

# **MOUNT KISCO PLANNING BOARD**

## **Agenda**

**Tuesday, March 22, 2016**

**7:30 PM**

### **Minutes**

- a. *March 24, 2015*
- b. *April 28, 2015*
- c. *May 26, 2015*
- d. *November 10, 2015*
- e. *November 24, 2015*

### **Public Hearing:**

- f. **Mercedes Benz of Mount Kisco – 333 North Bedford Rd (Former Wine Enthusiast)**  
**PB2014-0285, 69.50-2-1 (SBL)**  
**Amended Site Plan and Change of Use**
  - *Draft Negative Declaration of SEQRA, dated March 22, 2016*
  - *Memorandum from Peter Miley, dated March 17, 2016*
  - *Memorandum from Catizone Engineering, dated March 1, 2016*
  - *Full EAF*
  - *Memorandum from Maser Consulting, P.E., dated February 29, 2016*
  - *LED Area Lights Specification Sheet*
  - *Architectural Drawings prepared by Penney Design Group, dated February 17, 2015 (3 Sheets)*
  - *Floor Plans prepared by Penney Design Group, dated February 8, 2016 (2 Sheets)*
  - *Site Plan prepared by Catizone Engineering, revised February 29, 2016*

### **Formal Applications:**

- g. **Tortorello Subdivision – 122 W. Main Street**  
**PB2015-0293, 69.80-2-19**  
**Lot Line Adjustment**
  - *Memorandum from Peter Miley, Building Inspector, dated March 17, 2016*
  - *Memorandum from Jan K. Johannessen, AICP, dated March 16, 2016*
  - *Formal Application*
  - *Coverage Calculation Worksheet*
  - *Subdivision plat prepared by H. Stanley Johnson*
- h. **Devereux NY Cares – 27 Radio Circle (Former Little Garden Day Care)**  
**PB2015-0304, 80.64-1-2 (SBL)**  
**Special Permit and Change of Use**
  - *Draft Resolution, dated March 22, 2016*
  - *Memorandum from Peter Miley, Building Inspector, dated March 17, 2016*
  - *Letter of Transmittal prepared by Insite Engineering*
  - *Van Arrival/Departure/Queueing Plan prepared by Insite Engineering, revised February 25, 2016*

- *Site Plan Prepared by Insite Engineering, revised February 25, 2016*
  
- i. Westchester Foundation for the Disabled – 135 Radio Circle Drive  
PB2016-0321, 80.63-1-1.2  
Amended Site Plan**
  - *Memorandum from Peter Miley, Building Inspector, dated March 17, 2016*
  - *Memorandum from Jan K. Johannessen, AICP, dated March 16, 2016*
  - *Memorandum from Anthony Oliveri, P.E., dated March 16, 2016*
  - *Memorandum from Insite Engineering, dated March 1, 2016*
  - *Formal Application*
  - *Site Plan Checklist*
  - *Site Plan prepared by Insite Engineering, P.C., revised February 29, 2016 (3 Sheets)*
  
- j. Luppino Landscaping & Masonry Supply – 15-21 Armonk Road  
PB2015-0289, 80.73-1-1 (SBL)  
Site Plan and Change of Use**
  - *Memorandum from Peter Miley, Building Inspector, dated March 17, 2016*
  - *Memorandum from Jan K. Johannessen, AICP, dated March 16, 2016*
  - *Memorandum from Bibbo Associates, dated February 29, 2016*
  - *Site Plan prepared by Bibbo Associates, revised February 16, 2016*
  
- k. HVA Realty, LLC – 299 Kisco Avenue (Volvo)  
PB2015-0310, 69.44-2-1 (SBL)  
Amended Site Plan**
  - *Memorandum from Peter Miley, Building Inspector, dated March 17, 2016*
  - *Memorandum from Jan K. Johannessen, AICP, dated March 16, 2016*
  - *Memorandum from Anthony Oliveri, PE, dated March 17, 2016*
  - *Memorandum from Langan Engineering, dated March 1, 2016*
  - *Formal Application*
  - *Coverage Calculations Worksheet*
  - *Short EAF*
  - *Memorandum from DEP, dated February 9, 2016*
  - *Memorandum from Ecological Solutions, LLC, dated January 7, 2016*
  - *Previously Approved Site Plan prepared by Petruccelli Engineering, dated August 14, 1992*
  - *Previously Approved Landscaping Plan prepared by John Slaker Design Group, dated August 26, 1997*
  - *Proposed Site Plan prepared by Langan Engineering, revised December 31, 2015*

**Conceptual Application:**

- l. Bare Burger – 441 Main Street (Former Friendly's)  
PB2016-0322, 80.50-4-4  
Amended Site Plan**
  - *Memorandum from Peter Miley, Building Inspector, dated March 17, 2016*
  - *Memorandum from Jan K. Johannessen, AICP, dated March 16, 2016*
  - *Conceptual Application*
  - *Site Plan prepared by VKS Architects, dated March 1, 2016 (5 Sheets)*

**m. Maplewood Senior Living – 2 Morgan Drive**  
**PB2013-0247, 80.55-1-2.1/4**  
**Site Plan and Special Permit**

- *Draft Resolution to Declare Lead Agency, dated March 22, 2016*

**Special Discussion:**

- *Enterprise Rent-A-Car – Request for Temporary Certificate of Occupancy*
- *Mount Kisco Supply – Hold Harmless Agreement*
- *154-162 Main Street – Additional Tenant Presentation*

**Correspondence:**

- *Village/Town of Mount Kisco Beautification Committee Minutes of February 3, 2016*

MAR 18 2016

**State Environmental Quality Review  
NEGATIVE DECLARATION  
Notice of Determination of Non-Significance**

**RECEIVED**

**DRAFT**

**Date:** March 22, 2016

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The Village of Mount Kisco Planning Board has determined that the proposed action described below will not have a significant environmental impact and a Draft Environmental Impact Statement will not be prepared.

**Name of Action:** Amended Site Plan Approval, Change of Use Permit and Wetland Permit associated with the 333, 793 and 795 North Bedford Road

**Lead Agency:** Village of Mount Kisco Planning Board

**SEQRA Status:** ☐ Type 1

☒ Unlisted

**Conditioned Negative Declaration:** ☐ Yes

☒ No

**Coordinated Review:** ☒ Yes

☐ No

**Description of Proposed Action:** The subject property consists of  $\pm 38$  acres of land,  $\pm 7$  acres of which is located within the Town of Bedford. The subject property is comprised of the following parcels:

Tax Parcel	Address	Acreage	Zoning District	Municipality
69.50-2-1	333 North Bedford Road	30.9 acres	ML/CL	Mount Kisco
71.12-2-36	333 North Bedford Road	6.5 acres	LI	Bedford
71.12-2-31	793 North Bedford Road	0.90 acres	RB	Bedford
71.1-2-32	795 North Bedford Road		LI	Bedford



333 North Bedford Road is developed with a ±611,000 s.f. multi-use commercial building, recreational fields, a parking lot which currently contains 806 parking spaces and two (2) access driveways which provide egress and ingress to and from North Bedford Road. The existing building referenced above is located entirely within the Village of Mount Kisco and the Village of Mount Kisco/Town of Bedford municipal boundary line is located just north of the northern extent of the building. The 333 North Bedford Road parcel straddles the municipal boundary between the Village of Mount Kisco (30.9 acres) and the Town of Bedford (6.5 acres with no buildings), presently constituting a single site. 793 and 795 North Bedford Road, located within the Town of Bedford, is developed with a service garage and parking area and has historically been used for the sale and service of commercial vehicles.

The proposed action involves the following:

- a. A change of use and the redevelopment of the northern portion of the existing building (113,280 s.f.) located at 333 North Bedford Road with a Mercedes Benz automobile dealership to accommodate a revised total of 29 work stations, including 27 vehicle lifts. The portion of the existing building in question is currently occupied by The Wine Enthusiast, which currently consists primarily of warehouse and office space.
- b. Reconfiguration and expansion of a portion of the existing parking lot located at 333 North Bedford Road and immediately north of the existing building. This work involves disturbance and construction within the 100-foot wetland buffer and fill (1,400 c.f.) within the 100-year floodplain.
- c. Construction of a 7,000 s.f. certified pre-owned sales dealership and associated parking and septic system to be located at 793 and 795 North Bedford Road. Access to the pre-owned sales dealership will be via the existing internal driveway and no direct access to North Bedford Road is currently proposed.
- d. Development of approximately 40,866 s.f. on the 333 North Bedford Road site (Village of Mt. Kisco Tax parcel 69.50-2-1 and Town of Bedford tax parcel 71.12-2-36) to support the pre-owned sales dealership.
- e. Tax parcels 71.12-2-31 and 71.12-2-32, located within the Town of Bedford, are proposed to be merged, together with requisite cross easements for access between the Bedford and Mount Kisco parcels.
- f. Incorporation of a ±520 s.f. outdoor deck/display servicing Cosentino Tile, an existing tenant located at 333 North Bedford Road.
- g. Construction of 378 s.f. field house and related improvements to provide restroom, storage and spectator seating for the existing playing field located at the southern portion of the site.
- h. Expansion of U-Haul fleet vehicle parking as provided in connection with the existing Safe Haven Self Storage facility located at 333 North Bedford Road.

**Location:** 333 North Bedford Road, Mount Kisco, NY (includes a portion of the site within Town of Bedford) and 793 and 795 North Bedford Road, Bedford, NY.

**Reasons Supporting This Determination:** The Planning Board has compared the proposed action with the Criteria for Determining Significance in 6 NYCRR 617.7 (c). Specifically:

1. The proposed action, as amended, will not result in a substantial adverse change in the existing air quality, ground or surface water quality or quantity; traffic; noise levels; or a substantial increase in solid waste production. The following is provided to support this finding:
  - a. Full Environmental Assessment Form dated December 6, 2015, including Parts I, II and III. Part 3 of the EAF is dated, last revised, January 11, 2016.
  - b. Traffic Impact Study prepared by Maser Consulting, dated September 11, 2015 and revised January 11, 2016, concludes that based upon the applicant's modified proposal, which decreased the number of workstations:
    - i. NYS Route 117 will continue to operate at an overall Level of Service "C" during Weekday Peak AM, Weekday Peak PM and Saturday Peak hours.
    - ii. That Ice House Road will continue to operate at Level of Service "E" during Weekday AM and Saturday Peak Hours and that a 5.6 second delay resulting from the proposed action, with 27 vehicle lifts, will reduce the Level of Service from "E" to "F" during Peak PM hour. A reallocation of green time of two (2) seconds from 309 North Bedford Road (which was volunteered by the owner of that property, DP 62, LLC) and allocated to Ice House Road, would allow Ice House Road to continue to operate at Level of Service "E".
    - iii. The proposed action will result in an increase to the maximum permitted peak vehicle trips (established as part of a previous approval for the 333 North Bedford Road). The Planning Board has established a 450 peak hour trip maximum (total inbound and outbound volume per hour) and stipulated that the owner would need to return to the Planning Board to discuss potential traffic improvements if the volume were to exceed the cap by 10% or more (495 peak hour trips). According to the applicant, the site currently generates 447 peak AM trips, 501 peak PM trips, and 481 peak Sunday trips and, therefore, currently exceeds the cap. According to the traffic study submitted, under proposed conditions, the anticipated site generation would be 489 peak AM trips, 539 peak PM trips and 539 peak Saturday trips.

According to a memorandum prepared by Maser Consulting, dated February 29, 2016 and presented to the Planning Board on February 25, 2016, the maximum vehicle trip cap of 450 vehicles per hour is not exceed by more than 10 percent if the peak hourly trips are averaged (per hour) over a 13-day period.

Regardless of whether the anticipated utilization will comply with the maximum trip cap (a factor which will be defined during site plan review), the submitted traffic study suggests that NYS Route 117 and the intersections studied will not be significantly impacted by the proposed action with the implementation of proposed mitigation.

- c. Memorandum prepared by Philip Habib and Associates (Village Consultant) dated January 25, 2016 indicating that it has fully reviewed the Traffic Impact Study and has no further comments on the analysis as completed. That the proposed Mercedes Benz dealership would degrade the eastbound approach to the Ice House Road/NYS Route 117 intersection during Weekday PM Peak hours to Level of Service F and, with the proposed signal timing modifications, the Level of Service for the eastbound approach to Ice House Road would be back to no-build conditions during Weekday PM period.
- d. Regarding 333 North Bedford Road and in accordance with Section 110-28C.2 of the Zoning Code, the applicant proposes the joint use of 162 parking spaces by reason of variation in the probable time of maximum use by patrons or employees of the on-site establishments. Under the proposed condition, a total of 861 parking spaces will be provided (including 29 spaces located within the Estate Motors Dealership) where 1,023 parking spaces are required. The parking analysis prepared by Maser Consulting, dated July 14, 2015 and revised January 11, 2016, concludes that between 369 and 426 parking spaces are available during Weekday and between 406 and 504 parking spaces are available during Saturday peak times. The Planning Board has determined that the number of proposed parking spaces is sufficient given the existing and proposed uses. The Planning Board shall incorporate reasonable conditions within any future approving resolution for 333 North Bedford Road so as to ensure continued compliance with Section 110-28C.2 of the Zoning Code.
- e. The applicant shall be responsible for obtaining NYSDOT approval for any signal timing changes and/or work proposed within the NYS right-of-way; the applicant shall obtain all necessary approvals and permits from the NYSDOT prior to the adopting of any approving resolution as issued by the Lead Agency.

- f. As represented by the applicant, there shall be no further internal or external expansion, enlargement, or increase in the utilization/intensity of the Estate Motors Dealership, including the certified pre-owned dealership, beyond that described herein and approved by the Village of Mount Kisco and/or Town of Bedford Planning Boards (as applicable), absent the complete realignment and expansion of the Ice House Road intersection with Park Drive, to the satisfaction of the Village of Mount Kisco Planning Board. The improvements to the Ice House Road/Park Drive intersection shall be physically completed prior to any physical modification, enlargement or increased utilization to the Estate Motors Dealership, as described above.
- g. Stormwater Pollution Prevention Plan (SWPPP) prepared by Catizone Engineering, P.C., dated December 18, 2015, demonstrating that:
  - i. An erosion and Sediment Control Plan has been prepared utilizing the "New York State Standards and Specifications for Erosion and Sediment Control".
  - ii. Temporary and permanent stormwater systems and facilities are designed in accordance with the latest NYSDEC and NYCDEP standards and that discharge rates will not exceed predevelopment levels for all storms modeled.
  - iii. That Water Quality volumes and Rainfall Reduction volumes have been calculated based on NYSDEC and NYCDEP and that minimum volumes are provided.
- h. The applicant shall be responsible for obtaining SWPPP approval from the Village of Mount Kisco, Town of Bedford, the NYSDEC and the NYCDEP; the SWPPP shall be prepared in compliance with all applicable local, City and State rules and regulations. The applicant shall obtain all applicable stormwater and wetland permits from the Town of Bedford and the NYCDEP prior to the granting of any subsequent approving resolution by the Lead Agency.
- i. The proposed action proposes to fill 1,400 c.f. of volume below the 100-year flood elevation to accommodate raising the parking lot elevation to meet the existing finished floor elevation. The volume will be offset by the installation of 450 l.f. of underground pipe providing 1,414 c.f. of storage volume. The applicant shall be responsible for obtaining a Flood Development Permit from the local jurisdiction having authority; this permit shall be issued in conjunction with the issuance of a Building Permit.

- j. Construction is proposed within the regulated 100-foot wetland buffer; however, all areas have been previously disturbed. Further, construction is proposed within 100-feet of a NYCDEP jurisdictional watercourse. The applicant is proposing the installation of porous pavement within portions of the parking lot and has demonstrated that all new impervious surfaces within the NYCDEP Designated Main Street Area will be adequately collected and treated prior to discharge. No dumpsters shall be located within 100-feet of any regulated wetland. The applicant shall obtain all applicable permits from the Town of Bedford and the NYCDEP prior to the granting of any subsequent approving resolution by the Lead Agency.
  - k. The certified pre-owned dealership, located within the Town of Bedford, shall be serviced by an on-site septic system and Town of Bedford public water supply. The applicant shall obtain all applicable permits from the Westchester County Department of Health (WCDH) and Town of Bedford Department of Public Works prior to the granting of any subsequent approving resolution by the Lead Agency.
- 2. The proposed action will not result in the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impact a significant habitat area; result in substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such species; and will not result in other significant adverse impacts to natural resources. The following is provided to support this finding:
  - a. The "Grading and Utility Plan" (Sheets C2.21, C2.22 and C2.23), prepared by Catizone Engineering P.C., demonstrate that the proposed area of disturbance consists primarily of previously disturbed and/or developed areas.
  - b. The Full Environmental Assessment Form, dated December 6, 2015, demonstrates that threatened or endangered flora or fauna are not noted to be present on site in the NYSDEC database.
- 3. The proposed action will not result in the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to 6 NYCRR Part 617.14(g). The following is provided to support this finding:
  - a. The Full Environmental Assessment Form, dated December 6, 2015, demonstrates that Critical Environmental Area are not impacted by the proposed action.
- 4. The proposed action will not result in a material conflict with the Village's officially approved or adopted plans or goals. The following is provided to support this finding:

- a. With the exception of the below noted variances, the applicant has demonstrated that the proposed action will comply with local zoning regulations.
  - b. The proposed action is subject to area variances from the Village of Mount Kisco Zoning Board of Appeals, specifically for development coverage and for parking of fleet vehicles within the front yard.
  - c. The proposed action is subject to area variances from the Town of Bedford Zoning Board of Appeals for side yard setback, rear yard setback, building area, development coverage and parking.
  - d. The applicant shall obtain all applicable variances from the Village of Mount Kisco and the Town of Bedford Zoning Board of Appeals prior to the granting of any subsequent approving resolution by the Lead Agency.
5. The proposed action will not result in the impairment of the character or quality of important historical, archaeological, architectural, aesthetic resources, or the existing character of the community or neighborhood. The following is provided to support this finding:
- a. The majority of the subject property is developed or previously disturbed.
  - b. The proposed action is consistent with the character and quality of the area. The landscape buffer along NYS Route 117, as it relates to the parcel to be developed with the certified pre-owned dealership, shall have a minimum depth of 17.6 feet and shall be suitably landscaped to the satisfaction of the Village of Mount Kisco and Town of Bedford Planning Boards.
  - c. As part of the site plan review process, the applicant proposes to submit a landscaping plan, prepared by a NYS Registered Landscape Architect, prepared to the satisfaction of the Village of Mount Kisco and Town of Bedford Planning Boards.
  - d. The applicant has provided a lighting plan which demonstrates that no adverse impacts will result from on-site lighting; the lighting plan shall be further evaluated during the site plan review process and must be prepared to the satisfaction of the Village of Mount Kisco and Town of Bedford Planning Boards.
  - e. According to the Full Environmental Assessment Form, dated December 6, 2015, the subject property does not contain and is not contiguous to a building, archaeological site, or district listed on or being considered for inclusion on the State or National Register of Historic Places. Further, according to the applicant, the subject property is not located within a

mapped “archaeological sensitive area.”

- f. The applicant shall be required to obtain approvals from the Village of Mount Kisco Architecture Review Board (ARB). The applicant shall obtain all applicable approvals from the Village of Mount Kisco ARB and Town of Bedford Planning Board prior to the granting of any subsequent approving resolution by the Lead Agency.
  - g. Reference is made to the following submitted architectural plans prepared by Penny Design Group:
    - i. Certified Pre-Owned Facility-Proposed Exterior Rendering (PE-1), dated February 17, 2015 and submitted to the Planning Board on March 1, 2016.
    - ii. Sales & Service Facility – Proposed Exterior Rendering (PE-2), dated February 15, 2015 and submitted to the Planning Board on March 1, 2016.
    - iii. Sales & Service Facility – Proposed Elevation Rendering (PE-3), dated February 15, 2015 and submitted to the Planning Board on March 1, 2016.
- 6. The proposed action will not result in a major change in the use of either the quantity or type of energy. The following is provided to support this finding:
  - a. Full Environmental Assessment Form, dated December 6, 2015, demonstrates that Project has an anticipated yearly energy use of 1,920KW.
- 7. The proposed action will not create a hazard to human health.
- 8. The proposed action will not create a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses. The following is provided to support this finding:
  - a. With the exception of an on-site playing field which will not be negatively impacted or diminished by the proposed action, the subject property does not contain agricultural, designated open space, or recreation resources. The applicant is proposing a field house in proximity to the playing field which will provide seating for spectators, as well as bathroom facilities and storage space. The proposed land use is a permitted use and is consistent with land use patterns in the area.

- b. The proposed field house shall be physically completed prior to the issuance of any certificate of occupancy associated with the Estate Motors Dealership.
- 9. The proposed action will not encourage or attract a large number of people to a place or place for more than a few days, compared to the number of people who would come to such place absent the action. The following is provided to support this finding:
  - a. The proposed action and associated activities are of largely automotive sales, service and related.
  - b. The Traffic Impact Study prepared by Maser Consulting, dated September 11, 2015 and revised January 11, 2016, summarizes the number of existing and anticipated trips.
- 10. The proposed action will not create a material demand for other actions that would result in one of the above consequences.
- 11. The proposed action will not result in changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment.
- 12. When analyzed with two or more related actions, the proposed action will not have a significant impact on the environment and when considered cumulatively, will not meet one or more of the criteria under 6 NYCRR 617.7(c).
- 13. The Planning Board has considered reasonably related long-term, short-term, direct, indirect and cumulative impacts, including other simultaneous or subsequent actions.
- 14. Any subsequent approving resolution as issued by the Lead Agency shall include appropriate and reasonable conditions designed to reduced, control or limit impacts. Such conditions may include, but are not limited to, hours of operation; number of vehicle lifts/workstations (29 workstation including 27 vehicle lifts); maximum vehicle/truck trips; timing of truck deliveries; designated routing for truck deliveries; construction phasing; and other operational conditions deemed appropriate by the Lead Agency.
- 15. In rendering this determination, the Lead Agency has considered limitations, restrictions and/or mitigation that has been incorporated by the applicant into its revised proposed action. The revisions to the proposed action were designed to mitigate impacts that may otherwise exist (e.g. traffic generation, trip count exceedances, etc.) and the incorporation of these modifications/mitigation measures will likely accomplish such objective. As such, these revisions have



been incorporated as part of the underlying application's proposed action, and therefore, are not necessary as conditions to be embodied within a Conditioned Negative Declaration (CND). However, pursuant to 6 NYCRR 617.7(f), should the Lead Agency determine at any time prior to undertaking, funding or approving the proposed action that a significant environmental impact may result from a project modification or from a change of circumstances which was not previously addressed, including specifically the inability of the applicant to meet or satisfy any of the substantive representations within the scope of the proposed action, the Lead Agency shall rescind this Negative Declaration. Prior to rescinding this Negative Declaration, the Lead Agency shall inform the other Involved Agencies of their intent to rescind and afford the applicant a reasonable opportunity to respond before the rescission takes effect. Thereafter, the Lead Agency shall issue its new determination of significance after considering the applicant's comments. The new determination of significance will be prepared, filed and published according to the rules in 617.12.

**This notice is being filed with:**

**INVOLVED AGENCIES:**

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

Village of Mount Kisco Zoning Board of Appeals  
104 Main Street  
Mount Kisco, NY 10549

Village of Mount Kisco Architectural Review Board  
104 Main Street  
Mount Kisco, NY 10549

Town of Bedford Planning Board  
425 Cherry Street  
Bedford Hills, NY 10507

Town of Bedford Zoning Board of Appeals  
425 Cherry Street  
Bedford Hills, NY 10507

Town of Bedford Wetland Control Commission  
425 Cherry Street  
Bedford Hills, NY 10507

Westchester County Department of Health (WCDH)  
25 Moore Avenue  
Mount Kisco, NY 10549

New York City Department of Environmental Protection (NYCDEP)  
Bureau of Water Supply  
Suite 350  
465 Columbus Avenue  
Valhalla, NY 10595

New York State Department of Environmental Conservation (NYSDEC)  
21 South Putt Corners Road  
New Paltz, NY 12561

New York State Department of Transportation (NYSDOT)  
Eleanor Roosevelt State Office Building  
4 Burnett Boulevard  
Poughkeepsie, NY 12603

**INTERESTED AGENCIES**

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

Town of Bedford Building Department  
425 Cherry Street  
Bedford Hills, NY 10507

Westchester County Department of Planning  
148 Martine Avenue, Room 432  
White Plains, NY 10601



VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK

104 Main Street  
Mount Kisco, New York 10549-0150

Telephone  
(914) 241-0500

MEMORANDUM

TO: Chairman Cosentino and Planning Board Members

FROM: Robert Melillo, Assistant Building Inspector

DATE: March 17, 2016  
(Update)

RE: Mercedes Benz of Mount Kisco  
333 N. Bedford Road  
SBL# 69.50-2-1

The applicant has submitted an application for Site Plan Approval. The property is located within the Light Manufacturing Zoning District (ML).

1. Safe Haven/U-Haul received a variance for the parking of 10 vehicles. The additional parking of the Safe Haven/U-Haul vehicles are in violation of the Village/Town of Mount Kisco Code §110-24 B (3) A which provides: *Parking or storage of vehicles regularly used in conjunction with the use made of the principal structure on the lot, but no such parking or storage shall be permitted in the area between the street line and the front of any such structure or on more than 50% of the lot.* This additional parking requires a variance. **In process to apply for a variance.**
2. The applicant needs to identify on the plans where all the other fleet vehicles will be parked to ensure that they will be in compliance. **In process to apply for a variance.**
3. Requires details for new dumpster enclosures.
4. The applicant has included the outdoor display for Cosentino Tile and the Field House in this submission. These have increased the development and building coverage which may require a variance. **Information has been provided.**
5. The applicant needs to adjust the parking numbers in front of 'It's About Time' from 17 to 16. **Complied with.**
6. The applicant needs to include the gravel road that was created in the left rear by Saw Mill Club East. **Information has been provided.**
7. The plans should reflect the name change of Mount Kisco Athletic Club to Saw Mill Club East. Rockin' Jump should be added to sheet. **Complied with.**
8. Denial letter provided, see attached

/mkl



VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK

104 Main Street  
Mount Kisco, New York 10549-0150

Telephone  
(914) 241-0500

March 17, 2016

Mr. Pietro Catizone  
9 Overlook Terrace  
Larchmont, NY 10538

Re: Mercedes Benz of Mount Kisco  
333 N. Bedford Road  
Mount Kisco, NY 10549  
(SBL) 69.50-2-1

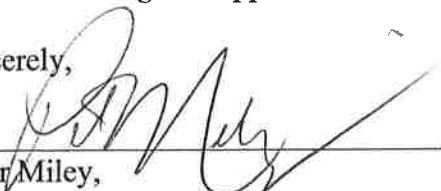
Dear Mr. Catizone,

Please be notified that the verbal request for denial has been reviewed by the Building Department for an Amended Site Plan requires the following variances:

1. The applicant proposes 72.2% development coverage where 70% is permitted; *therefore a 2.2% maximum development coverage variance is required as per the Village/Town of Mount Kisco Code §110-24 C (3).*
2. The applicant proposes parking and storage of 30 vehicles between the street line and the front of the structure; *therefore a variance is required for parking between the street line and the front of the structure as per the Village/Town of Mount Kisco Code §110-24 B (3) (a).*
3. The applicant received a variance (Case# ZBA 10-1) for the storage of up to ten (10) short-term rental moving vehicles, dated February 17, 2010.

