kisco	re: Mountain Ave	Mountain Ave	104 Main St	Mount Kisco	NY	10549
69.50-1-5	19 Kenisco Drive LLC	Garth E. Beall, Esq.	19 Kensico Dr	6411 Ivy Ln Ste 200	Greenbelt	MD	20770
69.50-1-6	15 Kensico LLC		15 Kensico Dr	15 Kensico Dr	Mount Kisco	NY	10549
69.56-4-6	Village of Mount Kisco	re: Mountain Ave	Mountain Ave	104 Main St	Mount Kisco	NY	10549
69.57-1-1	Trinity Investment Properties	Trinity Properties LLC	227 Kisco Ave	21 Lauder Ln	Greenwich	CT	06831
69.57-1-2	Halstead-Quinn Terminal Corp		33 Hubbells Dr	33 Hubbells Dr	Mount Kisco	NY	10549
69.57-1-3.1	William Louis-Dreyfus Fndtn In	211 Kisco Ave	211 Kisco Ave	PO Box 320	Mount Kisco	NY	10549
69.57-1-3.2	25 Hubbells Drive Mt.Kisco Corp	Attn: MRE Mgmt. Corp	25 Hubbells Dr	27 Radio Circle Dr	Mount Kisco	NY	10549
69.57-1-5	Curtis Instruments Inc.	Attn: Stewart Marwell	200 Kisco Ave	200 Kisco Ave	Mount Kisco	NY	10549

Exhibit C

Photographs of Premises and Surroundings



Rear of Premises from Kensico Drive



Rear of Premises from Kensico Drive

Photographs of Premises and Surroundings



Elevation of Premises along Hubbels Drive



Rear of Premises at Hubbels Drive and Structures to South of Premises

Photographs of Premises and Surroundings



Front of Premises along Kisco Avenue


Exhibit D



Village/Town of Mount Kisco Building Department
104 Main Street
Mount Kisco, New York 10549
Ph. (914) 864-0019-fax (914) 864-1085

MEMORANDUM

TO: Honorable Chairpersons Pickard, McGuirk, and Polese
Members of the Mount Kisco Planning Board

FROM: Peter J. Miley, Building Inspector 

SUBJECT: Rivera Toyota – 227 Kisco Avenue
Conceptual Site Plan

DATE: Updated September 7, 2023

PROPERTY

227 Kisco Avenue is a 50,451 sf (1.16 acres) parcel located on the corner(s) of Kisco Ave and Hubbell's Drive and Kensico Drive. The property is improved by an existing 1-story commercial building which includes approximately 1,200 +/- sf of office space, 1,250 +/- sf of storage, and the balance of the building is designed for a 16-bay "vehicle service center." The space is currently occupied by Rivera Toyota.

PROPOSED

The proposed project includes a 3,400 +/- sf addition to the rear (fronts Kensico Drive) of the existing service center and queuing for six (6) vehicles and four (4) office spaces for the service writers and general manager.

ZONING

The property is in the GC (General Commercial) Zoning District.

- Chapter 110. Zoning Article III. District Regulations § 110-25. GC General Commercial District. (9) Maximum building length: 160 feet. Proposed is a 56 ft addition that will add to the overall length of the existing building making the length of the building 196 ft.; therefore, a 36 ft "max building length" variance is required.

- Chapter 110. Zoning Article V. Supplementary Regulations § 110-30. Supplementary use regulations. D. Trash compactors, dumpsters, and other large trash containers. The compactor, dumpster, or container shall be located no closer to the property lines than is permitted for an accessory structure in said district. Pursuant to Chapter 110. Zoning Article V. § 110-31. Supplementary development regulations. G. Accessory structures. (1) No accessory structure, except a sign for which a permit, pursuant to Chapter **89** of this Code, has been granted and which is erected pursuant to a site plan approved by the Planning Board, shall be located or project nearer to any street line or side lot line than does the principal structure on the lot. The proposed refuse enclosure is located in the front yard – closer than the principal structure on Kensico Avenue and therefore; a variance is required.

APPROVALS

- Planning Board Approval – amended site plan approval
- Zoning Board of Appeals
- Architectural Review Board
- We defer to the Village Planner for landscaping and lighting
- We defer to the Village Engineer for all Civil Engineering including stormwater, drainage, site work, and determining other outside agency approvals
- The property is in the Designated Village Main Street Area

Exhibit E



V08090082

LIBER

9769 PAGE 270

Standard N.Y.S.T.U. Form 8004a 6-51-5M—Warranty Deed with full Covenant—Individual or Corporation.

8910.01247

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

NYS
C.T.
Q

THIS INDENTURE, made the 21 day of March, nineteen hundred and ninety
BETWEEN Ronald Napoli and Patricia Napoli d/b/a TRINITY INVESTMENT PROPERTIES,
having its principal place of business at 225 Kisco Avenue,
Mount Kisco, New York 10549

party of the first part, and

TRINITY INVESTMENT PROPERTIES, having its principal place of business at
225 Kisco Avenue, Mount Kisco, New York 10549

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten (\$10)

dollars,

lawful money of the United States,

paid

by the party of the second part, does hereby grant and release unto the party of the second part, their 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 Mount Kisco, Westchester County and State of
New York being bounded and described as follows:

BEGINNING at a point being the easterly end of a curve having a radius of
40.00 feet a length of 61.01 feet connecting the easterly side of Kisco Avenue
with the northerly side of Hubbells Drive;

RUNNING THENCE northerly along said curve to the right having a radius of
40.00 feet a length of 60.01 feet to the easterly side of Kisco Avenue;

RUNNING THENCE along the easterly side of Kisco Avenue, North 5 degrees
30 minutes 00 seconds East 151.22 feet to land now or formerly of
Elizabeth L. Longcope;

RUNNING THENCE along said land, South 79 degrees 38 minutes 50 seconds
East 155.88 feet to land now or formerly of Kensico Properties;

RUNNING THENCE along said land, South 80 degrees 03 minutes 40 seconds
East 148.68 feet to the westerly side of Kensico Drive;

RUNNING THENCE along the westerly side of Kensico Drive South 23 degrees
09 minutes 10 seconds West 177.06 feet to the northerly end of a curve
having a radius of 10.00 feet and arc of 13.08 feet connecting the westerly
side of Kensico Drive with the northerly side of Hubbells Drive;

RUNNING THENCE westerly along said curve to the right having a radius of
10.00 feet an arc of 13.08 feet to the northerly side of Hubbells Drive;

RUNNING THENCE along the northerly side of Hubbells Drive, North 81 degrees
53 minutes 25 seconds East 201.90 feet to the point of BEGINNING.

Said premises being the same premises as conveyed to Ronald Napoli and
Patricia Napoli d/b/a Trinity Investment Properties by Toyota North, Inc.
by deed dated June 12, 1989.

TAX MAP
DESIGNATION

Dist.

Sec. 69

Blk. 1

Lot(s): 1

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 13' of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the costs 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.

AND the party of the first part covenants as follows:

FIRST.—That said party of the first part is seized of the said premises in fee simple, and has good right to convey the same;

SECOND.—That the party of the second part shall quietly enjoy the said premises;

THIRD.—That the said premises are free from incumbrances, except as aforesaid;

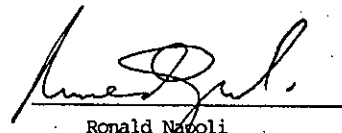
FOURTH.—That the party of the first part will execute or procure any further necessary assurance of the title to said premises;

FIFTH.—That said party of the first part will forever warrant the title to said premises.

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 PRESENCE OF:


Ronald Napoli


Patricia Napoli

LIBER 9769 PAGE 272

STATE OF NEW YORK, COUNTY OF

On the 21 day of March 1970, before me personally came

Ronald Napoli and Patricia Napoli

to me known to be the individual s described in and who executed the foregoing instrument, and acknowledged that they executed the same.

[Signature]
Notary Public in and for the State of New York

No. 20-6603558
Qualified in Nassau County
Commission Expires March 30, 1971

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF NEW YORK

On the day of 19 , before me personally came to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

On the day of 19 , before me personally came the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Warranty Deed

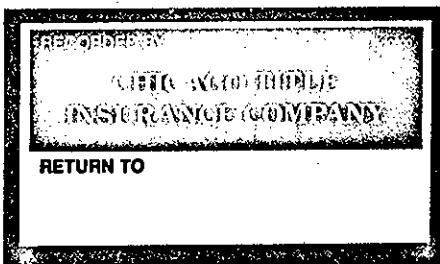
WITH FULL COVENANTS

TITLE NO. 891001247

Ronald Napoli and Patricia Napoli
d/b/a TRINITY INVESTMENT PROPERTIES

TO

TRINITY INVESTMENT PROPERTIES



SECTION 69-57-1-1

BLOCK

LOT

COUNTY OR TOWN

TAX BILLING ADDRESS

Recorded At Request of The Title Guarantee Company

RETURN BY MAIL TO:

Gilbert, Segall and Young
430 Park Avenue
New York, New York 10022

Attention: Martin P. Miner, Esq.
Zip No.

RESERVE THIS SPACE FOR USE OF RECORDING OFFICE



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

THE FOREGOING INSTRUMENT WAS ENDORSED FOR THE RECORD AS FOLLOWS:

TYPE OF INSTRUMENT DEED
(SEE CODES FOR DEFINITIONS)

THE PROPERTY IS SITUATED IN
WESTCHESTER COUNTY, N.Y. IN
THE

- 02 TOWN OF BEDFORD
- 06 TOWN OF CORTLANDT
- 09 TOWN OF EASTCHESTER
- 11 TOWN OF GREENBURGH
- 12 TOWN OF HARRISON
- 16 TOWN OF LEWISBORO
- 17 TOWN OF MAMARONECK
- 19 TOWN OF MT. KISCO
- 20 TOWN OF MT. PLEASANT
- 21 CITY OF MT. VERNON
- 22 TOWN OF NEW CASTLE
- 23 CITY OF NEW ROCHELLE
- 24 TOWN OF NORTH CASTLE
- 26 TOWN OF NORTH SALEM
- 28 TOWN OF OSSINING
- 30 CITY OF PEEKSKILL
- 31 TOWN OF PELHAM
- 33 TOWN OF POUND RIDGE
- 36 CITY OF RYE
- 37 TOWN OF RYE
- 38 TOWN OF SCARSDALE
- 39 TOWN OF SOMERS
- 42 CITY OF WHITE PLAINS
- 43 CITY OF YONKERS
- 44 TOWN OF YORKTOWN

LIBER 9769

PAGE 270

STAT'Y CHARGE 5.25

REC'ING CHARGE 9

FILING CHARGE 4.75

CROSS REFERENCE _____

CERT/RECEIPT _____

TOTAL

\$ None
CONSIDERATION

RECEIVED

\$ Exempt
MAR 23 1990

REAL ESTATE
TRANSFER TAX
WESTCHESTER COUNTY

MORTG. DATE _____

MORTG. AMOUNT _____

EXEMPT YES _____ NO _____
REC'D TAX ON ABOVE MTGE: _____

BASIC \$ _____

ADDTL \$ _____

SUBTOTAL \$ _____

SPECIAL \$ _____

TOTAL \$ _____

SERIAL No. _____

DWELLING:

☐ 1-6 UNITS
☐ OVER 6 UNITS

ANDREW J. SPANO
WESTCHESTER COUNTY CLERK

ADDITIONAL COMMENTS

TERMINAL No. _____ DATE RETURNED _____

EXAMINED BY
WITNESS MY HAND AND OFFICIAL SEAL

ANDREW J. SPANO
WESTCHESTER COUNTY CLERK

THE RECORDING DATE OF THIS INSTRUMENT AS INDICATED BELOW IS THE OFFICIAL DATE ON WHICH
THE WESTCHESTER COUNTY CLERK RECEIVED THIS INSTRUMENT.
QUESTIONS REGARDING DELAYS PRIOR TO THIS DATE SHOULD BE ADDRESSED TO YOUR
REPRESENTATIVE OR ATTORNEY.

0000828000 03/23/90CPA/DE 19.00
12:31

RECEIVED
90 MAR 23 PM 12:17
ANDREW J. SPANO
WESTCHESTER COUNTY CLERK

RECORD AND RETURN

Exhibit **F**

Short Environmental Assessment Form

Part 1 - Project Information

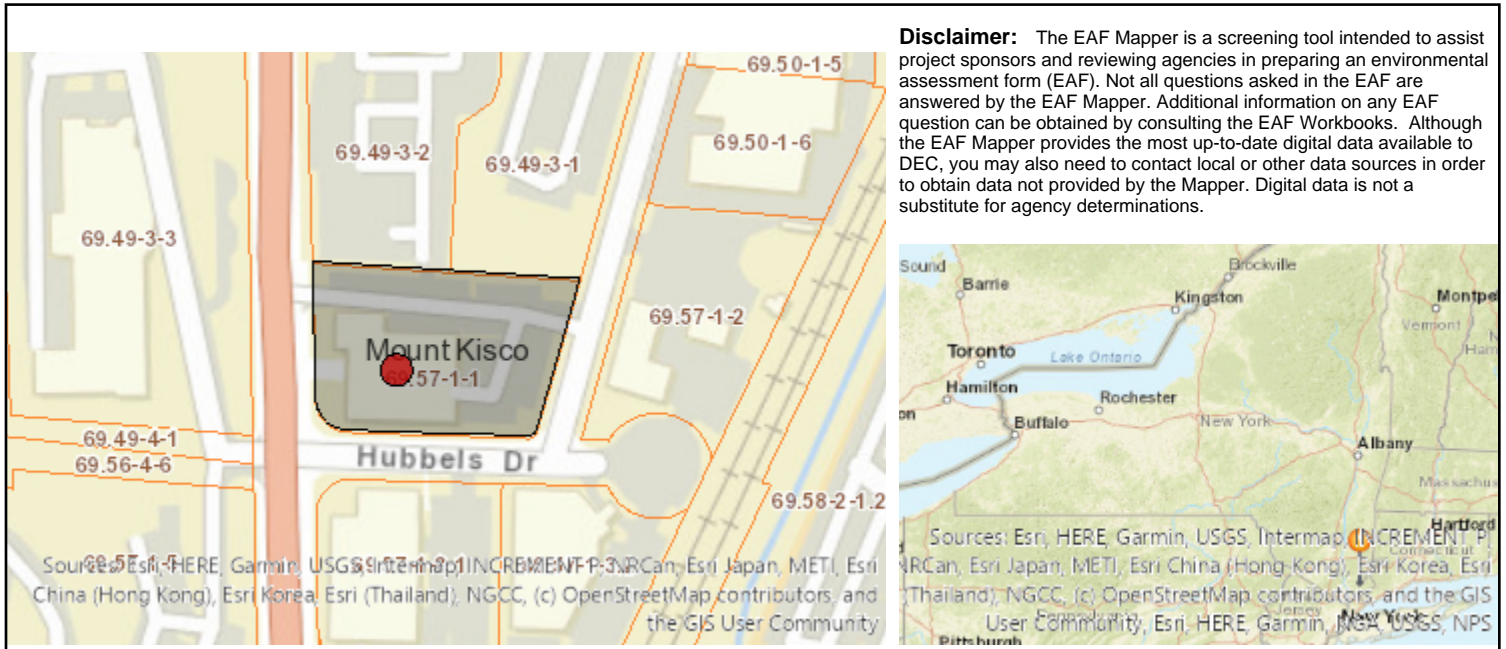
Instructions for Completing

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

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

Part 1 – Project and Sponsor Information				
Name of Action or Project:				
Project Location (describe, and attach a location map):				
Brief Description of Proposed Action:				
Name of Applicant or Sponsor:			Telephone:	
			E-Mail:	
Address:				
City/PO:		State:	Zip Code:	
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 type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other government Agency?			NO	YES
If Yes, list agency(s) name and permit or approval:			<input type="checkbox"/>	<input type="checkbox"/>
3. a. Total acreage of the site of the proposed action? _____ acres b. Total acreage to be physically disturbed? _____ acres c. Total acreage (project site and any contiguous properties) owned _____ acres or controlled by the applicant or project sponsor?				
4. Check all land uses that occur on, are adjoining or near the proposed action: 5. Urban Rural (non-agriculture) Industrial Commercial Residential (suburban) <input type="checkbox"/> Forest Agriculture Aquatic Other(Specify): <input type="checkbox"/> Parkland				

5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	N/A <input type="checkbox"/> <input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input 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 <input type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action?	NO <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/> <input 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 <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ _____	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	NO <input type="checkbox"/> <input type="checkbox"/>	YES <input 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 <input type="checkbox"/> <input type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	No
Part 1 / Question 20 [Remediation Site]	Yes

AFFIDAVIT OF MAILING

STATE OF NEW YORK

3

$$\}SS.:$$

COUNTY OF WESTCHESTER

3

Riddar Nget _____ being duly sworn, deposes and
says:

I reside at Danbury, Connecticut

On October 2 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.

Riddar Nget, Paralegal

Sworn to before me on this

5th day of october 2023

(Notary Public)

MEYLING NUNEZ
NOTARY PUBLIC-STATE OF NEW YORK
No. 01NU0009619
Qualified in Westchester County
Commission Expires 06-14-2027

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of
Mount Kisco, New York will hold a Public Hearing on the 17th day of
October 20 23 at the Municipal Building, Mount Kisco, New York,
beginning at 7:00 PM pursuant to the Zoning Ordinance on the Appeal of
Rivera Toyota (c/o Ken Hicks)

(Name of Applicant)
325 North Bedford, Mount Kisco, NY

(Address of Applicant)

from the decision of Peter J. Miley, Building Inspector, dated 9/7/23
(Date of Denial Letter)
denying the application dated to permit the addition to the existing automobile service center.
(Proposed Work)

The property involved is known as 227 Kisco Avenue, Mount Kisco, NY
(Address of Property)

and described on the Village Tax Map as Section 69.57 Block 1 Lot 1
and is located on the North side of Hubbels Drive in a
east/west/n/s (Street Name)

GC
Zoning District. Said Appeal is being made to obtain a
variance from Section(s) 110-25.C(9) of the
(Identify specific zoning code section number(s))

Code of the Village/Town of Mount Kisco, which requires the proposed auto service facility
to be no more than 160' in length.

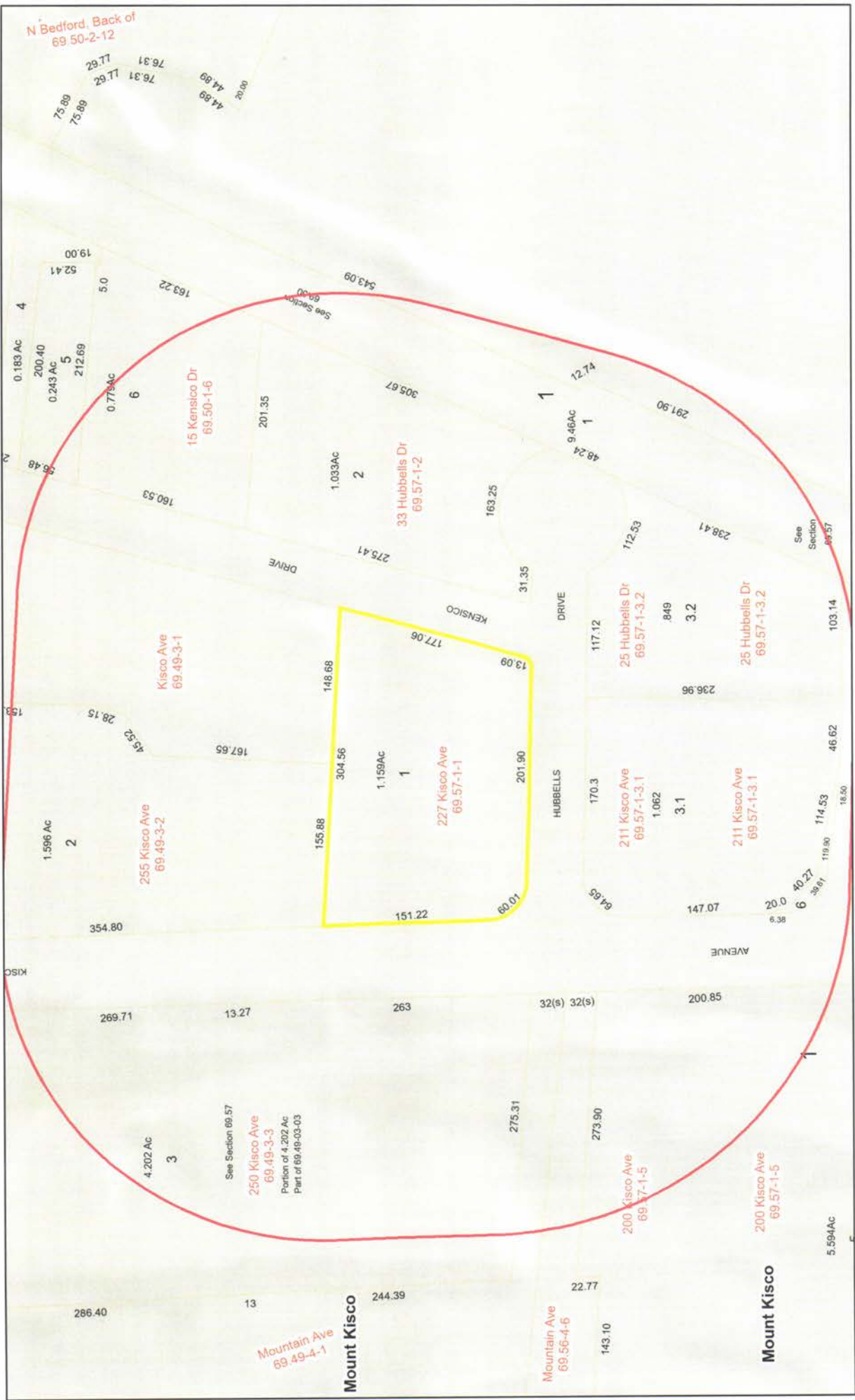
Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

Exhibit A

300' Radius Property Owner's List						
SBL	OWNERNAME		MAILINGADDRESS	CITY	STATE	ZIP
69.49-3-1	275 Kisco LLC		6411 Ivy Ln Ste 200	Greenbelt	MD	20770
69.49-3-2	255 Kisco LLC		7550 Wisconsin Ave Fl 6th	Bethesda	MD	20814
69.49-3-3	HVA Realty, LLC	c/o Tax Dept	200 SW 1st Ave Fl 11	Fort Lauderdale	FL	33301
69.49-4-1	Village of Mount Kisco	re: Mountain Ave	104 Main St	Mount Kisco	NY	10549
69.50-1-5	19 Kenisco Drive LLC	Garth E. Beall, Esq.	6411 Ivy Ln Ste 200	Greenbelt	MD	20770
69.50-1-6	15 Kensico LLC		15 Kensico Dr	Mt. Kisco	NY	10549
69.56-4-6	Village of Mount Kisco	re: Mountain Ave	104 Main St	Mount Kisco	NY	10549
69.57-1-1	Trinity Investment Properties	Trinity Properties LLC	21 Lauder Ln	Greenwich	CT	06831
69.57-1-2	Halstead-Quinn Terminal Corp		33 Hubbels Dr	Mount Kisco	NY	10549
69.57-1-3.1	William Louis-Dreyfus Fndtn In	211 Kisco Ave	PO Box 320	Mount Kisco	NY	10549
69.57-1-3.2	25 Hubbels Drive Mt.Kisco Corp	Attn: MRE Mgmt. Corp	27 Radio Circle Dr	Mount Kisco	NY	10549
69.57-1-5	Curtis Instruments Inc.	Stewart Marwell	200 Kisco Ave	Mt. Kisco	NY	10549
	Town of Bedford	Town Clerk	321 Bedford Road	Bedford Hills	NY	10507
	Westchester County Department of Planning	Municipal Referrals	148 Martine Avenue Suite #432	White Plains	NY	10601

Exhibit B

227 Kisco Ave. ID: 69.57-1-1 (Mount Kisco)



1:1,500



Westchester County GIS
<http://giswww.westchestergov.com>
Michaelian Office Building
148 Marine Avenue Rm 214
White Plains, New York 10601

September 19, 2023

Tax parcel data was provided by local municipality. This map is generated 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 local municipality assessor's office.