*You have the right to appeal this decision within 60 days.*

Sincerely,

  
Peter Miley,  
Building Inspector

\mkl

February 29, 2016

Chairman Joseph Cosentino and Planning Board Members  
Planning Board  
Village/ Town of Mount Kisco  
104 Main Street  
Mount Kisco, NY 10549

Village/Town of Mount Kisco  
Planning Board

MAR 01 2016

RECEIVED

Re: Estate Motors/ DP-21  
Mercedes Benz of Mount Kisco  
New Automobile Sales and Service  
Sec. 69.50 Bl. 2 Lot 1

Dear Chairperson Cosentino and Planning Board Members;

On behalf of our Client, Estate Motors and DP-21, Catizone Engineering, P.C. is pleased to transmit the following:

No. Copies	Title	Date
15	C1.01 Existing Conditions Plan	02/29/2016
15	C1.11 Overall Site Plan	02/29/2016
15	C1.12 Overall Site Zoning Notes	02/29/2016
15	C2.21 Grading and Utilities Plan	02/29/2016
15	Full EAF	12/06/2015
15	PFP-1 Estate Motors Sales & Service Floor Plan (Penney Design Group "PDG")	02/08/2016
15	PFP-2 Estate Motors CPO Floor Plan (PDG)	02/08/2016
15	PE-1 CPO Exterior Rendering (11x17) (PDG)	02/17/2016
15	PE-2 Estate Motors Sales and Service Proposed Exterior Rendering (11x17) (PDG)	02/17/2015
15	PE-3 Estate Motors Sales and Service Proposed Elevation Rendering (11x17) (PDG)	02/17/2015
15	Memorandum regarding Trip Cap (Maser Consulting)	02/29/2016
15	Manufacturer information LED area lights- LSI Slice Medium (XLCM)	

The attached information is in response to a memorandum from Kellard Sessions dated January 20, 2016 and a memorandum from Dolph Rotfeld engineering dated January 21, 2016. Both memoranda include SEQR and site plan issues for the Estate Motors project. We have reviewed the comments with the Village consultants to identify which are required for satisfying the SEQR requirements. This submission focuses on addressing and resolving those comments related to SEQR so that a determination can be made by your Board at the March 22, 2016 meeting. The SEQR determination is important as it demonstrates the "starting point" for receiving approvals from other Boards and Agencies including but not limited to Village of Mount Kisco Planning Board, ZBA and ARB, Town of Bedford Planning Board, ZBA and Wetlands, NYCDEP and NYSDOT. We will continue to address the remaining site plan comments with your consultants.

**Memorandum from Jan K. Johannessen, AICP of Kellard Sessions, dated January 20, 2016:**

**Part 1 EAF**

1. We have revised Page 2 of the EAF to include Village of Mount Kisco ARB as required approval under "other local agencies". Additionally, we have included the requested "Required Approvals and Status" table.

**Plan Comments**

1. We have attached a memorandum from Maser Consulting summarizing the average Weekday and average Saturday Trip Generation at The Park – 333 N. Bedford Road. The memorandum includes graphs and tables depicting both the average Weekday and average Saturday existing and build conditions (on an hourly basis). Under average conditions, the peak hourly cap of 450 vehicles would not need to be modified as the "peak

average" trips would not exceed the cap by more than 10%. If the Board feels that the "peak hour" trips be considered in lieu of average conditions, the Applicant requests that the Board raise the cap to 500 vehicles per hour (plus the 10% exceedance factor for a maximum of 550 vehicles per hour).

The NYS Route 117 and the Ice House Road, Park Drive, 309 N. Bedford Road Driveway intersection will continue to operate at an overall Level of Service "C" during the Weekday Peak AM, Weekday Peak PM and Saturday Peak Hours once Wine Enthusiast's facility is replaced with the proposed Mercedes-Benz Certified Pre-Owned Facility and a New Car Sales and Service operation entailing 27 lift bays. In addition the Levels of Service will be maintained along NYS Route 117 (Bedford Road), Park Drive, the 309 N. Bedford Road Driveway under future Build Conditions including Ice House Road (with the exception of Ice House Road during the Weekday Peak PM Hour). While Ice House Road is projected to change from a Level of Service "E" to a Level of Service "F" during the Weekday Peak PM Hour, the change in delay would be 5.6 seconds. As discussed in the TIS, the allocation of 2 seconds of green time from the 309 N. Bedford Road driveway would bring the Ice House Road Level of Service at that time back to the No-Build Condition Level of Service "E". This minor reallocation of green time from the 309 NBR driveway would be submitted to the NYSDOT for their review.

3. We have increased the buffer in front of the CPO parcel to a minimum of 17.59 ft. We will provide landscaping as part of the site plan approval process to satisfy Village of Mount Kisco and Town of Bedford requirements. The buffer dimensions are shown on C2.21.
4. We have attached updated floor plans and elevations for the primary dealership and CPO
7. Lighting:
  - With respect to interior lighting, the lighting layout has not been finalized; however, the Architect indicated that all lighting will be off during non-operating hours for both the primary and CPO site except as required to maintain minimum interior lighting levels per life safety code.
  - Regarding the light pole located on the CPO site, adjacent to North Bedford Road, we have selected a lower profile light fixture to be utilized throughout the CPO site. We propose to reduce the pole height adjacent to North Bedford Road to 16ft and utilize two lights in lieu of a single taller light. As discussed in comment 3. We have also increased the landscape buffer. The remaining lights on the CPO site will remain at a 25ft mounting height. The selected fixture is a lower profile fixture and available in smaller sizes so it does not appear "out of scale" at a lower mounting height. We have attached a fixture cut sheet.
  - We have revised the location of the north western most light pole on the CPO site for compliance with maximum offsite lighting levels. We commit to not exceeding the levels along the northern property line. Due to the nature of the sites, there will be light spillage between the 333 NBR site and the CPO site.

8. Pavement striping and markings are shown on C1.11.

***Memorandum from Anthony Oliveri, P.E. of Dolph Rottfeld Engineering, P.C., dated January 21, 2106:***

7. The 100year flood plain has been shown on C1.01. As discussed, the Applicant has authorized his surveyor to provide topography for the portions of the site impacted by Estate Motors.
10. There are currently two 18" parallel discharge pipes along the north side of the building which discharge west to the stream (same general location). One of the 18" pipes was installed as part of the 2008 improvements and will be utilized to collect the runoff from the surface sand filters proposed along the northern curb line. There is no reason to remove the pipe especially since it would involve disturbance within the bed and banks of the DEP regulated stream.
14. Disturbance limits are based on NYSDEC definition for soil disturbance. The definition excludes activities to roadways and parking areas which do not disturb the underlying soils. According to the 2008 approval the pavement section consists of a 6" granular base, 1" sand leveling course and 5½" Grass Crete section. It is

our understanding that the stone driving surface was installed in lieu of the 5 ½" grass Crete section. It is the Applicant's intention to apply impervious surfaces outside of the 100 ft wetland buffer and a pervious pavement section (meeting NYCDEP requirements) within the buffer area. The activities would not disturb the underlying soils and therefore not included as part of the disturbance limits. Including these areas would result in exceeding the NYCDEP 2 acre disturbance threshold.

15. The Applicant is still exploring pavement sections which meet the NYCDEP requirements. We will provide details once the Client selects a product. As described above, activities to roadways or parking areas that do not disturb underlying soils are excluded in the NYSDEC definition and are not considered as part of the disturbance limits. The two sections which have previously been accepted by the NYCDEP are Grass Crete (as described above) and gravel pavement (as currently exists). We are exploring alternatives which may be more appropriate for a luxury automotive dealership.

The Applicant respectfully submits that the attached information satisfies all of the SEQR requirements such that the Board can conclude the SEQR process during the March 22, 2016 Planning Board meeting/public hearing.

Sincerely,



Pietro A. Catizone, P.E.  
Principal

cc: Mr. Jeff Osterman; Town of Bedford Planning (8 copies)  
Electronic copies:  
Mr. Anthony Monteleone, Esq.; Monteleone and Monteleone  
Mr. Anthony Assalone; Estate Motors  
Mr. Jonathan J. Penny, AIA; Penney Design Group.  
Mr. John Collins; Maser Consulting  
Mr. Jim Diamond; Diamond Properties  
Mr. Neil Alexander, Esq.; Cuddy and Feder

PAC





**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

Village/Town of Mount Kisco  
Planning Board

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

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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; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

<b>Name of Action or Project:</b> Amended Site Plan Approval and Change of Use 333 North Bedford Road, Site Plan Approval 793/795 Bedford Road		
<b>Project Location (describe, and attach a general location map):</b> 333 North Bedford Road (Village of Mt Kisco and Town of Bedford) 793 and 795 Bedford Road (Town of Bedford)		
<b>Brief Description of Proposed Action (include purpose or need):</b> The Applicant is requesting an amendment to a previously approved site plan for 333 North Bedford Road (NBR), as follows: 1. Change in use 333 NBR site of 113,280 SF of existing office/warehouse space (previously Wine Enthusiast) to automotive sales, service and related activities within the Village of Mount Kisco. The 333 NBR site is 37.5 acres in size. 2. Improvements and expansion to an existing parking/ loading area to the north of the building, which is largely in the Town of Bedford. (part of 333 NBR) 3. Development of two abutting parcels on the northeast portion of the site (793/795 Bedford Road) to support a 7,000 sf certified pre-owned sales (CPO) building. The CPO site is 0.90 acres in size. The CPO building and related site improvements are located entirely within the Town of Bedford. 4. Parking area expansion of 40,866 SF of the 333 NBR site to support the CPO building. 5. Incorporation of 520 sf deck area servicing Cosentino (tenant) into 333 NBR site plan. 6. Construction of a 378 sf field house and related improvements on the south side of the 333 NBR site to provide public restroom facilities to the on site, publicly utilized ball field. 7. expansion of U-Haul parking spaces from 10 to 17.		
<b>Name of Applicant/Sponsor:</b> Estate Motors and DP-21		<b>Telephone:</b> (914) 232-8132/ (914) 773-6220 <b>E-Mail:</b>
<b>Address:</b> 321 NYS Route 22/ 333 North Bedford Road Ste 145		
<b>City/PO:</b> Goldens Bridge, NY 10526 / Mount Kisco, NY 10549	<b>State:</b> NY	<b>Zip Code:</b>
<b>Project Contact (if not same as sponsor; give name and title/role):</b> Mr. Charles Buonanno/ Jim Diamond		<b>Telephone:</b> (914) 232-8132 <b>E-Mail:</b>
<b>Address:</b> 321 NYS Route 22/ 333 North Bedford Road Ste 145		
<b>City/PO:</b> Goldens Bridge/ Mount Kisco	<b>State:</b> NY	<b>Zip Code:</b> 10526
<b>Property Owner (if not same as sponsor):</b> DP-21 (Diamond Properties)		<b>Telephone:</b> (914) 773-6220 <b>E-Mail:</b> jdiamond@dpmgt.com
<b>Address:</b> 333 North Bedford Road, Ste 145		
<b>City/PO:</b> Mount Kisco	<b>State:</b> NY	<b>Zip Code:</b> 10549-1164

## B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission	Village of Mount Kisco Planning Board Town of Bedford Planning Board	11/18/2014 (actual submittal) 10/2/2014 (Concept),
c. City Council, Town or <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Village Zoning Board of Appeals	Village of Mt. Kisco Zoning Board of Appeals Town of Bedford Zoning Board of Appeals	1/12/2016 (anticipated) 2/2016 (Anticipated)
d. Other local agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Village Building Department, Town of Bedford Wetlands, Town of Bedford Building	Village and Town Wetlands 2/15/2016 (Anticipated), Village and Town ARB (4/2016)
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WCDOH(OWTS)	1/20/2015 (approval granted 3/26/2015)
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYCDEP	Coordinated Review Application after SEQR Determination 1/2016 (Anticipated)
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC (SWPPP) NYSDOT	2/15/2016 (Anticipated) 2/15/2016(Anticipated)
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iii. Is the project site within a Coastal Erosion Hazard Area?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐ Yes ☒ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☒ Yes ☐ No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☒ Yes ☐ No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No

If Yes, identify the plan(s):

NYCDEP Designated Main Street District (Mt. Kisco)

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐ Yes ☒ No

If Yes, identify the plan(s):

<b>C.3. Zoning</b>	
a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. If Yes, what is the zoning classification(s) including any applicable overlay district? Mount Kisco ML District, Mount Kisco- CL District, Bedford LI District (333 NBR) Bedford RB district, Bedford LI District (793/795)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
b. Is the use permitted or allowed by a special or conditional use permit?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
c. Is a zoning change requested as part of the proposed action? If Yes, i. What is the proposed new zoning for the site? _____	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<b>C.4. Existing community services.</b>	
a. In what school district is the project site located? Bedford Central School District	
b. What police or other public protection forces serve the project site? Village of Mt. Kisco Police, Westchester County Police, Town of Bedford Police	
c. Which fire protection and emergency medical services serve the project site? Mount Kisco Village Fire Department, Bedford Hills Fire Department	
d. What parks serve the project site? On site public recreation field, project is mixed use/commercial use with no residential component	

#### D. Project Details

<b>D.1. Proposed and Potential Development</b>	
a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? mixed use of personal service, public recreation membership club, physical training, wholesale, storage, printing and automotive	
b. a. Total acreage of the site of the proposed action?	38.4 acres
b. Total acreage to be physically disturbed?	2.8 acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?	38.4 acres
c. Is the proposed action an expansion of an existing project or use? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % 1 Units: 7,498 sf building area	
d. Is the proposed action a subdivision, or does it include a subdivision? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
If Yes, i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types) _____	
ii. Is a cluster/conservation layout proposed? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
iii. Number of lots proposed? _____	
iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____	
e. Will proposed action be constructed in multiple phases? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
i. If No, anticipated period of construction: _____ y months	
ii. If Yes:	
• Total number of phases anticipated	2
• Anticipated commencement date of phase 1 (including demolition)	3 month 2016 year
• Anticipated completion date of final phase	3 month 2017 year
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____	
The CPO building construction and 333 Change of Use improvements are mutually exclusive. Both projects anticipated to be completed within one year of start date, Field house is also mutually exclusive and expected to be constructed within the same time frame.	

f. Does the project include new residences? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>				
If Yes, show numbers of units proposed.				
<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>	
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Total number of structures <u>2</u>	
ii. Dimensions (in feet) of largest proposed structure: <u>30.6</u> height; <u>54</u> width; and <u>129</u> length	
iii. Approximate extent of building space to be heated or cooled: <u>7,000</u> square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes,	
i. Purpose of the impoundment: Stormwater Management	
ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input checked="" type="checkbox"/> Other specify:	
Surface water runoff	
iii. If other than water, identify the type of impounded/contained liquids and their source.	
iv. Approximate size of the proposed impoundment. Volume: <u>0.07</u> million gallons; surface area: <u>0.16</u> acres	
v. Dimensions of the proposed dam or impounding structure: <u>N/a</u> height; <u>N/a</u> length	
vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete):	
Impoundments 1. CPO- subsurface detention/recharge- HDPE/Earth, 2. EM- subsurface closed detention system- PVC/Earth, 3. dry swale- Earth	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)	
If Yes:	
i. What is the purpose of the excavation or dredging? _____	
ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?	
• Volume (specify tons or cubic yards): _____	
• Over what duration of time? _____	
iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them.	
_____	
iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If yes, describe. _____	
v. What is the total area to be dredged or excavated? _____ acres	
vi. What is the maximum area to be worked at any one time? _____ acres	
vii. What would be the maximum depth of excavation or dredging? _____ feet	
viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
ix. Summarize site reclamation goals and plan: _____	
_____	
_____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span>	
If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): <u>Alteration of pervious areas within existing parking lot limits</u>	
_____	
_____	

ii. Describe how the proposed action will affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and conditions in square feet or acres:

None

iii. Will proposed action cause or result in disturbance to bottom sediments?

☐ Yes ☒ No

If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation?

☐ Yes ☒ No

If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

v. Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

c. Will the proposed action use, or create a new demand for water?

☒ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: \_\_\_\_\_ 1,600 gallons/day

ii. Will the proposed action obtain water from an existing public water supply?

☒ Yes ☐ No

If Yes:

- Name of district or service area: Village of Mount Kisco
- Does the existing public water supply have capacity to serve the proposal? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No
- Do existing lines serve the project site? ☒ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project?

☐ Yes ☒ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

iv. Is a new water supply district or service area proposed to be formed to serve the project site?

☐ Yes ☒ No

If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

v. If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

vi. If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

d. Will the proposed action generate liquid wastes?

☒ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: \_\_\_\_\_ 1,520 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

Sanitary waste (720 gpd) and wash water (800 gpd)

iii. Will the proposed action use any existing public wastewater treatment facilities?

☒ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: Yonkers Wastewater Treatment Plant via Mt Kisco pump station and trunk line.
- Name of district: Mount Kisco Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? ☒ Yes ☐ No
- Is the project site in the existing district? ☒ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☒ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve project site? _____</li> <li>• Will line extension within an existing district be necessary to serve the project? If Yes:               <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul> </li> </ul>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____ If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): Subsurface disposal system for CPO site, which is located outside of the sewer district. _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____ If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?            _____ Square feet or <u>1.2</u> acres (impervious surface)            _____ Square feet or <u>38.4</u> acres (parcel size)</li> <li>ii. Describe types of new point sources. Existing point sources _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?  <u>runoff CPO project directed towards existing drainage channel at north of site which flows west to Kisco River which flows south, located just west of the 333 property. runoff from 333 change of use improvements discharges to Kisco River via the exist. site stormwater system and exist. discharge points.</u> <ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____  <u>Wetlands an unnamed tributary to the Kisco River</u></li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul> </li> </ul>	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____ If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)  <u>2-3 car carrier deliveries per day plus 1 parts deliveries per day. Parts delivery typically during nighttime hours.</u></li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)            None _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)            None _____</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____ If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐ Yes ☒ No

If Yes:

i. Estimate methane generation in tons/year (metric): \_\_\_\_\_

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): \_\_\_\_\_

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i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐ Yes ☒ No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): \_\_\_\_\_

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j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? ☐ Yes ☒ No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☒ Morning ☒ Evening ☐ Weekend  
☐ Randomly between hours of \_\_\_\_\_ to \_\_\_\_\_.

ii. For commercial activities only, projected number of semi-trailer truck trips/day: \_\_\_\_\_ 6-8

iii. Parking spaces: Existing 806 (810) Proposed 861 (896) Net increase/decrease 55 (86)

iv. Does the proposed action include any shared use parking? ☒ Yes ☐ No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:  
 Traffic mitigation to include signal modification Icehouse Road \_\_\_\_\_

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vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☒ Yes ☐ No

vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☒ Yes ☐ No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐ Yes ☒ No

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k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☒ Yes ☐ No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: \_\_\_\_\_  
 1,920 KW

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):  
 New York State Electric and Gas (NYSEG) \_\_\_\_\_

iii. Will the proposed action require a new, or an upgrade to, an existing substation? ☐ Yes ☒ No

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l. Hours of operation. Answer all items which apply.

i. During Construction:	ii. During Operations:
• Monday - Friday: _____ 8:30-4:30	• Monday - Friday: _____ 7:00am - 7:30pm
• Saturday: _____ 8:30-4:30	• Saturday: _____ 8am-5pm
• Sunday: _____ None	• Sunday: _____ Closed
• Holidays: _____ None	• Holidays: _____ Closed

<p>m. Will the proposed action produce noise at or above existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>Noise from construction activities only, M-Sat 8:30-4:30</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>n.. Will the proposed action have outdoor lighting? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>Parking lot lighting consisting of pole mounted shielded fixtures in accordance with Village and Town lighting standards</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>Describe: _____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored Waste Motor Oil</p> <p>ii. Volume(s) 1200 per unit time mo (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities:</p> <p>waste motor oil from automotive service activities (generally picked up twice per month... approximately 600 gal per pick-up)</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: 600 (construction demo) tons per year (unit of time)</li> <li>• Operation : 20(mostly steel for recycle) tons per year (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: Recycle materials from building and roadway demolition</li> <li>• Operation: Provide separate recycling receptacles in offices and customer areas. Recycle applicable automotive service parts which is estimated at 3,000 lbs of steel per month</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: Approved Facility</li> <li>• Operation: Approved Facility</li> </ul>	



s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☒ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☒ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_  
waste motor oil (See section 1p. bulk petroleum storage)

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
waste motor oil stored in approved containers and picked up regularly by a licensed hauler and disposed of at an approved facility.

iii. Specify amount to be handled or generated 4 tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
Synthetic oils specified by manufacturer resulting in longer oil life

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☒ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_  
Envirowaste Oil Recovery, LLC, Mahopac, NY

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

#### E. Site and Setting of Proposed Action

**E.1. Land uses on and surrounding the project site**

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☐ Industrial ☒ Commercial ☐ Residential (suburban) ☐ Rural (non-farm)

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): \_\_\_\_\_

ii. If mix of uses, generally describe: \_\_\_\_\_

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	25.6	26.9	+1.2
• Forested	0	0	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	11.7	10.4	-1.2
• Agricultural (includes active orchards, field, greenhouse etc.)	0	0	0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.4	0.4	0
• Wetlands (freshwater or tidal)	0.7	0.7	0
• Non-vegetated (bare rock, earth or fill)	0	0	0
• Other Describe: _____			

c. Is the project site presently used by : \_\_\_\_\_ ers of the community for public recreation? ☒ Yes ☐ No  
i. If Yes: explain: Public ball field provided at southern portion of the site

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☒ No  
If Yes,  
i. Identify Facilities: \_\_\_\_\_

e. Does the project site contain an existing dam? ☐ Yes ☒ No  
If Yes:  
i. Dimensions of the dam and impoundment:  
• Dam height: \_\_\_\_\_ feet  
• Dam length: \_\_\_\_\_ feet  
• Surface area: \_\_\_\_\_ acres  
• Volume impounded: \_\_\_\_\_ gallons OR acre-feet  
ii. Dam's existing hazard classification: \_\_\_\_\_  
iii. Provide date and summarize results of last inspection: \_\_\_\_\_

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☒ No  
If Yes:  
i. Has the facility been formally closed? ☐ Yes ☐ No  
• If yes, cite sources/documentation: \_\_\_\_\_  
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: \_\_\_\_\_  
iii. Describe any development constraints due to the prior solid waste activities: \_\_\_\_\_

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☐ Yes ☒ No  
If Yes:  
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: \_\_\_\_\_

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☒ Yes ☐ No  
If Yes:  
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☐ Yes ☒ No  
☐ Yes – Spills Incidents database Provide DEC ID number(s): \_\_\_\_\_  
☐ Yes – Environmental Site Remediation database Provide DEC ID number(s): \_\_\_\_\_  
☐ Neither database  
ii. If site has been subject of RCRA corrective activities, describe control measures: \_\_\_\_\_  
iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☒ Yes ☐ No  
If yes, provide DEC ID number(s): 9209731, 905363 and 1011856  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
Gasoline station north of site on Bedford Road (Adjoining site) Spill Number 9209731 date 11/20/1992 status NOT CLOSED  
two additional small spills 8905363 and 1011856 both closed

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☒ No

- If yes, DEC site ID number: \_\_\_\_\_
- Describe the type of institutional control (e.g., deed restriction or easement): \_\_\_\_\_
- Describe any use limitations: \_\_\_\_\_
- Describe any engineering controls: \_\_\_\_\_
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: \_\_\_\_\_

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**E.2. Natural Resources On or Near Project Site**

a. What is the average depth to bedrock on the project site? \_\_\_\_\_ 7+ feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☒ No  
If Yes, what proportion of the site is comprised of bedrock outcroppings? \_\_\_\_\_ %

c. Predominant soil type(s) present on project site:

Fluvaquents-Udfluvents	1.0 %
Urban Land	94.5 %
Urban Land Charlton Chatfield	4.5 %

d. What is the average depth to the water table on the project site? Average: \_\_\_\_\_ 5 feet

e. Drainage status of project site soils: ☐ Well Drained: \_\_\_\_\_ % of site  
☒ Moderately Well Drained: \_\_\_\_\_ 95 % of site  
☒ Poorly Drained: \_\_\_\_\_ 5 % of site

f. Approximate proportion of proposed action site with slopes: ☒ 0-10%: \_\_\_\_\_ 89 % of site  
☒ 10-15%: \_\_\_\_\_ 3 % of site  
☒ 15% or greater: \_\_\_\_\_ 8 % of site

g. Are there any unique geologic features on the project site? ☐ Yes ☒ No  
If Yes, describe: \_\_\_\_\_

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h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☒ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☒ Yes ☐ No

If Yes to either i or ii, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☒ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Kisco River Classification C
- Lakes or Ponds: Name \_\_\_\_\_ Classification \_\_\_\_\_
- Wetlands: Name \_\_\_\_\_ Approximate Size \_\_\_\_\_
- Wetland No. (if regulated by DEC) \_\_\_\_\_

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☐ Yes ☒ No  
If yes, name of impaired water body/bodies and basis for listing as impaired: \_\_\_\_\_

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i. Is the project site in a designated Floodway? ☒ Yes ☐ No

j. Is the project site in the 100 year Floodplain? ☒ Yes ☐ No

k. Is the project site in the 500 year Floodplain? ☐ Yes ☒ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☒ Yes ☐ No  
If Yes:

i. Name of aquifer: Croton Aquifer

m. Identify the predominant wildlife: birds _____ squirrels _____ rodents _____	s that occupy or use the project site: snakes _____ _____ _____
n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. Describe the habitat/community (composition, function, and basis for designation): _____ _____ ii. Source(s) of description or evaluation: _____ iii. Extent of community/habitat: • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres	
o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>  Rattlebox rare plant (NYSDEC) Endangered identified offsite.	
p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span>	
q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If yes, give a brief description of how the proposed action may affect that use: _____ _____	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes, provide county plus district name/number: _____	
b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> i. If Yes: acreage(s) on project site: _____ ii. Source(s) of soil rating(s): _____	
c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span> If Yes: i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____ _____ _____	
d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: i. CEA name: Geographic Area Overlaying Aquifer within Town CEA ii. Basis for designation: Town of Bedford iii. Designating agency and date: 11.3.1984	



**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Agency Use Only [If applicable]

Project :

Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer "Yes" to a numbered question, please complete all the questions that follow in that section.
- If you answer "No" to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box "Moderate to large impact may occur."
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the "whole action".
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If "Yes", answer questions a - j. If "No", move on to Section 2.</i>			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**2. Impact on Geological Features**

The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g)

☒ NO☐ YES

If "Yes", answer questions a - c. If "No", move on to Section 3.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**3. Impacts on Surface Water**

The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h)

☐ NO☒ YES

If "Yes", answer questions a - l. If "No", move on to Section 4.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may create a new water body.	D2b, D1h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input checked="" type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input checked="" type="checkbox"/>	<input type="checkbox"/>

1. Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>
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#### 4. Impact on groundwater

The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t)

☒ NO

☐ YES

If "Yes", answer questions a - h. If "No", move on to Section 5.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 5. Impact on Flooding

The proposed action may result in development on lands subject to flooding. (See Part 1. E.2)

☐ NO

☒ YES

If "Yes", answer questions a - g. If "No", move on to Section 6.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input checked="" type="checkbox"/>	<input type="checkbox"/>



g. Other impacts: _____	<input type="checkbox"/>	<input type="checkbox"/>
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## 6. Impacts on Air

The proposed action may include a state regulated air emission source.

☒ NO

☐ YES

(See Part 1. D.2.f., D.2.h, D.2.g)

If "Yes", answer questions a - f. If "No", move on to Section 7.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

## 7. Impact on Plants and Animals

The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.)