**AFFIDAVIT OF PUBLICATION
FROM**

**State of Wisconsin
County of Brown, ss.:**

On the 2 day of October, in the year 2023, before me, the undersigned, a Notary Public in and for said State, personally appeared Linda Tuttle, 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 Tuttle 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

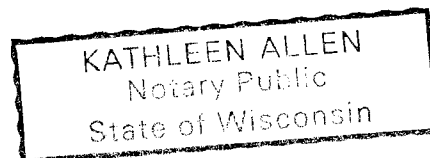
Run Dates:
10/02/2023

Linda Tuttle
Signature

Sworn to before me, this 2 day of October, 2023

Kathleen Allen
Notary Public, State of Wisconsin, County of Brown

1-7-25



My commission expires
Legend:

WESTCHESTER:

Amawalk, Ardsley, Ardsley on Hudson, Armonk, Baldwin Place, Bedford, Bedford Hills, Brewster, Briardiff 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, Harrison, 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:

Blauvelt, 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: 0005837321

PUBLIC NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the Village/Town of Mount Kisco, New York will hold a Public Hearing on the 17th day of October 2023 at the Municipal Building, Mount Kisco, New York, beginning at 7:00 PM on the Appeal of Rivera Toyota (c/o Ken Hicks), 227 Kiso Avenue, Mount Kisco, New York, from the decision of Peter J. Miley, Building Inspector, dated September 7, 2023 (in his memorandum) denying the application to permit an addition to the existing automobile service center.

The property involved is known as 227 Kisco Avenue, Mount Kisco, New York, and described on the Village Tax Map as Section 69.57, Block 1, Lot 1 and is located on the North side of Hubbels Drive in a GC Zoning District. Said Appeal is being made for approval of the area variance from Section(s) 110-25.C(9) of the Code of the Village/Town of Mount Kisco, which requires the proposed auto service facility to be no more than 160' in length.

Copies of the Application are available to be viewed at Village/Town Hall.

Wayne Spector, Chair
Zoning Board of Appeals
Village/Town of Mount Kisco

0005837321

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

AFFIDAVIT OF POSTING

RECEIVED
OCT 10 2023

Gilmar Palacios Chin, being duly sworn, says that on the 10th day of October 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 –
104 Main Street

X

Public Library
100 Main Street

X

Fox Center

X

Justice Court – Green Street
40 Green Street

X

Mt. Kisco Ambulance Corp
310 Lexington Ave

X

Carpenter Avenue Community House
200 Carpenter Avenue

X

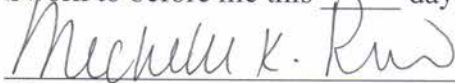
Leonard Park Multi Purpose Bldg

X



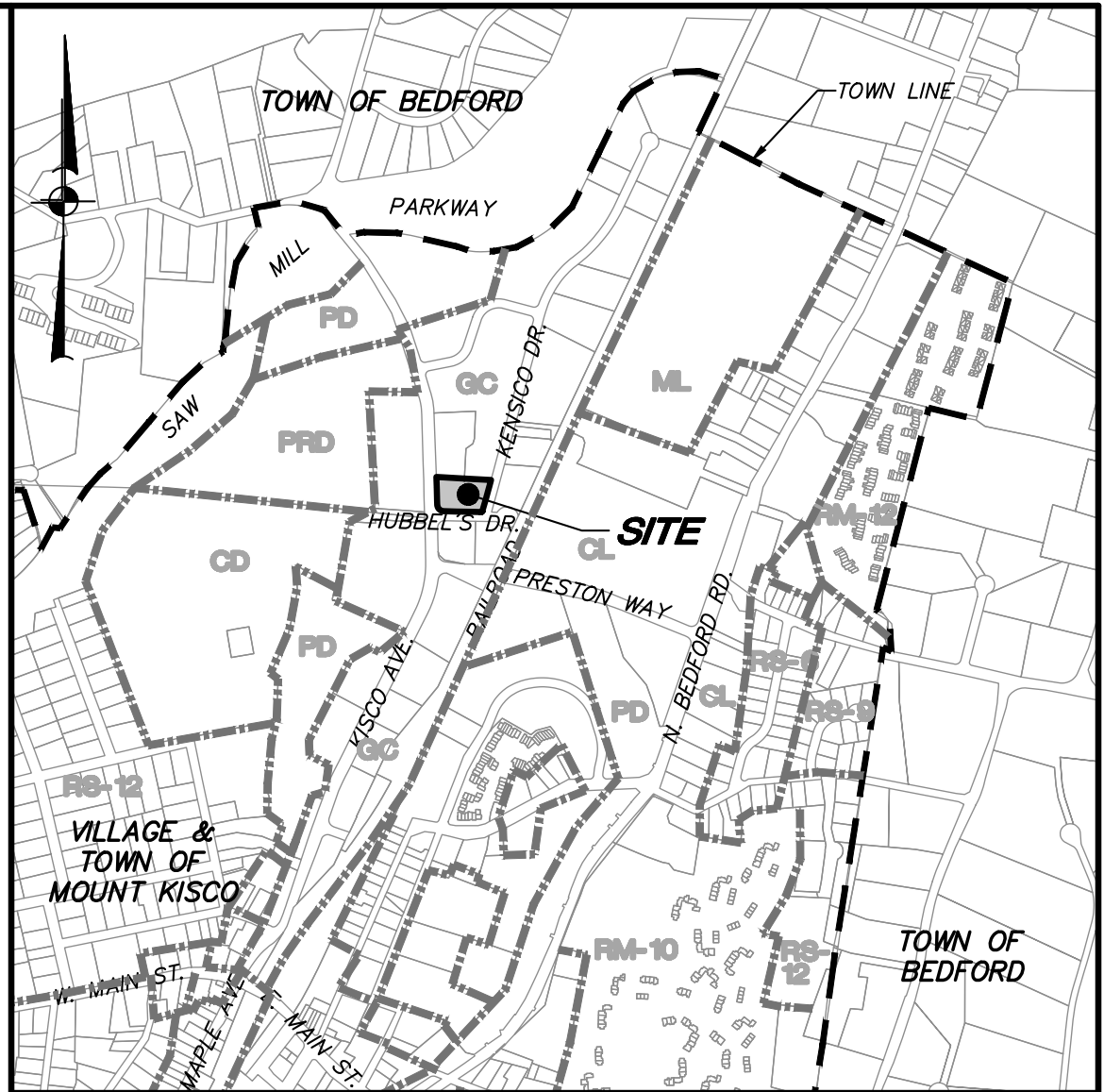
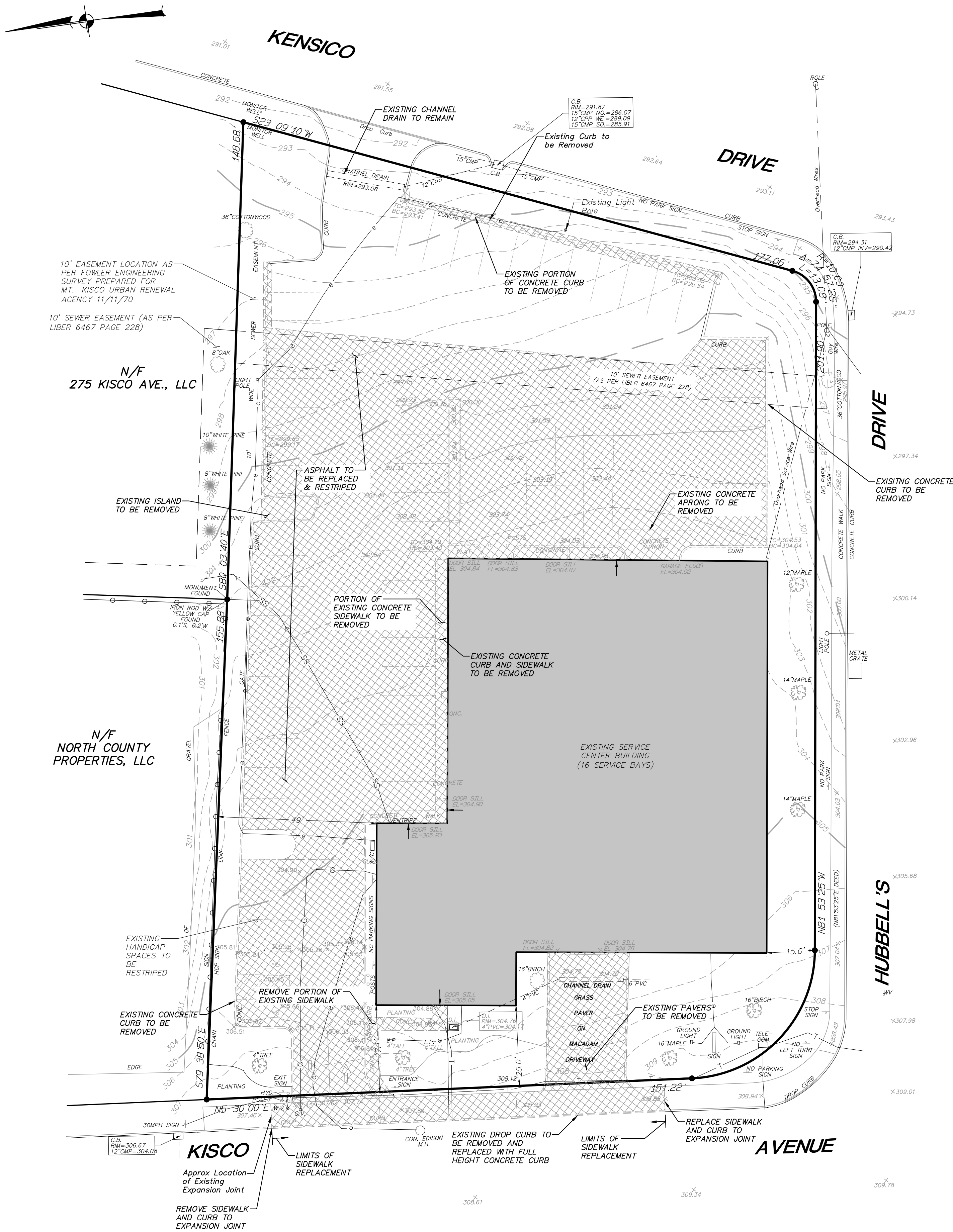
Gilmar Palacios Chin

Sworn to before me this 10th day of October 2023



Notary Public

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

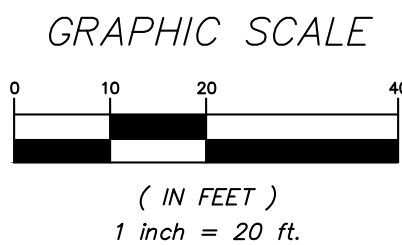
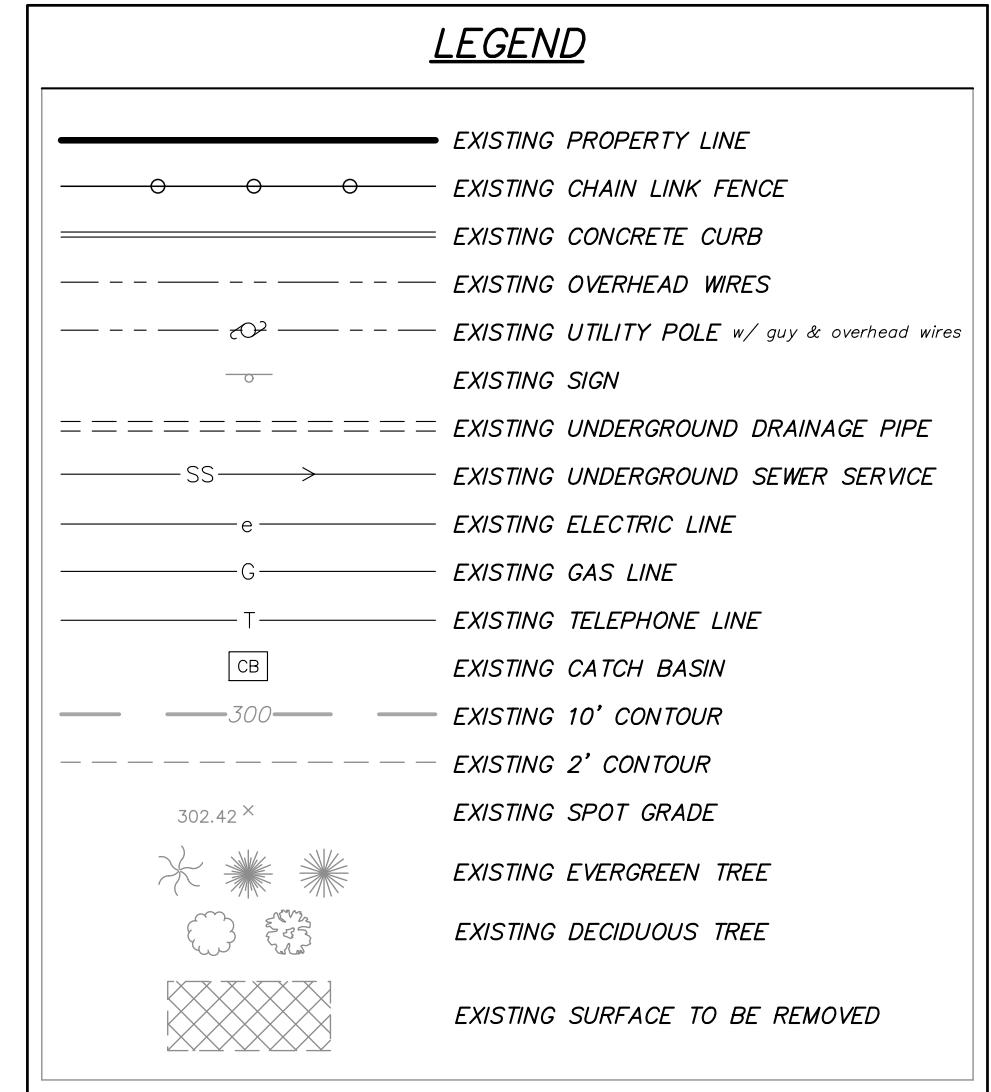


LOCATION MAP SCALE: 1" = 1,000'±

OWNER/APPLICANT:
Riviera Toyota
325 North Bedford Rd.
Mt. Kisco, NY 10549

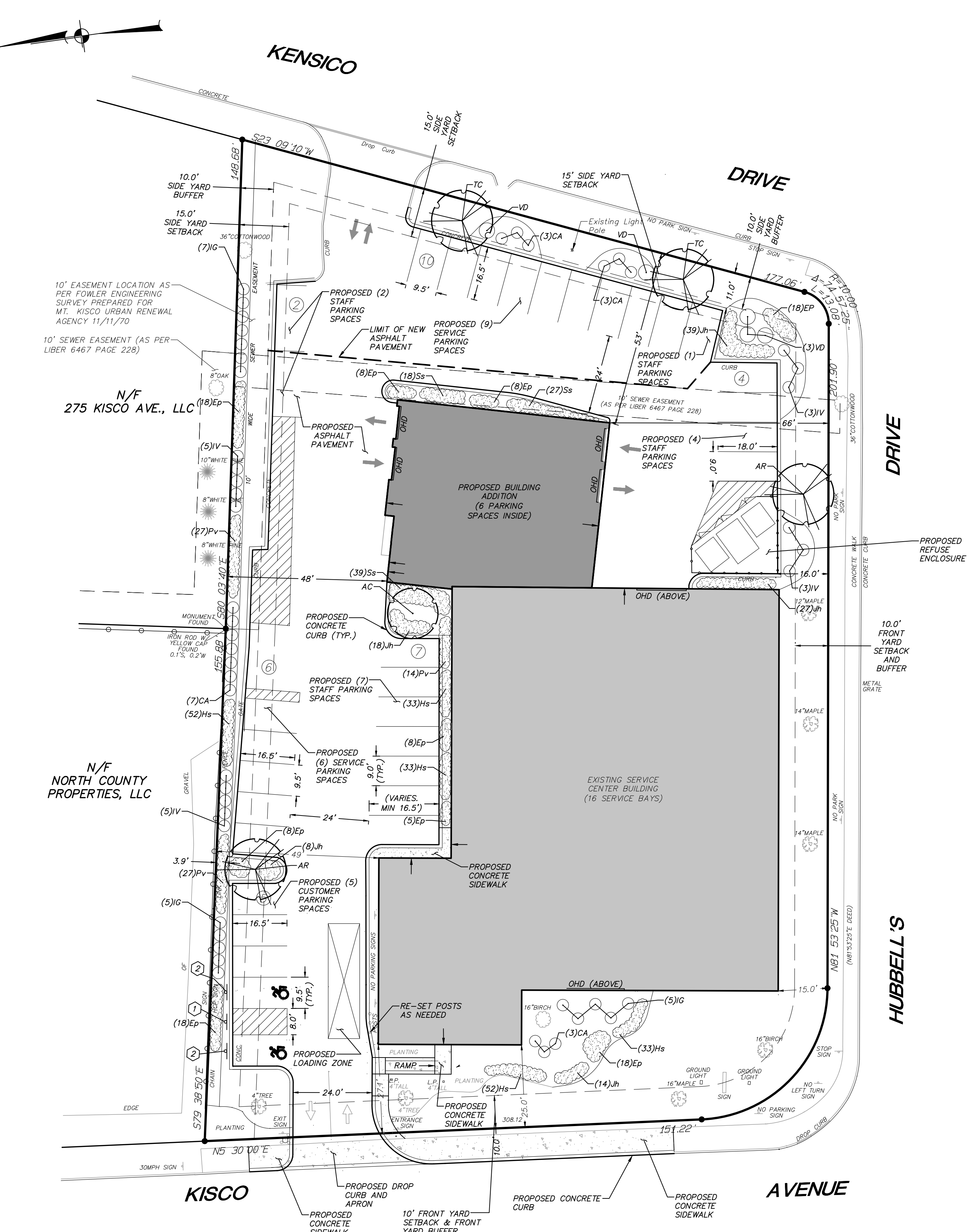
SITE DATA:
Zone: GC
Total Acreage 1.158 AC.±
Tax Map No.: 69.57-1-1

- GENERAL NOTES:**
- Boundary and topographic information shown hereon is taken from "Survey of Property for Trinity Investment Properties, LLC" by H. Stanley Johnson Land Surveyors, P.C. dated November 18, 2018 and Brought to Date November 12, 2022.
 - Proposed features are labeled as such. All other features are existing.



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

1	9-26-23	REVISED FOR ZONING BOARD SUBMISSION	SMR
NO.	DATE	REVISION	BY
INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.			
3 Garrett Place Carmel, NY 10512 (845) 225-9690 (845) 225-9717 fax www.insite-eng.com			
PROJECT: RIVIERA TOYOTA			
227 KISCO AVENUE, VILLAGE & TOWN OF MOUNT KISCO, WESTCHESTER CO., NY			
DRAWING: EXISTING CONDITIONS PLAN			
PROJECT NUMBER	22198.100	PROJECT MANAGER	R.D.W.
DATE	8-22-23	DRAWN BY	M.E.U.
SCALE	1" = 20'	CHECKED BY	S.M.R.
DRAWING NO.	EX-1		
SHEET	1		
	6		



ZONING TABLE GC – GENERAL COMMERCIAL DISTRICT

	Required	Existing (No Changes)	Proposed
Min. Lot Area:	40,000 SF	50,451 SF	No Change
Max. Building Coverage:	50%	27%	34%
Max. Site Development Coverage:	75%	77%	73%
Min. Lot Width:	100'	176' / 185' *	No Change
Min. Building Setback (Lot Line Abutting Nonresidential District):			
Front (Kisco Ave./Hubbell's Drive):	10'/10' *	25' / 15'	25'/15'
Side (Kensico Dr./Adjoiners):	15'/15' *	49'/90'	53'/48'
Rear:	N/A *	N/A	N/A
Buffer:			
Front (Kisco Ave./Hubbell's Drive):	10' *	25' / 15'	No Change
Side (Kensico Dr./Adjoiners):	10' *	7' / 7'	11' / 3' **
Rear:	N/A *	N/A	N/A
Max. Building Height:	3 Stories or 40'	Less Than 3 Stories	Less Than 3 Stories
Max. Building Length:	160'	140'	196'***

* Per §110-59 of the Zoning Code, this is a Two-Corner Lot with Front Yards on Kisco Avenue and Hubbell's Drive and two Side Yards. There is no rear yard.
** Existing Non-conformance per 1991 Site Plan prepared by the Helmes Group. Planning Board Waiver potentially required.
*** Variance required.

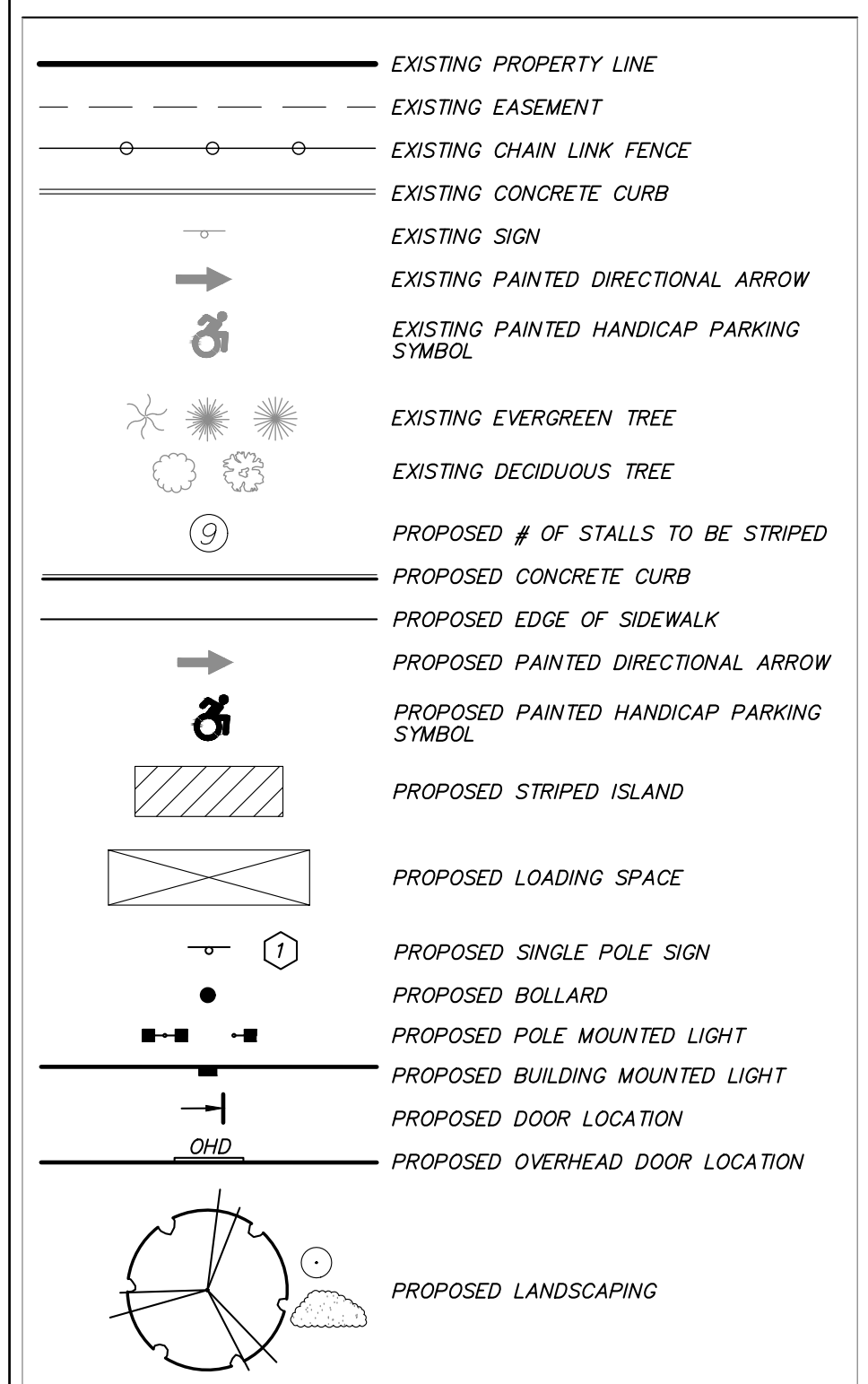
PARKING REQUIREMENTS:

Automotive Use:
Office Use: 1,212 S.F. @ 1 space / 300 S.F. = 4 spaces
Storage: 1,253 S.F. @ 1 space / 500 S.F. = 3 spaces
Service Bays: 16 Service Bays @ 3 spaces / service bay = 48 spaces
Total Parking Spaces Required: = 55 spaces
Total Parking Spaces Provided: (34 Exterior + 16 Service Bays + 6 Indoor spaces) = 56 spaces
Exterior Spaces: 14 Staff, 15 Service, 5 customer)

LOADING REQUIREMENTS:

Retail Use:
Required: 1 space for at least 5,000 SF but less than 25,000 SF = 1 space
Provided: = 1 space

LEGEND



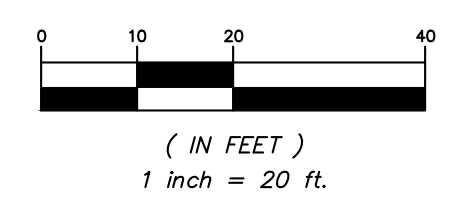
PLANT LIST

QTY.	KEY	BOTANICAL/COMMON NAME	SIZE	ROOT
SHADE TREES				
2	AR	Acer rubrum 'October Glory' / Red Maple	3" CAL.	B&B
FLOWERING TREES				
1	AC	Amelanchier canadensis / Serviceberry	6' HT.	B&B
2	TC	Tilia cordata / Littleleaf Linden	6' HT.	B&B
SHRUBS				
13	CA	Clethra alnifolia / Summersweet	18" - 24" HT.	#3 CONT.
17	IG	Ilex glabra / Inkberry Holly	18" - 24" HT.	#3 CONT.
16	IV	Ilex verticillata / Winterberry Holly	18" - 24" HT.	#3 CONT.
5	VD	Viburnum dentatum / Arrowwood	18" - 24" HT.	#3 CONT.
PERENNIALS/GROUND COVERS				
109	Ep	Echinacea purpurea / Coneflower	#2 CONT.	18" O.C.
106	Jh	Juniperus horizontalis / Creeping Juniper	#2 CONT.	18" O.C.
203	Hs	Heimerocallis 'Happy Returns' / Daylilies	#2 CONT.	12" O.C.
68	Pv	Panicum virgatum 'Shenandoah' / Switchgrass	#2 CONT.	18" O.C.
84	Ss	Schizachyrium scoparium 'The Blues' / Little Bluestem	#2 CONT.	18" O.C.

SIGN DATA TABLE

LOCATION NO.	TEXT	M.U.T.C.D. NUMBER	SIZE OF SIGN (s.f.)	DESCRIPTION
1	NO PARKING ANY TIME	R7-1	12" x 18"	Red on White
2	RESERVED PARKING	R7-8	12" x 18"	Blue on White

GRAPHIC SCALE



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

19-26-23
NO.
DATE

REVISED FOR ZONING BOARD SUBMISSION
REVISION
BY

SMR

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

3 Garrett Place
Carmel, NY 10512
(845) 225-0690
(845) 225-9717 fax
www.insite-eng.com

PROJECT:
RIVERA TOYOTA
227 KISCO AVENUE, VILLAGE & TOWN OF MOUNT KISCO, WESTCHESTER CO., NY

DRAWING:
LAYOUT & LANDSCAPE PLAN

PROJECT NUMBER
22198.100

DATE
8-22-23

SCALE
1" = 20'

PROJECT MANAGER
R.D.W.

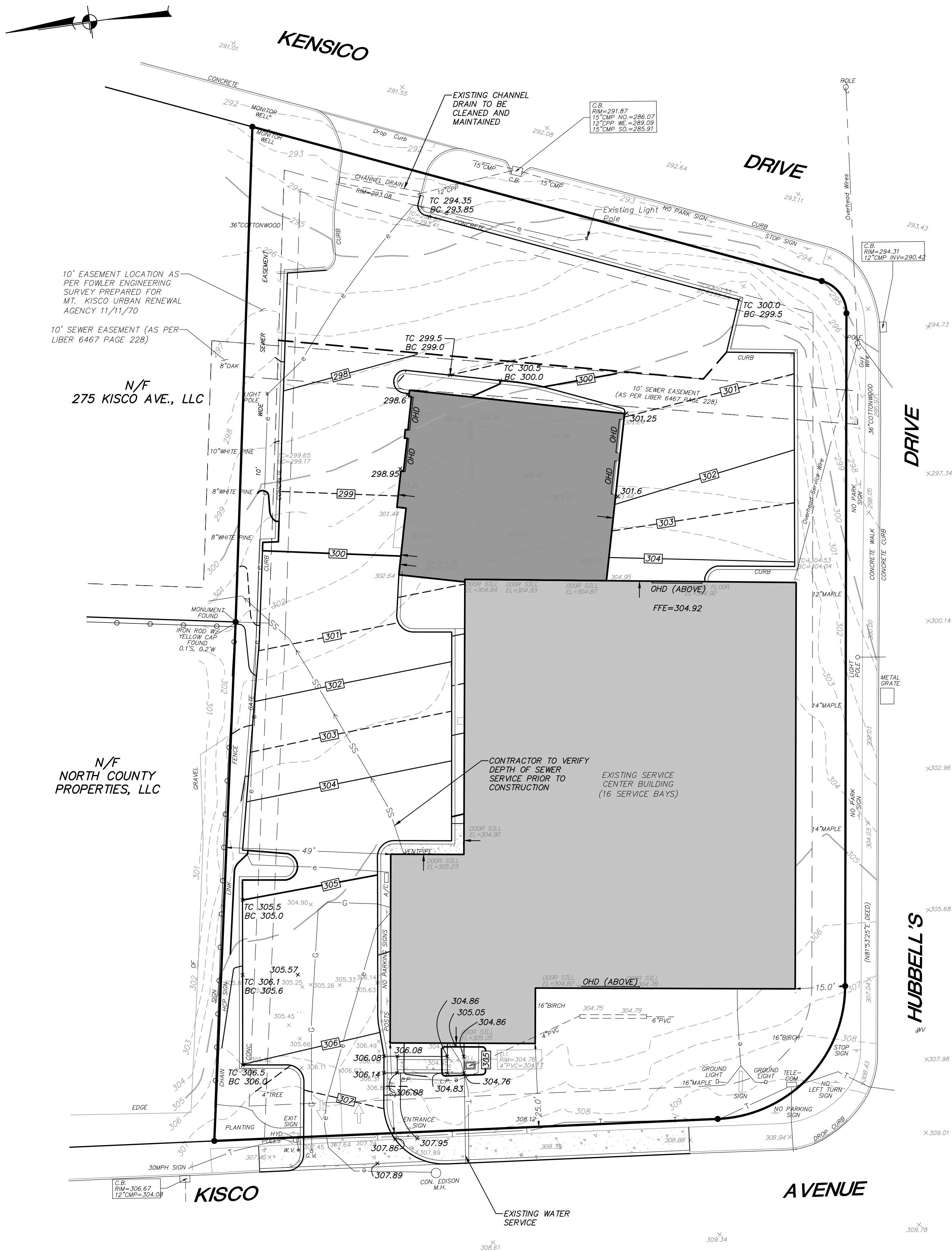
DRAWN BY
M.E.U.

CHECKED BY
S.M.R.

DRAWING NO.
SP-1

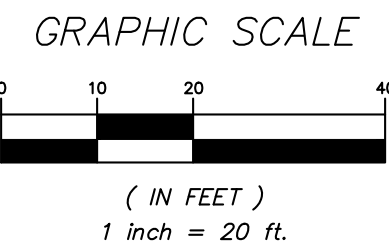
SHEET
2
6

Z:\E\22198100 Rivera Toyota, Kisco Ave\02-SP-1.dwg, 9/7/2023 1:44:52 PM, arccharden, 1:1

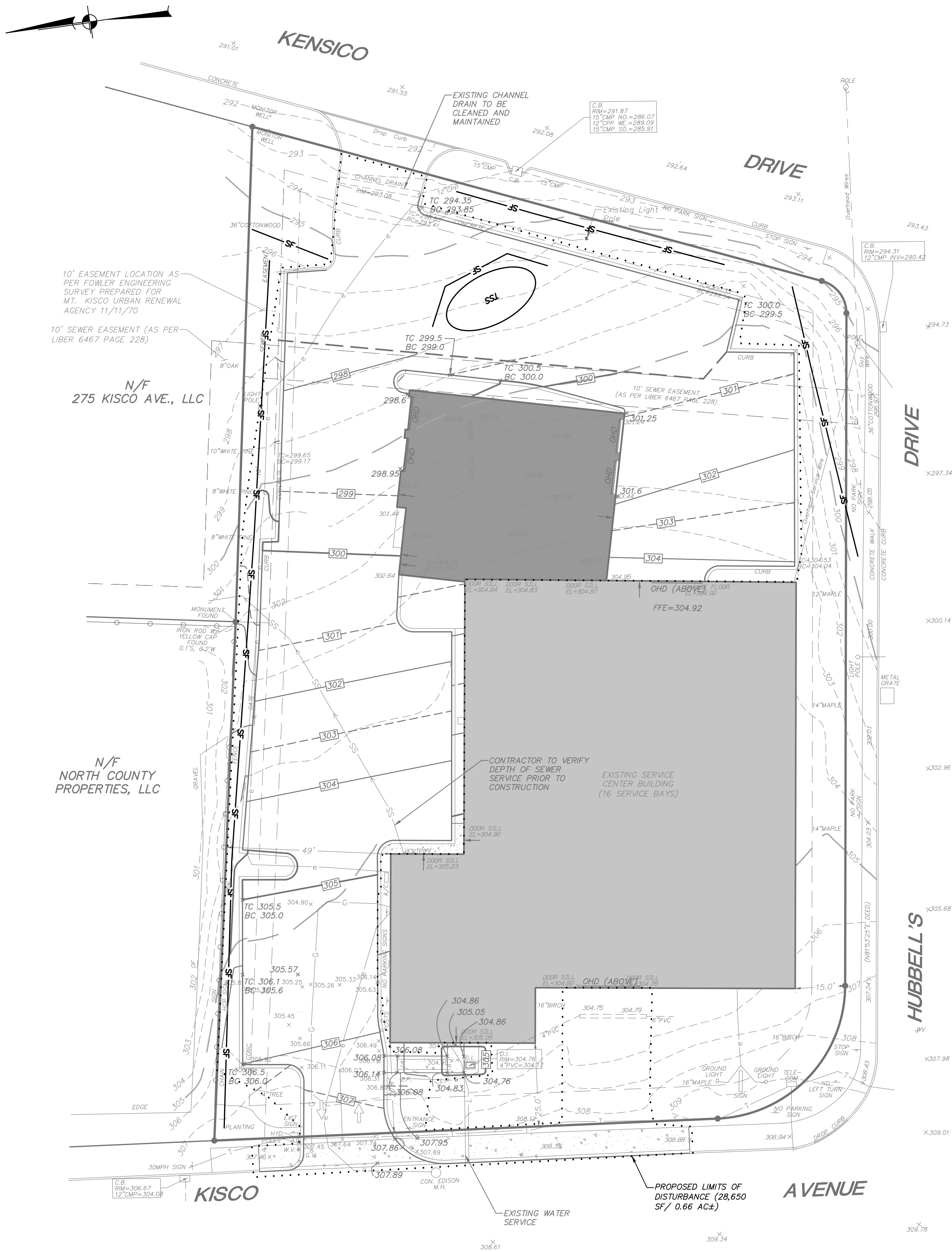


LEGEND	
	EXISTING PROPERTY LINE
	EXISTING EASEMENT
	EXISTING ZONING DISTRICT BOUNDARY
	EXISTING GATE
	EXISTING CHAIN LINK FENCE
	EXISTING CONCRETE CURB
	EXISTING OVERHEAD WIRES
	EXISTING UTILITY POLE w/ guy & overhead wires
	EXISTING SIGN
	EXISTING UNDERGROUND DRAINAGE PIPE
	EXISTING UNDERGROUND SEWER SERVICE
	EXISTING ELECTRIC LINE
	EXISTING GAS LINE
	EXISTING TELEPHONE LINE
	EXISTING CATCH BASIN
	EXISTING POST MOUNTED LIGHT
	EXISTING LIGHT POLE
	EXISTING HYDRANT
	EXISTING GAS VALVE
	EXISTING WATER VALVE
	EXISTING CLEAN OUT
	EXISTING MONITORING WELL
	EXISTING 10' CONTOUR
	EXISTING 2' CONTOUR
	EXISTING SPOT GRADE
	PROPOSED 10' CONTOUR
	PROPOSED 2' CONTOUR
	PROPOSED 1' CONTOUR
	PROPOSED SPOT ELEVATION
	PROPOSED TOP OF CURB & BOTTOM OF CURB ELEVATIONS
	PROPOSED CATCH BASIN
	PROPOSED OUTLET STRUCTURE
	PROPOSED WATER SHUT OFF VALVE
	PROPOSED WATER VALVE
	PROPOSED DRAINAGE PIPE

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



1	9-26-23	REVISED FOR ZONING BOARD SUBMISSION	SMR
NO.	DATE	REVISION	BY
 3 Garrett Place Carmel, NY 10512 (845) 225-9690 (845) 225-9717 fax www.insite-eng.com			
PROJECT: RIVERA TOYOTA 227 KISCO AVENUE, VILLAGE & TOWN OF MOUNT KISCO, WESTCHESTER CO., NY			
DRAWING: GRADING AND UTILITIES PLAN			
PROJECT NUMBER	22198.100	PROJECT MANAGER	R.D.W.
DATE	8-22-23	DRAWN BY	M.E.U.
SCALE	1" = 20'	CHECKED BY	S.M.R.
DRAWING NO.	SP-2		SHEET 3
			6



LEGEND

- SF PROPOSED SILT FENCE
- CF PROPOSED CONSTRUCTION FENCE
- TB PROPOSED TURBIDITY CURTAIN
- PROPOSED STONE RIP-RAP
- PROPOSED LIMITS OF DISTURBANCE
- PROPOSED STONE CHECK DAM
- PROPOSED TEMPORARY DIVERSION SWALE
- PROPOSED TEMPORARY SOIL STOCKPILE
- PROPOSED STABILIZED CONSTRUCTION ENTRANCE
- PROPOSED EROSION CONTROL BLANKET
- PROPOSED DRAINAGE STRUCTURE W/ INLET PROTECTION
- PROPOSED PHASING LINE
- PROPOSED PHASING NUMBER

1	9-26-23	REVISED FOR ZONING BOARD SUBMISSION	SMR
NO.	DATE	REVISION	BY

INSITE
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LANDSCAPE ARCHITECTURE, P.C.

3 Garrett Place
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(845) 225-9690
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www.insite-eng.com

PROJECT: **RIVERA TOYOTA**

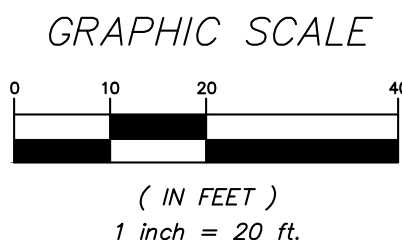
227 KISCO AVENUE, VILLAGE & TOWN OF MOUNT KISCO, WESTCHESTER CO., NY

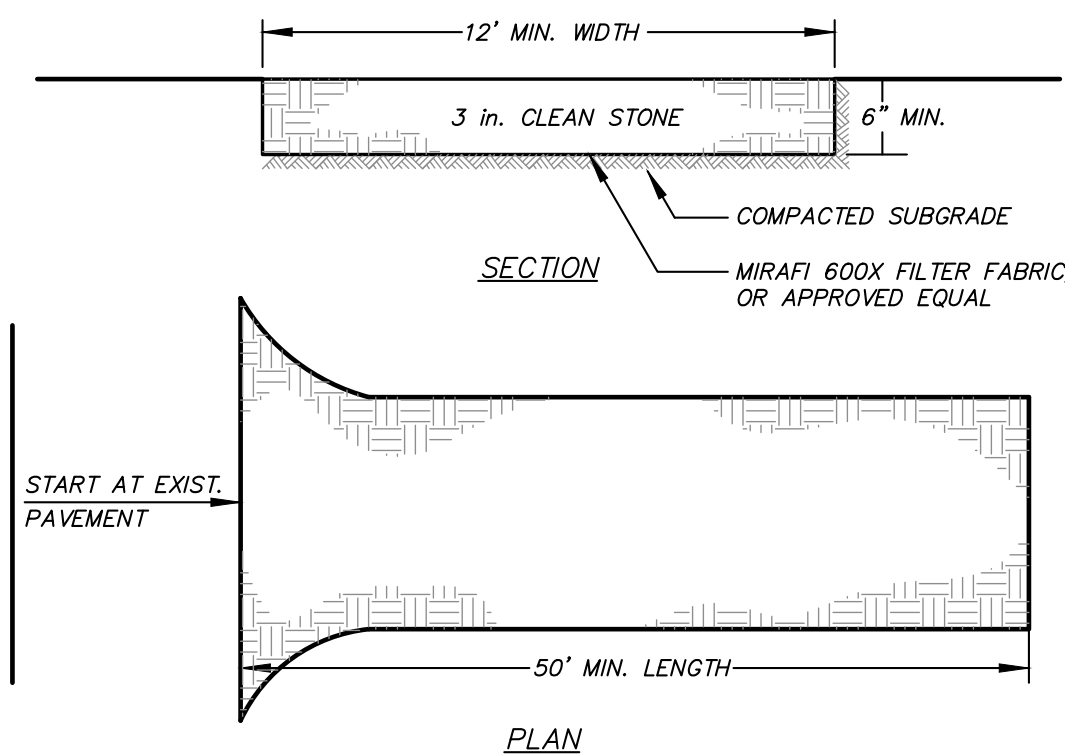
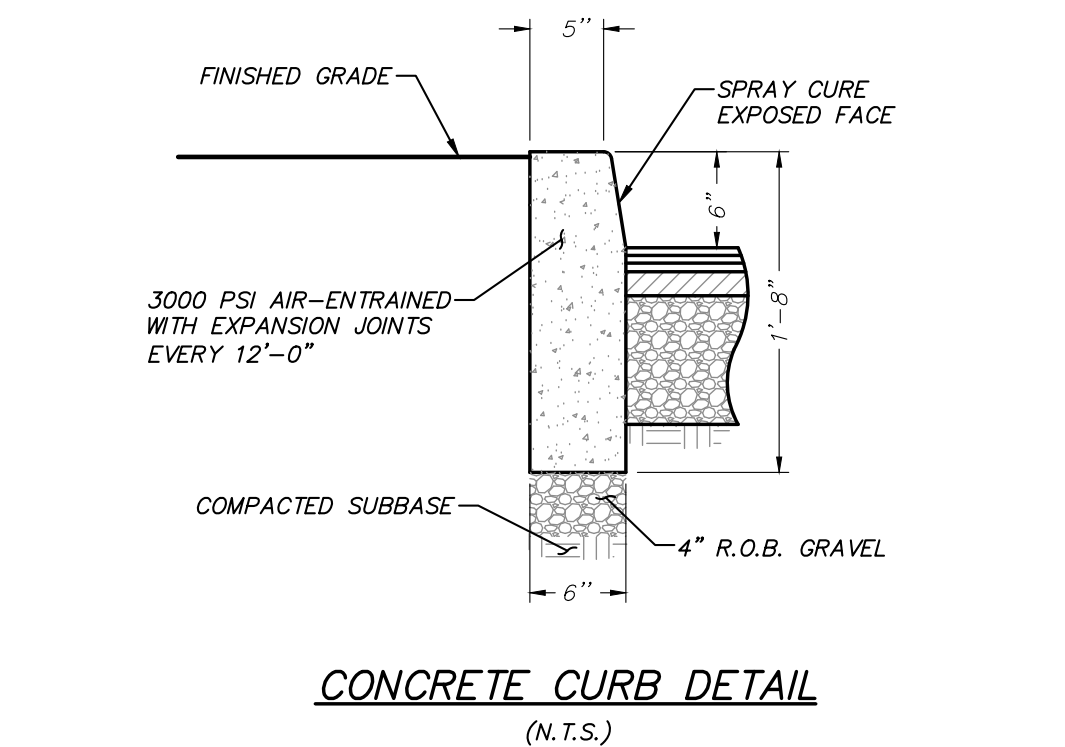
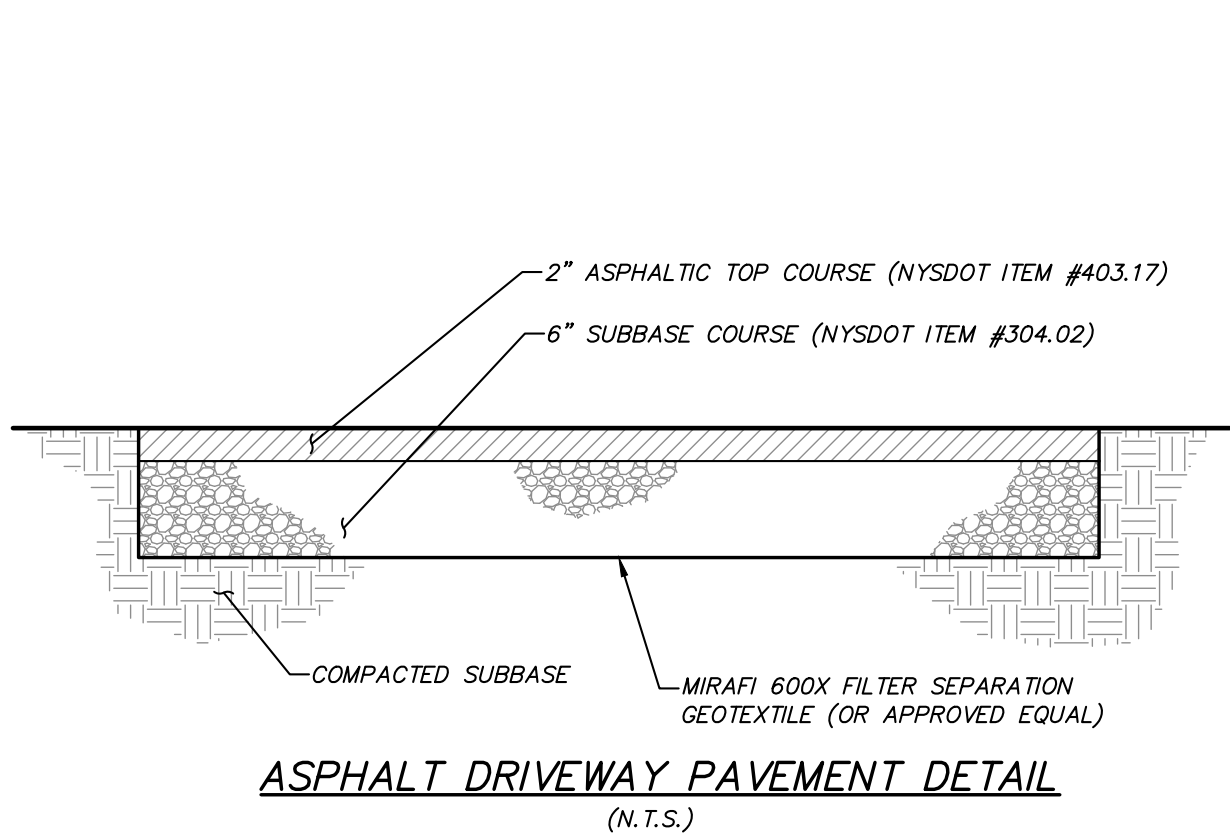
DRAWING: **EROSION & SEDIMENT CONTROL PLAN**

PROJECT NUMBER	22198.100	PROJECT MANAGER	R.D.W.	DRAWING NO.	SP-3	SHEET 4
DATE	8-22-23	DRAWN BY	M.E.U.			
SCALE	1" = 20'	CHECKED BY	S.M.R.			