☐ NO

☒ YES

If "Yes", answer questions a - j. If "No", move on to Section 8.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input checked="" type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.		<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**9. Impact on Aesthetic Resource.**

The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.)

☒ NO☐ YES

If "Yes", answer questions a - g. If "No", go to Section 10.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 - 3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**10. Impact on Historic and Archeological Resources**

The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.)

☒ NO☐ YES

If "Yes", answer questions a - e. If "No", go to Section 11.

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered "Yes", continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property's setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) If "Yes", answer questions a - e. If "No", go to Section 12.			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or "ecosystem services", provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) If "Yes", answer questions a - c. If "No", go to Section 13.			
		<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

☐ NO☒ YES

(See Part 1. D.2.j)

*If "Yes", answer questions a - g. If "No", go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

☒ NO☐ YES

(See Part 1. D.2.k)

*If "Yes", answer questions a - e. If "No", go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____			

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☒ NO☐ YES

(See Part 1. D.2.m., n., and o.)

*If "Yes", answer questions a - f. If "No", go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.		<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☒ NO

☐ YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____			

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If "Yes", answer questions a - h. If "No", go to Section 18.</i>		<input checked="checked" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action's land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If "Yes", answer questions a - g. If "No", proceed to Part 3.</i>		<input checked="checked" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

Project : \_\_\_\_\_

Date : \_\_\_\_\_

**Full Environmental Assessment Form**  
**Part 3 - Evaluation of the Magnitude and Importance of Project Impacts**  
**and**  
**Determination of Significance**

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☐ Type 1 ☒ Unlisted

Identify portions of EAF completed for this Project: ☒ Part 1 ☒ Part 2 ☒ Part 3



Upon review of the information recorded in this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)

Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>

**PRINT FULL FORM**

## Estate Motors EAF Supplement

### Part 1

B. A permit schedule is attached and includes Village of Mount Kisco Zoning Board of Appeals

D.1.b.c The 333 NBR site is 37.5 acres in size. The 793/793 sites (controlled by Estate Motors) total 0.9 acres in size. The total "project area" is 38.4 acres. DP-21

### Part 2

#### 1. Impact to Land

- a. Construction within the existing developed area at the northwest portion of the site, where shallow depth to groundwater is observed. Project proposes to raise the grades to existing finished floor elevation, eliminating loading dock (area).
- b. None
- c. None
- d. No
- e. No. Contract obligations with Mercedes Benz Northeast specify that construction be completed within one year.
- f. Small potential impact for erosion and sediment control during construction. Design in accordance with NYSDEC requirements. Development of a Stormwater Pollution Prevention Plan (SWPPP) in progress.
- g. No
- h. None noted

#### 3. Impacts to Water Surfaces

- a. No
- b. No
- c. No
- d. Construction is proposed within 100 ft freshwater wetland buffer but contained to the existing developed area of the site. Also, construction is proposed within 100 ft limiting distance of a NYCDEP regulated stream or watercourse. Per NYCDEP regulations, the installation impervious pavement within the 100ft. limiting distance of a wetland in a non DMSD requires a waiver. The Application proposes porous pavement, consisting of stone surface or other paving system with a 50% open area (within Town of Bedford) in accordance with NYCDEP requirements. The installation of impervious surfaces within the DMSD is permitted provided that new impervious surface is treated. We have prepared a SWPPP demonstrating that the new pervious pavement within the DMSD is adequately collected and treated prior to discharging the stormwater system and ultimately discharging to the watercourse to the north.
- e. Minor potential for turbidity during construction. Temporary measures in accordance with NYSDEC and (where applicable) NYCDEP standards.
- f. No
- g. No. Discharges to surface waters will utilize existing discharge pipes and existing drainage channels.
- h. Small potential impact for erosion and sediment control during construction. Design in accordance

with NYSDEC requirements. A SWPPP has been prepared, including sediment and erosion control plans in accordance with NYSDEC requirements. The NYCDEP has determined that since the 793/795 parcel is under separate ownership from the 333 NBR project that the disturbance for each parcel is calculated separately. Accordingly, the NYCDEP 2 acre disturbance threshold is not exceeded on either the 793/795 parcel(s) or the 333 NBR parcel. As such, the NYCDEP has regulatory jurisdiction for the portion of the project within the NYCDEP DMSD provided that the limitations for impervious surfaces within the 100 ft limiting distance are respected. Accordingly, the project proposes the use of stone pavement or pervious pavement with a 50% minimum open area within the 100 ft limiting distance from a NYCDEP regulated watercourse or wetland. Impervious surfaces within portions of the project, including but not limited to sidewalks along the northern side of the building and canopies, within the DMSD are proposed, along with associated treatment.

- i. Small potential impact to water quality. SWPPP to comply with NYSDEC and, where applicable, NYCDEP water quality requirements.
- j. No
- k. No
- l. None noted

#### 5. Impacts to Flooding

- a. No
- b. Minor Impacts. Construction is within 100 year floodplain. The project proposes to fill 1,400 CF of volume below the 100-year flood elevation of 292 to accommodate raising of the parking lot elevations to existing finished floor elevation. The volume will be offset by installing 450 lf (5 rows of 90 ft ea.), providing 1,414 CF of storage volume, not including additional volume within the pipe headers. The pipes will be placed at elevation 290, with top of pipe at elevation 292. Since the depth to groundwater is shallow in this location we are proposing that water tight pipe be utilized. Accordingly, a Flood Development Permit is required. The Permit is issued by the Building Department as part of the building permit application process.
- c. 500-yr floodplain not identified in FEMA FIRM maps. The project does not propose any changes to the finished floor elevation of the main building structure. Site improvements include raising of the grade in an area that is currently a loading dock to accommodate the automotive use. The filed house is located outside of the 100 year flood plain and provides restroom facilities for the adjacent playing field. There are no additional public spaces or assembly spaces within the fieldhouse.
- d. Minor impacts to existing drainage patterns within the proposed work limits. Overall drainage patterns will be maintained and existing discharge points will be utilized. The SWPPP demonstrates that post development flow rates will not exceed pre-development levels for all storms modeled. Additionally, water quality volumes and Rainfall Reduction Volumes as required by NYSDEC and, NYCDEP (for portions within DMSD) are met.
- e. No
- f. No
- g. None noted

#### 7. Impacts to Plants and Animals

- a. No. NYSDEC identifies "Rattlebox" and an endangered plant species on or adjacent to the site. Disturbance for the western portion of the project is within a portion of the site which has already been developed. Disturbance within the eastern portion of the site (CPO development) impacts

developed area, grass area and shrub line between two developed properties.

- b. No
- c. No
- d. No
- e. No
- f. No
- g. No
- h. No
- i. No
- j. None noted

12. Impact on Critical Environmental Areas

- a. NYSDEC identified "Graphic Area Overlaying Aquifer within the Town CEA" west of the site. The overlay generally follows the watercourses west of the site. Disturbance at the western portion of the site is within existing developed area. NYSDEC and NYCDEP do not specifically classify the watercourses as primary or principal aquifers.
- b. No.
- c. None noted

13. Impact to Transportation

- a. No. The levels of service will be maintained along Route 117, Park Drive, the 309 N. Bedford Road Driveway under future build conditions including Icehouse Road (with minor signal timing changes). The NYS Route 117 (Bedford Road) and Icehouse Road, Park Drive, 309 N. Bedford Road Driveway intersection will continue to operate as an overall Level of Service "C" during Weekday Peak AM, Weekday Peak PM and Saturday Peak Hours with the Mercedes improvements, which includes 27 lifts. Traffic impacts were evaluated in traffic report by Maser Consulting and will be submitted to NYSDOT for any signal timing changes.

Also evaluated by Maser Consulting is a possible future condition of re-aligning Icehouse Road to eliminate the offset intersection condition and to provide a dedicated right turn out lane on Icehouse Road and eliminating an additional phase signal phase.

- b. No
- c. No
- d. No
- e. No
- f. None noted

Project: Estate Motors  
Mercedes Benz Mount Kisco

Date: January 11, 2016

Project No.

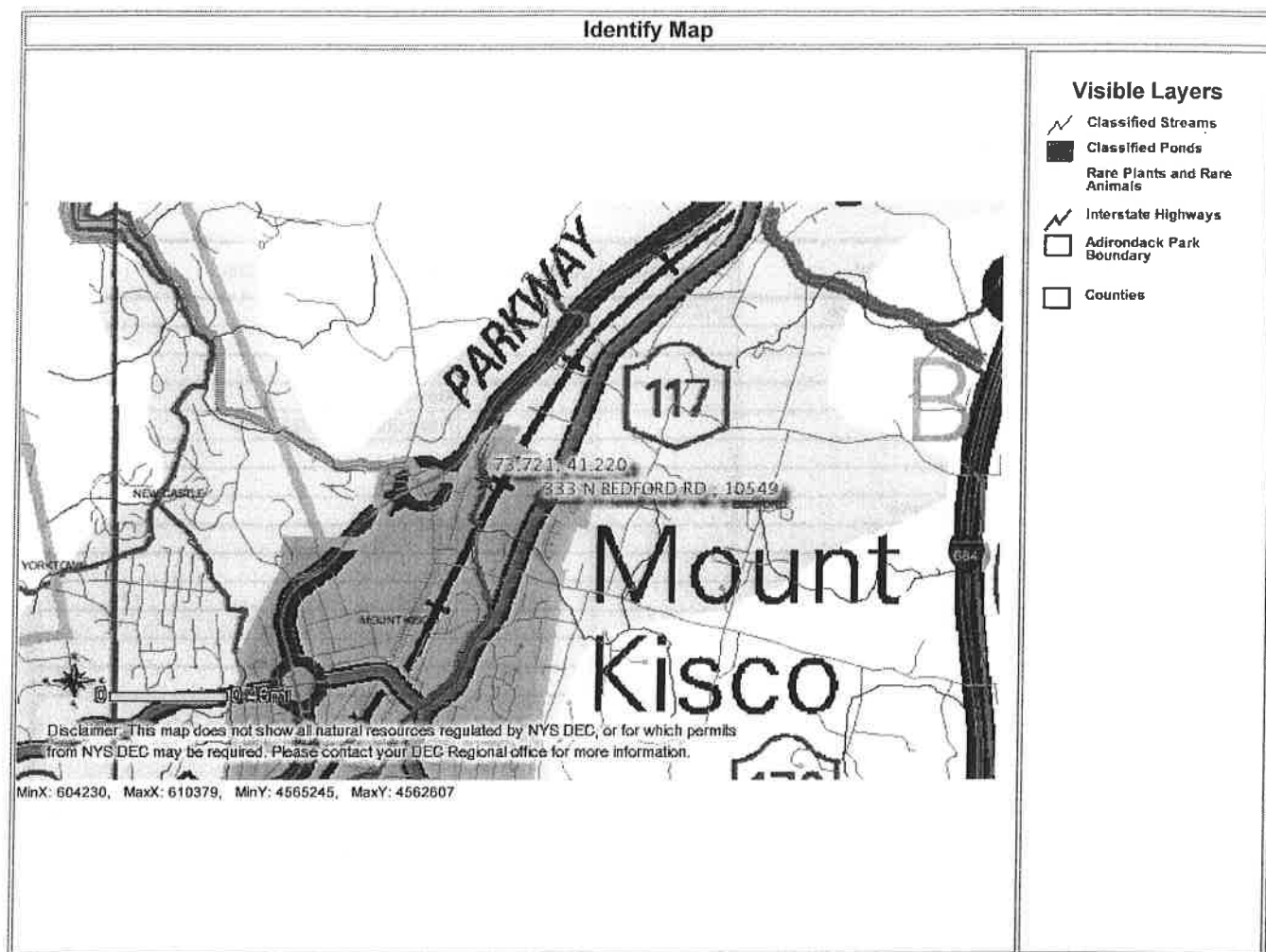
Prepared By: PAC

Required Approvals and Status

Reviewed By: MAD

Approval Agency	Type	Submittal Date	Approval Date	Status
Village of Mount Kisco Planning	Site Plan/ Change in Use	2/17/2015		Active
Building				Active
Planning				Active
Engineering				Active
Traffic				Traffic Consultant Coordination
ARB				
Village of Mount Kisco Building	Wetlands Permit			
	Flood Hazard Zone			
Zoning Board of Appeals	Development Coverage			
	Vehicle Storage			
Town of Bedford Planning Board	Site Plan	10/2/2014		Active
Town of Bedford Zoning Board of Appeals				Requires referral from PB
	Rear Yard Setback			
	Side Yard Setback			
	Site Coverage			
	Required Parking Spaces			
Town of Bedford	Wetlands Control Commission			
WCDOH	OWTS Approval	1/20/2015		
	OWTS Joint Review with WCDOH	2/27/2015		
		3/16/2015	3/26/2015	Approved
NYSDEC	SWPPP			
NYCDEP	SWPPP DMSA			
NYSDOT	Highway Work Permit			793.795 close curb and utilities
				Ice House Road signal Modification

Please set your printer orientation to "Landscape".



Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data and does not necessarily endorse any interpretations or products derived from the data.

**The Coordinates of the point you clicked on are:**

NYTM	E : 607148	Longitude/Latitude	W : 73.721
	N : 4563986		N : 41.220

**Classified Streams**

Regulation	Standard	Classification
864-445	C	C

**State-Regulated Freshwater Wetlands**

Wetland ID	Wetland Class	Wetland Size (Acres)
	0	

**Rare Plants and Rare Animals**

This location is in the vicinity of one or more :
Rare Animals and/or Rare Plants

**Old or Potential Records (these records are not displayed on the map)**

Common Name	Scientific Name	Date Last Documented	Location	Habitat Where Last Seen	Animal, Plant, or other	NYS Protected Status
Rattlebox	Crotalaria sagittalis	1915-09-26	Mount Kisco	Sandy soil.	Rare Plant	Endangered

**USGS Quadrangle**

USGS Quadrangle Name
MOUNT KISCO

If your project or action is within or near an area with a rare animal, a permit may be required if the species is listed as endangered or threatened and the department determines the action may be harmful to the species or its habitat.

If your project or action is within or near an area with rare plants and/or significant natural communities, the environmental impacts may need to be addressed.

The presence of a unique geological feature or landform near a project, unto itself, does not trigger a requirement for a NYS DEC permit. Readers are advised, however, that there is the chance that a unique feature may also show in another data layer (ie. a wetland) and thus be subject to permit jurisdiction.

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**Disclaimer:** If you are considering a project or action in, or near, a wetland or a stream, a NYS DEC permit may be required. The Environmental Resources Mapper does not show all natural resources which are regulated by NYS DEC, and for which permits from NYS DEC are required. For example, Regulated Tidal Wetlands, and Wild, Scenic, and Recreational Rivers, are currently not included on the maps.

**Environmental Protection Fund  
Local Waterfront Revitalization Program**

**List of Coastal Waterbodies and Designated Inland Waterways**

<b>COASTAL WATERBODIES</b>	
Arthur Kill	Lake Ontario
Atlantic Ocean	Lake Erie
East River	Long Island Sound
Harlem River	Niagara River
Hudson River (south of federal dam at Troy)	St. Lawrence River
Kill van Kull	
<b>DESIGNATED INLAND WATERWAYS</b>	
Allegheny River	Little River (in the Adirondack Park)
Ausable River	Little Salmon (North and South Branches)
Big Tupper Lake	Little Sandy Creek
Black Lake	Long Lake
Black River	Mad River
Boquet River	Mettowee River
Buffalo River	Mirror Lake
Bush Kill	Mohawk River
Canadarago Lake	Moose River (North and Middle Branches)
Canandaigua Lake	Oatka Creek
Canisteo River	Oneida Lake
Cattaraugus Creek	Onondaga Creek
Cayuga Lake	Onondaga Lake
Chaumont River (including Chaumont Bay)	Oswegatchie River
Chautauqua Lake	Otisco Lake
Chemung River	Otsego Lake
Cincinatti Creek	Owasco Lake
Cohocton River	Raquette Lake
Conesus Lake	Raquette River
Cranberry Lake	Sacandaga Lake
Delaware River	Sacandaga River
Deer River	Salmon River
East Kill	Sandy Creek
Esopus Creek (Upper and Lower Branches)	Saranac River
Fish Creek (East and West Branches)	Saratoga Lake
Fulton Chain of Lakes	Schoharie Creek
Genesee River	Schroon Lake
Gooseberry Creek	Seneca Lake
Grasse River	Silver Lake (in Wyoming County)
Great Sacandaga Lake	Skaneateles Lake
Honeoye Lake	South Sandy Creek
Hudson River (north of federal dam at Troy)	State Barge Canal System
Indian Lake	Susquehanna River
Indian River	Tioga River
Keuka Lake	Tioughnioga River
Lake Champlain	Tonawanda Creek
Lake George	Upper Saranac Lake
Lake Placid	Wallkill River
Lake Ronkonkoma	West Kill

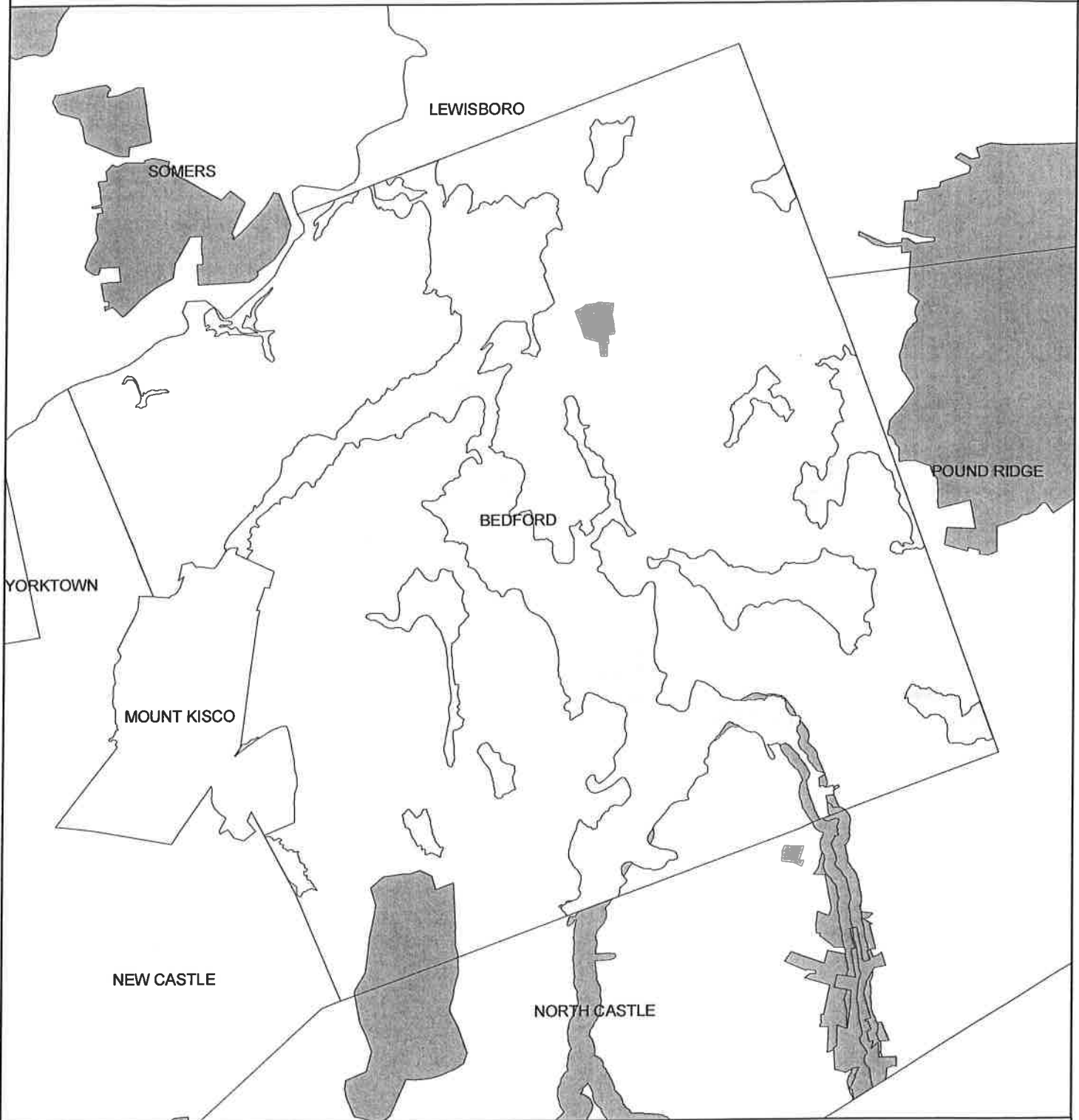
NOTE: Coastal waterbodies and designated inland waterways are defined in Executive Law, Article 42, Section 911. Coastal waterbodies also include embayments and tributaries that are within New York State's Coastal area.



# Geographic Area Overlaying the Aquifer Within Town Critical Environmental Area (CEA)

Effective Date of Designation: 11-03-84

Designating Agency: Town of Bedford



## Legend

- Geographic Area Overlaying the Aquifer Within Town CEA
- Adjacent CEA

0 0.375 0.75 1.5 2.25 Miles  
1 inch equals 1.25 miles

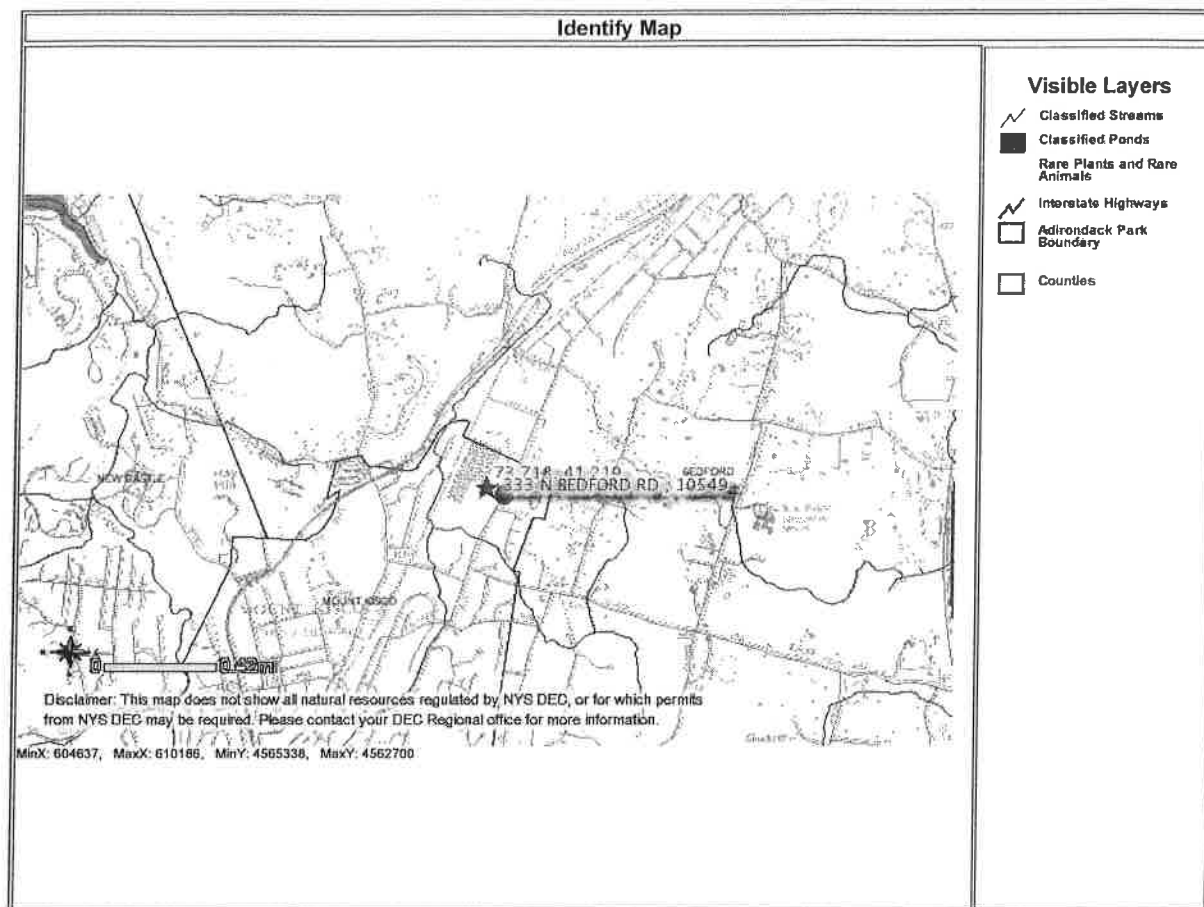
For Adjacent CEAs see map:  
Mianus Gorge Preserve CEA  
Byram Lake CEA  
Mianus River CEA  
County & State Park Lands CEA  
County Designated Watershed Properties CEA  
All Land 500' Peripheral to Amawalk Reservoir Boundary CEA



Base Map: Town or City Boundary for New York State

Disclaimer: This map was prepared by the New York State Department of Environmental Conservation using the most current data available. It is deemed accurate but is not guaranteed. NYS DEC is not responsible for any inaccuracies in the data. Please contact the designating authority for additional information regarding legal boundary descriptions.

Please set your printer orientation to "Landscape".



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MOUNT KISCO

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Engineers  
Planners  
Surveyors  
Landscape Architects  
Environmental Scientists

11 Bradhurst Avenue  
Hawthorne, NY 10532  
T: 914.347.7500  
F: 914.347.7266  
www.maserconsulting.com

Village/Town of Mount Kisco  
Planning Board

## MEMORANDUM

MAR 01 2016

RECEIVED

**To: Jim Diamond**

**From: John T. Collins, Ph.D., P.E., Executive Principal**  
**Ronald P. Rieman, Assistant Project Manager**

**Date: February 29, 2016**

**Re: Mercedes Benz of Mt. Kisco**  
**The Park – 333 N. Bedford Road**  
**Mt. Kisco, Westchester County, New York**  
**MC Project No. 14002035**

As s part of the previous approval for 333 N. Bedford Road there was a condition that when the design volume of 450 peak hour trips (total inbound and outbound volume per hour) were exceeded by 10% (495 peak hour trips), the Applicant was to return to the Planning Board to discuss potential traffic improvements.

The following Tables is a summary of the Average Weekday and Average Saturday Trip Generation at The Park - 333 N. Bedford Road based on Automatic Traffic Recorders (ATR's) placed on 333 N. Bedford Road (The Park North Access) and Ice House Road (The Park South Access) from Thursday, March 26, 2015 to Tuesday, March 31, 2015 and Thursday, June 4, 2015 to Wednesday, June 10, 2015. It should be noted that Ice House Road also provides access to GH Auto Body, Whipskins.com, Simone Bros Auto Body, Satellite Music Studios and the Ice House Road ATR includes this traffic.

<b>The Park - 333 N. Bedford Road – Average Trip Generation</b>		
<b>Weekday Peak AM Hour</b>		
<b>Time Period</b>	<b>Existing</b>	<b>W/ Mercedes Benz</b>
7:00AM – 8:00AM	219	279
8:00AM – 9:00AM	319	350
9:00AM – 10:00AM	441	483

Thursday, March 26, 2015 to Tuesday, March 31, 2015 & Thursday, June 4, 2015 to Wednesday, June 10, 2015

<b>The Park - 333 N. Bedford Road – Average Trip Generation Weekday Peak PM Hour</b>		
<b>Time Period</b>	<b>Existing</b>	<b>W/ Mercedes Benz</b>
4:00AM – 5:00PM	374	412
5:00PM – 6:00PM	447	433

Thursday, March 26, 2015 to Tuesday, March 31, 2015 & Thursday, June 4, 2015 to Wednesday, June 10, 2015

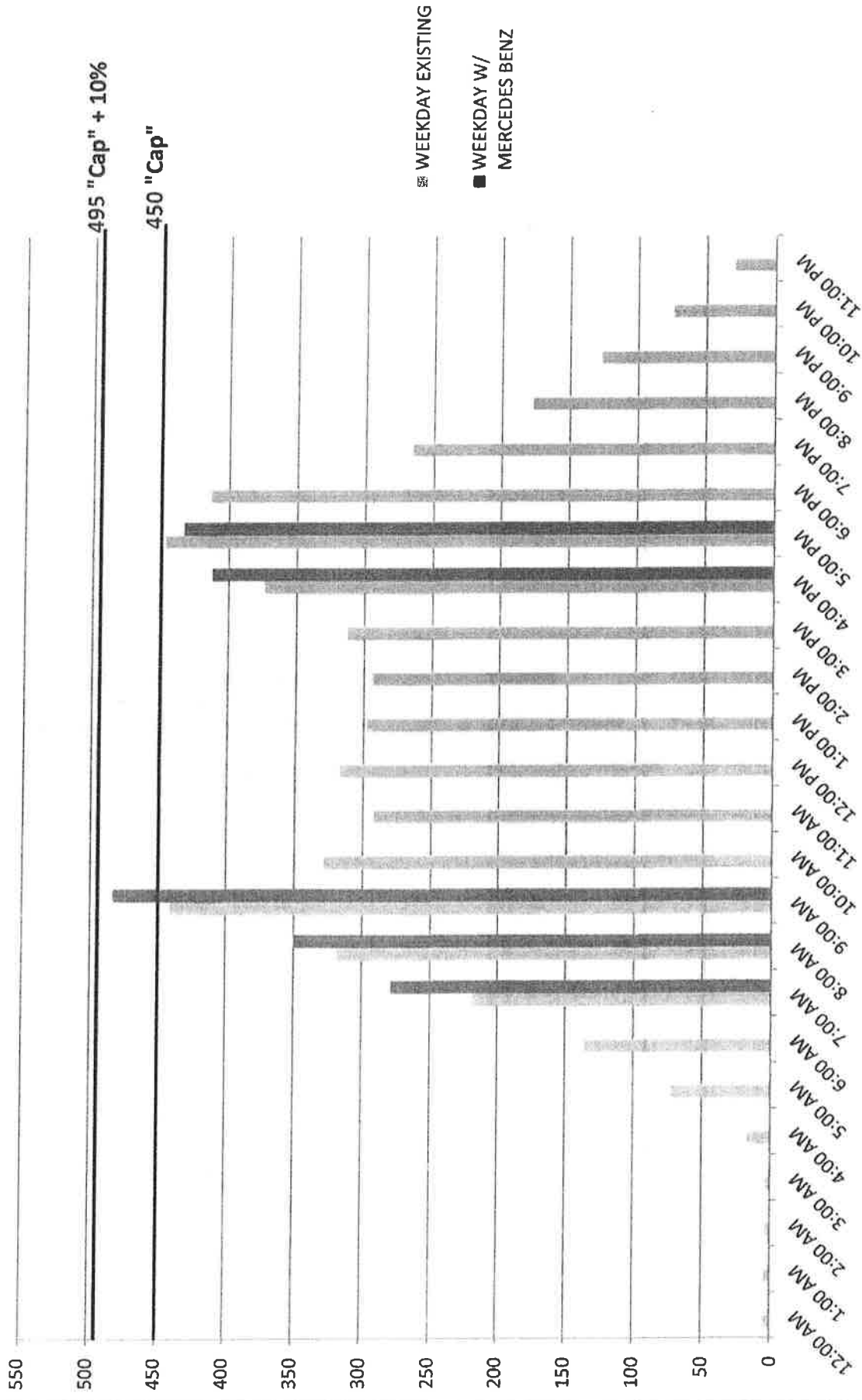
<b>The Park - 333 N. Bedford Road – Average Trip Generation Saturday Peak Hour</b>		
<b>Time Period</b>	<b>Existing</b>	<b>W/ Mercedes Benz</b>
10:00AM – 11:00AM	442	491
11:00AM – 12:00PM	439	490
12:00PM – 1:00PM	409	464
1:00PM – 2:00PM	377	435
2:00PM – 3:00PM	344	387

Saturday, March 28, 2015 and Saturday, June 6, 2015

A copy of the ATR's data and Average Daily Traffic Volumes are contained in Attachment 1.

As shown on the above Tables, The Park – 333 N. Bedford Road will fall under the 495 “cap” during the Weekday Peak AM, Weekday Peak PM and Saturday Peak Hours with Mercedes Benz replacing the Wine Enthusiast (based on traffic counts conducted at the Wine Enthusiast and at Estate Motors).

# The Park - 333 N. Bedford Road Trip Generation Weekday Average Total

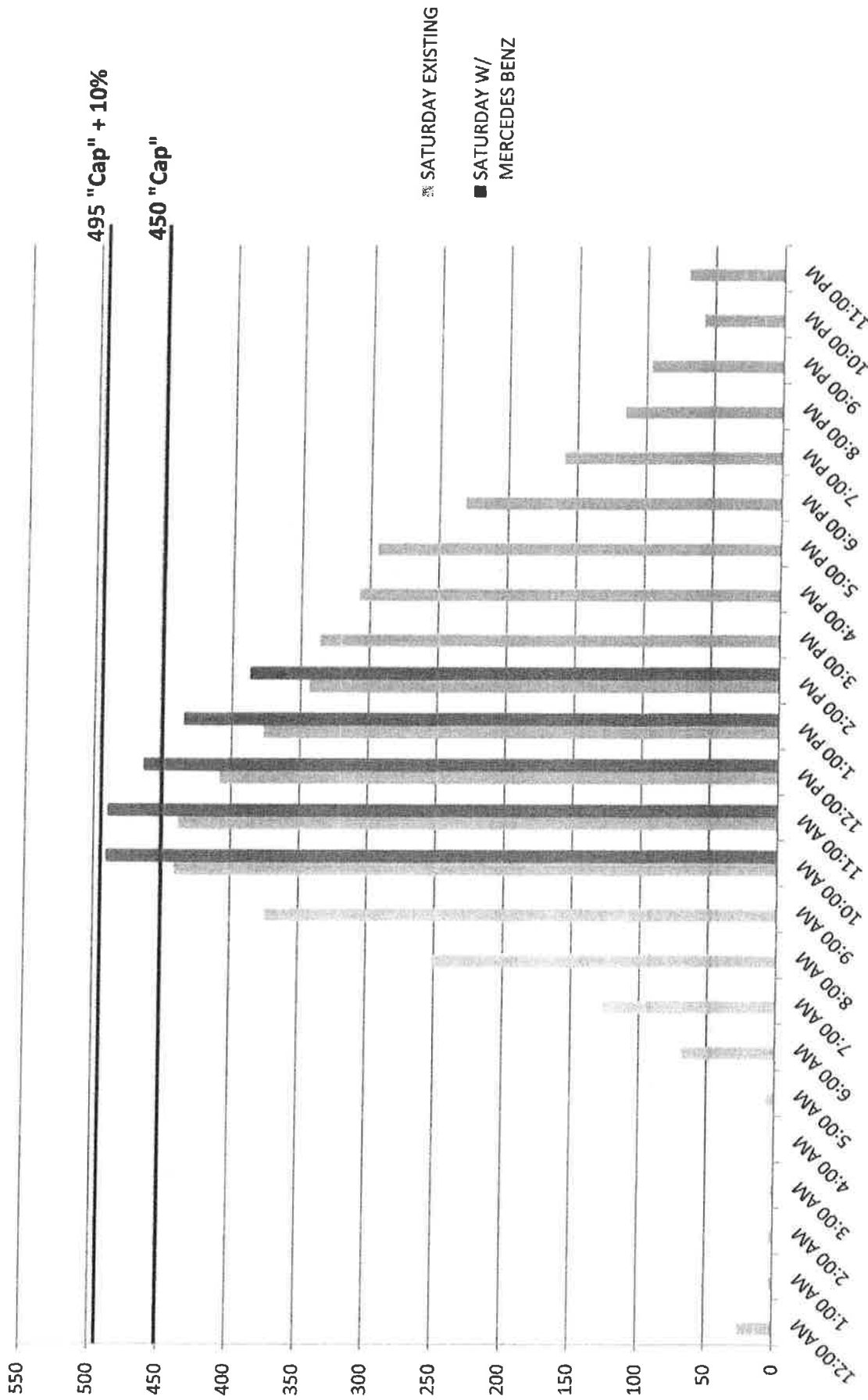


Automatic Traffic Recorders (ATR's)

Thursday, March 26, 2015 - Tuesday, March 31, 2015

Thursday, June 4, 2015 - Wednesday, June 10, 2015

# The Park - 333 N. Bedford Road Trip Generation Saturday Average Total



Automatic Traffic Recorders (ATR's)

Saturday, March 28, 2015

Saturday, June 6, 2015

MC 14002035A

February 17, 2016





The Park – 333 N. Bedford Road  
Mercedes Benz of Mt. Kisco  
MC Project No.: 14002035A  
Attachment

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***THE PARK – 333 N. BEDFORD ROAD  
MERCEDES BENZ OF MT. KISCO***

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**ATTACHMENT 1**

**AVERAGE DAILY TRAFFIC VOLUMES**

ATR COUNT DATA - 3/26/15 - 3/31/15

TIME PERIOD	THURSDAY 3/26/15			FRIDAY 3/27/15			SATURDAY 3/28/15			SUNDAY 3/29/15			MONDAY 3/30/15			TUESDAY 3/31/15		
	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL
12:00 AM 1:00 AM	4	0	4	3	5	8	4	22	26	6	28	34	2	2	4	5	6	11
1:00 AM 2:00 AM	2	6	8	3	2	5	2	0	2	0	1	1	2	5	7	2	2	4
2:00 AM 3:00 AM	4	2	6	0	2	2	1	2	3	1	2	3	1	1	2	1	0	1
3:00 AM 4:00 AM	2	1	3	2	2	4	2	0	2	1	1	2	3	2	5	1	1	2
4:00 AM 5:00 AM	22	4	26	19	2	21	0	0	0	1	0	1	14	0	14	24	5	29
5:00 AM 6:00 AM	73	6	79	53	5	58	5	4	9	1	2	3	47	10	57	64	9	73
6:00 AM 7:00 AM	73	68	141	88	44	132	72	4	76	4	3	35	77	40	117	95	66	161
7:00 AM 8:00 AM	117	74	191	150	101	251	102	25	127	32	3	35	77	40	117	95	66	161
8:00 AM 9:00 AM	242	102	344	225	101	326	181	84	265	78	24	102	130	78	208	146	77	223
9:00 AM 10:00 AM	310	140	450	318	136	454	266	148	414	103	42	145	228	102	330	225	121	346
10:00 AM 11:00 AM	153	161	314	162	167	329	290	192	482	175	88	263	274	119	393	278	124	402
11:00 AM 12:00 PM	119	156	275	124	165	289	241	216	457	201	146	347	200	164	364	186	125	311
12:00 PM 1:00 PM	157	138	295	168	165	333	210	224	434	142	167	309	144	164	308	171	193	364
1:00 PM 2:00 PM	131	138	269	166	133	299	210	224	434	141	124	265	172	159	331	202	187	389
2:00 PM 3:00 PM	151	141	292	165	157	322	203	210	413	175	117	292	171	157	328	212	160	372
3:00 PM 4:00 PM	164	126	290	196	162	358	199	192	391	181	172	353	145	140	285	183	174	357
4:00 PM 5:00 PM	168	176	344	220	210	430	188	174	362	145	153	298	160	153	313	201	164	365
5:00 PM 6:00 PM	248	246	494	217	238	455	113	163	276	134	141	275	183	206	389	210	186	396
6:00 PM 7:00 PM	167	208	375	168	210	378	89	132	221	60	141	201	180	206	386	204	232	436
7:00 PM 8:00 PM	165	151	316	105	152	257	74	96	170	31	87	118	193	198	391	226	213	439
8:00 PM 9:00 PM	59	93	152	116	142	258	56	56	112	23	43	66	90	156	246	98	161	259
9:00 PM 10:00 PM	24	93	117	78	108	186	34	58	92	19	35	54	53	103	156	43	116	159
10:00 PM 11:00 PM	12	98	110	56	67	123	19	46	65	4	28	32	21	81	102	35	86	121
11:00 PM 12:00 AM	4	19	23	28	84	112	32	68	100	7	4	11	11	43	54	10	40	54
	2571	2347	4918	2830	2560	5390	2642	2284	4926	1664	1549	3213	2504	2294	4798	2823	2451	5274

ATR COUNT DATA - 6/4/15 - 6/10/15

TIME PERIOD	THURSDAY 6/4/15			FRIDAY 6/5/15			SATURDAY 6/6/15			SUNDAY 6/7/15			MONDAY 6/8/15			TUESDAY 6/9/15			WEDNESDAY 6/10/15		
	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL	ENTRY	EXIT	TOTAL
12:00 AM	3	2	5	2	2	4	7	20	27	5	25	30	0	3	3	3	1	4	2	1	4
1:00 AM	3	2	5	3	5	8	1	3	4	1	2	3	1	0	1	2	1	3	2	1	3
2:00 AM	5	4	9	2	4	6	3	2	5	2	1	3	1	2	3	0	1	1	2	2	4
3:00 AM	2	1	3	1	2	3	2	1	3	2	2	4	1	0	1	5	3	8	2	1	3
4:00 AM	6	4	10	8	2	10	1	1	2	1	1	2	9	4	13	7	2	9	19	5	24
5:00 AM	78	10	88	60	10	70	2	3	5	4	3	7	53	3	56	85	8	93	74	10	84
6:00 AM	82	57	139	89	44	133	54	9	63	27	4	31	70	46	116	84	63	147	95	49	144
7:00 AM	107	82	189	135	86	221	104	23	127	47	14	61	128	78	206	132	94	226	141	118	259
8:00 AM	188	104	292	188	114	302	153	87	240	92	33	125	218	100	318	199	104	303	208	104	312
9:00 AM	296	113	409	313	136	449	207	129	336	162	92	254	311	143	454	330	138	468	343	150	493
10:00 AM	186	136	322	169	157	326	222	179	401	198	131	329	175	154	329	169	153	322	180	158	338
11:00 AM	120	159	279	128	147	275	220	201	421	172	162	334	125	166	291	107	160	267	113	174	287
12:00 PM	142	154	296	172	190	362	178	206	384	126	155	281	131	159	290	121	145	266	136	162	298
1:00 PM	147	131	278	143	144	287	160	167	327	137	148	285	156	140	296	138	137	275	139	137	276
2:00 PM	142	145	287	147	143	290	141	134	275	103	83	186	147	150	297	140	111	251	143	122	265
3:00 PM	165	155	320	148	149	297	139	144	283	109	111	220	168	131	299	164	126	290	150	134	284
4:00 PM	223	152	375	190	164	354	129	125	254	120	124	244	167	173	340	215	178	389	178	163	341
5:00 PM	194	257	451	219	236	455	167	147	314	101	112	213	199	224	423	220	262	482	207	236	443
6:00 PM	252	257	509	146	202	348	98	144	242	55	109	164	196	224	420	226	260	486	154	228	382
7:00 PM	90	159	249	95	178	273	54	96	150	39	57	96	109	185	294	88	175	263	90	150	240
8:00 PM	88	153	241	67	81	148	42	78	120	23	61	84	56	109	165	65	89	154	59	107	166
9:00 PM	42	82	124	56	72	128	45	57	102	3	18	21	40	93	133	42	95	137	40	60	100
10:00 PM	17	67	84	22	37	59	15	37	52	3	1	4	13	42	55	9	63	72	10	55	65
11:00 PM	4	7	11	25	61	86	8	32	40	1	0	1	0	2	2	3	13	16	2	7	9
12:00 AM	2582	2393	4975	2528	2366	4894	2152	2025	4177	1533	1449	2982	2474	2331	4805	2554	2382	4936	2488	2336	4824

**THE PARK - 333 N. BEDFORD ROAD  
TRIP GENERATION**

**WEEKDAY AVERAGE TOTAL**

		EXISTING (1)			WINE ENTHUSIAST (2)	MERCEDES (3)	PROJECTED
TIME PERIOD		ENTRY	EXIT	TOTAL	TOTAL	TOTAL	TOTAL
12:00 AM	1:00 AM	3	2	5			
1:00 AM	2:00 AM	2	3	5			
2:00 AM	3:00 AM	2	2	4			
3:00 AM	4:00 AM	2	1	4			
4:00 AM	5:00 AM	14	3	17			
5:00 AM	6:00 AM	65	8	73			
6:00 AM	7:00 AM	84	53	137			
7:00 AM	8:00 AM	132	88	219	- 0	+ 60	279
8:00 AM	9:00 AM	213	106	319	- 41	+ 72	350
9:00 AM	10:00 AM	308	133	441	- 50	+ 92	483
10:00 AM	11:00 AM	176	153	328			
11:00 AM	12:00 PM	128	165	293			
12:00 PM	1:00 PM	156	162	318			
1:00 PM	2:00 PM	156	142	298			
2:00 PM	3:00 PM	151	143	294			
3:00 PM	4:00 PM	168	144	313			
4:00 PM	5:00 PM	195	179	374	- 30	+ 68	412
5:00 PM	6:00 PM	210	237	447	- 75	+ 61	433
6:00 PM	7:00 PM	192	222	414			
7:00 PM	8:00 PM	103	163	266			
8:00 PM	9:00 PM	67	110	178			
9:00 PM	10:00 PM	42	86	128			
10:00 PM	11:00 PM	18	57	75			
11:00 PM	12:00 AM	8	22	30			
		2595	2384	4979			

(1) BASED ON AUTOMATIC TRAFFIC RECORDERS (ATR'S) \*

THURSDAY, MARCH 26, 2015 - TUESDAY, MARCH 31, 2015 & THURSDAY, JUNE 4, 2015 - WEDNESDAY, JUNE 10, 2015

\* IT SHOULD BE NOTED THAT ICE HOUSE ROAD ALSO PROVIDES ACCESS TO

GH AUTO BODY, WHIPSKINS.COM, SIMONE BROS AUTO BODY, SATELLITE MUSIC STUDIOS AND THE ATR INCLUDES THIS TRAFFIC

(2) - BASED ON TRAFFIC COUNTS CONDUCTED AT THE WINE ENTHUSIAST - APPENDIX D OF THE TIS

(3) - BASED ON TRAFFIC COUNTS CONDUCTED AT ESTATE MOTORS - APPENDIX D OF THE TIS

**THE PARK - 333 N. BEDFORD ROAD  
TRIP GENERATION**

**SATURDAY AVERAGE TOTAL**

		EXISTING (1)			WINE ENTHUSIAST (2)	MERCEDES (3)	PROJECTED
TIME PERIOD		ENTRY	EXIT	TOTAL	TOTAL	TOTAL	TOTAL
12:00 AM	1:00 AM	6	21	27			
1:00 AM	2:00 AM	2	2	3			
2:00 AM	3:00 AM	2	2	4			
3:00 AM	4:00 AM	2	1	3			
4:00 AM	5:00 AM	1	1	1			
5:00 AM	6:00 AM	4	4	7			
6:00 AM	7:00 AM	63	7	70			
7:00 AM	8:00 AM	103	24	127			
8:00 AM	9:00 AM	167	86	253			
9:00 AM	10:00 AM	237	139	375			
10:00 AM	11:00 AM	256	186	442	0	+ 49	491
11:00 AM	12:00 PM	231	209	439	0	+ 51	490
12:00 PM	1:00 PM	194	215	409	0	+ 55	464
1:00 PM	2:00 PM	210	168	377	0	+ 58	435
2:00 PM	3:00 PM	172	172	344	0	+ 43	387
3:00 PM	4:00 PM	169	168	337			
4:00 PM	5:00 PM	159	150	308			
5:00 PM	6:00 PM	140	155	295			
6:00 PM	7:00 PM	94	138	232			
7:00 PM	8:00 PM	64	96	160			
8:00 PM	9:00 PM	49	67	116			
9:00 PM	10:00 PM	40	58	97			
10:00 PM	11:00 PM	17	42	59			
11:00 PM	12:00 AM	20	50	70			
		2397	2155	4552			

(1) BASED ON AUTOMATIC TRAFFIC RECORDERS (ATR'S) \*

THURSDAY, MARCH 26, 2015 - TUESDAY, MARCH 31, 2015 & THURSDAY, JUNE 4, 2015 - WEDNESDAY, JUNE 10, 2015

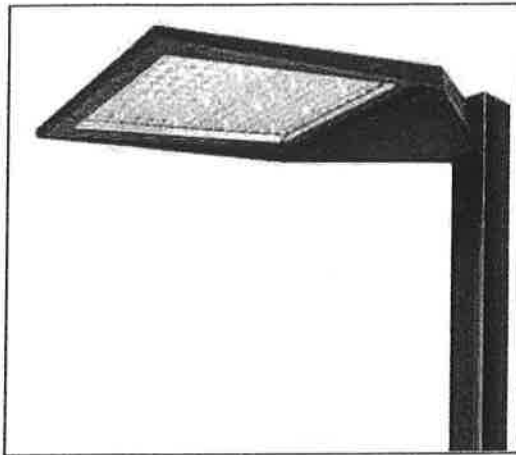
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GH AUTO BODY, WHIPSKINS.COM, SIMONE BROS AUTO BODY, SATELLITE MUSIC STUDIOS AND THE ATR INCLUDES THIS TRAFFIC

(2) - BASED ON TRAFFIC COUNTS CONDUCTED AT THE WINE ENTHUSIAST - APPENDIX D OF THE TIS

(3) - BASED ON TRAFFIC COUNTS CONDUCTED AT ESTATE MOTORS - APPENDIX D OF THE TIS



## LED AREA LIGHTS - LSI SLICE MEDIUM (XLCM)



US & Int'l. patents pending

MAR 01 2016

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**SMARTTEC™** - LSI drivers feature integral sensor which reduces drive current when ambient temperatures exceed rated temperature.

**ENERGY SAVING CONTROL OPTION** - DIM - 0-10 volt dimming enabled with controls by others. Available with High Output (HO) drive current only.

**EXPECTED LIFE** - Minimum 60,000 hours to 100,000 hours depending upon the ambient temperature of the installation location. See LSI web site for specific guidance.

**LEDS** - Select high-brightness LEDs in Cool White (5000K), or Neutral White (4000K) color temperature, 70 CRI.

**DISTRIBUTION/PERFORMANCE** - Types 3, FT, FT-L, FT-R, 5, and enhanced 5E and FTE. FT-L and FT-R allow for D180 mounting configurations with factory set optics for applications such as automotive front row. Exceptional uniformity creates bright environment at lower light levels. Internal Louver (IL) option available for improved backlight control without sacrificing street side performance for FT distribution. Consult factory for internal louver for FT-L and FT-R applications.

**HOUSING** - One-piece, die-formed aluminum housing contains factory prewired driver. Wiring access door (with safety lanyard) located underneath.

**OPTICAL UNIT** - Clear tempered flat glass lens permanently sealed to weather-tight aluminum optic frame creates an IP65 rated optical unit (includes pressure-stabilizing breather).

**MOUNTING** - Tapered rear design allows fixtures to be mounted in 90° and 120° configurations without the need for extension arms. Use with 3" reduced drilling pattern. A round pole plate is required for mounting to round poles. Wall mount available by ordering wall mounting bracket (BKS-XBO-WM-\*CLR). Proprietary pole quick mount accessories available with horizontal mounting or fixed 15° angled mounting (PQMH-KIT-CLR and PQM15-KIT-CLR) for mounting to square poles. See Accessory Ordering Information chart for all brackets.

**ELECTRICAL** - Two-stage surge protection (including separate surge protection built into electronic driver) meets IEEE C62.41.2-2002, Location Category C. Available with universal voltage power supply 120-277 VAC (50/60Hz input), and 347-480 VAC. Optional button-type photocells (PCI) are available in 120, 208, 240, 277 or 347 volt (supply voltage must be specified).

**DRIVER** - Available in SS (Super Saver) and HO (High Output) drive currents. Components are fully encased in potting material for moisture resistance. Driver complies with FCC standards. Driver and key electronic components can easily be accessed.

**OPERATING TEMPERATURE** - -40°C to +50°C (-40°F to +122°F)

**FINISH** - Fixtures are finished with LSI's DuraGrip® polyester powder coat finishing process. The DuraGrip finish withstands extreme weather changes without cracking or peeling. Available in black, bronze and white. Other standard LSI finishes available. Consult factory.

**WARRANTY** - LSI LED fixtures carry a limited 5-year warranty.

**PHOTOMETRICS** - Please visit our web site at [www.lsi-industries.com](http://www.lsi-industries.com) for detailed photometric data.

**SHIPPING WEIGHT (in carton)** - One fixture: 25.25 lbs. (11.5 kg). Packed two per carton: 43.5 lbs. (19.7 kg).

**LISTING** - UL listed to U.S. and international safety standards. Suitable for wet locations. For a list of the specific products in this series that are DLC listed, please consult the LED Lighting section of our website or the Design Lights website at [www.designlights.org](http://www.designlights.org).

This product, or selected versions of this product, meet the standards listed below. Please consult factory for your specific requirements.



Fixtures comply with ANSI C136.31-2010 American National Standard for Roadway Lighting Equipment - Luminaire Vibration 1.5G requirements.

### DOE LIGHTING FACTS

Department of Energy has verified representative product test data and results in accordance with its Lighting Facts Program. Visit [www.lightingfacts.com](http://www.lightingfacts.com) for specific catalog strings.

LIGHT OUTPUT - XLCM		Lumens (Nominal)					Watts (Nominal)
		Type 3	Type FT	Type 5	Type 5E	Type FTE	
Cool White	SS	19900	22800	22900	15500	15800	193
	HO	27500	30900	31100	21200	21100	278
Neutral White	SS	19300	20000	20600	15000	15000	193
	HO	26700	27800	28500	20100	20400	278

LED Chips are frequently updated therefore values may increase.



Project Name \_\_\_\_\_ Fixture Type \_\_\_\_\_  
Catalog # \_\_\_\_\_

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LSI INDUSTRIES INC.

# LED AREA LIGHTS - LSI SLICE MEDIUM (XLCM)

## LUMINAIRE ORDERING INFORMATION

TYPICAL ORDER EXAMPLE: **XLCM 5 LED SS CW UE BLK PCI120**

Prefix	Distribution	Light Source	Drive Current	Color Temperature	Input Voltage	Finish	Options
XLCM	3 - Type III 5 - Type V FT - Forward Throw FT-L - Forward Optic Rotated for D180 Mount (Left Side) FT-R - Forward Optic Rotated for D180 Mount (Right Side) 5E - Type V Enhanced FTE - Forward Throw Enhanced	LED	SS - Super Saver HO - High Output	CW - Cool White (5000K) NW - Neutral White (4000K)	UE - Universal Voltage (120-277V)  347-480 Universal Voltage (347-480V)	BLK - Black BRZ - Bronze WHT - White	DIM - 0-10V Dimming (from external signal) available with High Output (HO) drive current only Button Type Photocells PCI120 - 120V PCI208-277V - 208-277V PCI347 - 347V IL - Internal Louver (available with FT distribution only)

### LUMINAIRE EPA CHART - XLCM

	Single	0.5
	D180°	1.0
	D90°	0.8
	T90°	1.7
	TN120°	1.7
	Q90°	1.9

Note: House Side Shield adds to fixture EPA. Consult Factory.