Z:\16\2198100 Rivera Toyota Kisco Ave\04.shp-3.dwg, 9/26/2023 9:01:02 AM, erichardsm, 11

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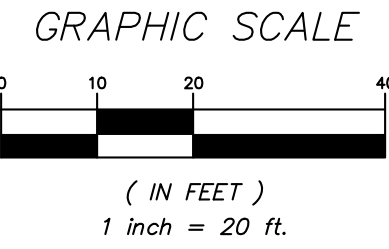
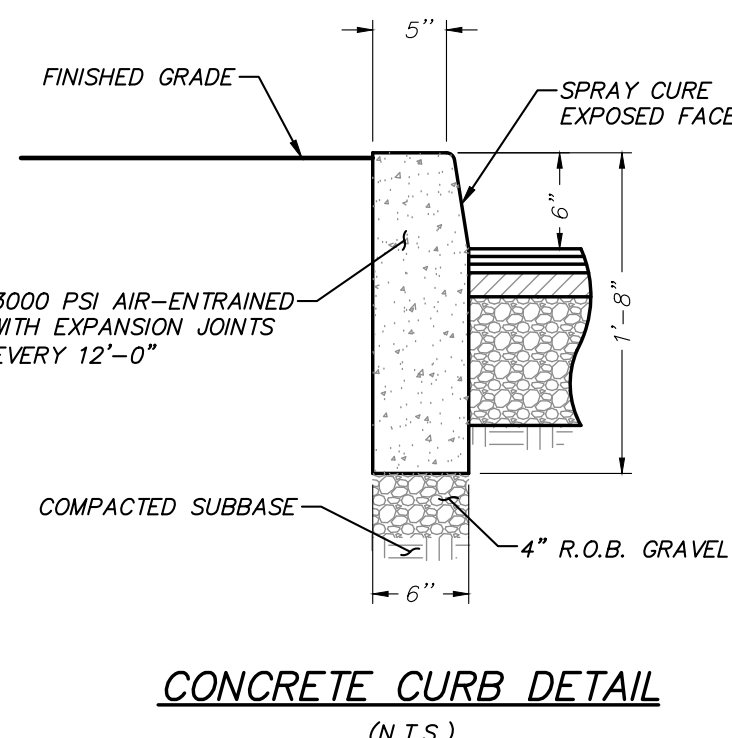
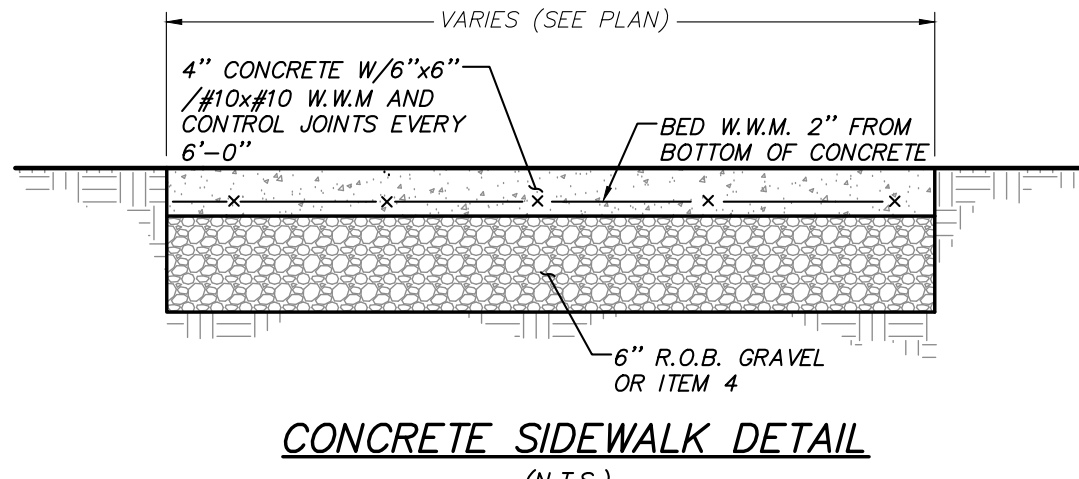
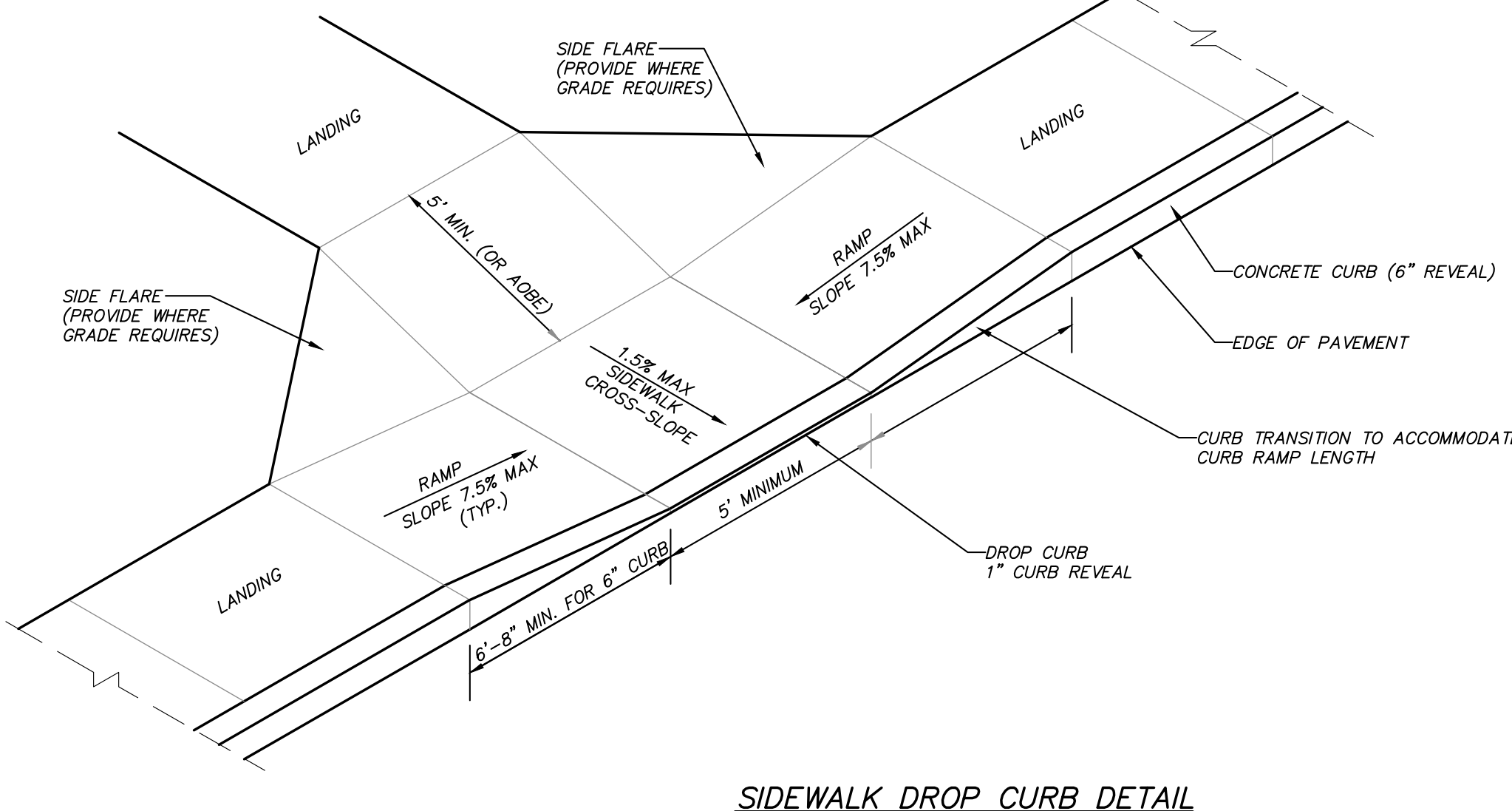
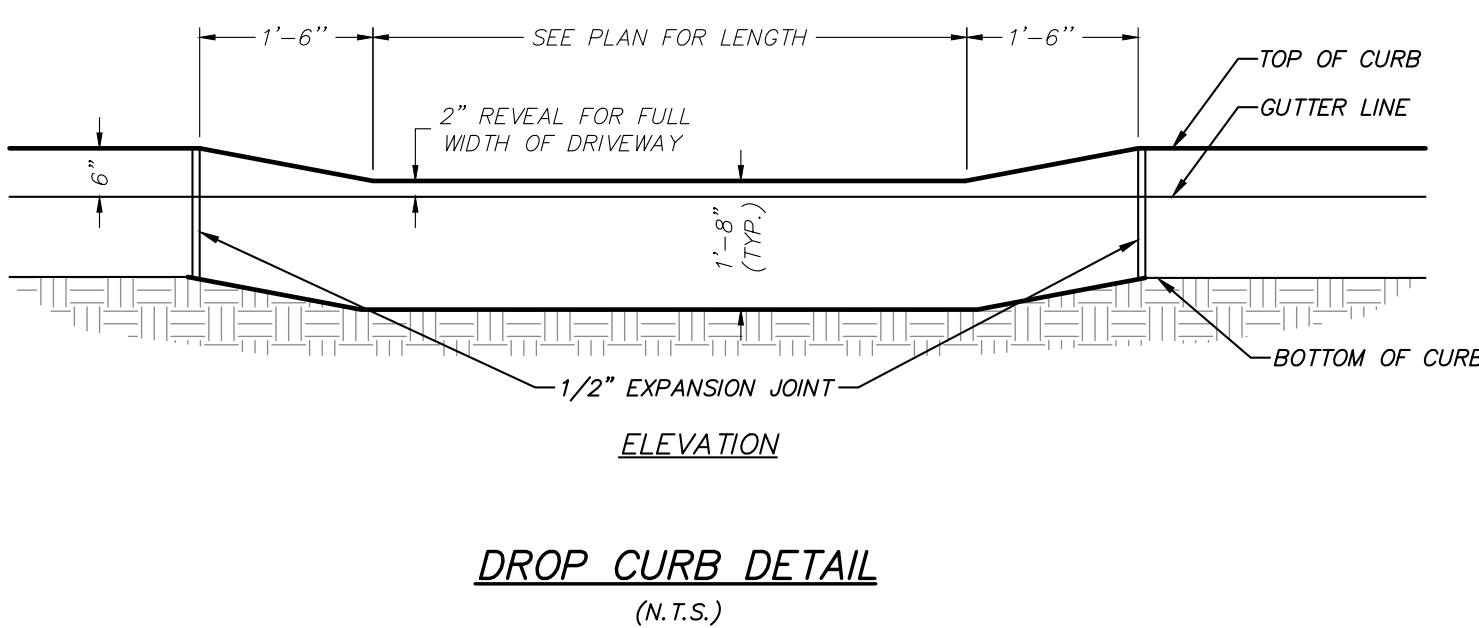
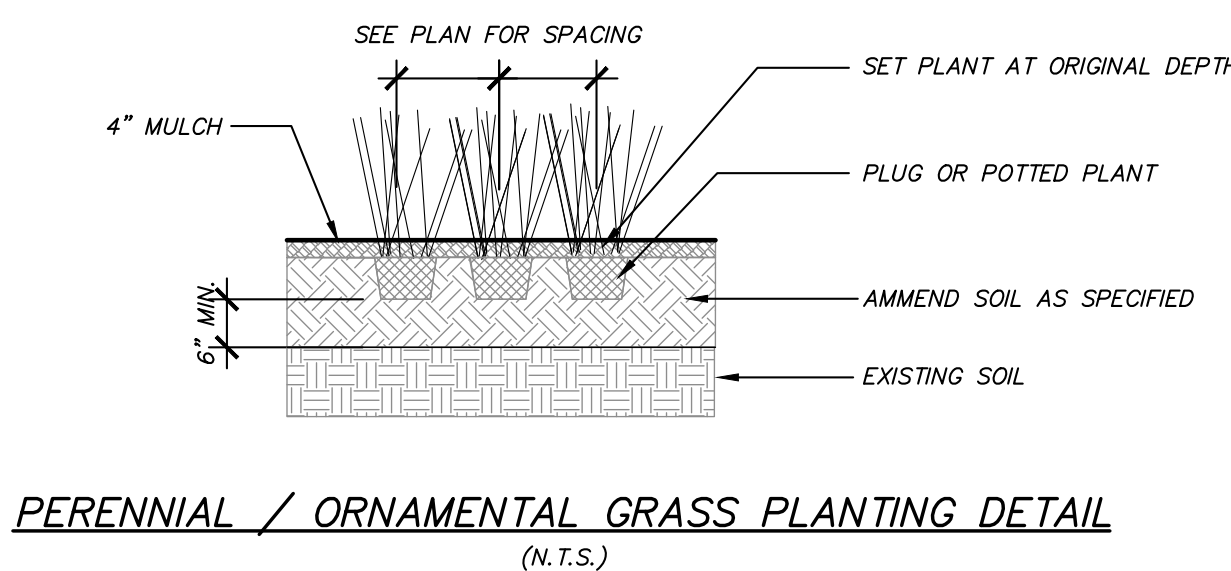
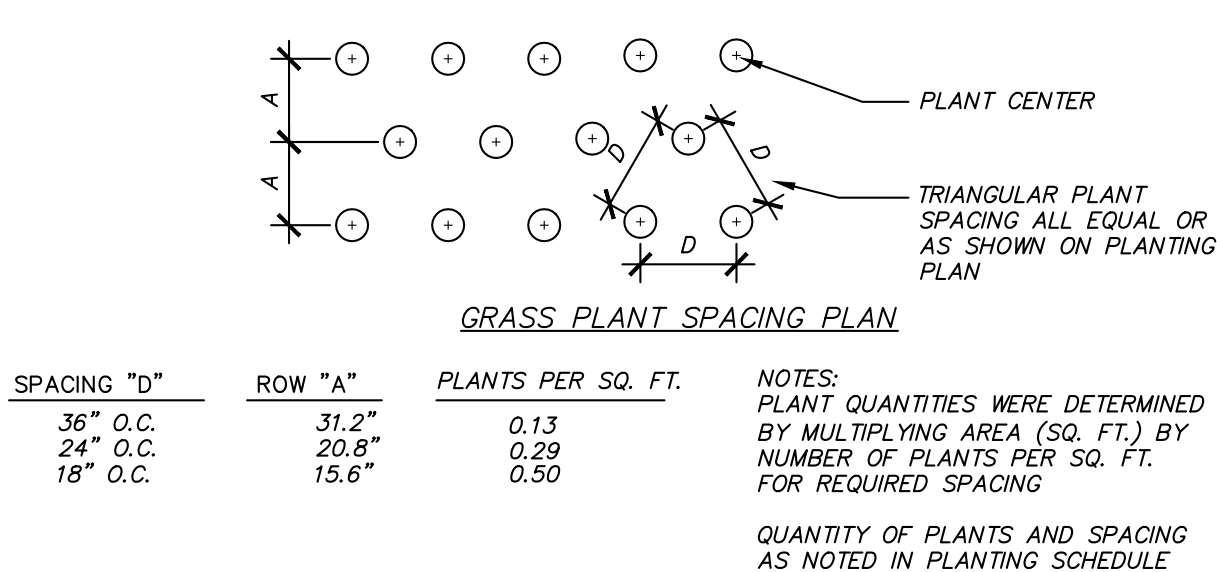
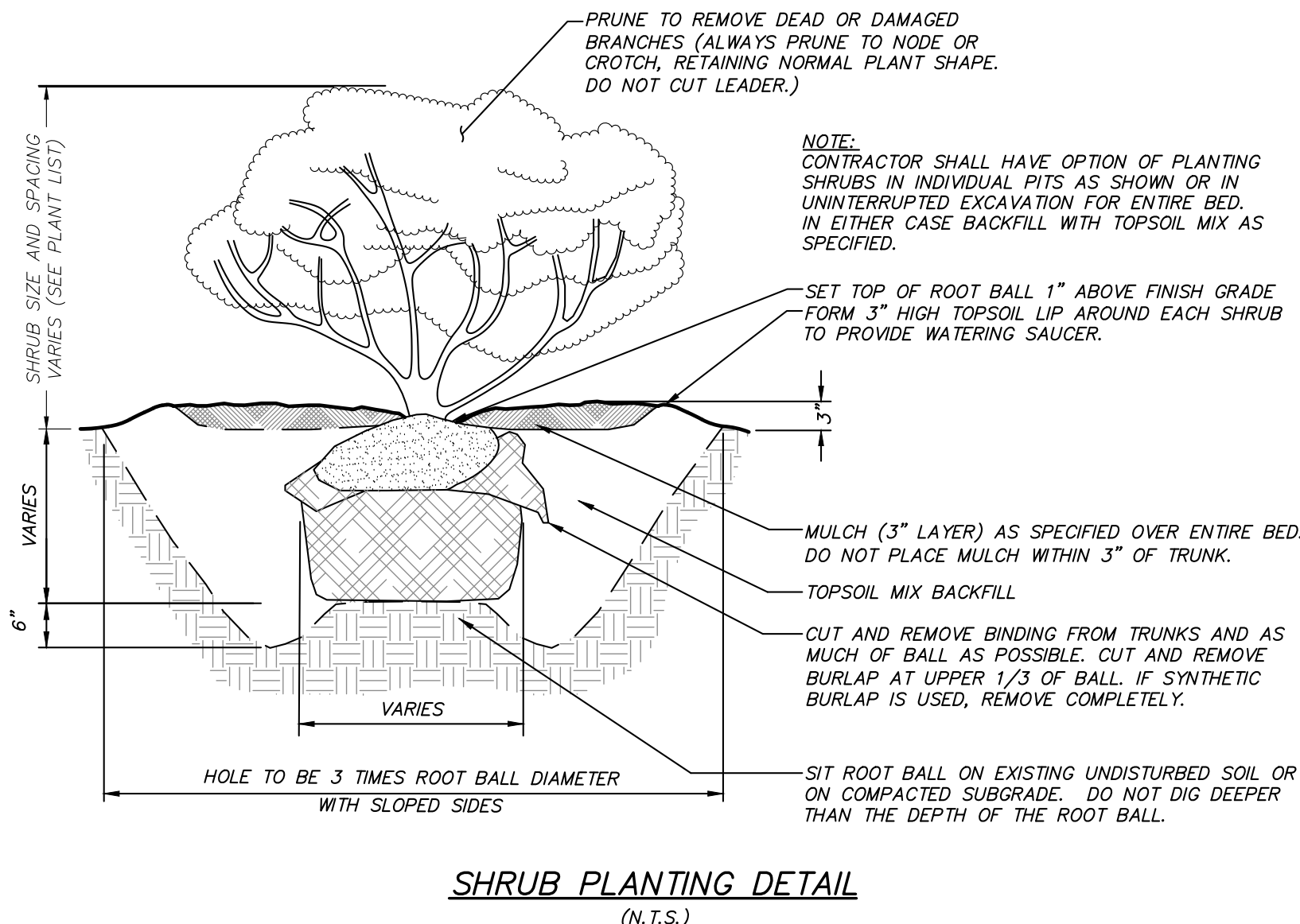
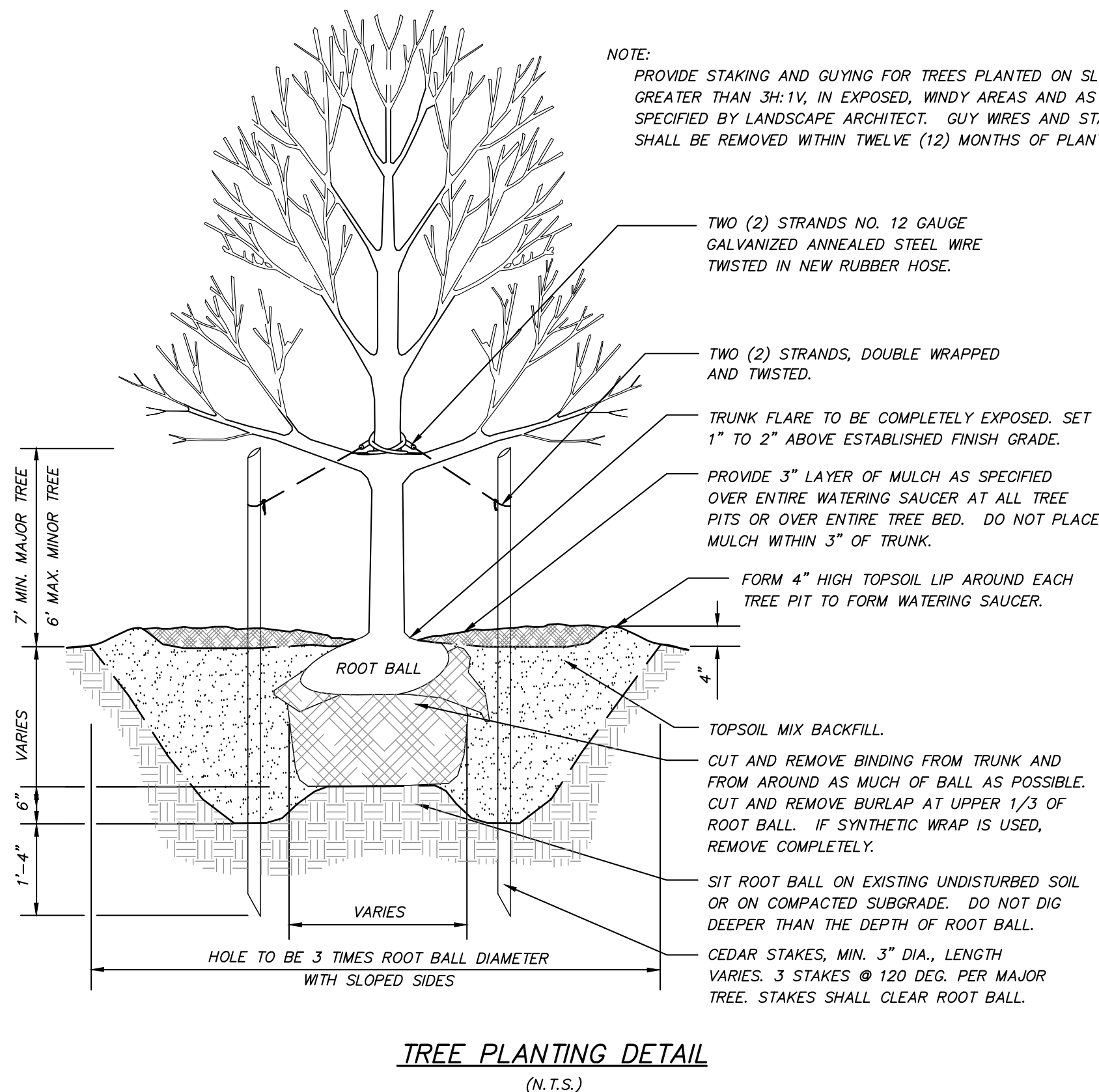




INSTALLATION NOTES

- STONE SIZE - USE 3" STONE
- LENGTH - AS REQUIRED, BUT NOT LESS THAN 50 FEET (EXCEPT ON A SINGLE RESIDENCE LOT WHERE A 30 FOOT MINIMUM LENGTH WOULD APPLY)
- THICKNESS - NOT LESS THAN SIX (6) INCHES.
- WIDTH - 12 FOOT MINIMUM, BUT NOT LESS THAN THE FULL WIDTH AT POINTS WHERE INGRESS OR EGRESS OCCUR. TWENTY FOUR (24) FOOT IF SINGLE ACCESS TO SITE.
- 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.
- 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.
- 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.
- 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.
- PERIODIC INSPECTION AND NEEDED MAINTENANCE SHALL BE PROVIDED AFTER EACH RAIN.

STABILIZED CONSTRUCTION ACCESS DETAIL (N.T.S.)



GENERAL PLANTING AND SITE SEEDING NOTES:

- All proposed seeded areas to receive 4" min. depth of topsoil. Soil amendments and fertilizer application rates shall be determined based on specific testing of topsoil material.
- Upon final grading and placement of topsoil and any required soil amendments, areas to receive permanent vegetation cover in combination with suitable mulch as follows:
 - select seed mixture per drawings and seeding notes.
 - fertilizer applied at the manufacturer's recommended rate using phosphorous-free fertilizer or equivalent. Soil test shall be performed prior to using any fertilizer on site.
 - mulch: salt hay or small grain straw applied at a rate of 90 lbs./1000 s.f. or 2 tons/acre, to be applied and anchored according to New York State Standards and Specifications for Erosion and Sediment Control, August 2005.
 - if the season prevents the establishment of a permanent vegetation cover, the disturbed areas will be mulched with straw or equivalent.
- Seed Mixes to be planted between April 1 and May 15, or between August 15 and October 15, or as directed by project representative as follows:
 - Seed Mix #1 for lawn areas at a rate of 50 lbs. per acre:
 - Kentucky Bluegrass 40%
 - Creeping Red Fescue 40%
 - Perennial Ryegrass 20%
 - Annual Ryegrass 20%
 - Seed Mix #2: Areas to be seeded at a rate of 25 lbs. per acre: Partially Shaded Roadside Mix from New England Wetland Plants, Inc. of Amherst, MA.
- All proposed planting beds to receive a 12" min. depth of topsoil. Soil amendments and fertilizer application rates shall be determined based on specific testing of topsoil material.
- All plant material to be nursery grown.
- The location and layout of landscape plants shown on the site plan shall take precedence in any discrepancies between the quantities of plants shown on the plans and the quantity of plants in the Plant List.
- Provide a 3" layer of shredded mulch (or as specified) over entire watering saucer at all tree pits or over entire planting bed. Do not place mulch within 3" of tree or shrub trunks.
- All landscape plantings shall be maintained in a healthy condition at all times. Any dead or diseased plants shall immediately be replaced "in kind" by the contractor (during warranty period) or project owner.
- All landscape and mitigation plantings shall be installed by hand. No mechanical equipment shall be permitted.

1	9-26-23	REVISED FOR ZONING BOARD SUBMISSION	SMR
NO.	DATE	REVISION	BY

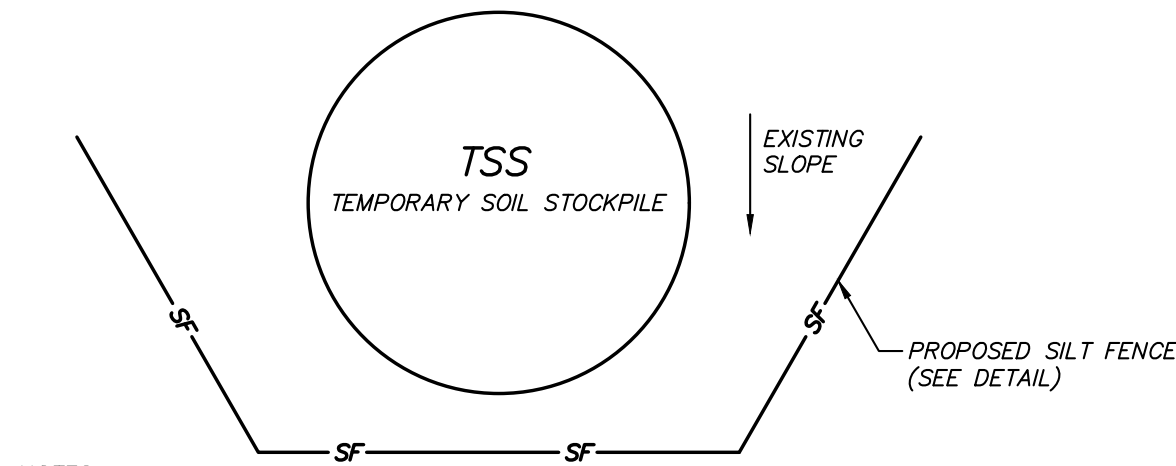
3 Garrett Place
Carmel, NY 10512
(845) 225-9890
(845) 225-9717 fax
www.insite-eng.com

PROJECT: RIVERA TOYOTA

227 KISCO AVENUE, VILLAGE & TOWN OF MOUNT KISCO, WESTCHESTER CO., NY

DRAWING: DETAILS

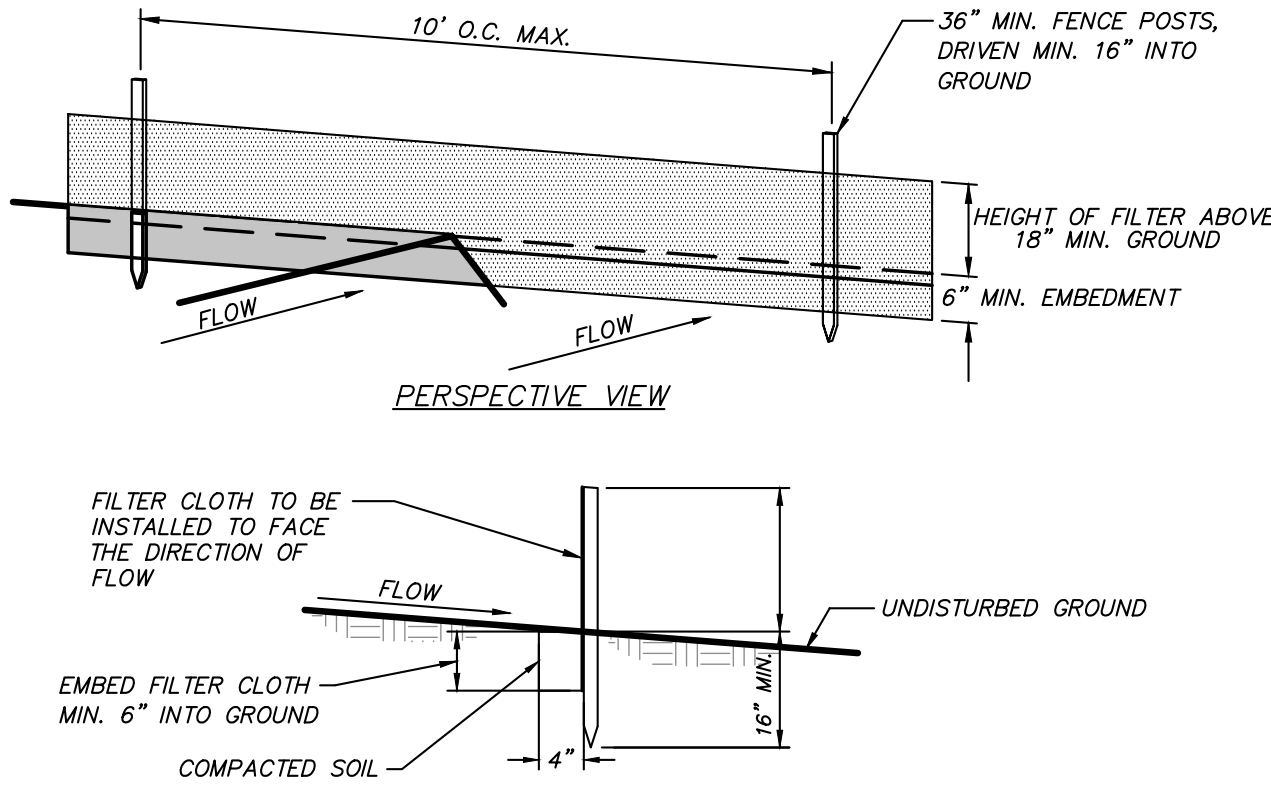
PROJECT NUMBER	22198.100	PROJECT MANAGER	R.D.W.	DRAWING NO.	SHEET
DATE	8-22-23	DRAWN BY	M.E.U.	D-1	5
SCALE	1" = 20'	CHECKED BY	S.M.R.		6



NOTES:

1. AREA CHOSEN FOR STOCKPILE LOCATION SHALL BE DRY AND STABLE.
2. MAXIMUM SLOPE OF STOCKPILE SHALL BE 2:1.
3. UPON COMPLETION OF SOIL STOCKPILING, EACH PILE SHALL BE IMMEDIATELY SEEDED WITH K31 PERENNIAL TALL FESCUE.
4. ALL STOCKPILES SHALL BE PROTECTED WITH SILT FENCING INSTALLED ON THE DOWNGRADIENT SIDE.

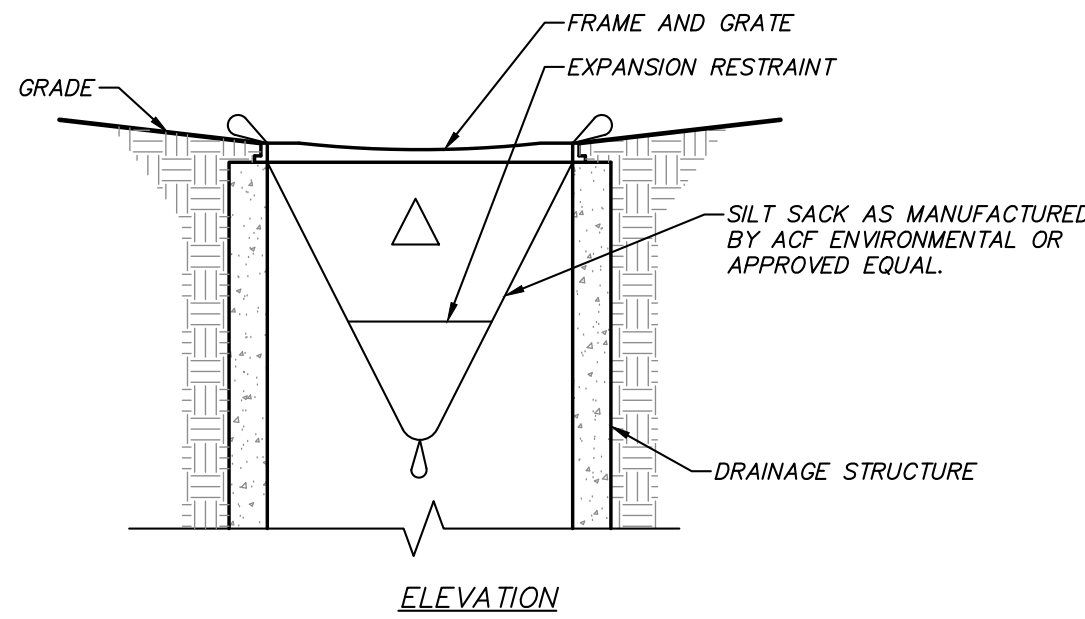
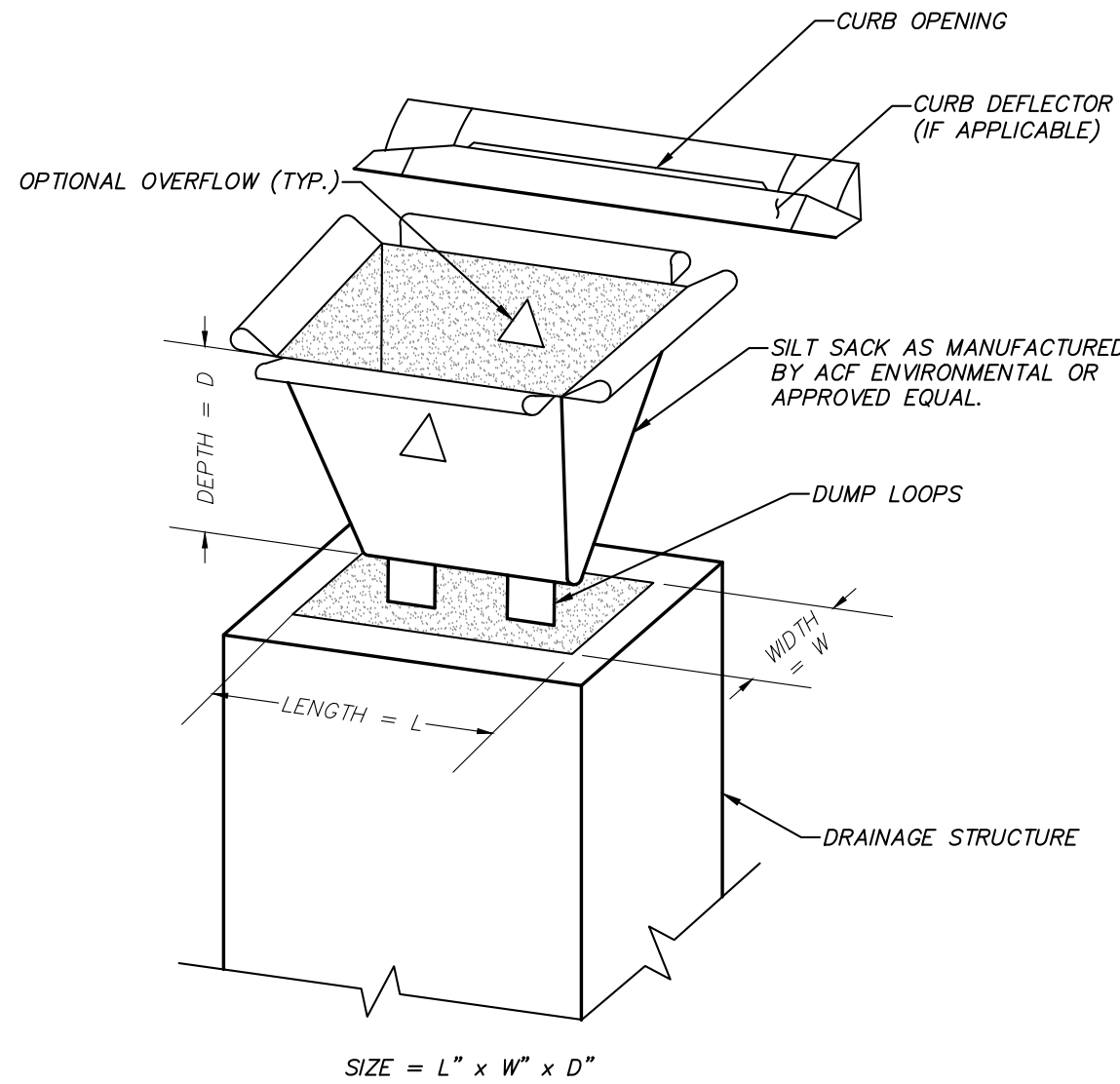
TEMPORARY SOIL STOCKPILE DETAIL
(N.T.S.)



CONSTRUCTION NOTES FOR FABRICATED SILT FENCE

1. WOVEN WIRE FENCE TO BE FASTENED SECURELY TO FENCE POSTS WITH WIRE TIES OR STAPLES. POSTS SHALL BE STEEL EITHER "I" OR "U" TYPE OR HARDWOOD.
2. FILTER CLOTH TO BE 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.
3. WHEN TWO SECTIONS OF FILTER CLOTH ADJOIN EACH OTHER THEY SHALL BE OVER-LAPPED BY SIX INCHES AND FOLDED. FILTER CLOTH SHALL BE EITHER FILTER X, MIRAFI 100X, STABILINKA T140N, OR APPROVED EQUIVALENT.
4. PREFABRICATED UNITS SHALL BE GEOFAB, ENVIROFENCE, OR APPROVED EQUIVALENT.
5. MAINTENANCE SHALL BE PERFORMED AS NEEDED AND MATERIAL REMOVED WHEN "BULGES" DEVELOP IN THE SILT FENCE.

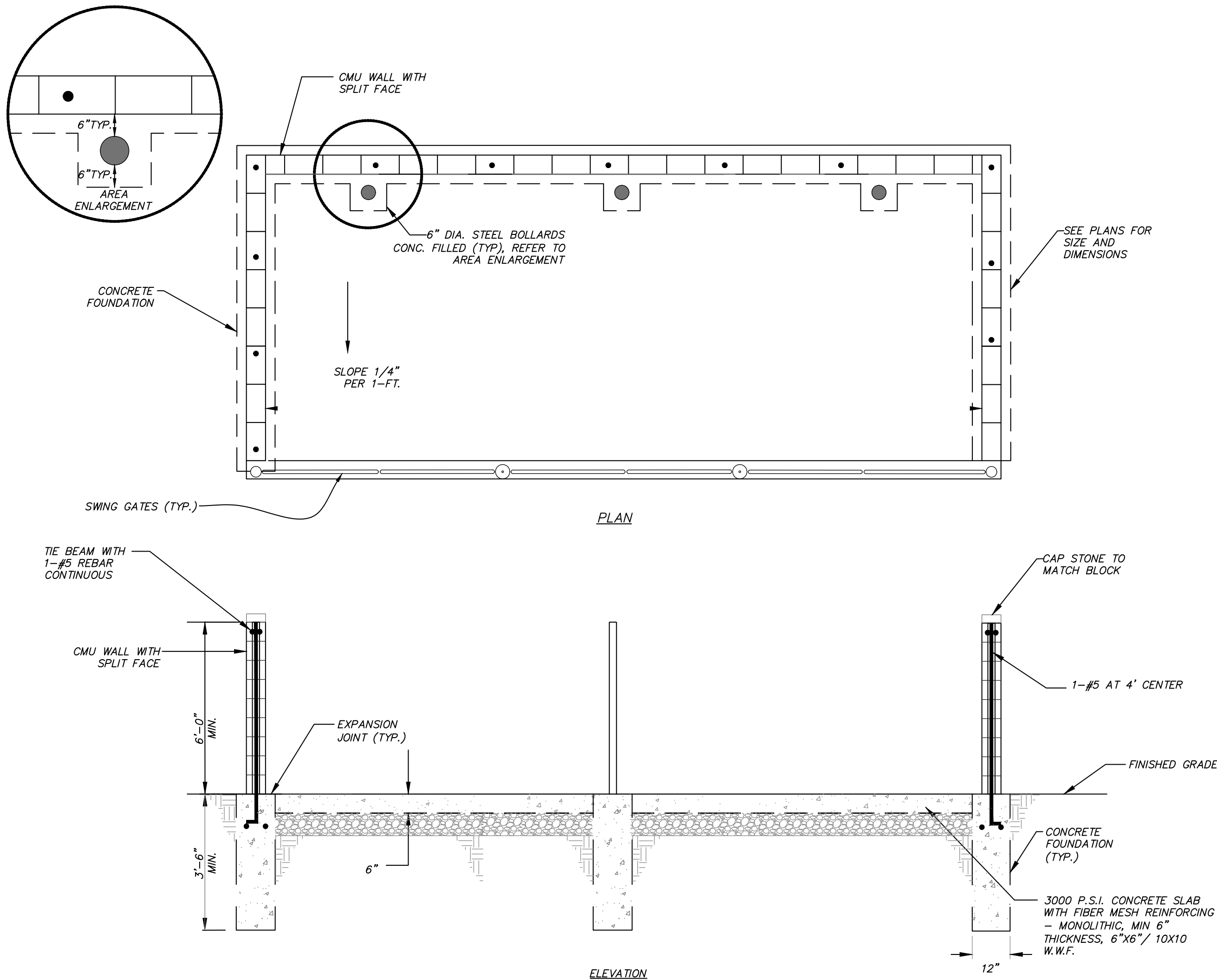
STANDARD SILT FENCE DETAIL
(N.T.S.)



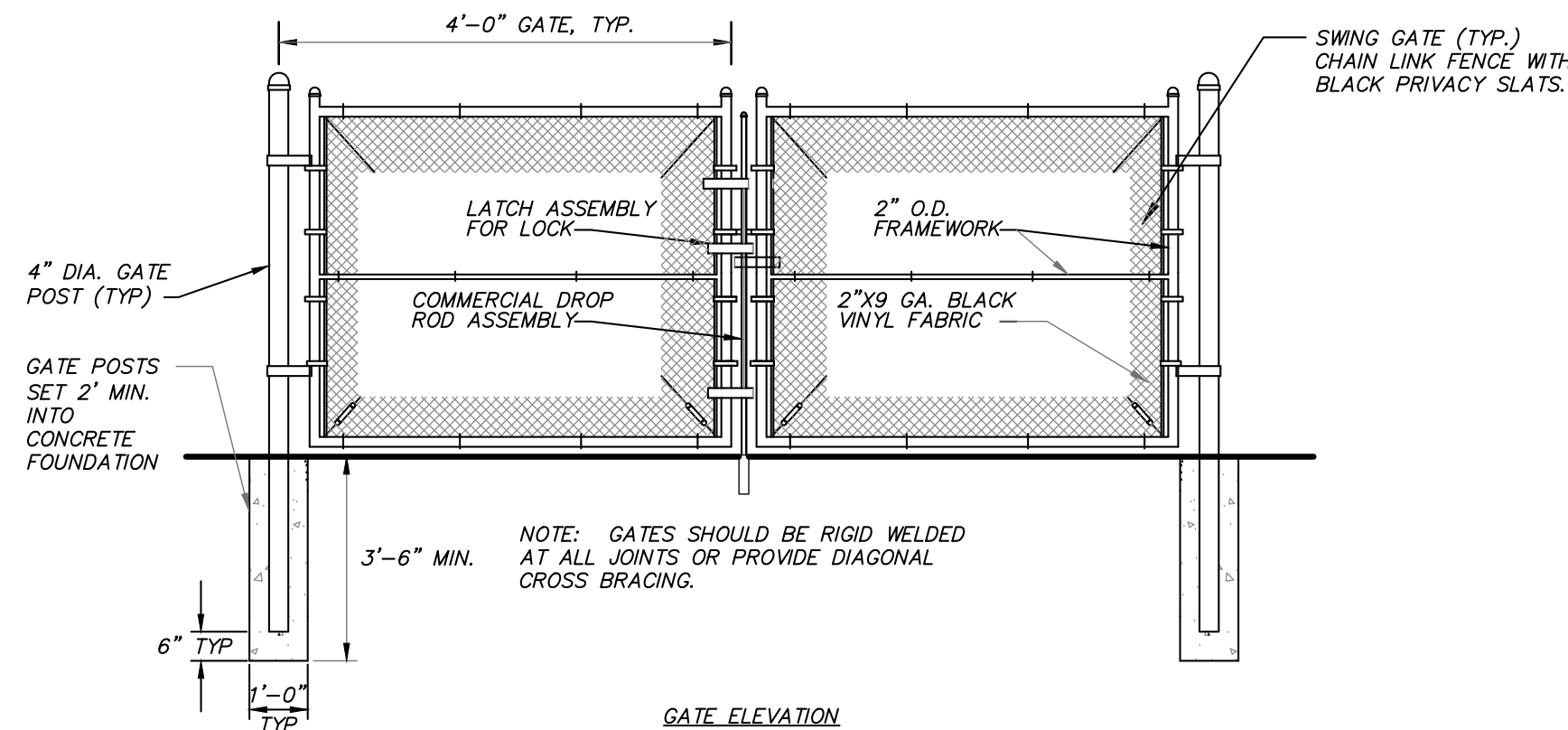
NOTE:
FABRIC FOR INSERT SHALL MEET THE FOLLOWING:

FABRIC PROPERTIES	MINIMUM ACCEPTABLE VALUE	TEST METHOD
Grab Tensile Strength (lbs)	110	ASTM D 4632
Mullen Burst Strength (PSI)	300	ASTM D 3786
Puncture Strength (lbs)	60	ASTM D 4833
Minimum Trapezoidal Tear Strength (lbs)	50	ASTM D 4533
Flow Through Rate (gal/min/sf)	25	ASTM D 4491
Equivalent Opening Size	40-80	US Std Sieve ASTM D 4751

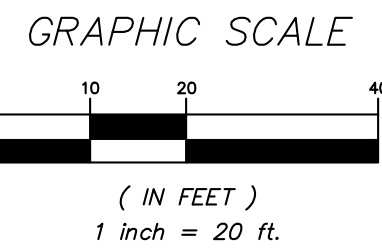
MANUFACTURED INSERT INLET PROTECTION DETAIL
(N.T.S.)