### ACCESSORY ORDERING INFORMATION

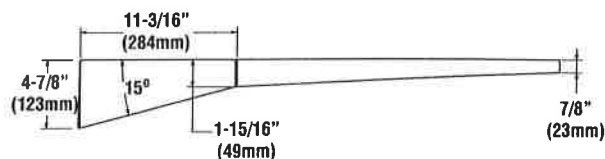
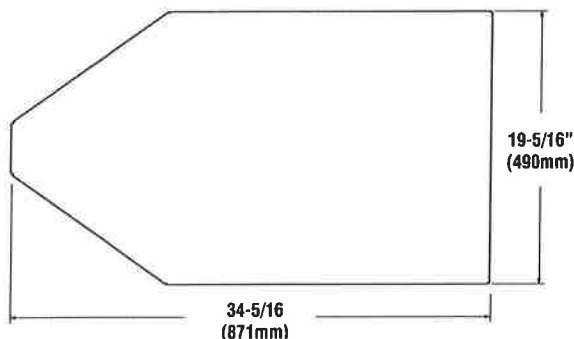
(Accessories are field installed)

Description	Order Number	Description	Order Number
BKS-XBO-WM-* - CLR Wall Mount Bracket	382132CLR	FK120 Single Fusing (120V)	FK120 <sup>2</sup>
XLCM-3/FT-HSS RM External House Side Shield (Black only - rear mounted)	603159BLK <sup>1</sup>	FK277 Single Fusing (277V)	FK277 <sup>2</sup>
XLCM-FT-L/FT-R-HSS SM External House Side Shield (Black only - side mounted)	603161BLK <sup>1</sup>	DFK208, 240 Double Fusing (208V, 240V)	DFK208, 240 <sup>2</sup>
X4RPP Round Pole Plate for 4" Poles	379967CLR	DFK480 Double Fusing (480V)	DFK480 <sup>2</sup>
X5RPP Round Pole Plate for 5" Poles	379968CLR	FK347 Single Fusing (347V)	FK347 <sup>2</sup>
		PQMH-KIT-CLR Square Pole Quick Mount Horizontal Bracket	582328CLR
		PQM15-KIT-CLR Square Pole Quick Mount Bracket w/fixed 15° Angle	582329CLR

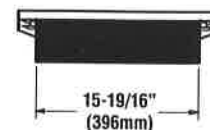
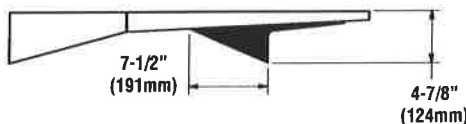
### FOOTNOTES:

- 1 - House Side Shields add to fixture EPA. Consult factory.
- 2 - Fusing must be located in the hand hole of pole.

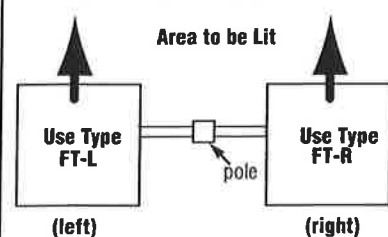
### DIMENSIONS



HOUSE SIDE SHIELD (rear mount)



### LEFT AND RIGHT VERSIONS OF TYPE FT REFLECTORS (TOP VIEW)



Note: Optics are not field-rotatable. For D180 Forward Throw installations specify left (FT-L) and/or right (FT-R) side mounting. Orientation is based on standing at the pole and looking out at the area to be lit.



Project Name \_\_\_\_\_ Fixture Type \_\_\_\_\_  
Catalog # \_\_\_\_\_

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VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK

104 Main Street  
Mount Kisco, New York 10549-0150

*Telephone*  
(914) 241-0500

MEMORANDUM

TO: Mount Kisco Planning Board

FROM: Peter Miley, Building Inspector *pm*

DATE: February 4, 2015

SUBJECT: Tortorello Subdivision  
122 West Main Street, Property ID #69.80-2-19

---


1. The proposed Subdivision/Lot Line Adjustment is in connection with two existing structures.
2. The Lot Line Adjustment does not create any additional non-conformities.

/mkl

**MEMORANDUM**

TO: Honorable Joseph Cosentino and  
Members of the Mount Kisco Planning Board

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

FROM: Jan K. Johannessen, AICP   
Village Planner

DATE: March 16, 2016

RE: Lot Line Realignment (Subdivision)  
Tortorello and Chisholm  
122 West Main Street and 25 South Croton Avenue  
Sheet 69.80, Block 2, Lots 18 and 19

Village/Town of Mount Kisco  
Planning Board

MAR 17 2016  
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**Project Description**

The subject property consists of two (2) parcels of land located within the RS-9 Zoning District. Lot 1 is currently comprised of  $\pm 1.071$  acres of land, is accessed from West Main Street, and is developed with a single-family residence, driveway and garage. Lot 2 is currently comprised of  $\pm 0.41$  acres, contains a single-family residence, driveway and septic system and is accessed from South Croton Avenue. The applicant proposes to convey  $\pm 0.22$  acres of land from Lot 1 to Lot 2. As a result of the proposed action, Lot 1 will consist of  $\pm 0.851$  acres and Lot 2 will consist of  $\pm 0.630$  acres.

**SEQRA**

The proposed action is an Unlisted Action under the State Environmental Quality Review Act (SEQRA) and a coordinated review is not required. Prior to making a decision on this pending application, the Planning Board must first issue a Determination of Significance.

**Comments:**

1. While we defer to the Building Inspector regarding zoning, based on our review of the application materials and plan, the proposed lot line adjustment appears to be zoning compliant.
2. The applicant must prepare and submit the Short Environmental Assessment Form (EAF); it is requested that the applicant complete Parts 1 and 2 of the Short EAF (Part 2 on behalf of the Planning Board).
3. The applicant should submit the most current deed for each lot and the existing access easement over Lot 1.
4. The owner of Lot 2 (Chisholm) must sign the Planning Board application form.
5. We note that a public hearing on the preliminary plat is mandatory and the proposed action requires preliminary and final subdivision plat approval, which may be combined at the discretion of the Planning Board.

**Plan Reviewed, prepared by H. Stanley Johnson and Company, dated February 11, 2016:**

- Preliminary Lot Line Change Plat

JKJ/dc

## Application for Site Plan/Subdivision/Special Use Permit Approval

Village/Town of Mount Kisco  
Planning Board

Submission Date FEB. 16, 2016

**FEB 16 2016**

Application Fee       

(Due 21 Days in advance of Planning Board Meeting)

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Escrow Fee       

**Type of Application:** (Please Check All that Apply)

Site Plan Approval ☐ Land Subdivision Approval ☐ Special Use Permit ☐ Change of Use ☐

New Construction ☐ Addition ☐ LOT LINE CHANGE

**Applicant Information:**

Applicant Name: FRANCIS M. TORTORELLO & BARBARA Z. TORTORELLO

Address: 4802 RIVER ROAD - PO BOX 520, PT. PLEASANT, PA 18950-0520

Phone Number: 914 575 8120 Fax:        Email: FMTORTORELLO@HOTMAIL.COM

Applicant's relationship to property: OWNERS

Name of Property Owner: (if different from above) SAME

Address:       

Phone Number:        Fax:        Email:       

Has property owner been notified of proposed action? Yes ☐ No ☐

**Application Information:**

Project Name: LOT LINE CHANGE, PROPERTY TRANSFER TORTORELLO TO CHISHOLM

Project Address/Location: 122 W. MAIN ST., MT. KISCO, N.Y.

Property Tax #: 69.80-2-19

Proposed Use (be specific): SINGLE FAMILY RESIDENTIAL

Proposed New Floor Area(s) (square feet): N/A NO CHANGE IN EXISTING

Number of newly created parking spaces: NONE

Number of newly created building lots: NONE

Number of newly created curb cuts: NONE

Number of newly created water connections: NONE

Number of newly created sewer connections: NONE

**Conformance with Lot and Bulk Requirements:**

What is the Zoning Classification of the site? RS-9

	Required	Proposed
Minimum Gross Site Area	9375 SQ. FT	37,056 P
Minimum Lot Area	9375 SQ. FT	34,034 SQ. FT
Maximum Building Coverage	7156 " "	2,608 " "
Maximum Site Development Coverage	13,613 " "	7,610 " "
Minimum Lot Depth	100 FT.	352 FT
Maximum Lot Width	75 "	58.4 FT
Yard Setbacks:		
Front	30 "	215.1 "
Rear	30 "	69.4 "
Side	10 "	5:0 FT / 28.1 FT
Buffer:		
Front	N/A	N/A
Rear	N/A	N/A
Side	N/A	N/A
Maximum Building Height	2 1/2 stories, 35 FT.	2 1/2 stories < 35'
Required Parking Spaces	2	4
Other		

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

If yes, please list these documents and attach copies.

ACCESS EASEMENT AS SHOWN ON PLOT PLAN  
DEED RESTRICTED CONSTRUCTION WITHIN FRONT  
YARD AREA

Will action require approval from the New York State Department of Transportation? Yes ☐ No ☒

Will action require approval from the New York City Department of Environmental Protection? Yes ☐ No ☒

Will action require approval from the New York State Department of Environmental Conservation? Yes ☐ No ☒

Will action disturb any wetlands or wetland buffer? Yes ☐ No ☒

If yes, please fill out a permit to disturb sensitive natural areas.

Will action disturb any steep slopes greater than 20 percent? Yes ☐ No ☒

If yes, please fill out a permit to disturb sensitive natural areas.

**Note: APPLICATION WILL ONLY BE PROCESSED WHEN:**

1. APPLICATION FEE / ESCROW FEE IS PAID
2. COMPLETED APPLICATION FORM IS SIGNED AND SUBMITTED
3. FOLDED COPIES OF REQUIRED NUMBER OF DRAWINGS ARE SUBMITTED

The above information is complete and factually correct to the best of my knowledge:

Applicant's Signature

*Frank M. Tataruk*

date 2/16/16

Owner's Signature

*Frank M. Tataruk*

date 2/16/16

Application reviewed by:

Date:

TORTORELLO / CHISHOLM LOT 2

FEB 26 2016

**Conformance with Lot and Bulk Requirements:**

What is the Zoning Classification of the site?

RS-9

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	Required	Proposed
Minimum Gross Site Area	9375	27,439
Minimum Lot Area	9375	23,839
Maximum Building Coverage	5117	1326
Maximum Site Development Coverage	9535	3482
Minimum Lot Depth	100	159
Maximum Lot Width	75	158
Yard Setbacks:		
Front	30	84
Rear	30	19.5
Side	10	44.4
Buffer:		
Front	N/A	N/A
Rear	N/A	N/A
Side	N/A	N/A
Maximum Building Height	2 1/2 STORIES 35'	2 1/2 STORIES 35'
Required Parking Spaces	2	2
Other		

Do any easement agreements, property covenants or deed restrictions apply to this property?  
If yes, please list these documents and attach copies.

Yes \_\_\_ No ☒

Will action require approval from the New York State Department of Transportation?

Yes \_\_\_ No ☒

Will action require approval from the New York City Department of Environmental Protection?

Yes \_\_\_ No ☒

Will action require approval from the New York State Department of Environmental Conservation?

Yes \_\_\_ No ☒

Will action disturb any wetlands or wetland buffer?

Yes \_\_\_ No ☒

If yes, please fill out a permit to disturb sensitive natural areas.

Will action disturb any steep slopes greater than 20 percent?

Yes \_\_\_ No ☒

If yes, please fill out a permit to disturb sensitive natural areas.

**Note: APPLICATION WILL ONLY BE PROCESSED WHEN:**

1. APPLICATION FEE / ESCROW FEE IS PAID
2. COMPLETED APPLICATION FORM IS SIGNED AND SUBMITTED
3. FOLDED COPIES OF REQUIRED NUMBER OF DRAWINGS ARE SUBMITTED

The above information is complete and factually correct to the best of my knowledge:

Applicant's Signature \_\_\_\_\_ date \_\_\_\_\_  
Owner's Signature \_\_\_\_\_ date \_\_\_\_\_

Application reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

VILLAGE/TOWN OF MOUNT KISCO

Building Department  
104 Main Street  
Mount Kisco, NY 10549  
(914) 864-0019

Village/Town of Mount Kisco  
Planning Board

FEB 16 2016

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Application Name or Identifying Title: FRANCIS M. TORTORELLO  
Tax Map Designation (Section/Block/Lot) or Proposed Lot No. 69.80-2-19

COVERAGE CALCULATIONS WORKSHEET

(See next page for pertinent definitions and other related provisions)

A. **BUILDING COVERAGE** [Enter "0" below if category is not applicable]

1. Total lot area (sq. ft) = 34,034
2. Minimum permitted building coverage (sq. ft) = 7,156
3. Amount of lot area covered by principal building:  
2,199 existing (sq. ft) + 0 proposed (sq. ft) = 2,199
4. Amount of lot area covered by accessory buildings:  
0 existing (sq. ft) + 0 proposed (sq. ft) = 0
5. Amount of lot area covered by porches:  
409 existing (sq. ft) + 0 proposed (sq. ft) = 409
6. Total building coverage: Lines 3 + 4 + 5 (sq. ft) = 2,608

If line 6 is less than or equal to Line 2, your proposal complies with the Village's regulations; if Line 6 is greater than Line 2, your proposal does not comply with the Village's regulations.

B. **DEVELOPMENT COVERAGE** [Enter "0" below if category is not applicable]

1. Total lot area (sq. ft.) = 34,034
2. Maximum permitted development coverage (sq. ft.) = 13,613
3. Amount of building coverage from Line 6 in Section A above (sq. ft.) = 2,608
4. Amount of lot area covered by driveway, parking areas, walkway and areas covered with gravel:  
4,042 existing (sq. ft) + 0 proposed (sq. ft) = 4,042
5. Amount of lot area covered by terraces, patio, decks:  
960 existing (sq. ft) + 0 proposed (sq. ft) = 960
6. Amount of lot area covered by tennis court, platform tennis court, And related mechanical equipment:  
0 existing (sq. ft) + 0 proposed (sq. ft) = 0
7. Amount of lot area covered by all other structures, not including pre-existing stone walls:  
129 existing (sq. ft) + 0 proposed (sq. ft) = 129
8. Total development covered: Lines 3 + 4 + 5 + 6 + 7 (sq. ft) = 7,610

If line 8 is less than or equal to Line 2, your proposal complies with the Village's regulations. If Line 8 is greater than Line 2, your proposal does not comply with the Village's regulations.

VILLAGE/TOWN OF MOUNT KISCO

Building Department

104 Main Street

Mount Kisco, NY 10549

(914) 864-0019

Application Name or Identifying Title: FRANCIS M. TORTORELLA

Tax Map Designation (Section/Block/Lot) or Proposed Lot No. 69.80-2-18 & 69.80-2-19A

COVERAGE CALCULATIONS WORKSHEET

(See next page for pertinent definitions and other related provisions)

A. **BUILDING COVERAGE** [Enter "0" below if category is not applicable]

1. Total lot area (sq. ft) = 23,839
2. Minimum permitted building coverage (sq. ft) = 5,117
3. Amount of lot area covered by principal building:  
1,326 existing (sq. ft) + 0 proposed (sq. ft) = 1,326
4. Amount of lot area covered by accessory buildings:  
0 existing (sq. ft) + 0 proposed (sq. ft) = 0
5. Amount of lot area covered by porches:  
0 existing (sq. ft) + 0 proposed (sq. ft) = 0
6. Total building coverage: Lines 3 + 4 + 5 (sq. ft) = 1,326

If line 6 is less than or equal to Line 2, your proposal complies with the Village's regulations; if Line 6 is greater than Line 2, your proposal does not comply with the Village's regulations.

B. **DEVELOPMENT COVERAGE** [Enter "0" below if category is not applicable]

1. Total lot area (sq. ft.) = 23,839
2. Maximum permitted development coverage (sq. ft.) = 9,535
3. Amount of building coverage from Line 6 in Section A above (sq. ft.) = 1,326
4. Amount of lot area covered by driveway, parking areas, walkway and areas covered with gravel:  
0 existing (sq. ft) + 0 proposed (sq. ft) = 1657
5. Amount of lot area covered by terraces, patio, decks:  
370 existing (sq. ft) + 0 proposed (sq. ft) = 370
6. Amount of lot area covered by tennis court, platform tennis court, And related mechanical equipment:  
0 existing (sq. ft) + 0 proposed (sq. ft) = 0
7. Amount of lot area covered by all other structures, not including pre-existing stone walls:  
0 existing (sq. ft) + 129 proposed (sq. ft) = 129
8. Total development covered: Lines 3 + 4 + 5 + 6 + 7 (sq. ft) = 3,482

If line 8 is less than or equal to Line 2, your proposal complies with the Village's regulations. If Line 8 is greater than Line 2, your proposal does not comply with the Village's regulations.



LIBER 43558 PAGE 300

# This Indenture,

Made the 16<sup>th</sup> day of April nineteen hundredand forty-six

Between ROSA M. FREUND, residing at 122 West Main Street, Mount  
Visco, New York,

part Y of the first part,

and MILDRED EDMAN, residing at 40 Berkeley Avenue (no street number) Mount  
Visco, New York,

part Y of the second part,

Witnesseth, that the part Y of the first part, in consideration of

TEN AND NO/100 (\$10.00) - - - - - Dollars, lawful money of the United States,

and other good and adequate consideration

paid by the part Y of the second part, does hereby grant and release unto the part Y of the second  
part, her heirs, legal representatives, and assigns forever,

All those two parcels of land situate in the Village of Mount Visco,  
Town of New Castle, Westchester County, New York, bounded and described as  
follows:

## PARCEL 1

BEGINNING at the southwesterly corner of West Main Street and Marion  
Street; running thence along the westerly side of Marion Street south 16°  
west 305 feet to a brass pipe and the land formerly of George L. McCauley;  
running thence along said land of George L. McCauley the following courses  
and distances: North 74° west 150 feet to a monument, south 16° west 100  
feet to a monument, north 74° west 30 feet and south 16° west 71.88 feet  
to the land now or formerly of Roswell D. Began; running thence north 76°  
42' 20" west along said land of Roswell D. Began 158.55 feet to the east-  
erly side of South Croton Avenue; running thence along the easterly side of S.  
Croton Avenue north 13° 32' 40" east 176.67 feet; running thence south  
69° 52' 00" east and along the southerly line of land now or formerly of  
F. Freund 100.02 feet; running thence still along said land of F. Freund  
north 37° 59' 00" east 119.63 feet and north 5° 35' 00" east 136.35 feet to  
the southerly side of West Main Street; running thence along the southerly  
side of West Main Street south 27° 35' 00" east 46.35 feet and north 29°  
51' 00" east 168.91 feet to the point of place of beginning.

## PARCEL 11

BEGINNING at a point on the south side of West Main Street at the  
northwesterly corner of property belonging to Frederick A. Freund; thence  
in a southerly direction along the westerly side of the property of  
Frederick A. Freund the westerly line of Parcel I above described and the  
westerly line of property now or formerly of Roswell Began to the land of  
the Westchester County Park Commission; thence northerly along the land of  
the Westchester County Park Commission to the land now or formerly of  
Suzman; thence easterly along the southerly side of the land now or  
formerly of Suzman to the westerly line of South Croton Avenue as it is  
now 118 feet; thence northerly along the easterly line of the land now  
or formerly of Suzman 200 feet more or less, to the southerly side of  
West Main Street; thence easterly along the southerly side of West Main  
Street to the point and place of beginning.

SUBJECT to existing covenants of record of any over South Croton  
Avenue.

SUBJECT to an easement granted to Frederick A. Freund of a right of ingress and egress over Parcel I above described by Rosa M. Freund, dated April 15th, 1946 and intended to be recorded simultaneously herewith.

SUBJECT to any state of facts that an accurate survey may show.

SUBJECT to Zoning Ordinances of the Village of Mount Kisco and amendments thereto, if any.

SUBJECT to the rights, if any, of telephone and lighting companies to erect poles on or string wires across the premises.

SUBJECT to a purchase money mortgage in the sum of TEN THOUSAND (\$10,000.00) DOLLARS made by the party of the second part to the party of the first part and intended to be recorded simultaneously herewith.

The party of the second part for herself, her heirs, legal representatives and assigns covenants and agrees that no buildings or other structures shall be erected upon the following described part of Parcel I above described:

BEGINNING at a point on the southerly side of West Main Street at the northeasterly corner of premises of Frederick A. Freund, thence southerly along the easterly line of the property of Frederick A. Freund 129.55 feet, thence easterly and parallel with the southerly side of West Main Street a distance of 75 feet, thence northerly and parallel with the first course herein to the southerly side of West Main Street, thence westerly along the southerly side of West Main Street 75 feet to the point and place of beginning.

TOGETHER with all the right, title and interest of the party of the first part in and to West Main Street and Marion Avenue in front of and adjacent to said premises.

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, her heirs, legal representatives, and assigns forever.



And the said party of the first part covenants as follows:

First.—That the 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.

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

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

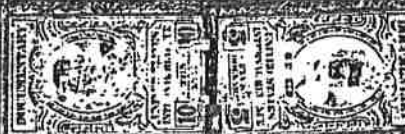
Sixth.—That the grantor, in compliance with Section 13 of the Lien Law, covenants that the grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and that the grantor 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.

In Witness Whereof, the party of the first part has hereunto set her hand and seal the day and year first above written.

In presence of:

*Francis E. Anderson*

*Rosa M. Freund*



State of NEW YORK  
County of WESTCHESTER

ss.

On the 16<sup>th</sup> day of April nineteen hundred and forty-six  
before me came ROSA M. FREUND

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

*Francis E. Anderson*  
Notary Public, West Co., N.Y.

The foregoing instrument was endorsed for record as follows: The property affected by this instrument is situate in the TOWN OF NEW CASTLE County of Westchester, N.Y. A true copy of the original DEED RECORDED April 16, 1946 at 1:57 P.M. at request of T. G. & T. CO.

FILE \$ 3.10

No. 16555

ROBERT J. FIELD, County Clerk.

**PLANNING BOARD RESOLUTION  
VILLAGE OF MOUNT KISCO  
AMENDED SITE PLAN APPROVAL  
SPECIAL USE PERMIT APPROVAL  
CHANGE OF USE PERMIT APPROVAL**

MAR 17 2016

**RECEIVED**

**DEVEREUX FOUNDATION  
DEVEREUX NY CARES  
27 RADIO CIRCLE**

**DRAFT**

Section 80.64, Block 1, Lot 2  
Application No: PB2015-0304

**March 22, 2016**

**WHEREAS**, the subject property consists of approximately 2.8 acres of land and is located at 27 Radio Circle within the Research and Development (RD) Zoning District ("the subject property"); and

**WHEREAS**, the subject property is owned by 27 Radio Circle, LLC and is identified on the Village/Town tax rolls as Section 80.64, Block 1, Lot 2; and

**WHEREAS**, the subject property is currently developed with a  $\pm 48,415$  s.f. partial 2-story building consisting of a variety of uses; and

**WHEREAS**, Devereux Foundation ("the applicant") is proposing to occupy  $\pm 20,088$  s.f. of space with a State approved, non-profit, school that will serve 48 students (ages 5-21) diagnosed with autism and will include 46 employees ("the proposed action"); and

**WHEREAS**, the proposed use, an educational facility, is a Special Permit Use within the underlying RD Zoning District and requires a Special Use Permit from the Planning Board; and

**WHEREAS**, the proposed action also includes the resurfacing and restriping of the existing southern (rear) parking lot, the striping of five (5) new spaces along the south side of the building, the modification of the circulation pattern to allow for one-way (counter clockwise) through the southern parking lot and egress through Lindy Street, an improved right-of-way located immediately adjacent and to the south of the subject property; and

**WHEREAS**, the proposed use is unique in that all students arrive and depart via school vans and no parent/student drop-off or pick-up is provided. Given this fact, the Village's parking formula for an educational facility is not practical in this particular case; and

**WHEREAS**, from a parking standpoint, the Planning Board has determined the proposed use to be unique and has developed the following parking formula for the Devereux Foundation in accordance with Section 110-28K(2) of the Zoning Code; and

Educational Facility-Devereux Foundation: 1 space per employee (46), plus two (2) visitor spaces and six (6) fleet vehicle spaces -- 54 total off-street parking spaces

**WHEREAS**, based on the existing and proposed uses and the Village's parking formula for each, it has been determined that a total of 177 spaces are required while 109 spaces are proposed, a shortfall of 68 parking spaces; and

**WHEREAS**, the applicant has requested that the Planning Board approve the joint use of parking spaces in accordance with Section 110-28C.2 of the Zoning Code and has stated that Soundview Sports, Inc. and Ministerio Fraternidad (church) have hours of operation that do not coincide with the Devereux Foundation. Devereux's hours of operation are reported to be Monday through Friday, 7:30 a.m. - 3:30 p.m., while Soundview Sports, Inc. operates Monday through Friday from 3:30 p.m. - 10:00 p.m. and on weekends; Ministerio Fraternidad holds services on Wednesdays at 6:00 p.m. and Sundays at 5 p.m.; and

**WHEREAS**, the applicant has submitted a parking utilization study prepared by Maser Consulting which evaluates actual parking demand on the subject property and which demonstrates that there is currently sufficient on-site parking to support the proposed use during its hours of operation; and

**WHEREAS**, to address issues of use nonconformity and required off-street parking constraints, the applicant is proposing to remove the existing "Benefit Shop" as a tenant and proposes to keep this space vacant until otherwise approved by the Planning Board; and

**WHEREAS**, the applicant has stated that a maximum of 12 school vans will be on-site at any given time, that school vans will enter the site via the access driveway off of Radio Circle and circulate through the site to the southern parking lot; school vans will be allowed to queue in a single line through the driveway which connects Lexington Avenue to the southern lot. Once the students are dropped-off or picked-up, the school vans will proceed to circulate in a counter clockwise motion through the southern parking lot and ultimately exit via Lindy Street and onto Lexington Avenue; and

**WHEREAS**, reference is made to the approved the accepted queuing plan, entitled "Alternative School Van Arrival/Departure/Queuing Plan" (Sheet VQ-ALT.1), prepared by Insite Engineering and dated (last revised) February 25, 2016; and

**WHEREAS**, the applicant has represented that no more than 24 school vans (maximum length 23 feet) will be used during the morning drop-off and again during the afternoon pick-up and that two (2) school vans can be loaded or unloaded at the same time. The morning arrival (drop-off) period is anticipated to commence at 8:05 AM and school vans will continuously unload students until 8:50AM; school vans will be instructed to arrive at the site at either 8:05 a.m. or 8:20 a.m. Similarly, during the afternoon departure (pick-up), school vans will be instructed to arrive at either 2:45 p.m. or 3:10 p.m.; and

**WHEREAS**, reference is made to the Traffic Management Plan, prepared by Maser Consulting, dated January 27, 2016. Further, reference is made to a traffic impact report and parking utilization report, both dated December 17, 2015 and both prepared by Maser Consulting; and

**WHEREAS**, approximately 10,878 s.f. of the proposed lease area was formerly occupied by the Little Garden Childcare Center, approved by resolution of the Planning Board dated August 28, 2012 (PB2012-11); and

**WHEREAS**, reference is made to the site plan approved by the Planning Board in connection with the Little Garden Childcare Center, prepared by Sasaki & Spade Architects, entitled "Site Plan" (SP-100), dated (last revised) August 13, 2012 and the New York City Department of Environmental Protection (NYCDEP) SWPPP approval, dated August 15, 2013; and

**WHEREAS**, the subject property is located within the NYCDEP Designated Main Street Area; however, no new impervious cover is proposed and NYCDEP approval is not required to implement the site modifications proposed by the Devereux Foundation; and

**WHEREAS**, the proposed connection to Lindy Street will be constructed with a pervious turfstone paver and the added development coverage will be counterbalanced with a proposed new landscaping bed; and

**WHEREAS**, reference is made to letters or memorandums from the Insite Engineering, dated August 18, 2015, November 4, 2015, and January 27, 2016; and

**WHEREAS**, reference is made to letters prepared by Zarin & Steinmetz, dated December 16, 2015 and January 26, 2016; and

**WHEREAS**, reference is made to memorandums issued by the Building Inspector dated June 4, 2015, September 4, 2015, November 18, 2015 and January 8, 2016; the Village Engineer dated November 19, 2015 and January 7, 2016; and the Village Planner dated June 4, 2015, September 4, 2015, November 18, 2015, and January 6, 2016; and

**WHEREAS**, the proposed action is a Type II Action and is categorically exempt from the New York State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, a duly noticed public hearing was opened on June 23, 2015 and was and closed on September 9, 2015, with numerous adjournments made at the request of the applicant; and

**WHEREAS**, during the course of the public hearing, all interested parties were afforded an opportunity to be heard and the Planning Board provided a 10-day written comment period; and

**WHEREAS**, to the extent applicable, the Planning Board has determined that the proposed action is in conformance with the requirements outlined under Section 110-45, Site Plan Approval, Section 110-46, Special Permits, and Section 110-38, Change of Use Permits; and

**NOW THEREFORE BE IT RESOLVED THAT**, the Planning Board of the Village of Mount Kisco hereby grants Amended Site Plan Approval, a Special Use Permit and a Change of Use Permit and approves the following plans (hereafter referred to as "the approved plans"), subject to the below conditions:

The following plans, prepared by Insite Engineering

- Site Plan (SP-1), dated (last revised) February 25, 2016
- Existing Floor Plans (EF-1), dated (last revised) January 26, 2016
- Alternative School Van Arrival/Departure/Queuing Plan (VQ-ALT.1), dated (last revised) February 25, 2016

**BE IT FURTHER RESOLVED THAT**, unless extended by the Planning Board, construction shall commence within six (6) months of the date of this Resolution and shall be completed within one (1) year of commencement of construction.