DUMPSTER ENCLOSURE DETAIL
(N.T.S.)



DUMPSTER ENCLOSURE GATE DETAIL
(N.T.S.)



EROSION & SEDIMENT CONTROL NOTES:

1. The Erosion and Sediment Control Plan is only to be referred to for the installation of erosion and sediment control measures. For all other construction related activities, including, but not limited to, grading and utilities, refer to the appropriate drawings.
2. Each contractor or subcontractor responsible for soil disturbance shall have a NYSEDEC trained contractor onsite during soil disturbing activities. The NYSEDEC trained contractor will be responsible to comply with the stormwater pollution prevention plan and for the implementation and maintenance of erosion and sediment control measures on this site prior to and during construction. The NYSEDEC trained contractor shall sign a certification statement required by GP-0-20-001.
3. All construction activities involving the removal or disposition of soil are to be provided with appropriate protective measures to minimize erosion and contain sediment disposition within. Minimum soil erosion and sediment control measures shall be implemented as shown on the plans and shall be installed in accordance with "New York Standards and Specifications For Erosion and Sediment Control," latest edition.
4. Wherever feasible, natural vegetation should be retained and protected. Disturbance shall be minimized in the areas required to perform construction. No more than 5 acres of unprotected soil shall be exposed at any one time.
5. When land is exposed during development, the exposure shall be kept to the shortest practical period of time, but in no case more than 7 days after the construction activity in that portion of the site has ceased. Disturbance shall be minimized in the areas required to perform construction.
6. All construction vehicles shall be kept clear of the watercourses and wetland control areas outside the areas of proposed development. Silt fence and orange construction fence shall be installed in the areas where the grading is in close proximity of the watercourses or wetland control areas.
7. The stabilized construction entrances, silt fence, and orange construction fence shall be installed as shown on the plans prior to beginning any clearing, grubbing or earthwork.
8. All topsoil to be stripped from the area being developed shall be stockpiled and immediately seeded for temporary stabilization. Ryegrass (annual or perennial) at a rate of 30 lbs. per acre shall be used for temporary seeding in spring, summer or early fall. "Aristoak" Winter Rye (cereal rye) shall be used for temporary seeding in late fall and winter.
9. Any graded areas not subject to further disturbance or construction traffic shall, within 7 days of final grading, receive permanent vegetation cover in combination with a suitable mulch. All seeded areas to receive a minimum 4" topsoil (from the stockpile area) and be seeded and mulched between March 21 and May 20 or between August 15 and October 15 or as directed by project representative, with specified seed mixes as shown in the General Site Seeding Notes.
 - Mulch: Silt hay or small grain straw applied at a rate of 90 lbs./1000 S.F. or 2 tons/acre, to be applied and anchored according to "New York Standards and Specification For Erosion and Sediment Control," latest edition.
10. Grass seed mix may be applied by either mechanical or hydroseding methods. Seeding shall be performed in accordance with the current edition of the "NYSDOT Standard Specification, Construction and Materials, Section 610-3.02, Method No. 1". Hydroseding shall be performed using materials and methods as approved by the site engineer.
11. Cut or fill slopes steeper than 2:1 shall be stabilized immediately after grading with Curlex I Single Net Erosion Control Blanket, or approved equal.
12. Paved roadways shall be kept clean at all times.
13. The site shall at all times be graded and maintained such that all stormwater runoff is diverted to soil erosion and sediment control facilities.
14. All storm drainage outlets shall be stabilized, as required, before the discharge points become operational.
15. Stormwater from disturbed areas must be passed through erosion control barriers before discharge beyond disturbed areas or discharged into other drainage systems.
16. Erosion and sediment control measures shall be inspected and maintained on a daily basis by the NYSEDEC Trained Contractor, to insure that channels, temporary and permanent ditches and pipes are clear of debris, that embankments and berms have not been breached and that all straw bales and silt fences are intact. Any failure of erosion and sediment control measures shall be immediately repaired by the contractor and inspected for approval by the site engineer.
17. Dust shall be controlled by sprinkling or other approved methods as necessary, or as directed by the trained contractor or site engineer.
18. Cut and fills shall not endanger adjoining property, nor divert water onto the property of others.
19. All fills shall be placed and compacted in 6" lifts to provide stability of material and to prevent settlement.
20. The NYSEDEC Trained Contractor shall inspect downstream conditions for evidence of sedimentation on a weekly basis and after rainstorms.
21. As warranted by field conditions, special additional erosion and sediment control measures, as specified by the site engineer, the Wetlands Inspector, the Town Engineer and/or NYCDEP shall be installed by the contractor.
22. Erosion and sediment control measures shall remain in place until all disturbed areas are suitably stabilized.
23. After completion of the site improvements, the owner will assume responsibility for maintenance of the roads, parking lots, drainage systems and stormwater facilities. Each spring the paved areas shall be cleaned to remove the winter accumulation of traction sand. After this is completed all drain inlet and catch basin sumps should be cleaned. All pipes should be checked for debris and blockage and cleaned as required. During the cleaning process, the drain inlets, catch basins and pipes should be inspected for structural integrity and overall condition. Repairs and/or replacements should be made as required.
24. Inspection of the stormwater basins should be performed every 6 months and after large storm events. These inspections should, at a minimum, check the outlet pipes for blockage and the general overall integrity of the basin and appurtenances.
25. Maintain basin vegetation including removal of trees and replacement of vegetation that should die. Remove any litter which accumulates as necessary. Typically, the accumulated silt will be required to be removed every 10 to 20 years. Any accumulated silt shall be removed from the stormwater basins once the site has been stabilized.
26. Refer to the Stormwater Pollution Prevention Plan for additional details regarding long-term maintenance of the storm drainage facilities.
27. Cover all soil stockpiles on asphalt areas with tarps in lieu of silt fence.

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 3 Garrett Place Carmel, NY 10512 (845) 225-9690 (845) 225-9717 fax www.insite-eng.com			
PROJECT: RIVERA TOYOTA			
DRAWING: DETAILS			
PROJECT NUMBER	22198.100	PROJECT MANAGER	R.D.W.
DATE	8-22-23	DRAWN BY	M.E.U.
SCALE	1" = 20'	CHECKED BY	S.M.R.
DRAWING NO.			SHEET
D-2			6

BZA

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ARCHITECT

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ARCHITECT OF RECORD
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200 WEST 13TH STREET, SUITE 2.2 City NYC
10011-7702 NY
bzarch@me.com
c 917.678.5613
www.bzarch.com

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CONSTRUCTION LEGEND:

--- EXISTING WALL TO BE REMOVED
--- EXISTING WALL TO REMAIN
--- NEW WALL CONSTRUCTION

FA BLDG HARDWIRED STROBE

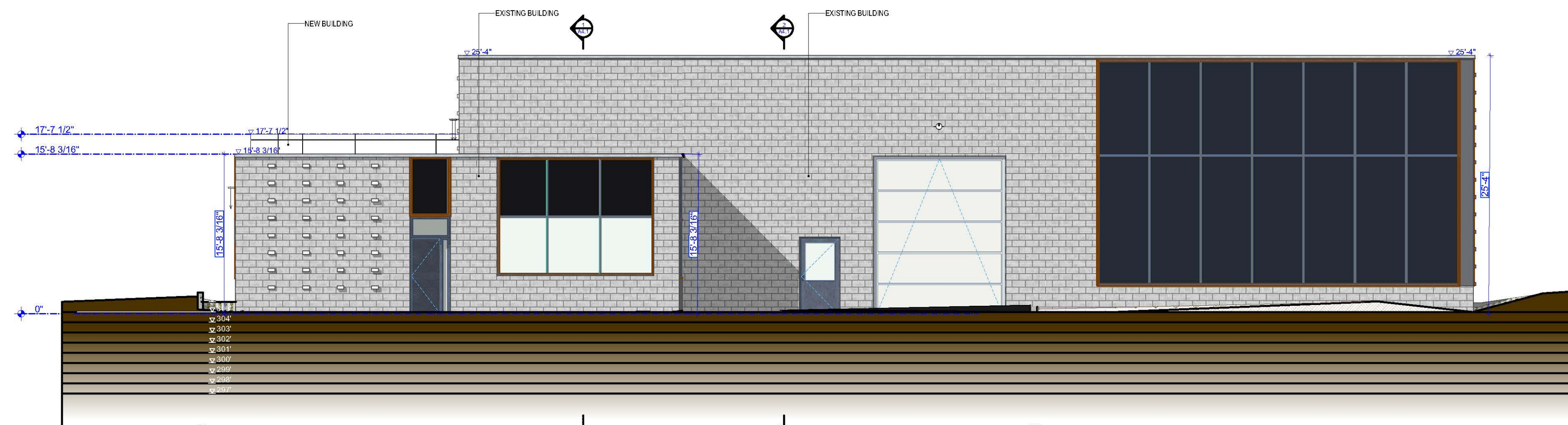
○ EXTERIOR DOORS

○ SMOKE/CO DETECTOR

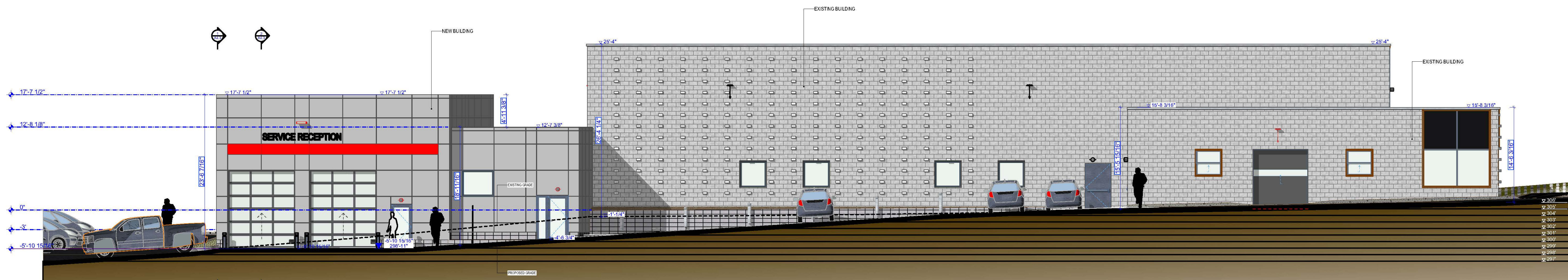
□ GLASS

△ INTERIOR WINDOWS

○ INTERIOR DOORS



1 WEST ELEVATION
SCALE: 1/8" = 1'-0"



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

NORTH

REVISIONS

NO.	DATE	DESCRIPTION

9/22 ISSUE TO PB

DATE: 7/24/2023 5:43 PM

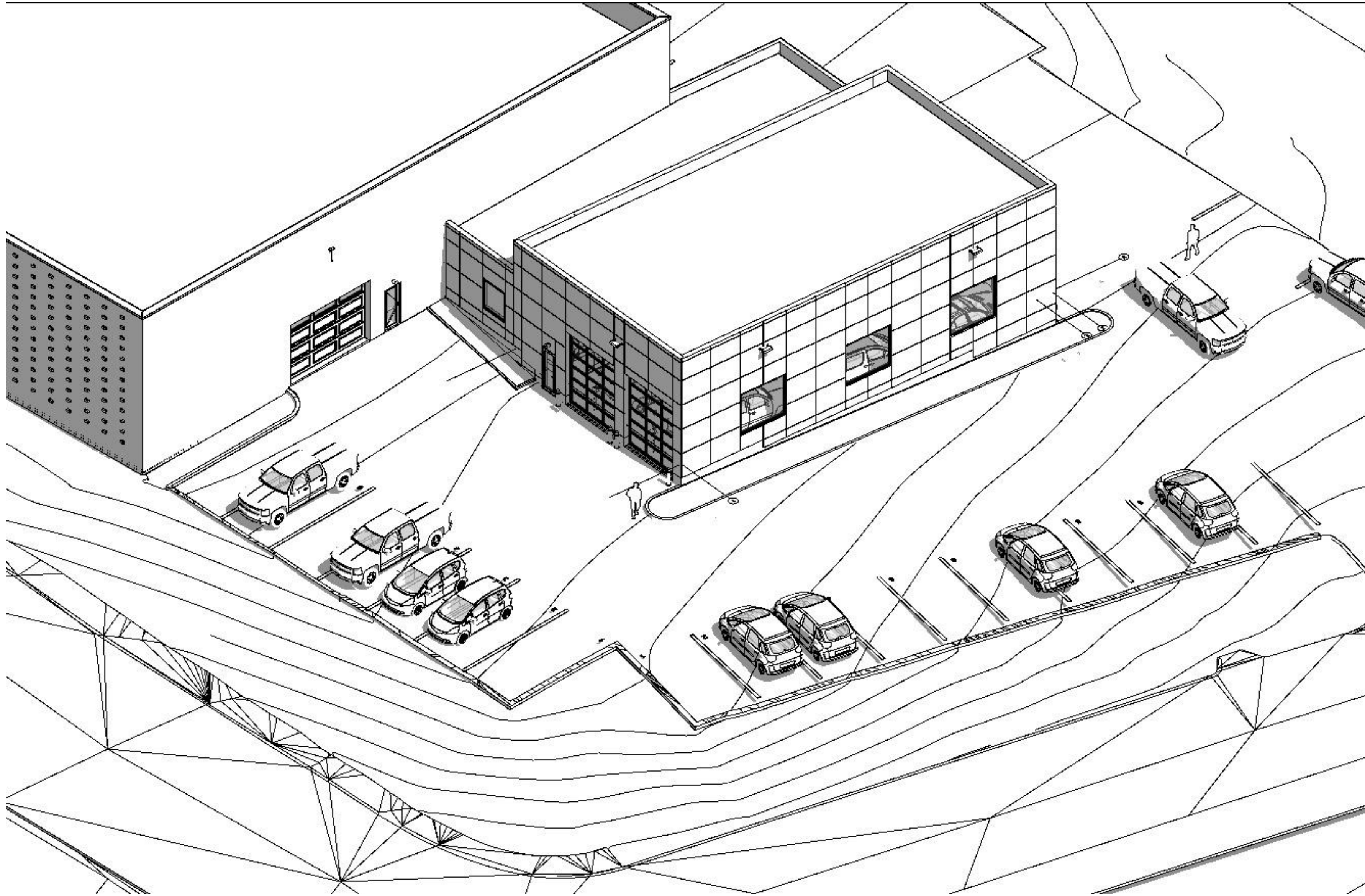
SCALE:

BUILDING ELEVATIONS

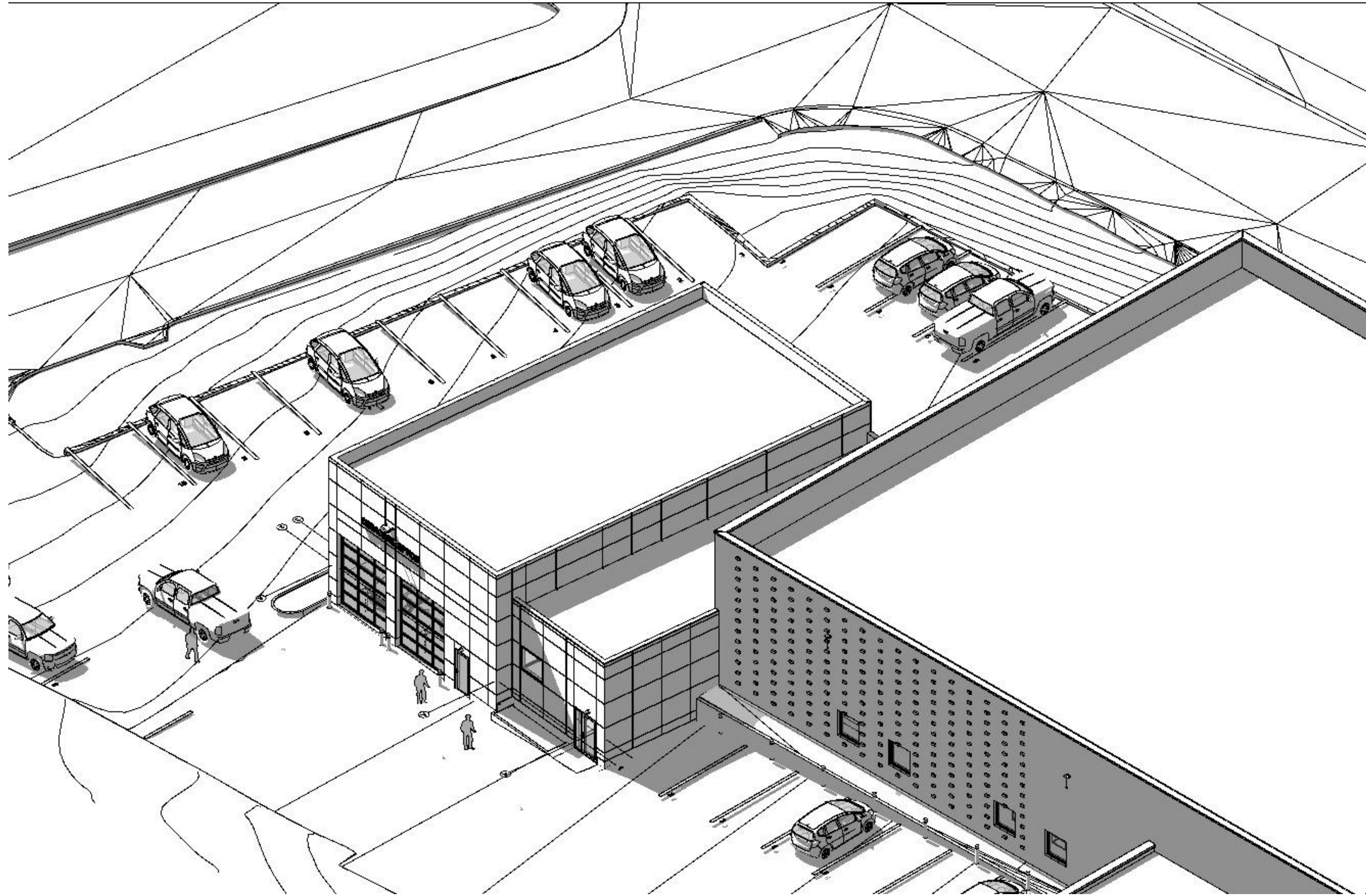
A3.1

SHEET

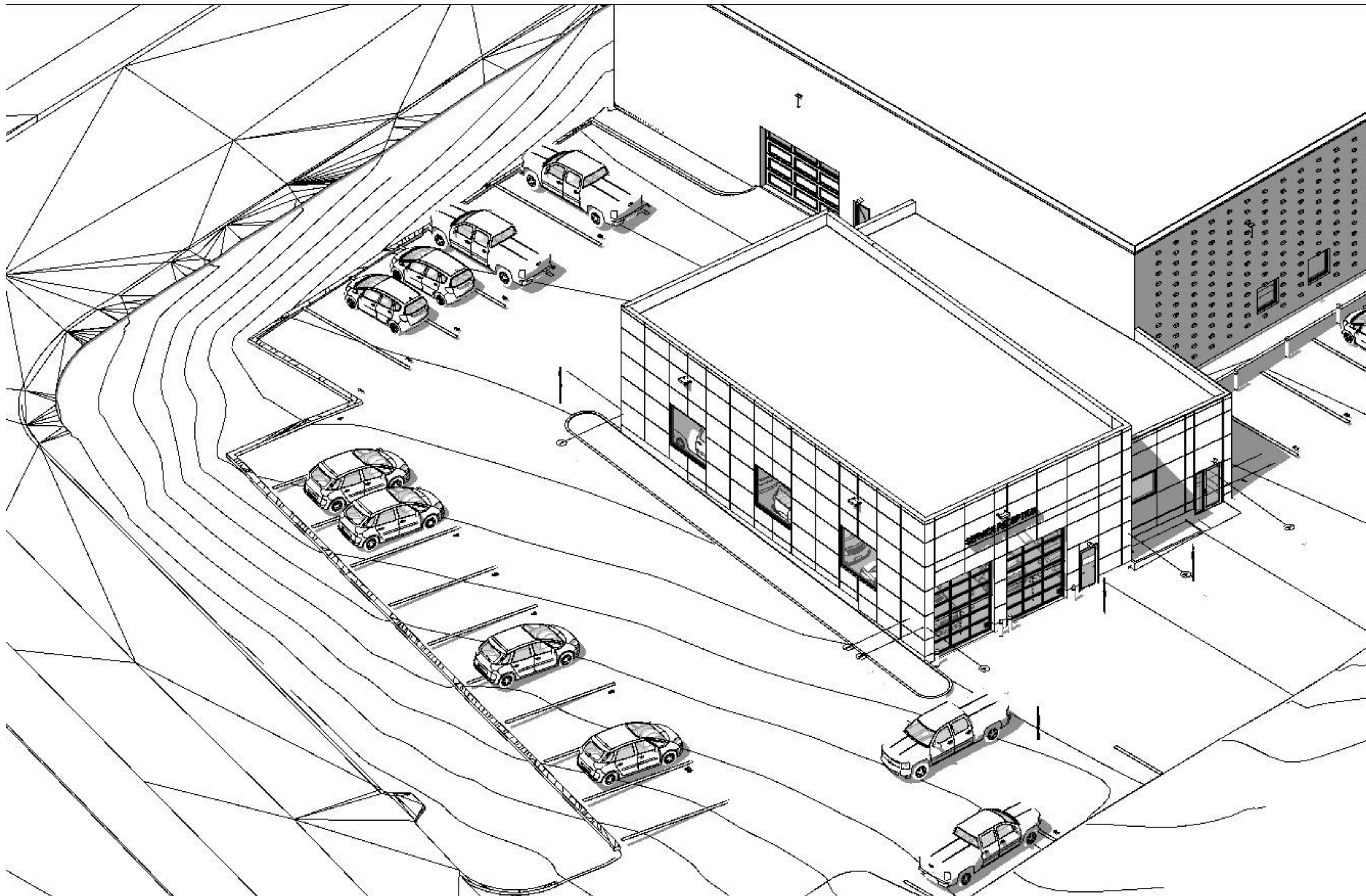
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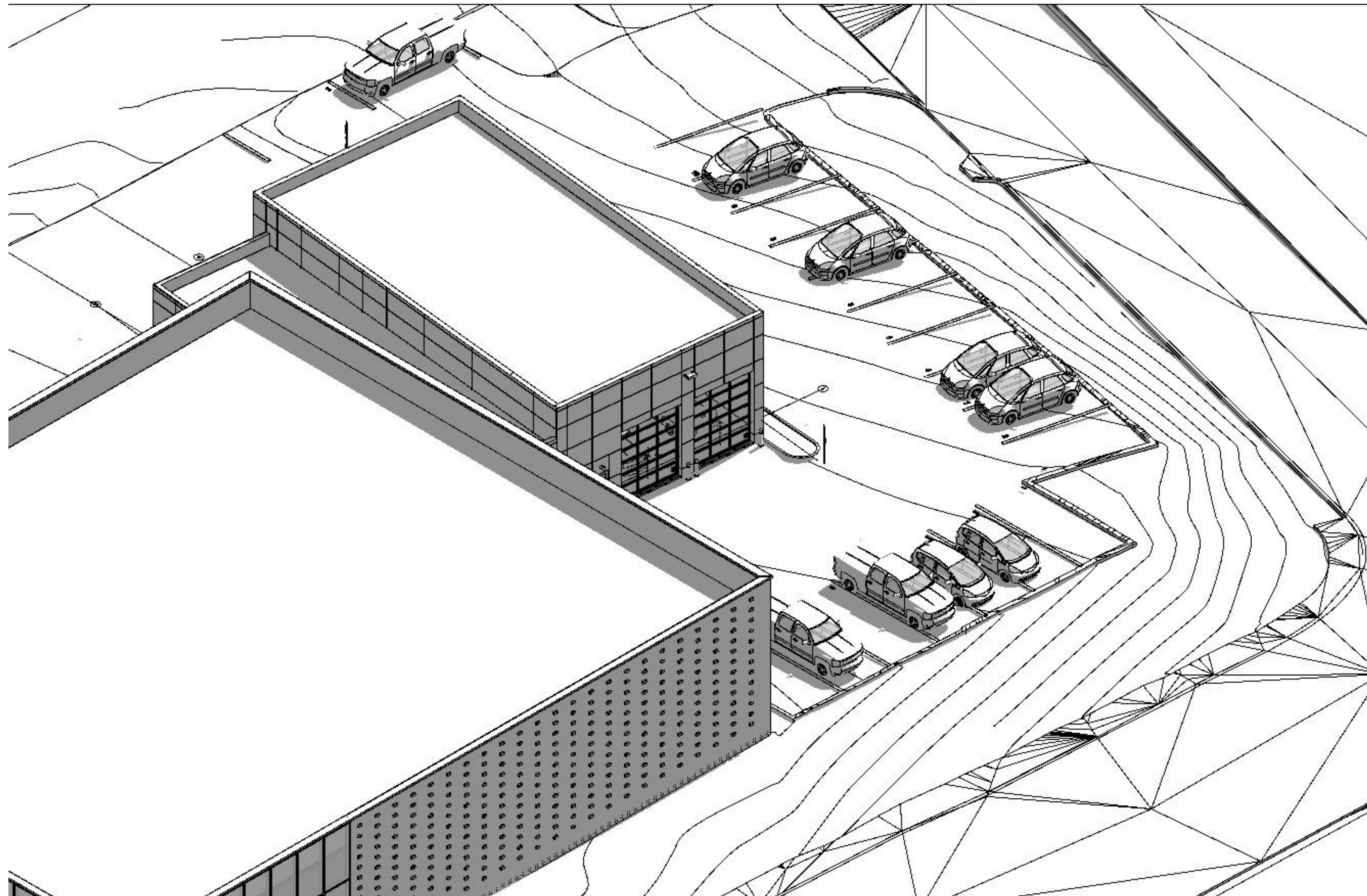
1 SW Axonometry
SCALE: 1/4" = 1'-0"



3 NE Axonometry
SCALE: 1/4" = 1'-0"



2 SE Axonometry
SCALE: 1/4" = 1'-0"



4 NW Axonometry
SCALE: 1/4" = 1'-0"

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CONSTRUCTION LEGEND:

EXISTING WALL TO BE REMOVED
EXISTING WALL TO REMAIN
NEW WALL CONSTRUCTION

BLDG HARDWIRED STROBE

EXTERIOR DOORS

SMOKE/CO DETECTOR
EXTERIOR WINDOWS

GLASS

INTERIOR WINDOWS

INTERIOR DOORS

NORTH

REVISIONS

8/22 ISSUE TO PB

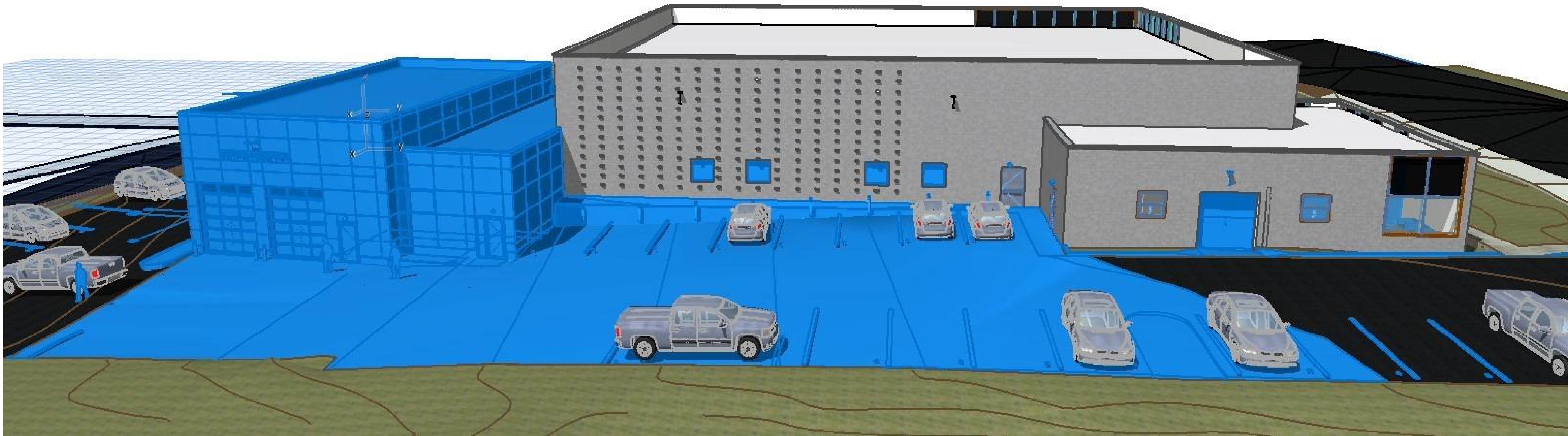
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SCALE:

3D VIEWS

P.1

SHEET



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CONSTRUCTION LEGEND:

EXISTING WALL TO BE REMOVED
EXISTING WALL TO REMAIN
NEW WALL CONSTRUCTION

BLDG HARDWIRED STROBE

EXTERIOR DOORS

SMOKE/CO DETECTOR
EXTERIOR WINDOWS

GLASS

INTERIOR WINDOWS

INTERIOR DOORS

NORTH

REVISIONS

NO.	DATE	DESCRIPTION

8/22 ISSUE TO PB

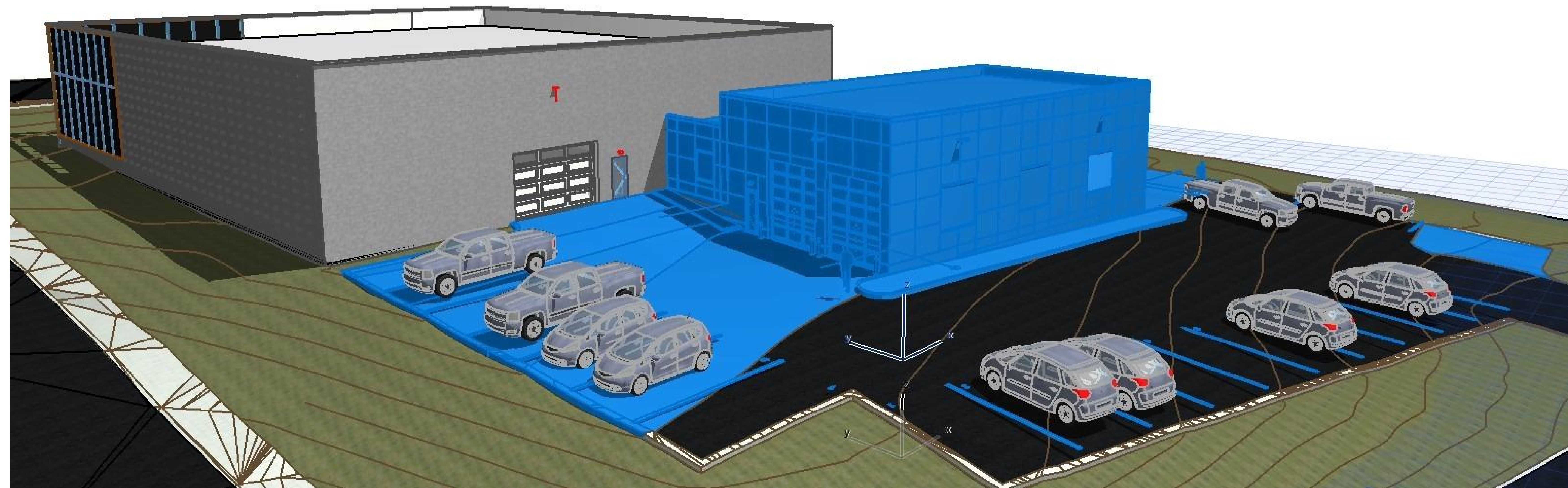
DATE: 7/24/2023 5:39 PM

SCALE:

3D VIEWS

P.2

SHEET



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SEAL

CONSTRUCTION LEGEND:

EXISTING WALL TO BE REMOVED
EXISTING WALL TO REMAIN
NEW WALL CONSTRUCTION

FA BLDG HARDWIRED STROBE

EXTERIOR DOORS

SMOKE/CO DETECTOR
EXTERIOR WINDOWS

GLASS

INTERIOR WINDOWS

INTERIOR DOORS

NORTH

REVISIONS

NO.	DATE	DESCRIPTION

8/22 ISSUE TO PB

DATE: 7/24/2023 5:39 PM

SCALE:

3D VIEWS

P.3

SHEET



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SEAL

CONSTRUCTION LEGEND:

EXISTING WALL TO BE REMOVED
EXISTING WALL TO REMAIN
NEW WALL CONSTRUCTION

BLDG HARDWIRED STROBE

EXTERIOR DOORS

SMOKE/CO DETECTOR
EXTERIOR WINDOWS

GLASS

INTERIOR WINDOWS

INTERIOR DOORS

NORTH

REVISIONS

NO.	DATE	DESCRIPTION

8/22 ISSUE TO PB

DATE: 7/24/2023 5:22 PM

SCALE:

3D VIEWS

P.4

SHEET

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CONSTRUCTION LEGEND:

--- EXISTING WALL TO BE REMOVED
--- EXISTING WALL TO REMAIN
--- NEW WALL CONSTRUCTION

FA BLDG HARDWIRED STROBE
SMOKE/CO DETECTOR

○ EXTERIOR DOORS
⬡ EXTERIOR WINDOWS
□ GLASS
△ INTERIOR WINDOWS
○ INTERIOR DOORS



⊕ CEILING / WALL MOUNTED,
TWIN EMERGENCY LIGHTS
⊕ EXIT SIGN - CEILING / WALL MOUNTED,
TWIN EMERGENCY LIGHTS

NOTES :

11	
10	
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7	
6	08/22/23 ISSUE FOR PB REVIEW
5	07/6/23 ISSUE FOR REVIEW 4
4	06/23/23 ISSUE FOR REVIEW 3
3	05/23/23 PB SUBMISSION
2	03/3/23 ISSUE FOR REVIEW 2
1	02/16/23 ISSUE FOR REVIEW 1
#	DATE ISSUE

PROJECT

RIVERA TOYOTA
DEALER No. 31185
353 N BEDFORD RD
MT KISCO, NY 10549
NEW YORK REGION

227 KISCO AVE
SERVICE FACILITY
PROPOSED PLAN

DATE: 3-11-23

PROJECT #: 2443

DRAWING BY: BZ

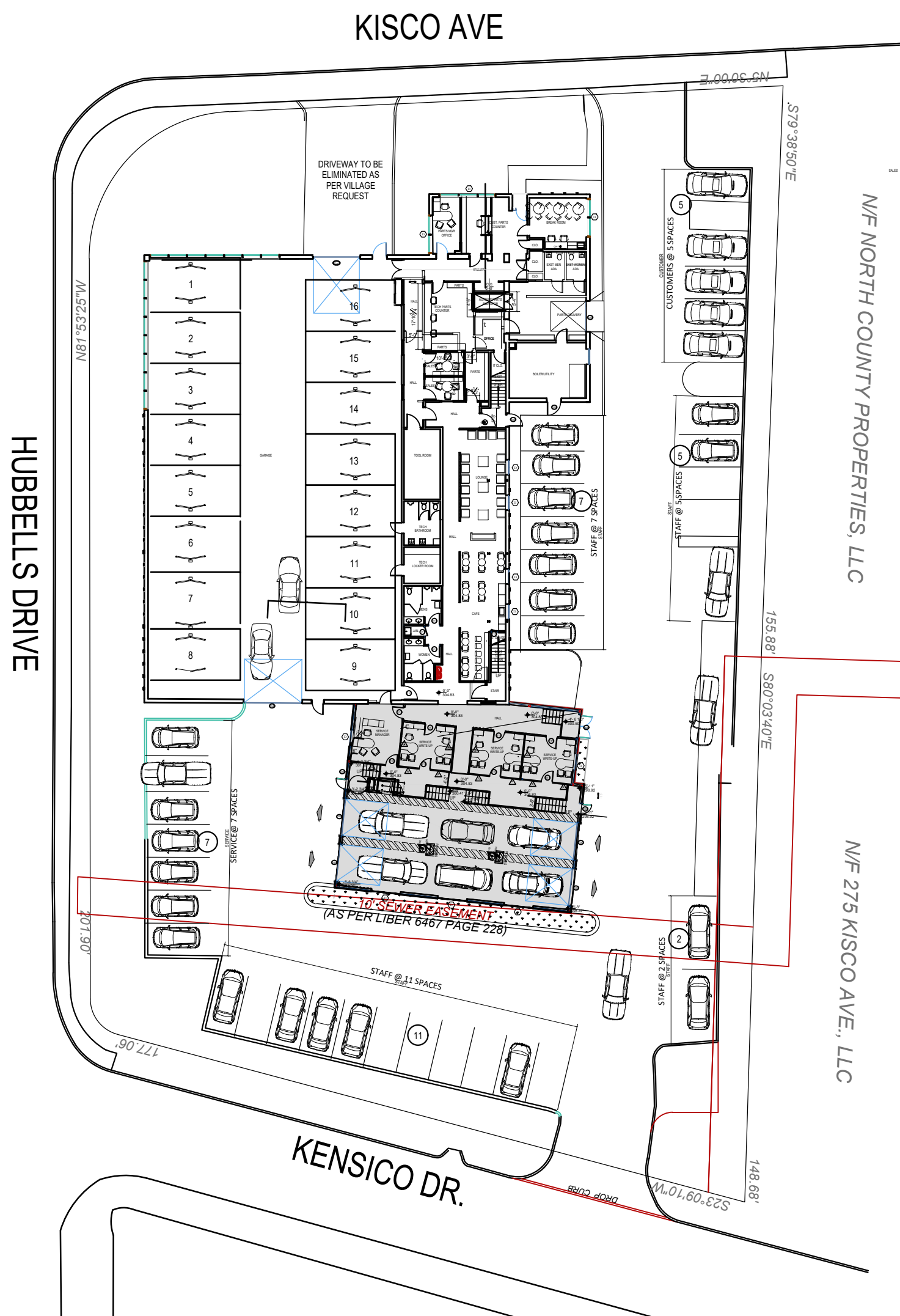
CHK BY: BZ

DWG NO.:

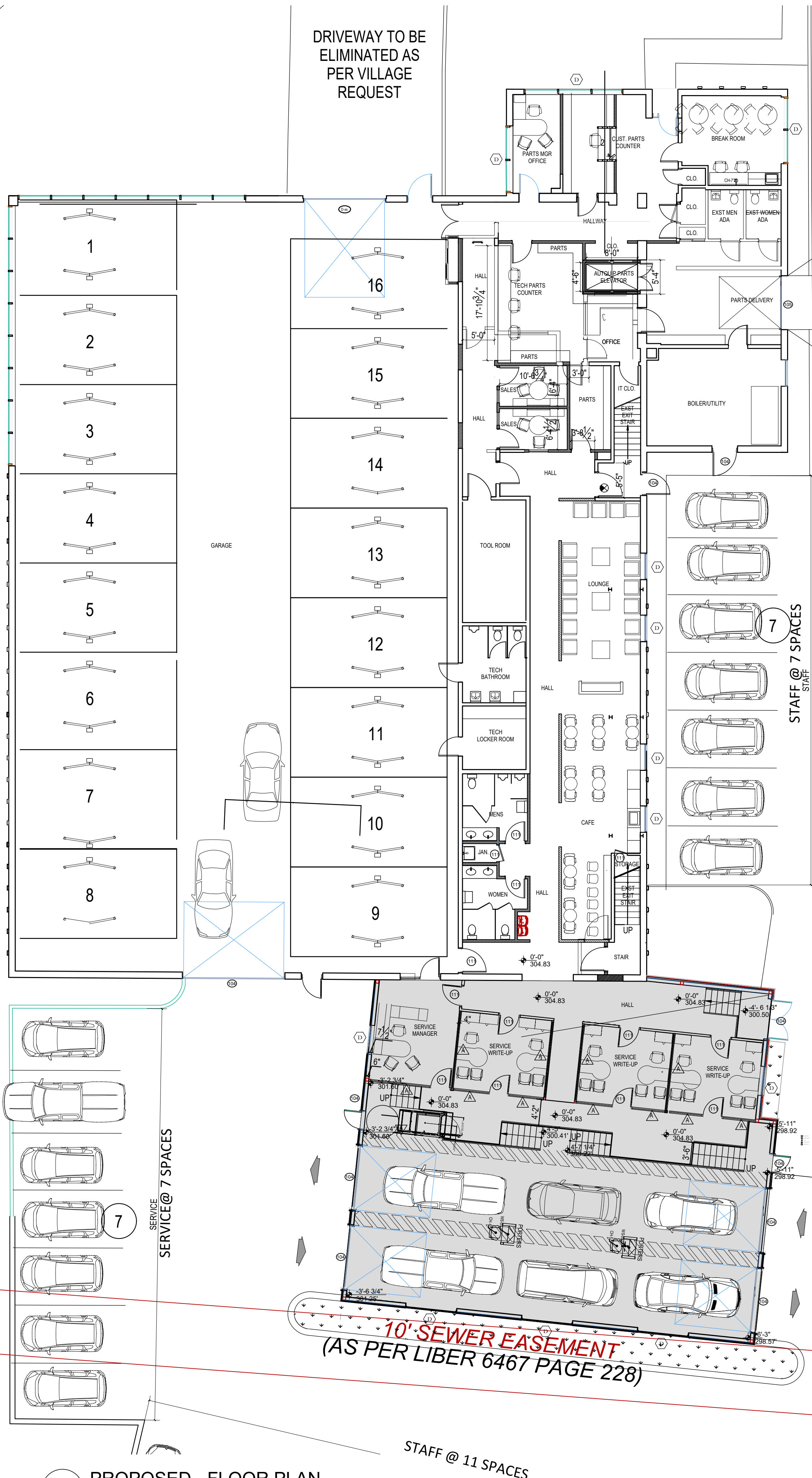
SK-1.00

CADD NO. 2443 6 OF 28

STAFF PARKING: QTY: 25
CUSTOMER PARKING: QTY: 5
SERVICE PARKING: QTY: 7



1 PROPOSED - SITE PLAN
1/32"=1'-0"

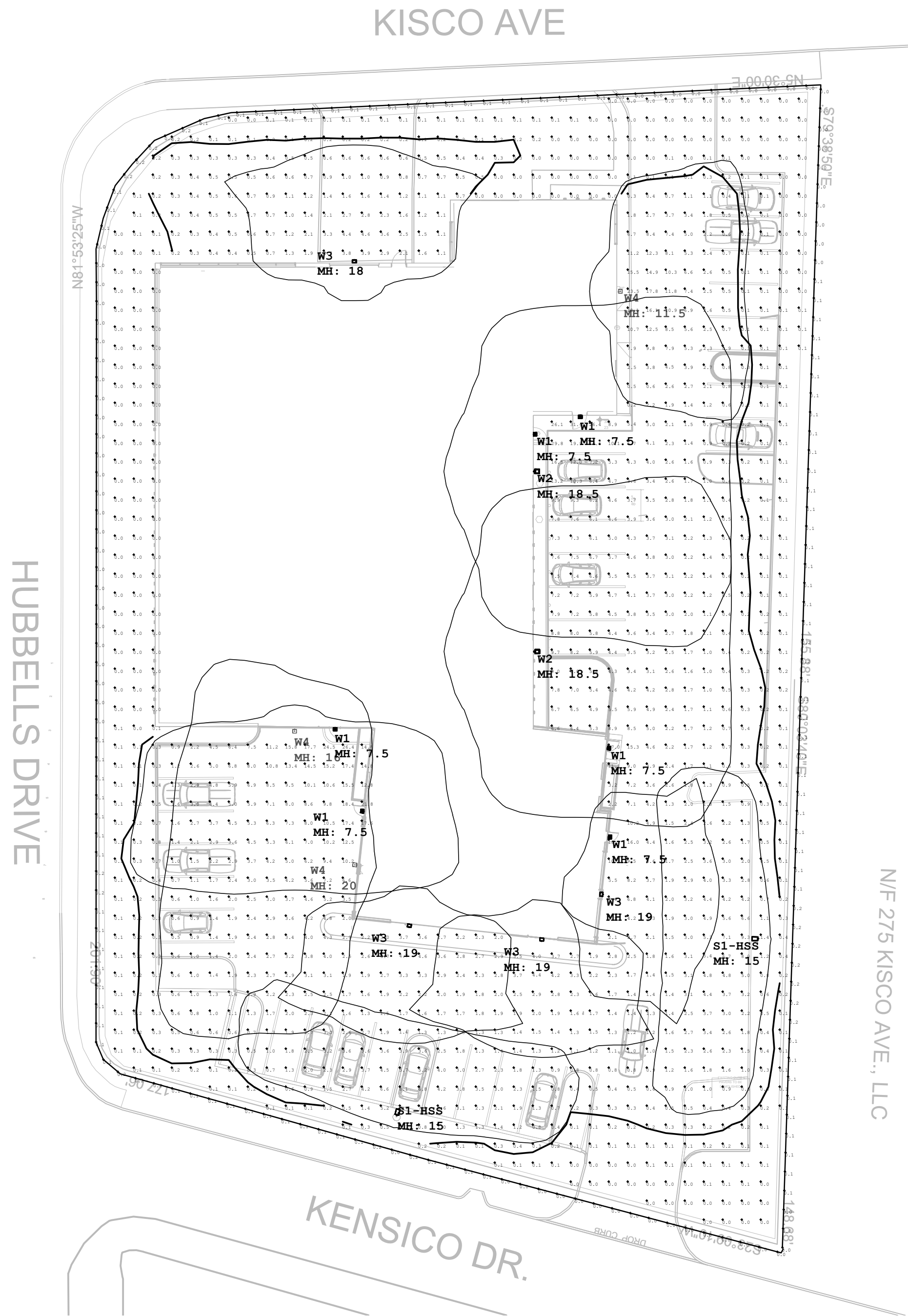


2 PROPOSED - FLOOR PLAN
3/32"=1'-0"

SEE INSITE ENGINEERING FOR LAYOUT AND LANDSCAPE PLAN



11	
10	
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1	8/22/23 ISSUE FOR PLAN. PD.
#	DATE ISSUE