**Conditions to be Satisfied Prior to the Signing of the Approved Plans:**

1. It is the applicant's responsibility to identify and secure any and all necessary permits/approvals from outside agencies having jurisdiction over the proposed action. Copies of outside agency permits/approvals (if any) shall be submitted to the Planning Board and the Building Department. In the event that such permit(s) require modification to the plans approved herein, a determination shall be made by the Building Inspector and

Village Engineer as to whether the modification(s) is substantive and should be returned to the Planning Board for review.

2. The plans shall be revised to address comments provided by the Building Inspector or Village Engineer as they relate to improvements to Lindy Street and fire department access/connections, as determined by the Building Inspector and Village Engineer.
3. The applicant shall satisfactorily address any outstanding written comments provided by the Building Inspector, Village Attorney, Village Engineer, and/or Village Planner.
4. All applicable application fees and fees associated with professional legal, engineering and planning consultation shall be paid for by the applicant.
5. The approved plans shall be revised to conform to the above conditions and to the satisfaction of Village staff. The applicant shall submit four (4) original copies of the approved plans, signed and sealed by the design professional, for final review by Village staff and for signature by Village staff and the Planning Board Chairman. All plans shall have a common revision date.

**Conditions to be Satisfied Prior to the Issuance of a Building Permit:**

6. The applicant shall satisfy the above conditions and the approved plans shall be signed by Village staff and the Planning Board Chairman.

**Conditions to be Satisfied Prior to Commencement of Any Work:**

7. The owner/applicant shall submit a schedule for all earthwork and land disturbance to the Village Engineer for approval. The owner/applicant shall notify the Village Engineer and Building Inspector at least 72 hours in advance of any site disturbance.
8. Before commencement of any land disturbance, placing construction equipment on-site or actual construction, the subject property must be staked out by a NYS Licensed Land Surveyor, as determined necessary by the Village Engineer.
9. A pre-construction meeting shall be conducted with the applicant, contractor, Building Inspector and Village Engineer.

**Conditions to be Satisfied During Construction:**

10. All construction activities shall be performed during the times permitted under the Village Code. The Village Engineer and Village Planner shall have the right to inspect the property during construction, the cost of which shall be paid for by the applicant.
11. In the event that land disturbance exceeds 5,000 s.f., the applicant shall obtain coverage under the New York State Department of Environmental Conservation (NYSDEC)



SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-15-002).

**Conditions to be Satisfied Prior to the Issuance of a Certificate of Occupancy:**

12. Prior to the issuance of a Certificate of Occupancy, the Benefit Shop tenant shall vacate the building and this space shall be reverted to vacant space, to the satisfaction of the Building Inspector.
13. A Backflow preventer device(s) shall be installed to the satisfaction of the Village Engineer and Building Inspector, as required.
14. Stormwater drainage improvements required by the NYCDEP in connection with the Little Garden Child Care Center shall be installed to the satisfaction of the Village Engineer. Any associated legal documents shall be prepared and filed to the satisfaction of the Village Attorney and the owner/applicant shall be responsible for obtaining all permits/approvals necessary to implement this work, including those required by the NYCDEP and the Village of Mount Kisco.
15. The two (2) existing MRE "fore lease" signs along Lexington Avenue shall be removed and the existing mailbox located on the north side of the building shall be straightened and reset.
16. There shall be no Certificate of Occupancy issued until there is full compliance with the plans approved herein and all conditions of this Resolution.
17. Prior to the issuance of a Certificate of Occupancy, an as-built survey, signed and sealed by a NYS Licensed Land Surveyor and demonstrating compliance with the approved plans shall be submitted. This survey shall be prepared to the satisfaction of the Village Engineer and shall include Lindy Street.
18. Prior to the issuance of a Certificate of Occupancy, all required landscaping installations shall be completed and inspected by the Village Planner; any plant substitutions shall be approved by the Village Planner prior to being installed.
19. A final site inspection shall be completed by the Building Inspector, Village Engineer and Village Planner.
20. All applicable application fees and fees associated with professional legal, engineering and planning consultation shall be paid for by the applicant.

**Special Use Permit Conditions Specific to the Devereux Foundation:**

21. The Devereux Foundation shall service a maximum of 48 students and a maximum of 46 employees shall be on-site at any given time. A maximum of six (6) fleet vehicles shall be parked on-site at any given time.
22. All employee and fleet vehicle parking shall be conducted within the south (rear) parking lot. With the exception of emergencies, employees shall not enter or leave the site during periods of student arrival (drop-off) and departure (pick-up).
23. The hours of operation for the Devereux Foundation shall be Monday through Friday, 7:30 a.m. - 3:30 p.m.
24. This Special Use Permit has been granted, in part, with reliance on the joint use of parking spaces between the Devereux Foundation, Soundview Sports, Inc. and Ministerio Fraternidad (church). Should the hours of operation or intensity of any of these uses change so as to invalidate the Board's determination under Section 110-28C.2 of the Zoning Code, this Special Use Permit shall become void and the applicant shall return to the Planning Board for further review and determination.
25. The parking formula for the Devereux Foundation shall be: 1 space per employee (46), plus two (2) visitor spaces and six (6) fleet vehicle spaces – 54 total off-street parking spaces. This parking formula shall become null and void with an increase in employees or fleet vehicles with any change in tenancy.
26. All school van circulation, management, student pick-up, student drop-off, and queuing shall be in accordance with the "Traffic Management Plan", prepared by Maser Consulting, dated January 27, 2016 and the "Alternative School Van Arrival/Departure/Queuing Plan", prepared by Insite Engineering, dated (last revised) February 25, 2016.
27. All student arrival (drop-off) and departure (pick-up) shall be conducted via use of school vans, the maximum length of which shall be 23 feet. There shall be no more than 24 school vans used for the morning arrival (drop-off) and again for the afternoon departure (pick-up) and no more than 12 school vans shall be on the subject property at any given time.
28. The morning arrival (drop-off) period shall commence at 8:05 a.m. and school vans shall continuously unload students until 8:50 a.m.; school van drivers shall be instructed to arrive at the site at either 8:05 a.m. or 8:20 a.m. Similarly, during the afternoon departure (pick-up), school vans shall be instructed to arrive at either 2:45 p.m. or 3:10 p.m. and shall continuously load students.
29. Should the site conditions, school van circulation, consistency of on-site uses, or the business operation of the Devereux Foundation change in any way so that the site does

not function or comply as proposed, this Special Use Permit shall become void and the applicant shall return to the Planning Board for further review and determination.

**Conditions Applicable to the Entire Site:**

30. The Planning Board is to retain original jurisdiction.
31. The re-occupancy of the Benefit Shop space shall require a Change of Use Permit from the Planning Board, regardless of the use proposed.
32. The maintenance of Lindy Street shall be the responsibility of the owner/applicant; the owner/applicant shall be responsible for keeping the road in a passable condition, including the removal of any obstruction, ice, snow and/or trees.
33. All loading, unloading and deliveries shall occur solely within the site. No loading, unloading or transfer operations shall be permitted on any public street.
34. All interior and exterior lighting on the subject property shall be turned off during non-operating hours, with the exception of exterior security lighting which luminance levels shall be reduced by 30% during non-operating hours.
35. All refuse storage and pick-up shall comply with the Code of the Village/Town of Mount Kisco.
36. All signage, including within windows, shall be fully compliant with Chapter 89 of the Village Code. No signs, lights or other materials or devices, except as approved and detailed on the approved plans, shall be permitted to be supported, hung, flown, or otherwise attached to site buildings, structures or the site grounds.
37. Landscaping shall be maintained for the life of the facility and in accordance with the approved landscaping plan. The applicant shall be responsible for any re-grading, replanting, or irrigation necessary to ensure that the landscaping is installed and maintained in accordance with the approved plan.
38. Failure to comply with any of the aforesaid conditions shall constitute a violation of site plan and special use permit approval and shall subject the applicant to prosecution, penalties and/or permit revocations pursuant to applicable law. Deviation from any such approvals may render this Site Plan, Special Use Permit and Change of Use Permit, or certificates of occupancy issued in conjunction therewith, null and void.
39. All construction, design, approvals, conditions, restriction and requirements of any previously approved site plan, building permit or certificate of occupancy shall remain applicable except and only to the extent that same are modified herein. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as a waiver of past conditions not recited herein.

**ADOPTION OF RESOLUTION**

**WHEREUPON**, the Resolution herein was declared adopted by the Planning Board of the Village of Mount Kisco as follows:

The motion was moved by: \_\_\_\_\_

The motion was seconded by: \_\_\_\_\_

The vote was as follows:

<b>JOSEPH COSENTINO</b>	_____
<b>ANTHONY STURNIOLO</b>	_____
<b>RALPH VIGLIOTTI</b>	_____
<b>DOUGLAS HERTZ</b>	_____
<b>ENRICO MARESCHI</b>	_____
<b>MICHAEL BONFORTE</b>	_____
<b>JOHN BAINLARDI</b>	_____

---

**Joseph Cosentino**

**March 22, 2016**



VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK

104 Main Street  
Mount Kisco, New York 10549-0150

*Telephone*  
(914) 241-0500

MEMORANDUM

TO: Mount Kisco Planning Board

FROM: Peter Miley, Building Inspector *pm*

SUBJECT: Devereux NY Cares  
27 Radio Circle, Property ID #80.64-1-2

DATE: March 17, 2016

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As per the site visit conducted on February 18, 2016, the applicant has amended the plans to reflect the required changes consistent with adherence to the New York State Fire Code for access.

\mkl

## LETTER OF TRANSMITTAL

**TO:** Village of Mt. Kisco Planning Board  
 104 Main Street  
 Mt. Kisco, NY 10549

<b>Date:</b> 2/25/16	<b>Job No.</b> 15243.100
<b>Attn:</b> Michelle Laier	
<b>Re:</b> Devereux NY Cares	
Tax Map No. 80.64-1-2	

**WE ARE SENDING YOU**    ☒ **Enclosed**    ☐ **Under separate cover via** \_\_\_\_\_ **the following items:**  
☐ Shop Drawings    ☐ Prints    ☒ **Plans**    ☐ Samples    ☐ Specifications  
☐ Copy of Letter    ☐ Change Order    ☐ \_\_\_\_\_

COPIES	DATE	NO.	DESCRIPTION
14	2/25/16	SP-1	Site Plan
14	2/25/16	VQ-ALT.1	Alternative School Van/Arrival/Departure/Queuing Plan

Village/Town of Mount Kisco  
 Planning Board  
**FEB 25 2016**  
**RECEIVED**

**THESE ARE TRANSMITTED as checked below:**

<input type="checkbox"/> For approval	<input type="checkbox"/> Approved as submitted	<input type="checkbox"/> Resubmit	_____ copies for approval
<input type="checkbox"/> For your use	<input type="checkbox"/> Approved as noted	<input checked="" type="checkbox"/> Submit	_____ copies for distribution
<input type="checkbox"/> As requested	<input type="checkbox"/> Returned for corrections	<input type="checkbox"/> Return	_____ corrected prints
<input type="checkbox"/> For review and comment	<input type="checkbox"/> _____		

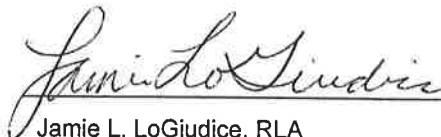
**REMARKS:**

Please see the enclosed plans that have been revised to include the Lindy Street driveway improvements and revisions to the fire lanes/signs and loading area per discussions with the Village Consulting Engineer and Building Inspector. If you have any questions or concerns please feel free to call

Thank you.

**COPY TO:** Michael Zarin, Zarin & Steinmetz  
John Lopez, Devereux NY Cares  
Donnie Martabano, MRE Management Corp

**SIGNED:**

  
 Jamie L. LoGiudice, RLA

IF ENCLOSURES ARE NOT AS NOTED, KINDLY NOTIFY US AT ONCE



VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK

104 Main Street  
Mount Kisco, New York 10549-0150

*Telephone*  
(914) 241-0500

MEMORANDUM

TO: Mount Kisco Planning Board

FROM: Peter Miley, Building Inspector *pm* ✓

SUBJECT: Westchester Foundation for the Disabled  
135 Radio Circle, Property ID #80.63-1-1.2

DATE: March 17, 2016

---

A review of the formal application for the above reference application reveals the following:

1. The property is located within the RD (Research and Development) zoning district.
2. The applicant proposes a change of use from existing storage spaces into office space and *usable* indoor parking spaces to meet the required number of parking spaces as per Village/Town of Mount Kisco Code §110-28 K. Minimum off-street parking standards, as proposed; parking is adequate.
3. A Change of Use permit is required.
4. Plan FF1 indicated 9 ft width of interior parking stalls, applicant is to verify use of parking whether it is long term parking or short term parking use. Aisle width shall be consistent with the parking regulations set forth in §110-29 of the Village/Town of Mount Kisco Code.
5. The proposed plans shall indicate that all parking calculations are based on SF, not GFA.

\mkl

**MEMORANDUM**

Village/Town of Mount Kisco  
Planning Board

MAR 17 2016

**RECEIVED**

TO: Honorable Joseph Cosentino and  
Members of the Mount Kisco Planning Board

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

FROM: Jan K. Johannessen, AICP   
Village Planner

DATE: March 16, 2016

RE: Amended Site Plan and Change of Use Permit  
Westchester Foundation for the Disabled  
135 Radio Circle  
Sheet 80.63, Block 1, Lot 1.2

**Project Description**

The subject property consists of ±2.61 acres of land, is located within the Research and Development (RD) Zoning District and is developed with a 2-story building and off-street parking for 65 vehicles. Via Resolution dated May 13, 2014, the Planning Board granted a Change of Use Permit and Amended Site Plan Approval in connection with the reallocation of office and storage space on the first and second floors and minor modifications to the parking layout. While no exterior site improvements are proposed, the applicant is seeking to reallocate space within the building, as follows:

- a) Convert 1,590 s.f. of space located on the 1<sup>st</sup> floor from storage to office.
- b) Convert 2,990 s.f. of space located on the 1<sup>st</sup> floor from storage to indoor parking.
- c) Convert 2,399 s.f. of space located on the 2<sup>nd</sup> floor from storage to office.

**SEQRA**

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



**Comments:**

1. All of the comments contained within our February 12, 2016 memorandum have been satisfactorily addressed. We note that the site plan has been revised to include the installation of a dumpster enclosure along the rear façade of the building. As this area is located within the regulated wetland buffer, the construction of this enclosure would necessitate a Wetland Permit from the Planning Board and a public hearing would be required. After speaking with the applicant's Design Professional on this matter, it is our understanding that the dumpsters will be relocated within the building in a manner which will not conflict with proposed interior parking. As such, the site plan and corresponding floor plans should be updated accordingly.

**Plans Reviewed, prepared by Insite Engineering:**

- Site Plan (Sheet SP-1), dated February 29, 2016
- First Floor Plan (Sheet FF-1), dated February 29, 2016
- Second Floor Plan (Sheet SF-1), dated February 2, 2016

**Documents Reviewed:**

- Letter, prepared by Insite Engineering and dated March 1, 2016
- Site Plan Application

JKJ/dc

## **Dolph Rotfeld Engineering, P.C.**

### **MEMORANDUM**

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**To:** Joseph Cosentino, Planning Board Chairman

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

**From:** Anthony Oliveri, P.E.

**Date:** March 16, 2016

**Re:** Amended Site Plan Application  
Westchester Foundation for the Disabled – 135 Radio Circle  
Village/Town of Mount Kisco

Village/Town of Mount Kisco  
Planning Board  
MAR 16 2016  
**RECEIVED**

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

- Plans entitled: "Westchester Foundation for the Disabled Inc., Site Plan, first floor Plan, Second floor Plan", prepared by Insite Engineering, Surveying and Landscape Architecture, Inc., dated 2/29/16;

Our comments are as follows:

1. It appears that site work is limited to the relocation of the refuse area outside in a chain link fence enclosure. This enclosure does not conform with the Village's usual standard which would match the building construction materials and finishes, however it's secluded location may make this acceptable to the Board. Bollards should be added to protect the fencing from impact.
2. The "in" and "out" overhead door openings to the proposed parking area should have painted arrows or some signage noted on the site plan.
3. Parking and zoning requirements/analysis to be reviewed by the Village Planner and the Building Department.

Please feel free to contact me if you have any questions.

Thank you



March 1, 2016

Village/Town of Mount Kisco  
Planning Board

MAR 01 2016  
RECEIVED

Village of Mt. Kisco Planning Board  
104 East Main Street  
Mt. Kisco, New York 10549

RE: Westchester Foundation for the Disabled Inc.  
135 Radio Circle  
Mt. Kisco, New York

Dear Chairman Cosentino and Members of the Board:

Enclosed please find fourteen (14) copies of the following:

- Drawing SP-1, "Site Plan", latest revision dated February 29, 2016.
- First Floor Plan, latest revision dated February 29, 2016.
- Second Floor Plan, dated February 2, 2016.
- Site Plan Application, dated March 1, 2016.
- Site Plan Checklist

Also enclosed is the Site Plan Application Review fee in the amount of \$950.00 and the escrow fee in the amount of \$5,000.00.

We regard to comments received from the Village consultants, we offer the following:

**Memorandum from Jan Johannessen, AICP, Kellard Sessions Consulting, P.C., dated February 12, 2016:**

**SEQRA:**

We acknowledge the proposed action is a Type II Action and categorically exempt from the State Environmental Quality Review Act (SEQRA).

**Comments:**

1. We understand the project requires a Change of Use Permit and Amended Site Plan Approval from the Planning Board.
2. Drawing SP-1 has been revised to correctly note the office space as 6,206 sf. We acknowledge your referral to the Building Inspector regarding off-street parking requirements and zoning.
3. We understand the prior approval included interior parking for two (2) vehicles. The proposed six (6) interior spaces will increase the total parking spaces provided from 65 to 71, where a minimum of 67.4 are required.
4. The overhead doors operate with electronic openers. The overhead doors are each 9.5 ft wide and 11.5 ft high. The access lanes will be designated as "in and out". The interior design of the new parking area will meet all applicable building and fire code regulations.
5. As the proposed interior parking garage must be reviewed for compliance, additional information regarding the dimensions of the overhead doors (height and width), width and length of the proposed parking stalls, and width of the drive aisle have been provided. The location of the proposed dumpster location has been revised. The site plan now indicates a dumpster enclosure at the rear of the building. A detail has been added to the plan.

**Memorandum from Peter Miley, Building Inspector, dated February 18, 2016:**

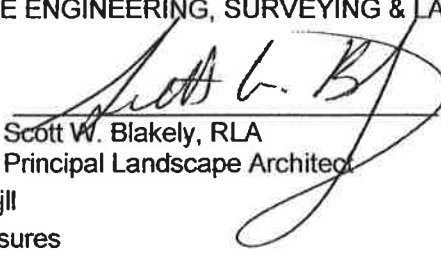
1. We understand the property is located within the RD (Research Development) zoning district.
2. We acknowledge your review of the proposed parking as being adequate based on the minimum off-street parking standards.
3. The dumpster location has been identified on the provided Site Plan as requested.

We trust you will find the enclosed information in order and we look forward to further review and discussions of the project at the Board's March 22, 2016 agenda. Should you have any questions or comments or require additional copies of the enclosed information, please feel free to contact our office.

Very truly yours,

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

By:



Scott W. Blakely, RLA  
Principal Landscape Architect

SWB/jll

Enclosures

cc: John Signorelli w/enclosures  
Pete Groenendaal w/enclosures  
Tarryn Kamrowski w/enclosures  
Judge Kensing w/enclosures

Insite File No. 14118.100

Application Number

PB2016-0321

Application for Site Plan/Subdivision/Special Use Permit Approval  
Village/Town of Mount Kisco  
Planning Board

MAR 01 2016

Submission Date 3-1-16

Application Fee \$950.00

(Due 21 Days in advance of Planning Board Meeting)

Escrow Fee \$5,000.00

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**Type of Application:** (Please Check All that Apply)Site Plan Approval ☒ Land Subdivision Approval ☐ Special Use Permit ☐ Change of Use ☐  
New Construction ☐ Addition ☐**Applicant Information:**

Applicant Name: Westchester Foundation for the Disabled, Inc. c/o John Signorelli

Address: 600 Bedford Road, Mt. Kisco, NY 10549

Phone Number: 914-241-2076 Fax: 914-242-3516 Email: john@clcfoundation.org

Applicant's relationship to property: Owner

Name of Property Owner: (if different from above) Same

Address:

Phone Number: + Fax: Email:

Has property owner been notified of proposed action? Yes ☐ No ☐**Application Information:**

Project Name: Westchester Foundation for the Disabled, Inc.

Project Address/Location: 135 Radio Circle Drive, Mt. Kisco, NY 10549

Property Tax #: 80.63-1-1.2

Proposed Use (be specific): Office and Storage Building

Proposed New Floor Area(s) (square feet): Convert 3,989 SF of existing storage to Office  
Convert 2,990 SF of existing storage space to parking

Number of newly created parking spaces: 6

Number of newly created building lots: 0

Number of newly created curb cuts: 0

Number of newly created water connections: 0

Number of newly created sewer connections: 0

**Conformance with Lot and Bulk Requirements:**

What is the Zoning Classification of the site? RD (Research Development)

	Required	Proposed
Minimum Gross Site Area	40,000 SF	11,386,584 +/- SF
Minimum Lot Area	40,000 SF	11,386,584 +/- SF
Maximum Building Coverage	35%	11%
Maximum Site Development Coverage	70%	35%
Minimum Lot Depth	100 FT	280 FT
Maximum Lot Width	100 FT	536 FT
Front	30 FT	50 FT +/-
Rear	20 FT	34 FT +/-
Side	35 FT (Abuts PD-Residential District)	73 ft +/-
Front	20 FT	20 FT +
Rear	20 FT	20 FT +
Side	20 FT	20 FT +
Maximum Building Height	3 Stories or 40 FT	2 Stories / Less than 40 ft
Required Parking Spaces	67.4	71
Other	-	-

Do any easement agreements, property covenants or deed restrictions apply to this property? Yes \_\_\_ No X  
If yes, please list these documents and attach copies.

Will action require approval from the New York State Department of Transportation? Yes \_\_\_ No X

Will action require approval from the New York City Department of Environmental Protection? Yes \_\_\_ No X

Will action require approval from the New York State Department of Environmental Conservation? Yes \_\_\_ No X

Will action disturb any wetlands or wetland buffer? Yes \_\_\_ No X

If yes, please fill out a permit to disturb sensitive natural areas.

Will action disturb any steep slopes greater than 20 percent? Yes \_\_\_ No X

If yes, please fill out a permit to disturb sensitive natural areas.

**Note: APPLICATION WILL ONLY BE PROCESSED WHEN:**

1. APPLICATION FEE / ESCROW FEE IS PAID
2. COMPLETED APPLICATION FORM IS SIGNED AND SUBMITTED
3. FOLDED COPIES OF REQUIRED NUMBER OF DRAWINGS ARE SUBMITTED

The above information is complete and factually correct to the best of my knowledge:

Applicant's Signature [Signature] date 3/1/2016  
Owner's Signature \_\_\_\_\_ date \_\_\_\_\_

## SITE PLAN CHECKLIST

Village/Town of Mount Kisco  
Planning Board

Site plans shall contain the following information, as per Section 110-45 of the Village Code:

MAR 01 2016

### LEGAL DATA

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1. ☒ Location of project/development by street address
2. ☒ The section, block, and lot number of the property taken from the latest tax records
3. ☒ A vicinity map identifying the location of the site in context to the surrounding area
4. ☒ Name and mailing address of the owner of record and applicant if not the same.
5. ☒ Name and mailing address of the person, firm, or organization preparing the plan.
6. ☒ Date of the plan preparation
7. ☒ North arrow
8. ☒ Scale (1 inch equals 30 feet)
9. ☒ Boundary line of property with dimensions (all distances shall be given in feet and tenths of a foot. All angles shall be given to the nearest (10) seconds or closer. The error of closure shall not exceed one (1) in ten thousand (10,000).
10. ☒ The location, names and existing widths of adjacent streets and curblines.
11. ☒ The locations and owners of all adjoining lands, as shown on the latest tax records.
12. ☒ The location, width and purpose of all existing and proposed easements, setbacks, reservations and areas dedicated to public use within or adjacent to the property.
13. ☒ A complete outline of existing deed restrictions or covenants applying to the property.
14. ☒ Existing zoning district boundaries.

### NATURAL FEATURES

- N/A 1. ☐ Existing contours with intervals of two (2) feet or less, referred to a datum satisfactory to the Village Engineer.
- N/A 2. ☐ The location of existing watercourses, wetlands, wooded areas, rock outcrops, areas of slope in excess of (20 percent), trees with a diameter of eight (8) inches or more, measured three feet above the base of the trunk, and other significant environmental features.

### EXISTING STRUCTURES AND UTILITIES

1. ☒ The location of uses and outlines of structures, drawn to scale, on and within fifty (50) feet of the lot.

2. ☒ Paved areas, sidewalks, and vehicular access between the site and public streets.
- N/A 3. ☐ Locations, dimensions, grades and flow directions of existing sewers, culverts, and waterlines, as well as other underground and aboveground utilities within and adjacent to the property.
- N/A 4. ☐ Other existing development, including fences, landscaping, and screening.