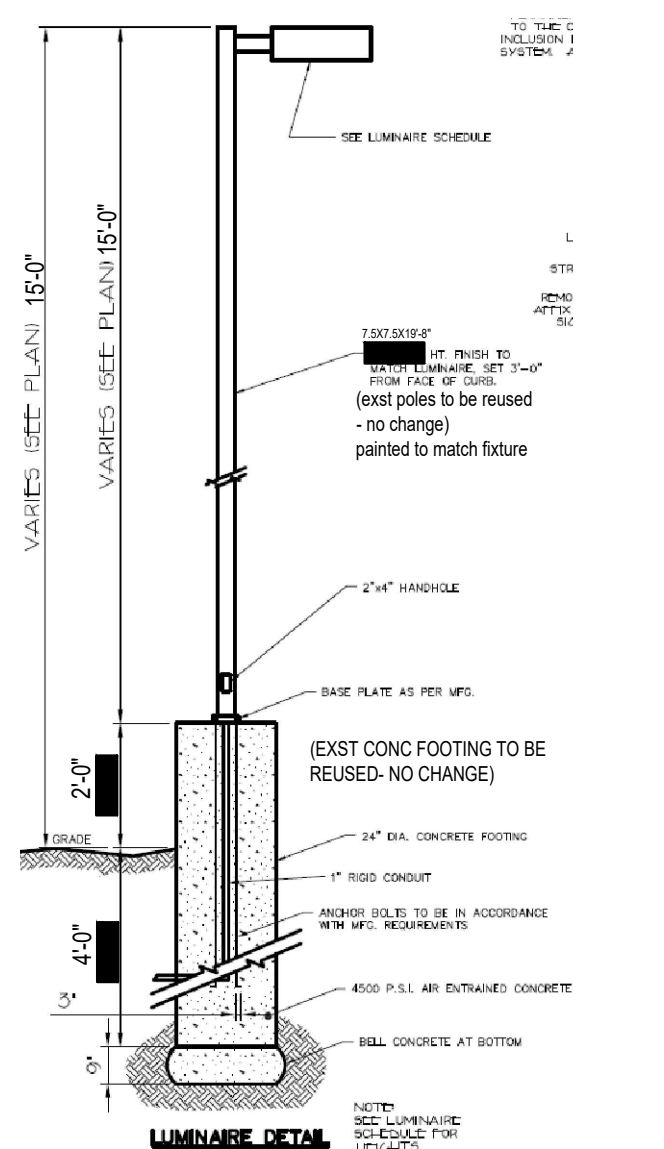
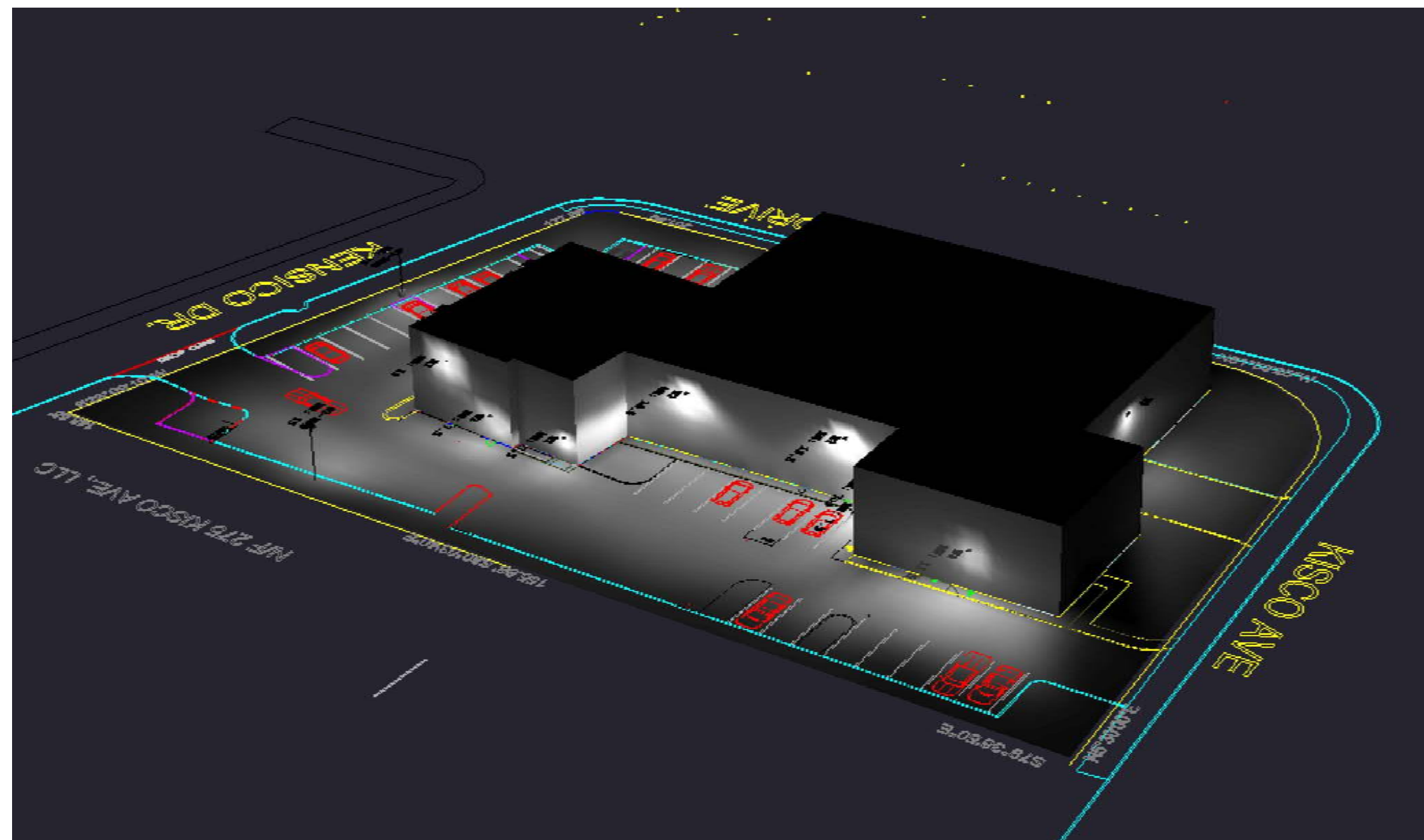
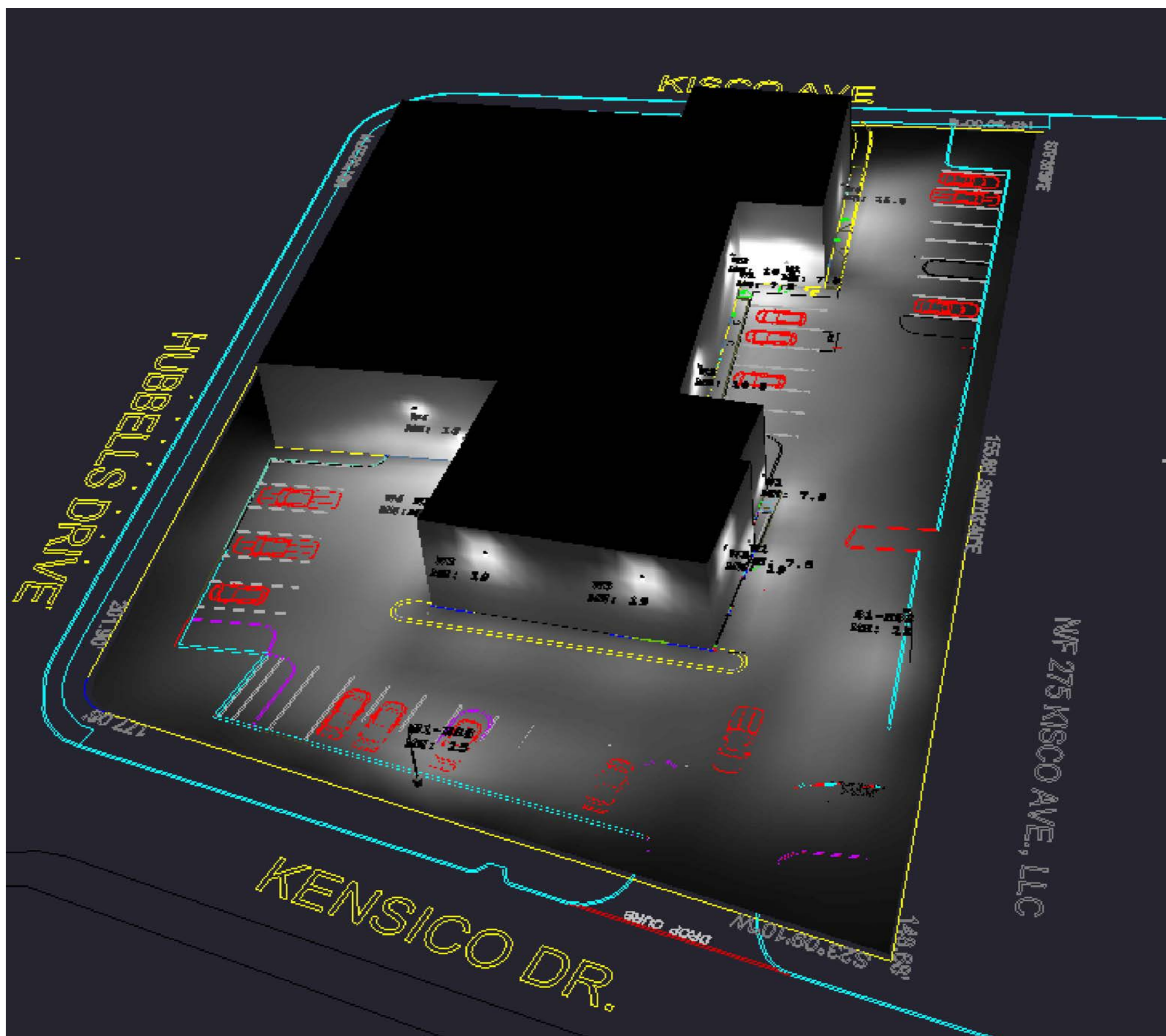
1 227 KISCO- SERVICE PROPOSED LIGHTING PLAN
NTS

Type	Manufacturer	Model Number
W4	NLS LIGHTING	NV-W2-T4-64L-7-XXK-UNV-WM-SVR
W3	NLS LIGHTING	NV-W-T3-16L-53-XXK-UNV-WM-SVR
W2	NLS LIGHTING	NV-1-T4-48L-7-XXK-UNV-WM-SVR
W1	NLS LIGHTING	NV-W-T3-16L-35-XXK-UNV-WM-SVR
S1-HSS	NLS LIGHTING	NV-1-T3-32L-7-50K7-UNV-SVR-HSS

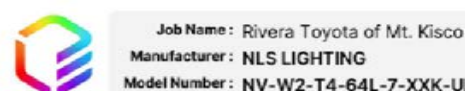
ALL POLES ARE EXISTING EXCEPT THE NEW POLE INDICATED

Luminaire Schedule					
Symbol	Qty	Description	Tag	Luminaire Lumens	Luminaire Watts
W4	3	NV-W-T4-64L-7-40K-UNV	W4	8976	136
W3	4	NV-W-T3-16L-53-40K	W3	3793	29
W2	2	NV-1-T4-48L-7-50K7-UNV-WM-SVR	W2	12792	104
W1	6	NV-W-T3-16L-35-50K-UNV-WM-SVR	W1	2649	19
S1-HSS	2	NV-1-T3-32L-7-50K7-UNV-SVR-HSS	S1-HSS	5464	71

Exterior Lighting Control Automatically turn OFF all lighting during daylight hours. Automatically turn ON all building facade and landscape lighting between sunset and 6:00 AM. At 12 am all lights will dim down 30% from normal.



EXIST LIGHT POLE TO REMAIN WITH NEW FIXTURE

Job Name: Rivera Toyota of Mt. Kisco
Manufacturer: NLS LIGHTING
Model Number: NV-W2-T4-64L-7-XXK-UNV-WM-SVR

Type: W4

Job Name: Rivera Toyota of Mt. Kisco
Manufacturer: NLS LIGHTING
Model Number: NV-W-T3-16L-53-XXK-UNV-WM-SVR

Type: W3

Job Name: Rivera Toyota of Mt. Kisco
Manufacturer: NLS LIGHTING
Model Number: NV-1-T4-48L-7-XXK-UNV-WM-SVR

Type: W2

Job Name: Rivera Toyota of Mt. Kisco
Manufacturer: NLS LIGHTING
Model Number: NV-W-T3-16L-35-XXK-UNV-WM-SVR

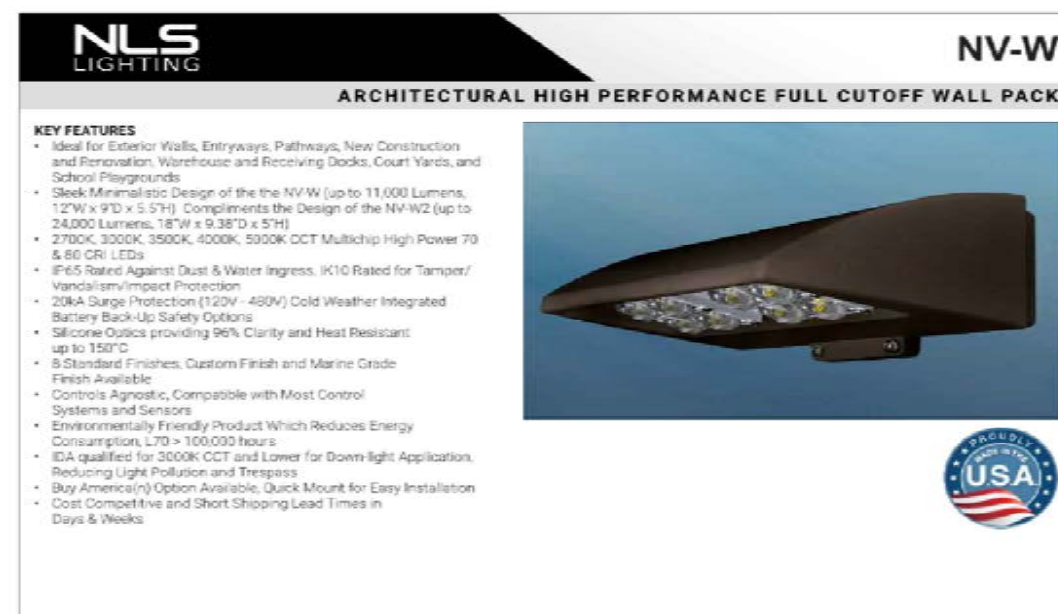
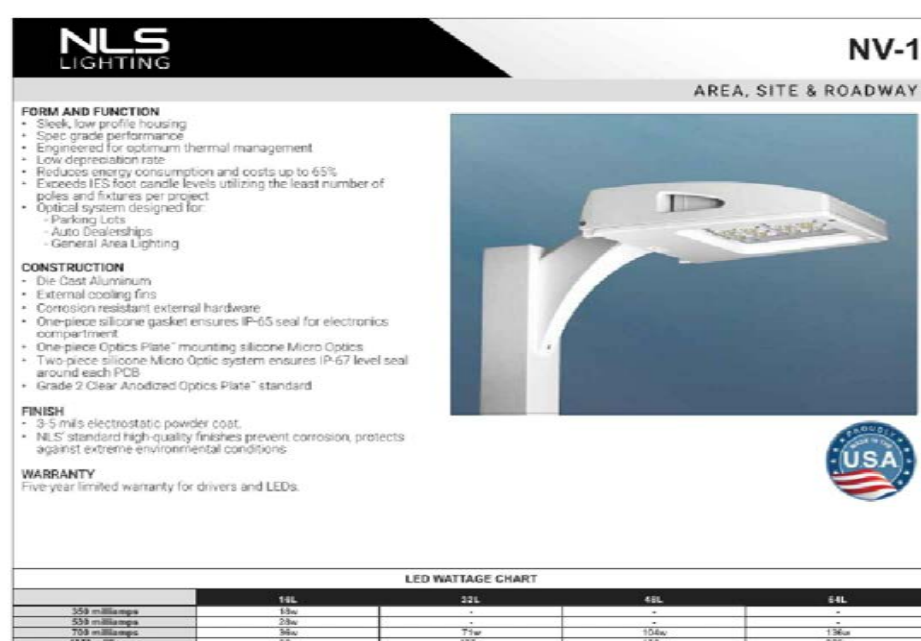
Type: W1

Job Name: Rivera Toyota of Mt. Kisco
Manufacturer: NLS LIGHTING
Model Number: NV-1-T3-32L-7-50K7-UNV-SVR-HSS

Type: S1-HSS

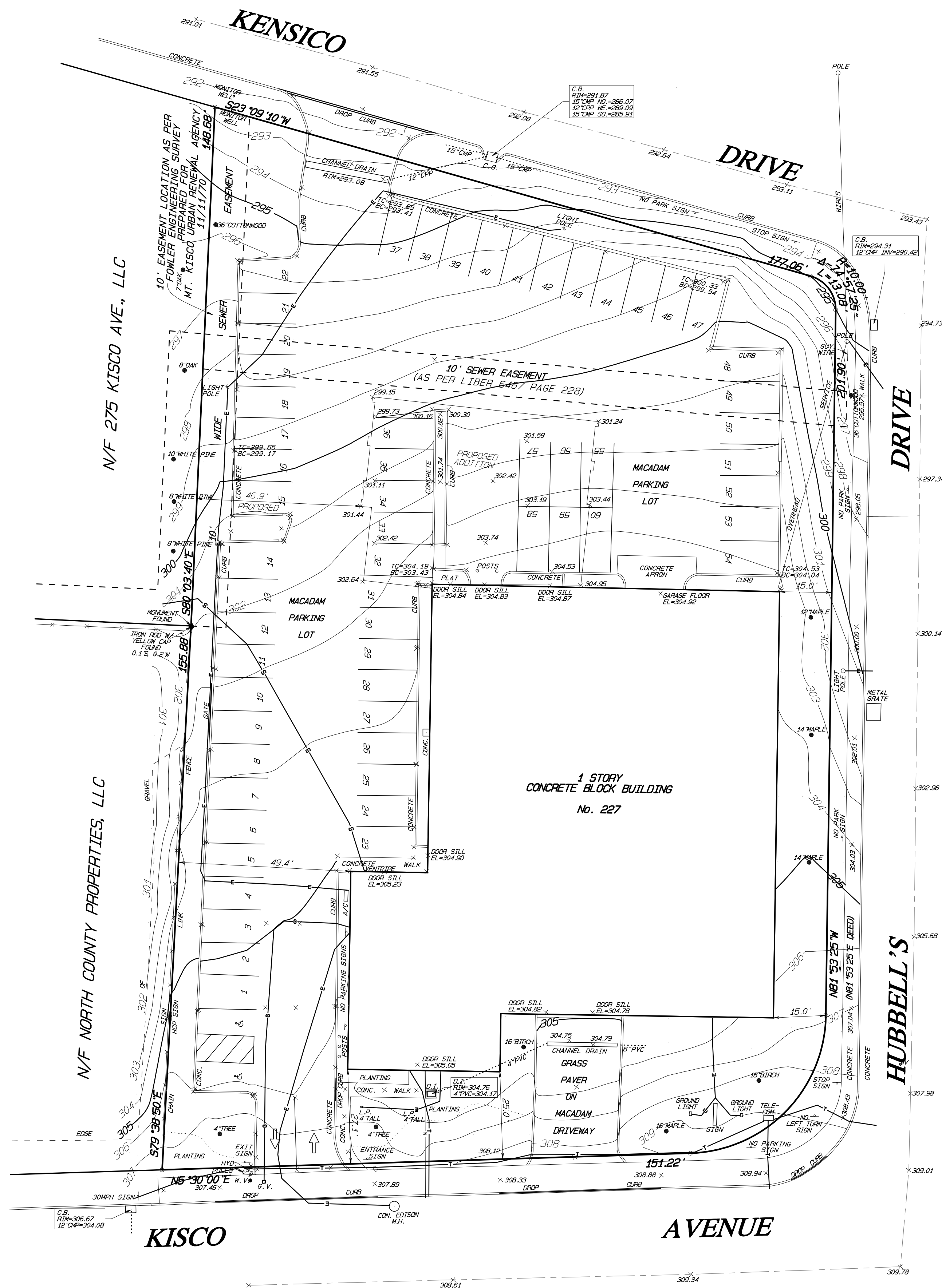


CUTSHEETS OF LIGHT FIXTURES



H. STANLEY JOHNSON AND COMPANY
LAND SURVEYORS, P.C.
42 SMITH AVENUE P.O. BOX 93
MT. KISCO, N.Y. 10549
TEL. 914-241-3872
FAX. 914-241-0438

PREPARED BY: SMS CHECKED BY: RSJ



Area = 1.158 Acres.

Deed Reference: Liber 9769 Page 270.

Tax Identification: Sheet 69.57 Block 1 Lot 1.

In accordance with the existing Code of Practice for Land Surveys as adopted by The New York State Association of Professional Land Surveyors, Inc.

Unauthorized alteration or addition to a survey map bearing a Licensed Land Surveyor's seal is a violation of Section 7209, Subdivision 2 of the New York State Education Law.

All certifications are valid for this map and copies thereof only if said map or copies bear the impressed seal of the surveyor whose signature appears hereon.

The location of underground improvements or encroachments hereon, if any exist, are not certified.

Notes:

- 1) Elevations shown hereon are generally in accordance with Westchester County Topographic Datum.
- 2) Additional underground easements, utilities or structures, etc. other than those shown hereon may be encountered.
- 3) The subsurface information shown hereon, if any, is not guaranteed as to accuracy or completeness and should be verified by the contractor before any excavation.
- 4) Underground markings by underground Surveying 72 Grays Bridge Road unit G Brookfield, CT 06804

SURVEY BROUGHT TO DATE: NOVEMBER 14, 2022
MAP REVISED: NOVEMBER 30, 2022
SURVEYED: OCTOBER 1, 2018
MAP PREPARED: NOVEMBER 12, 2018

BY: *Robert S. Johnson*
NEW YORK STATE LICENSED LAND SURVEYOR NO. 50037
ROBERT S. JOHNSON, P.L.S.