#### PROPOSED DEVELOPMENT

1. ☒ The location of proposed building or structural improvements
2. ☒ The location and design of all uses not requiring structures, including off-street parking and loading areas.
- N/A 3. ☐ The location, direction, power and time of use for any proposed outdoor lighting or public address systems.
- N/A 4. ☐ The location and plans for any freestanding signs.
5. ☒ The location and arrangement of proposed means of pedestrian and vehicular access, including curbs, sidewalks, driveways or other paved areas, and profiles indicating grading and cross sections showing the width of roadways and the location and width of sidewalks and curbs.
- N/A 6. ☐ Any proposed screening and other landscaping, including types and locations of proposed street trees, on a landscape plan prepared by a licensed architect or landscape architect.
- N/A 7. ☐ The location of all proposed waterlines, valves and hydrants, the location of storm sewers and drainage facilities and the location of all sewer lines and appurtenances or the location of alternate means of water supply and sewage disposal and treatment.
- N/A 8. ☐ An outline of any proposed easements, deed restrictions or covenants.
9. ☒ A quantitative summary of proposed site plan features to include the gross lot area, net lot area, site development coverage, building coverage and building square footage.
- N/A 10. ☐ Any contemplated public improvements on adjoining properties.
- N/A 11. ☐ Any proposed new grades, indicating clearly how such grades will meet existing grades.

Upon findings of the Planning Board that, due to special conditions peculiar to a site, certain of the information normally required as part of the site plan is inappropriate or unnecessary or that strict compliance with said requirements may cause extraordinary or unnecessary hardships, the Board may vary or waive the provision of such information, provided that such waiver will not have detrimental effects on the public health, safety or general welfare or have the effect of nullifying the intent and purpose of the site plan submission, Official Map, Village Comprehensive Plan or Chapter 110-45.





March 1, 2016

Village of Mt. Kisco Planning Board  
104 East Main Street  
Mt. Kisco, New York 10549

Village/Town of Mount Kisco  
Planning Board

RE: Westchester Foundation for the Disabled Inc.  
135 Radio Circle  
Mt. Kisco, New York

MAR 01 2016  
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Dear Chairman Cosentino and Members of the Board:

Enclosed please find fourteen (14) copies of the following:

- Drawing SP-1, "Site Plan", latest revision dated February 29, 2016.
- First Floor Plan, latest revision dated February 29, 2016.
- Second Floor Plan, dated February 2, 2016.
- Site Plan Application, dated March 1, 2016.
- Site Plan Checklist

Also enclosed is the Site Plan Application Review fee in the amount of \$950.00 and the escrow fee in the amount of \$5,000.00.

We regard to comments received from the Village consultants, we offer the following:

**Memorandum from Jan Johannessen, AICP, Kellard Sessions Consulting, P.C., dated February 12, 2016:**

**SEQRA:**

We acknowledge the proposed action is a Type II Action and categorically exempt from the State Environmental Quality Review Act (SEQRA).

**Comments:**

1. We understand the project requires a Change of Use Permit and Amended Site Plan Approval from the Planning Board.
2. Drawing SP-1 has been revised to correctly note the office space as 6,206 sf. We acknowledge your referral to the Building Inspector regarding off-street parking requirements and zoning.
3. We understand the prior approval included interior parking for two (2) vehicles. The proposed six (6) interior spaces will increase the total parking spaces provided from 65 to 71, where a minimum of 67.4 are required.
4. The overhead doors operate with electronic openers. The overhead doors are each 9.5 ft wide and 11.5 ft high. The access lanes will be designated as "in and out". The interior design of the new parking area will meet all applicable building and fire code regulations.
5. As the proposed interior parking garage must be reviewed for compliance, additional information regarding the dimensions of the overhead doors (height and width), width and length of the proposed parking stalls, and width of the drive aisle have been provided. The location of the proposed dumpster location has been revised. The site plan now indicates a dumpster enclosure at the rear of the building. A detail has been added to the plan.

**Memorandum from Peter Miley, Building Inspector, dated February 18, 2016:**


1. We understand the property is located within the RD (Research Development) zoning district.
2. We acknowledge your review of the proposed parking as being adequate based on the minimum off-street parking standards.
3. The dumpster location has been identified on the provided Site Plan as requested.

We trust you will find the enclosed information in order and we look forward to further review and discussions of the project at the Board's March 22, 2016 agenda. Should you have any questions or comments or require additional copies of the enclosed information, please feel free to contact our office.

Very truly yours,

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

By:



Scott W. Blakely, RLA  
Principal Landscape Architect

SWB/jll

Enclosures

cc: John Signorelli w/enclosures  
Pete Groenendaal w/enclosures  
Tarryn Kamrowski w/enclosures  
Judge Kensing w/enclosures

Insite File No. 14118.100



VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK

104 Main Street  
Mount Kisco, New York 10549-0150

*Telephone*  
(914) 241-0500

MEMORANDUM

TO: Chairman Cosentino and Planning Board Members

FROM: Peter Miley, Building Inspector *fm*

DATE: March 17, 2016

RE: Luppino Landscaping & Masonry Supply  
15-21 Armonk Road, ID# 80.73-1-1

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The proposed includes verification by the New York State DOT for the approved parking proposal. (enclosed)

## Michelle Lailer

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**From:** Edward Brancati  
**Sent:** Thursday, January 21, 2016 1:58 PM  
**To:** Michelle Lailer; Jan Johannessen  
**Subject:** FW: Correspondence T15-241 - Parking Changes in Village of Mount Kisco

Jan and Michelle,

Please note the second half of the email from Dave Parker of NYSDOT that states that NYSDOT supports the change from angled parking to parallel parking in front of 15-21 Armonk Road.

Thanks and feel free to call with any questions.

-Ed

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**From:** Parker, David S. (DOT) [mailto:David.Parker@dot.ny.gov]  
**Sent:** Wednesday, January 20, 2016 11:21 AM  
**To:** Edward Brancati <ebrancati@mountkisco.org>  
**Subject:** Correspondence T15-241 - Parking Changes in Village of Mount Kisco

Dear Village Manager Brancati:

Thank you for your email concerning parking at two locations in the Village of Mount Kisco. In response to your email a review was conducted of the two locations.

This Department has no objection to changing the parking restriction on the east side of Route 117 opposite Green Street from a No Parking to a No Stopping Restriction. If the Village chooses to take this action, please send a copy of the Village Traffic Law establishing this regulation. After receiving a copy of the amended traffic law, this Department will give approval for the Village of Mount Kisco to place the necessary signs.

This Department also supports the Village of Mount Kisco in their efforts to remove angled parking on Route 128 in front of the commercial building located at 15 – 21 Armonk Road and replace with parallel parking. This action will remove traffic conflicts associated with vehicles backing into the travel lane on Route 128.

If the Village has any questions on this subject please contact me at (914)-742-6026.

Very Truly Yours

David Parker, CE-I  
NYSDOT

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**From:** Edward Brancati [mailto:ebrancati@mountkisco.org]  
**Sent:** Wednesday, December 09, 2015 6:15 PM  
**To:** Hurley, Joseph (DOT)  
**Subject:** Village/Town of Mount Kisco -- Two Items

Joe,

It was good speaking with you earlier, and as we discussed, I have attached copies of tax parcel maps with actual overhead views of the two items that I'm requesting approval from DOT as both are on State roads.

The first attachment depicts the intersection of E. Main St. (Route 117) and Green Street in the Village/Town of Mount Kisco. On the northbound side of Route 117 at the intersection, that I have circled on the attached document, the Village currently has a "No Parking" restriction to provide a slip lane to allow vehicle headed north on Route 117 to proceed around any northbound vehicles seeking to make a left hand turn onto Green Street. The issue that we have is that it delivery vehicles will stop in this area to make deliveries to nearby businesses which blocks the slip lane for northbound traffic causing traffic to back up. In order to preserve the integrity of the slip lane the Village would like to repost the section currently posted as "No Parking" to "No Parking, Standing, or Loading" so that we can more effectively enforce this area and keep it clear of vehicles. The Village would greatly appreciated your review and consideration of this request as we would like to address this matter as quickly as possible.

The second attachment refers to the area directly in front of a commercial building located at 15-21 Armonk Road (Route 128) in the Village/Town of Mount Kisco. Currently, vehicles will park at an angle in front of this building. The property owner has come before the Village Planning Board and as part of the process the Planning Board came to a conclusion that they would be willing to allow three (3) parallel parking spaces in front of the building rather than the current situation. As this area is in the NYS DOT right-of-way along Armonk Road (Route 128) I have been asked to obtain approval from NYS DOT for these three (3) parallel parking spaces. As we have discussed, NYS DOT would view this as an improvement as you do not generally like to see vehicles backing out into the roadway, and the Village certainly agrees. As a result, the Village and I would also greatly appreciate your review and consideration of this request as well so that we can resolve this matter as well and make this situation safer.

Thank you for your time and please feel free to reply to this email or call me at my number listed below if you have any questions.


-Ed

Edward W. Brancati  
Village Manager  
Village/Town of Mount Kisco  
104 Main Street  
Mount Kisco, NY 10549  
Phone: (914) 864-0001  
Fax: (914) 241-9018

MEMORANDUM

TO: Honorable Joseph Cosentino and  
Members of the Mount Kisco Planning Board

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

FROM: Jan K. Johannessen, AICP   
Village Planner

DATE: March 16, 2016

RE: Site Plan Approval – Amended  
Angelo Luppino  
15-21 Armonk Road  
Section 80.73, Block 1, Lot 1

Village/Town of Mount Kisco  
Planning Board

MAR 17 2016  
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You will recall that the Planning Board granted Site Plan Approval and a Change of Use Permit via resolution amended November 10, 2015, subject to conditions. The applicant is in the process of satisfying the conditions of approval and, therefore, the site plan has not yet been signed. In the process of responding to the conditions, the applicant has requested a change to the plan, particularly relating to parking in front of the building.

As you are aware, the majority of the paved surface between the building and Armonk Road (NYS Route 128) is located within the New York State Department of Transportation (NYSDOT) right-of-way and cars have historically parked perpendicular to building. This parking arrangement results in a portion of the vehicle extending into the traveled way and causes an unsafe condition. As a result, in reviewing the initial application, the Planning Board determined that absent NYSDOT approval, no parking be permitted in front of the building. Further, the site plan called for the installation of signage in this area to read "No Parking-Fire Zone-Parking Available Across the Street".

The applicant has since been in contact with the NYSDOT and currently proposes the installation of three (3) parallel parking spaces, the majority of which would be located within the NYSDOT right-of-way.

Chairman Joseph Cosentino  
March 16, 2016  
Page 2 of 2

If the proposal is satisfactory to the Planning Board and Village Engineer, the applicant should submit written approval from the NYSDOT. Further, it is recommended that the two (2) parking related signs (to be mounted to the adjacent wall) be revised to read "Parallel Parking Only". The size, material, and color of the sign should be identified.

Regarding the conditions contained within the Board's approving resolution, we note that the stone veneer which had been previously proposed on the exterior face of the elevated walkway has been removed from the plan; this area is now proposed to be painted to match the existing building. We also note that Conditions #2.i and #3 of the Resolution have not been fully addressed (conditions relating to handicap signage and the floor plan).

**Plan & Document Reviewed, prepared by Bibbo Associates, LLP:**

- Site Plan (SP-1), dated (last revised) February 16, 2016
- Letter, dated February 29, 2016

JKJ/dc

T:\Mount Kisco\Correspondence\MK2068JJ-MKPB-15-21 ArmonkRd(Luppino)-Review-Memo-3-16-16.docx

# **BIBBO ASSOCIATES, L.L.P.**

*Consulting Engineers*

Joseph J. Buschynski, P.E.

Timothy S. Allen, P.E.

Sabri Barisser, P.E.

February 29, 2016

Mr Joseph Cosentino, Chairman  
Village of Mt. Kisco Planning Board  
104 Main St.  
Mt Kisco, NY 10549-2300

Re: Site Plan Application  
15-21 Armonk Road - Luppino  
T.M. #80.73-1-1

Village/Town of Mount Kisco  
Planning Board

MAR 01 2016

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Dear Mr. Cosentino:

In response to recent development and actions between the Village Manager, Mr. Brancati and the Regional Office of the NYSDOT, which resulted in "No Objection" from the NYSDOT to installing three (3) parallel parking spaces in the DOT R.O.W. in front of the above captioned building, please find the following attached:

- 14 copies – Bibbo Associates, LLP Site Plan, dated revised 2/16/2016

The revised site plans now show three (3) parallel parking spaces in front of the building designed to Village specifications. Also note that the parking signage wording has been revised accordingly. Other than the above these plans reflect your Board's latest approval as outlined in your Amended Resolution of November 10, 2015. We now request that your Board now amend that resolution to reflect that parking and signage proposed above.

Please let me know if you need any further information.

Very truly yours,



Edward J. Delaney, Jr.  
Project Manager

EJD/mme  
Enclosures

cc: Angelo Luppino  
Tim Allen, P.E.

*Site Design ♦ Environmental*

Mill Pond Offices • 293 Route 100, Suite 203 • Somers, NY 10589  
Phone: 914-277-5805 • Fax: 914-277-8210 • E-Mail: bibbo@optonline.net





VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK

104 Main Street  
Mount Kisco, New York 10549-0150

Telephone  
(914) 241-0500

MEMORANDUM

TO: Chairman Cosentino and Members of the Planning Board

FROM: Peter Miley, Building Inspector *P M*

SUBJECT: HVA Realty, LLC  
299 Kisco Avenue, Property ID #69.49-2-1

DATE: March 17, 2016

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The applicant is applying for Formal Amended Site Plan to install pervious pavement to replace existing gravel.

A review of the proposed application for Formal Amended Site Plan reveals the following items:

1. The property is located within the Designated Main Street area and will require additional approvals.
2. As per the note of 1992, the originally approved site plan "During life of graveled storage age, area is not to be paved."
3. Prior approved variance indicates a maximum of 92% development coverage. Proposed site plan adheres to variance dated July 28, 1992.
4. The proposed site plan reflects parking dimensions of the August 14, 1992 site plan, new striping of parking area is proposed to adhere to those dimensions.
5. The site plan should include an area for off-loading of off-street vehicles.

/mkl

**MEMORANDUM**

TO: Honorable Joseph Cosentino and  
Members of the Mount Kisco Planning Board

Village/Town of Mount Kisco  
Planning Board

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

MAR 17 2016

**RECEIVED**

FROM: Jan K. Johannessen, AICP  
Village Planner



DATE: March 16, 2016

RE: Amended Site Plan  
HVA Realty, LLC  
299 Kisco Avenue  
Section 69.44, Block 2, Lot 1

**Project Description**

The subject property consists of  $\pm 1.6$  acres, is located at 299 Kisco Avenue within the General Commercial (GC) Zoning District, and currently contains an automobile dealership. The applicant has submitted an application to pave the existing gravel vehicle storage area with pervious pavement which necessitates an amendment to the previously approved site plan.

**SEQRA**

The proposed action is an Unlisted Action under the State Environmental Quality Review Act (SEQRA) and a coordinated review is not required. Prior to taking action on this pending application, the Planning Board must first issue a Determination of Significance.

**EAF Comments:**

1. Depending on the outcome of Comment #1 below, the applicant may need to modify the answer provided to Question 13.a on Page 2 of 3 of the Short EAF; regardless Question 13.b should be answered.
2. On behalf of the Planning Board, the applicant should complete Part 2 of the Short EAF for the Board's review.

**Plan Comments**

1. The applicant has retained a wetland scientist to inspect the site and adjoining properties for the presence of jurisdictional wetlands and watercourses. The applicant has identified and delineated what is being referred to as a "drainage ditch" located along the northerly property line (delineated in the field with flags labeled A1 – A6). This office will need to inspect this off-site feature to determine if it qualifies as a jurisdictional wetland or watercourse under Chapter 107 of the Village Law. In the event that this feature is a jurisdictional wetland or watercourse, the Village's 100-foot buffer shall appear on the drawings and the applicant must apply for a Wetland Permit, which includes a mandatory public hearing. Regardless, this off-site linear feature shall be illustrated on the plans (only the wetland flags are currently shown).
2. The subject property is located within the New York City Department of Environmental Protection (NYCDEP) Designated Main Street Area and the proposed action requires SWPPP approval from the NYCDEP. The applicant should update the Board on the status of its application before the NYCDEP and any correspondence to or from the NYCDEP should be provided to the Board.
3. It is recommended that the applicant evaluate the existing exterior lighting conditions to determine compliance with the Village's lighting requirements.
4. It is recommended that protective bollards be installed along the inside perimeter of the dumpster enclosure to protect the enclosure's side walls and the abutting building from damage.
5. It is recommended that the following note be added under General Notes on Sheet CS101: "Reference is made to prior site plans of record entitled "Proposed Site Plan for J.S. Realty Company", prepared by Petruccelli Engineering, dated (last revised) August 14, 1992 and "Landscape Plan", prepared by John Slaker Design Group, dated (last revised) August 29, 1997. All construction, design, approvals, conditions, notes, restrictions and requirements

of any previously approved site plan shall remain applicable except and only to the extent that same is proposed to be modified as shown hereon.”

6. Note #5 under General Notes on Sheet CS101 should be expanded upon to state that vehicle deliveries will take place at an approved off-site location and outside of any street or public right-of-way.
7. It is understood that work is proposed within the 100-year floodplain and a Flood Development Permit will be required from the Building Inspector prior to the commencement of work.
8. Any previously approved Zoning Board variance or Planning Board resolution pertaining to this site should be submitted for review.
9. We defer to the Building Inspector for review of the plan for zoning compliance.

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

**Plans Reviewed, prepared by Langan Engineering and dated March 1, 2016:**

- Layout Plan (CS101)
- Existing Conditions Plan (EX101)
- Details (CS501)

**Documents Reviewed:**

- Letter, prepared by Langan Engineering, dated March 1, 2016
- Site Plan Approval Application
- Short Environmental Assessment Form, dated March 1, 2016
- Letter, prepared by Cynthia Garcia of the NYCDEP, dated February 9, 2016
- Letter, prepared by Ecological Solutions, LLC, dated January 7, 2016
- Previously Approved Site Plans

JKJ/dc

# **Dolph Rotfeld Engineering, P.C.**

## **MEMORANDUM**

Village/Town of Mount Kisco  
Planning Board

MAR 17 2016

**RECEIVED**

**To:** Joseph Cosentino, Planning Board Chairman

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

**From:** Anthony Oliveri, P.E.

**Date:** March 17, 2016

**Re:** Amended Site Plan Application  
HVA Realty. LLC  
299 Kisco Avenue  
Village/Town of Mount Kisco

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

- Plan set entitled "299 Kisco Avenue, Layout Plan, Existing Conditions Plan and Details," prepared by Langan, last dated 12/31/15;
- Report entitled "Stormwater Pollution Prevention Plan (SWPPP) for 299 Kisco Avenue", prepared by Langan, dated March 2016;

Our comments are as follows:

1. A portion of the vehicle storage area in the northeast corner is proposed to be filled, this area appears to be in the special hazard flood zone (100 year), requiring a Floodplain Development Permit. §66-11 of the Code requires that the applicant demonstrate that the proposed action will result in no physical damage to any other property. The applicant has stated that there is a sufficient volume of porous fill to compensate for the volume lost by filling the 100 year flood plain, however it is not clear if the volume is provided below the base flood elevation this should be made clear.
2. The proposed 12" high stone wall surrounding the vehicular storage area should be provided with weep hole openings, this will also facilitate use of the void areas in the porous fill to satisfy comment #1.

## **Dolph Rotfeld Engineering, P.C.**

Mr. Joseph Cosentino, Chairman

March 17, 2016

Page 2 of 2

3. The applicant has submitted the SWPPP to NYCDEP as required under the Designated Main Street requirements, the porous asphalt treatment must be approved by NYCDEP.
4. The proposed work is within 100' of an existing drainage channel which runs along the northern property line, a determination must be made if this falls under the definition of a watercourse or wetlands under Chapter 107 and thus requiring a wetlands permit.
5. Parking and zoning requirements/analysis to be reviewed by the Village Planner and the Building Department.
6. The proposed refuse enclosure should include protective bollards.
7. It is noted that no lighting improvements are proposed.
8. Parking striping is being reconfigured and it appears to all be 9'-0" width, this width is allowed for long term parking, if any parking is designated as short-term, it should be 9'-6" in width.
9. The parking along the north vehicle storage area utilized a 2' overhang per the last approved site plan. The current proposal should note this same overhang provision.
10. The maintenance of the porous pavement is critical to it's viability, the maintenance schedule noted on the plan should be cited in any resolution of approval.

Please feel free to contact me if you have any questions.

Thank you

March 1, 2016

Chairman Joseph Cosentino and  
Members of the Planning Board  
Village of Mount Kisco  
104 Main Street  
Mount Kisco, New York 10549

Village/Town of Mount Kisco  
Planning Board  
MAR 01 2016  
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**Re: Application of HVA Realty, LLC for Amended Site Plan Approval  
299 Kisco Avenue  
Mount Kisco, New York 10549  
Langan Project No.: 190015202**

Dear Chairman Cosentino and Members of the Planning Board:

On behalf of the owner, HVA Realty, LLC, we are submitting an amended site plan application for the automobile dealership located at 299 Kisco Avenue for formal review. The proposed amendments to the previously approved site plan are minor and are as follows:

1. The existing parking spaces located to the rear of the building are proposed to be modified to conform with the existing conditions and will be code compliant. One additional parking space will also be added.
2. The existing gravel surface in the vehicle storage area will be replaced with pervious pavement.

Based on our meeting with your staff to review the Conceptual Application for an amended site plan, we are submitting the following:

- Application for Site Plan.
- \$500.00 Application Fee.
- \$5,000.00 Escrow Fee.
- 14 copies of the Site Plans (3 Sheets).
- 14 copies of the previously approve site plan, revised August, 14, 1992.
- 14 copies of the previously approved landscape plan, dated August 20, 1997.
- 3 copies of the Stormwater Pollution Prevention Plan.
- Short EAF.
- NYSDEP Letter.

- Ecological Solutions, LLC Letter.
- Village of Mount Kisco Coverage Calculation Worksheet.

We look forward to discussing these minor site plan amendments at the upcoming meeting of the Planning Board. If, prior to such meeting, any member of the Board desires any additional information regarding the proposed amendments or the attributes of the pervious pavement proposed to be installed, please do not hesitate to contact me.

Sincerely,  
**Langan Engineering, Environmental, Surveying  
and Landscape Architecture, D.P.C.**



W. Charles, Utschig Jr., PE  
Associate

cc: HVA Realty, LLC, via email  
Charlie V. Martabano via email

\\wangan.com\data\WP\data2\190015202\Office Data\Correspondence\Letter\2016-03-01 Letter\_PB.docx



Application Number PB2015-310

MAR 01 2016

**RECEIVED**

## Application for Site Plan/Subdivision/Special Use Permit Approval

Submission Date

3/1/16

Application Fee

\$500.00

**(Due 21 Days in advance of Planning Board Meeting)**

Escrow Fee

\$5,000.00

**Type of Application:** (Please Check All that Apply)

Site Plan Approval X Land Subdivision Approval \_\_\_\_\_ Special Use Permit \_\_\_\_\_ Change of Use \_\_\_\_\_  
New Construction \_\_\_\_\_ Addition \_\_\_\_\_

**Applicant Information:**

Applicant Name: HVA Realty, LLC

Address: 250 Kisco Avenue, Mt.Kisco, NY 10549

Phone Number: 914-598-1614

Fax:

Email: [tomkritz@thepremiercollection.com](mailto:tomkritz@thepremiercollection.com)

Applicant's relationship to property: Owner

Name of Property Owner: (if different from above) N/A

Address:

Phone Number:

Fax:

Email:

Has property owner been notified of proposed action? Yes X

No

**Application Information:**

Project Name: 299 Kisco Avenue

Project Address/Location: 299 Kisco Avenue

Property Tax #: Section 69.44, Block 2, Lot 1

Proposed Use (be specific): vehicle storage area

Proposed New Floor Area(s) (square feet): N/ANumber of newly created parking spaces: 1

Number of newly created building lots: N/A

Number of newly created curb cuts: N/ANumber of newly created water connections: N/A

Number of newly created sewer connections: N/A

**Conformance with Lot and Bulk Requirements:**

What is the Zoning Classification of the site? GC

	Required	Proposed
Minimum Gross Site Area	40,000 SF	70,954 SF
Minimum Lot Area	40,000 SF	70,954 SF
Maximum Building Coverage	50%	20.6%
Maximum Site Development Coverage	75%	92%*
Minimum Lot Depth	100 FT	330+/- FT
Maximum Lot Width	100 FT	230+/- FT
<b>Yard Setbacks:</b>		
Front	10 FT	10.07 FT
Rear	N/A	N/A
Side	15 FT	20.01 FT
<b>Buffer:</b>		
Front	10 FT	10 FT
Rear	N/A	N/A
Side	10 FT	10 FT
Maximum Building Height	40 FT	<40 FT
Required Parking Spaces	39 spaces	48 spaces
Other Building Length	160 FT	186 FT*

\*Existing Variance

Do any easement agreements, property covenants or deed restrictions apply to this property?  
If yes, please list these documents and attach copies.

Yes \_\_\_ No \_\_\_ N/A

Will action require approval from the New York State Department of Transportation?

Yes \_\_\_ No X

Will action require approval from the New York City Department of Environmental Protection?

Yes X No \_\_\_

Will action require approval from the New York State Department of Environmental Conservation?

Yes \_\_\_ No X

Will action disturb any wetlands or wetland buffer?

Yes \_\_\_ No X

If yes, please fill out a permit to disturb sensitive natural areas.

Will action disturb any steep slopes greater than 20 percent?

Yes \_\_\_ No X

If yes, please fill out a permit to disturb sensitive natural areas.

**Note: APPLICATION WILL ONLY BE PROCESSED WHEN:**

1. APPLICATION FEE / ESCROW FEE IS PAID
2. COMPLETED APPLICATION FORM IS SIGNED AND SUBMITTED
3. FOLDED COPIES OF REQUIRED NUMBER OF DRAWINGS ARE SUBMITTED

The above information is complete and factually correct to the best of my knowledge:

Applicant's Signature

Owner's Signature

date

date

Application reviewed by:

Date:

**VILLAGE/TOWN OF MOUNT KISCO**  
**Building Department**  
**104 Main Street**  
**Mount Kisco, NY 10549**  
**(914) 864-0019**

Village/Town of Mount Kisco  
Planning Board

MAR 01 2016  
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Application Name or Identifying Title: 299 Kisco Avenue  
Tax Map Designation (Section/Block/Lot) or Proposed Lot No. 64.49-2-1

**COVERAGE CALCULATIONS WORKSHEET**

(See next page for pertinent definitions and other related provisions)

**A. BUILDING COVERAGE** [Enter "0" below if category is not applicable]

- |  |               |
|--|---------------|
| 1. Total lot area (sq. ft) =                                     | <u>70,971</u> |
| 2. Maximum permitted building coverage (sq. ft) =                | <u>35,486</u> |
| 3. Amount of lot area covered by principal building:             |               |
| <u>14,668</u> existing (sq. ft) + <u>N/A</u> proposed (sq. ft) = | <u>14,668</u> |
| 4. Amount of lot area covered by accessory buildings:            |               |
| <u>N/A</u> existing (sq. ft) + <u>N/A</u> proposed (sq. ft) =    | <u>N/A</u>    |
| 5. Amount of lot area covered by porches:                        |               |
| <u>N/A</u> existing (sq. ft) + <u>N/A</u> proposed (sq. ft) =    | <u>N/A</u>    |
| 6. Total building coverage: Lines 3 + 4 + 5 (sq. ft) =           | <u>14,668</u> |

If line 6 is less than or equal to Line 2, your proposal complies with the Village's regulations; if Line 6 is greater than Line 2, your proposal does not comply with the Village's regulations.

**B. DEVELOPMENT COVERAGE** [Enter "0" below if category is not applicable]

- |   |               |
|---|---------------|
| 1. Total lot area (sq. ft.) =   | <u>70,971</u> |
| 2. Maximum permitted development coverage (sq. ft.)   | <u>65,293</u> |
| 3. Amount of building coverage from Line 6 in Section A above (sq. ft.)                                 | <u>14,668</u> |
| 4. Amount of lot area covered by driveway, parking areas, walkway and areas covered with gravel         |               |
| <u>17,280</u> existing (sq. ft) + <u>N/A</u> proposed (sq. ft) =  | <u>17,280</u> |
| 5. Amount of lot area covered by terraces, patio, decks:  |               |
| <u>N/A</u> existing (sq. ft) + <u>N/A</u> proposed (sq. ft) =   | <u>N/A</u>    |
| 6. Amount of lot area covered by tennis court, platform tennis court, And related mechanical equipment: |               |
| <u>N/A</u> existing (sq. ft) + <u>N/A</u> proposed (sq. ft) =   | <u>N/A</u>    |
| 7. Amount of lot area covered by all other structures, not including pre-existing stone walls:          |               |
| <u>N/A</u> existing (sq. ft) + <u>N/A</u> proposed (sq. ft) =   | <u>N/A</u>    |
| 8. Total development covered: Lines 3 + 4 + 5 + 6 + 7 (sq. ft) =  | <u>17,280</u> |

If line 8 is less than or equal to Line 2, your proposal complies with the Village's regulations. If Line 8 is greater than Line 2, your proposal does not comply with the Village's regulations.

# Short Environmental Assessment Form

## Part 1 - Project Information

Village/Town of Mount Kisco  
Planning Board

MAR 01 2016

**RECEIVED**


### Instructions for Completing

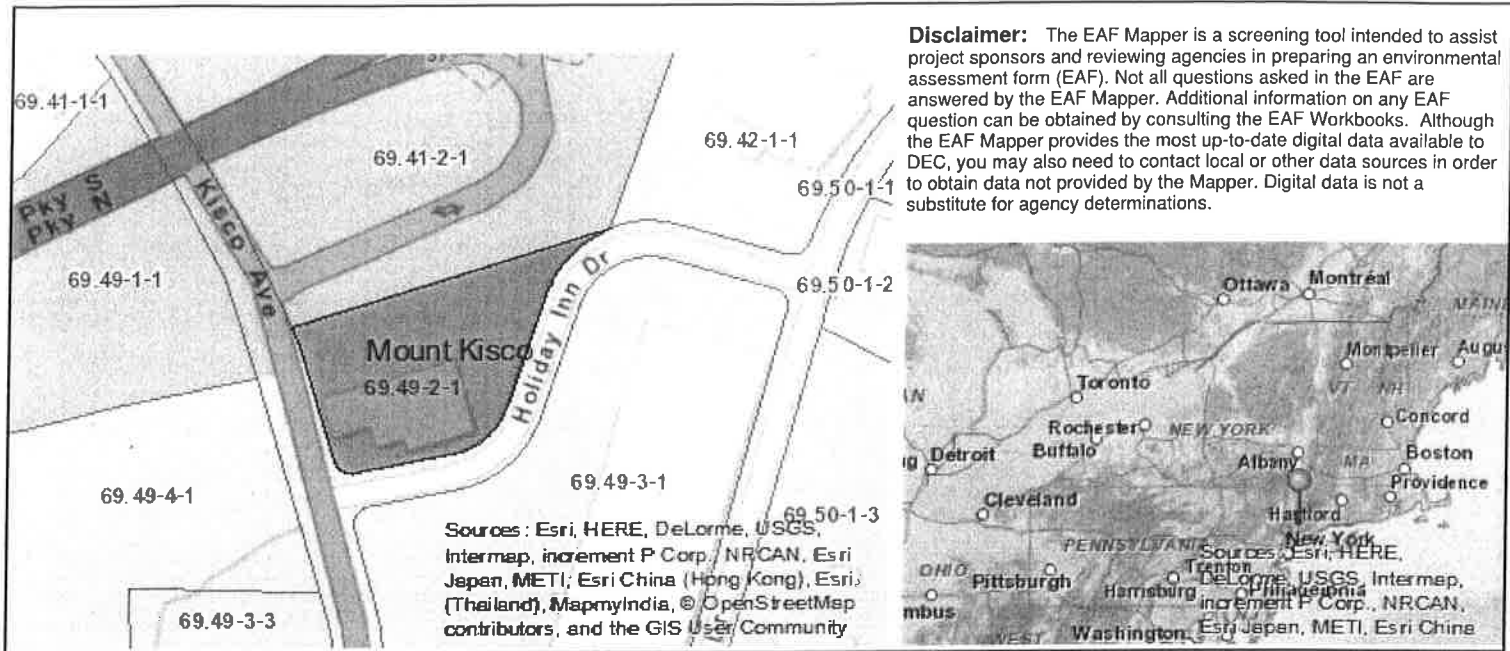
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. 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.

<b>Part 1 - Project and Sponsor Information</b>							
Name of Action or Project: 299 Kisco Avenue							
Project Location (describe, and attach a location map): 299 Kisco Avenue, Mount Kisco, New York 10549							
Brief Description of Proposed Action: Amend prior site plan to reflect existing conditions to modified to conform to Mount Kisco zoning requirements and to install porous pavement replacing existing porous material (gravel) in vehicle storage area.							
Name of Applicant or Sponsor: HVA Realty, LLC		Telephone: 914-598-1614 E-Mail: tomkriz@thepremiercollection.com					
Address: 299 Kisco Avenue							
City/PO: Mount Kisco		State: New York	Zip Code: 10549				
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? 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.			<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td><input type="checkbox"/></td> </tr> </table>	NO	YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>
NO	YES						
<input checked="" type="checkbox"/>	<input type="checkbox"/>						
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval: New York State Department of Environmental Protection Village of Mount Kisco Planning Board			<table border="1"> <tr> <th>NO</th> <th>YES</th> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </table>	NO	YES	<input type="checkbox"/>	<input checked="" type="checkbox"/>
NO	YES						
<input type="checkbox"/>	<input checked="" type="checkbox"/>						
3.a. Total acreage of the site of the proposed action?			1.6 acres				
b. Total acreage to be physically disturbed?			0.4 acres				
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?			1.6 acres				
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland							

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area?	NO	YES	
If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements?	NO	YES	
If the proposed action will exceed requirements, describe design features and technologies: _____ _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply?	NO	YES	
If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities?	NO	YES	
If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody?	<input type="checkbox"/>	<input type="checkbox"/>	
If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____			
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources?	NO	YES	
If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES _____ _____			

18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____ _____	<b>NO</b>  <input checked="checked" type="checkbox"/>	<b>YES</b>  <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____ _____	<b>NO</b>  <input checked="checked" type="checkbox"/>	<b>YES</b>  <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____ _____	<b>NO</b>  <input checked="checked" type="checkbox"/>	<b>YES</b>  <input type="checkbox"/>
<b>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</b>  Applicant/sponsor name: <u>W. Charles Utschig, Jr. PE</u> Date: <u>3/1/16</u> Signature: <u></u>		



Part 1 / Question 7 [Critical Environmental Area]	No
Part 1 / Question 12a [National Register of Historic Places]	No
Part 1 / Question 12b [Archeological Sites]	No
Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies]	No
Part 1 / Question 15 [Threatened or Endangered Animal]	No
Part 1 / Question 16 [100 Year Flood Plain]	Yes
Part 1 / Question 20 [Remediation Site]	No



Emily Lloyd  
Commissioner

Paul V. Rush, P.E.  
Deputy Commissioner  
Bureau of Water Supply  
rush@dep.nyc.gov

35 Columbus Avenue  
Alhambra, NY 10595  
(914) 742-2001  
(914) 742-2027

February 9, 2016

Mr. Eric Kingsbury  
Langan Engineering  
707 Westchester Avenue, Suite 304  
White Plains, New York 10604

Re: **299 Kisco Avenue**  
**Village of Mount Kisco, Westchester County, NY**  
**Tax map #: 69.49-2-1**  
**DEP Log#: 2016-CNC-0025-SQ.1**

Dear Mr. Kingsbury:

The New York City Department of Environmental Protection (DEP) has received a short Environmental Assessment Form (EAF) and drawings for the above referenced project.

The proposed site is located in the New Croton Reservoir drainage basin of the New York City Water Supply Watershed. New Croton Reservoir is phosphorous restricted; therefore, water quality impacts to the reservoir from pollutant laden runoff must be avoided or mitigated.

The proposed action involves the placement of approximately 17,280 sq. ft. of porous pavement over an existing gravel surface vehicle storage area that is located partially within a 100-year flood boundary.

Based upon the review of the documents received, DEP respectfully submits the following for your consideration:

1. The project site is located in a Designated Main Street Area (DMSA) and, in accordance with Section 18-39(a)(11)(i) of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations), the creation of any new impervious surfaces in a DMSA requires review and approval of a stormwater pollution prevention plan (SWPPP) by DEP.
2. Both the EAF and the site plan indicate that the northeast portion of the vehicle storage area is located in a 100 year flood plain. The project sponsor is encouraged to consider a layout that mitigates to the fullest extent possible the potential impacts associated with the proposed action.

You may reach the undersigned at [cgarcia@dep.nyc.gov](mailto:cgarcia@dep.nyc.gov) or (914) 773-4455 with any questions or if you care to discuss the matter further.

RECEIVED

FEB 10 2016

Langan  
Engineering

Village/Town of Mount Kisco  
Planning Board

MAR 01 2016

RECEIVED



January 7, 2016

Tom Kriz  
c/o The Premier Collection  
250 Kisco Ave  
Mt Kisco NY 10549

*Re: Wetland Delineation  
Volvo at Mount Kisco  
Village of Mount Kisco, Westchester County, New York*

*Village/Town of Mount Kisco  
Planning Board*

**MAR 01 2016  
RECEIVED**

Dear Tom:

Ecological Solutions, LLC completed a Federal and Local Village of Mount Kisco wetland assessment on the site owned by the New York State Department of Transportation adjacent to and north of the Volvo at Mount Kisco property to determine if any regulated area occurs on or in the vicinity of the Volvo site. The assessment led to the delineation was completed in accordance with the Army Corps of Engineers (USACE) Wetlands Delineation Manual (January 1987), Routine Determination Method and recent Northcentral/Northeast supplement and Village of Mount Kisco Chapter 107 Wetlands and Drainage Control.

Federal wetlands are delineated based upon the identification of the three mandatory criteria for wetland determination as outlined in the 1987 Federal Manual and supplement: dominant hydrophytic vegetation, hydric soils, and evidence of wetland hydrology. Federal watercourses or waters of the US contain a bed and banks that are regulated by the USACE.

The Routine Methodology procedure for wetland determination was used. Transects consisting of at several sample points were walked. Dominant vegetation around each sample point was identified and its percent cover quantified. The areas were checked in detail for the presence of wetland hydrologic indicators. Soil profiles were then observed and characterized at each point.

The detailed field investigation included:

1. Identification of vegetation species to determine whether there was a dominance of hydrophytic plants and areas containing transitional but primarily wetland-oriented species.
2. Determination of soil features for hydric (poorly and very poorly drained) natural soils.
3. Observation of site features displaying evidence of wetland hydrology based on the presence of inundated areas, apparent high seasonal water tables, and evidence of saturation within 12 inches of the surface (considered the root zone) during sufficient periods during the growing season to provide for anaerobic/hydric soil conditions.

There were no wetlands located on the Volvo site and only a drainage ditch was located on the adjacent property owned by the NYSDOT. Flags A1-A6 were placed along the top of bank of the ditch toward the Volvo side of the site.

If you need any additional information, please contact me.

Sincerely,  
ECOLOGICAL SOLUTIONS, LLC

A handwritten signature in dark ink, appearing to read "Michael Nowicki". The signature is fluid and cursive, with the first name "Michael" and last name "Nowicki" clearly distinguishable.

Michael Nowicki  
Biologist



VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK

104 Main Street  
Mount Kisco, New York 10549-0150

Telephone  
(914) 241-0500

MEMORANDUM

TO: Mount Kisco Planning Board

FROM: Peter Miley, Building Inspector *pm*

SUBJECT: Bare Burger  
441 Main Street, Property ID #80.50-4-4

DATE: March 17, 2016

---

A review of the conceptual application for the above reference application reveals the following:

1. The applicant needs to provide a coverage calculations worksheet.
2. The applicant shall provide a landscaping plan, the Building Department shall defer to the Village Planner for required landscaping.
3. Exterior lighting shall meet section §110-32 of the Village/Town of Mount Kisco Code, the Building Department shall defer all lighting specifications to the Planning Board, Village Planner, and Village Engineer.
4. All new exterior changes will require additional ARB approvals.
5. The proposed dumpster enclosure: the applicant is proposing a 4 ft-6 in rear yard setback where 30 ft rear yard setback is required, therefore; a 25 ft-6 in rear yard setback variance is required.
6. The applicant is proposing a 8ft high fence where a 6 ft-6 in high fence is permitted, therefore; a 1 ft-6in fence height variance is required.
7. The applicant is proposing 10 exterior tables for outdoor dining where 4 tables are permitted, therefore; a 6 table variance is required.
8. The proposed outdoor dining will require a Special Use Permit.
9. The outdoor dining shall comply with §93-4 D (2) and should be reflected on the plans.

\mkl

MEMORANDUM

Village/Town of Mount Kisco  
Planning Board

TO: Honorable Joseph Cosentino and  
Members of the Mount Kisco Planning Board

MAR 17 2016

**RECEIVED**

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

FROM: Jan K. Johannessen, AICP   
Village Planner

DATE: March 16, 2016

RE: Site Plan Application – Conceptual  
BareBurger Restaurant  
441 East Main Street  
Sheet 80.50, Block 4, Lot 4

Project Description

The subject property is comprised of ±0.58 acres of land, is located at 441 East Main Street within the General Retail (GR) Zoning District, and contains a 1-story building formerly occupied by Friendly's. The applicant, BareBurger Restaurant, is currently renovating the space and is proposing amendments to the previously approved site plan, including outdoor seating, landscaping, lighting, and other site improvements.

SEORA

The proposed action is a Type II Action and is categorically exempt from the State Environmental Quality Review Act (SEORA).

Comments:

1. The site plan of record was signed by the Planning Board in February of 1983, a copy of which has been provided by the applicant for review. While the site appears to be in substantial compliance with that plan, there is some deviation particularly with the existing

on-site lighting and a concrete pad/trash compactor that has been installed some years ago without Planning Board approval. As noted above, a complete renovation of the interior of the building is underway and the applicant has now submitted to the Planning Board for certain site modifications, including the construction of decks and patios for outdoor seating, the incorporation of landscape islands around the perimeter of the parking area, and improvements to on-site lighting. Overall, the proposal appears to be in keeping with the original intent of the previously approved site plan while providing some significant improvements to the site and building itself. We note that the proposed plan brings the site into compliance with the Village's development coverage requirement (80% maximum allowed/81% existing/79.9% proposed).

2. While we defer to the Building Inspector on this issue, the applicant should demonstrate compliance with the Villages outdoor seating provisions (see Section 93-4 of the Village Code).
3. We defer to the Building Inspector regarding zoning compliance; however, we note that the proposed dumpster enclosure is located within the side yard setback and the enclosure is proposed to be 8-feet tall; the Building Inspector should determine if this is acceptable or requires a variance.
4. A detailed lighting and landscaping plan, demonstrating compliance with Section 110-32 of the Zoning Code, should be submitted for review. The landscaping plan should be prepared by a Registered Landscape Architect.
5. We note that the freestanding sign that is located in the southwest corner of the property along Main Street is proposed to be removed. The applicant should identify if any new freestanding or monument signs are proposed. A location and detail should be provided for any proposed non-building related signage.
6. Pending the consent of the Planning Board, the applicant should submit a formal site plan application and site plan drawings, including all of the items required per the site plan submission checklist and Section 110-45 of the Zoning Code. Further, any comments contained in this memorandum and any memorandum provided by the Building Inspector should be responded to by the applicant in writing.

**Plans Reviewed, prepared by VKS Architects and dated March 1, 2016:**

- Proposed Site Plan, Key Map, Zoning Table & Notes (S1)
- Propose Floor Plan & Elevation (S2)
- Section Details (S3)

Chairman Joseph Cosentino  
March 16, 2016  
Page 3 of 3

**Other Plans Reviewed:**

- Survey, prepared by H. Stanley Johnson and Company, dated February 12, 2016
- Previously Approved Site Plan

JKJ/dc

T:\Mount Kisco\Correspondence\MK2101JJ-MKPB-441EMain(BareBurger)-Review-Memo-3-16-16.docx

**MAR 011 2016 Application for Conceptual Review**

Submission Date  
(Due 21 days in advance of Planning Board Meeting)

Fee \$1100 / \$500

**Type of Application:** (Please Check All That Apply)

Site Plan Approval ☒ Land Subdivision Approval ☐ Special Use Permit ☐ Change of Use ☐  
New Construction ☐ Addition ☐

**Applicant Information:**

Applicant Name: VKS Architects Viktor K Solark AIA

Address: P.O. Box 696 Katonah Ny 10536

Phone Number: (914) 232-9828

Fax:

Email: Vks@Vksa.com

Applicant's relationship to property: Architect

Name of Property Owner: (if different from above) Jill Pescatore

Address: 229 Woodridge Circle New Canaan, CT 06840

Phone Number: (203) 505-8236

Fax:

Email:

Has property owner been notified of proposed action? Yes ☒ No ☐

Owner's authorization

*Jill Pescatore*

date 1-29-16

Signature

**Project Information:**

Project Name: BareBurger Restaurant

Project Address/Location: 441 E. Main st Mount Kisco NY

Any locally recognized name of building or site: Formally Friendly's Restaurant

Description of Project (be specific): Interior and exterior renovations to existing restaurant building.

Modify existing parking lot to comply with current lot coverage zoning regulations.

Proposed exterior stone patio seating area and renovation of existing side entrance. W/OUTDOOR SEATING

Property Tax #: 80.50-4-4

Property Acreage 0.58ac (25,338 SF) Zoning District GR

Current Land Use: Restaurant (non fast food) Proposed Land Use: Restaurant (non fast food)

Size of Building or Addition Deck - 410 sf  
Patio - 185 sf (square feet) Height N/A

Map or Plan Preparer VKS Architects

Phone Number: (914) 232-9828 Fax: (914) 232-9839 Email: Vks@Vksa.com

Please attach any easement agreements, property covenants or deed restrictions.

The above information is complete and factually correct to the best of my knowledge:

Applicant's Signature

*Viktor K Solark*

date 2/23/2016

Owner's (or designated agent's) signature

*Jill Pescatore*

date 1/29/16

Signature

Reviewed by:

Date:

**PLANNING BOARD  
VILLAGE OF MOUNT KISCO**

**LEAD AGENCY DECLARATION**

**MAPLEWOOD SENIOR LIVING, LLC  
2 MORGAN DRIVE**

**Section 80.55, Block 1, Lot 2.1  
Application No: PB2013-0247**

**March 22, 2016**

Village/Town of Mount Kisco  
Planning Board

MAR 17 2016

**RECEIVED**

**DRAFT**

**WHEREAS**, the subject property consists of ±5.72 acres of land and is located at the corner of Radio Circle and Morgan Drive within the Research and Development (RD) Zoning District (“the subject property”); and

**WHEREAS**, the subject property is the site of a former New York City sewage treatment plant and was transferred by the City of New York to the Village of Mount Kisco in or about 1985; the property was sold by the Village shortly thereafter; and

**WHEREAS**, Maplewood Senior Living, LLC (“the applicant”) is proposing the construction of a senior assisted living housing development consisting of 3-stories and 94 units, to be accessed via Morgan Drive, along with on-site parking, stormwater facilities, municipal water and sewer connections, lighting, landscaping and other site amenities (“the proposed action”); and

**WHEREAS**, the subject property is owned by Radio City Ventures, LLC; and

**WHEREAS**, the proposed use is not permitted within the underlying RD Zoning District and the applicant has petitioned the Village Board and is proposing a zoning text amendment to permit the proposed use by Special Permit; and

**WHEREAS**, wetlands are located on-site and in the vicinity of the subject property, including off-site wetlands regulated by the New York State Department of Environmental Conservation (NYSDEC); and

**WHEREAS**, the Planning Board has preliminarily identified the proposed action as a Type 1 Action pursuant to the State Environmental Quality Review Act (SEQRA); and

**WHEREAS**, for purposes of initiating the SEQRA process and establishing lead agency, the applicant has submitted Part 1 of the Full Environmental Assessment Form (EAF), dated January 5, 2016; and



**WHEREAS**, on February 9, 2016, the Planning Board declared its intent to serve as Lead Agency; and

**WHEREAS**, after 30 days of mailing the Lead Agency Agreement, no Involved Agency objected to the Planning Board acting as the Lead Agency.

**NOW THEREFORE BE IT RESOLVED THAT**, the Planning Board of the Village of Mount Kisco hereby declares itself Lead Agency for the coordinated SEQRA review of the proposed action.

**ADOPTION OF RESOLUTION**

**WHEREUPON**, the Resolution herein was declared adopted by the Planning Board of the Village of Mount Kisco as follows:

The motion was moved by: \_\_\_\_\_

The motion was seconded by: \_\_\_\_\_

The vote was as follows:

<b>JOSEPH COSENTINO</b>	_____
<b>ANTHONY STURNIOLO</b>	_____
<b>RALPH VIGLIOTTI</b>	_____
<b>DOUGLAS HERTZ</b>	_____
<b>ENRICO MARESCHI</b>	_____
<b>MICHAEL BONFORTE</b>	_____
<b>JOHN BAINLARDI</b>	_____

---

Joseph Cosentino

March 22, 2016

ENTERPRISEHOLDINGS.



Village/Town of Mount Kisco  
Planning Board

FEB 18 2016

**RECEIVED**

Hudson Valley Region  
400 Auto Park Place  
Newburgh, NY 12550  
845.440 0900 o  
enterpriseholdings.com

February 18, 2016

Village/Town of Mount Kisco Planning Department

104 Main Street

Mount Kisco NY 10549

Attn: Planning Department

RE: Request for Temporary Certificate of Occupancy for 283 North Bedford Road

Dear Planning Board,

Enterprise Rent-A-Car is requesting approval for a temporary Certificate of Occupancy to open our business at 283 North Bedford Road, in Mount Kisco, NY. There are three item remaining to meet all the conditions which are the following:

Landscaping of site- We have deposited \$21,435.49 in escrow to be held until weather permits plantings

Parking lot striping- The upper lot has been completed including the ADA Van accessible parking space. The remainder of the parking lot will need to be completed when weather permits.

Installation of Backflow preventer- We have an application in with the BOH and address their comments and are waiting on approval.

We appreciate your consideration for temporary Certificate of Occupancy and would be happy to address any remaining comments or conditions. We look forward to your response and operating in this new location.

Please contact me with any questions at 845.440.0911.

Sincerely,

A handwritten signature in black ink, appearing to read "Frank Vigna", is written over a light blue circular stamp.

Frank Vigna

Enterprise Rent-a-Car

Regional Operations Manager

**HOLD HARMLESS AND INDEMNIFICATION AGREEMENT  
OF  
MT. KISCO SUPPLY COMPANY, INC.  
TO  
VILLAGE OF MOUNT KISCO**

This agreement is dated the       day of February, 2016, and executed by **Mt. Kisco Supply Company, Inc. (MKSC Inc.)** with offices located at 369 Lexington Avenue, Mount Kisco, New York and provided to the **The Village of Mount Kisco (Village)**, with offices located at 104 Main Street, Mount Kisco, New York.

**WHEREAS, Mt. Kisco Supply Company, Inc.** has an application pending for site plan approval of its property located at 369 Lexington Avenue; and

**WHEREAS,** part of the application includes the Tenant, **Davis & Warshow,** (Owned by Ferguson and hereinafter referred to as D & W) expanding its kitchen and bath fixture showroom into adjoining space; and

**WHEREAS,** that adjoining space is zoned CL, the same as the current showroom and is a permitted use; and

**WHEREAS,** D & W has submitted plans for said showroom expansion to the Village of Mount Kisco Building Dept. for review and acceptance; and

**WHEREAS,** said plans have been reviewed and approved, as revised.

**NOW, THEREFORE,** the Village will issue a building permit for said showroom expansion at this time, provided that MKSC Inc. provide the Village with certain written guarantees, assurances, hold harmless and indemnifications and MKSC Inc. agrees to provide same and said MKSC Inc. hereby represents and agrees to the following:

1. Notwithstanding the issuance of the building permit, (a) the Village does

not guarantee that said expansion and use will be approved by the Building Dept. for issuance of a Certificate of Occupancy; and (b) the Village gives no assurances that the Village Planning Board will approve said showroom use and/or approve the pending application for site plan approval of the entire 369 Lexington Avenue site; and

2. That all work performed by MKSC Inc. and its tenant, D & W) and the costs incurred in performing said work will be entirely at the risk of MKSC Inc. and D & W.

3. Both MKSC Inc. and D & W agree that they will hold the Village and its Building Dept. harmless and indemnify it from all risk and costs incurred by MKSC Inc. and D & W in the event final approval for said work is not granted by the Village, provided that the denial of said approval is made in good faith and based upon valid reasons for denying the issuance of a Certificate of Occupancy for said showroom expansion.

Dated: Mount Kisco, New York  
February , 2016

MT. KISCO SUPPLY COMPANY, INC.

By: \_\_\_\_\_

Robert Pasquale, President

**Planning Board**



VILLAGE/TOWN OF MOUNT KISCO  
WESTCHESTER COUNTY, NEW YORK  
104 Main Street  
Mount Kisco, New York 10549

Village/Town of Mount Kisco  
Planning Board

MAR 02 2016

**RECEIVED**

Telephone  
(914) 241-0500

*Beautification Committee*

**Minutes of the Beautification Committee Meeting  
February 3, 2016**

To: Members of the Beautification Committee, Mayor Michael Cindrich,  
Village Board of Trustees, Planning Board, Zoning Board

Present: Joan Stewart, Chairman, Pat Reilly, Treasurer, Joanne Hack, Harold  
Hochstein, Marci Silverman, Pat Thompson, Carol Welch, Cece Yozzo, Maureen  
Zaccari, Jeanne Zipp

Excused: Joanne Hauser, Anne Whalen

Mtg called to order by Joan at 10:32

Motion to approve the minutes of the Nov. mtg was made by Maureen and seconded  
By Ceci

Joan thanked Pat on behalf of members of the committee for the lovely luncheon in  
January.

T's Report: Friend's Balance: 11/30 \$3449.53 minus \$525. For seed packets = \$2942.53

Joan read a note from Marsha Jayko, Ethel Brensilver's daughter thanking us for  
attending her mother's funeral.

Joan and Pat attended the Village Board Meeting on 12/7/15 to present the Flower Basket  
Award to Jo Luppino and the Highway Department and the Decade of Greenery to  
Davidson Interiors.

**Residential Garden Contest**

Maureen and Ceci volunteered to be co-chair of this project  
Process

Applicants can access the committee's email: [mtkiscobeautification.com](mailto:mtkiscobeautification.com) for information  
and application forms.

Informational flyers and application forms will be available in the Library and local  
businesses (ie: Michael's Nursery) for citizens who don't have access to computers.

The project will be advertised in local papers, the Village website and on FB  
Judging

A sub-committee will be formed to go thru all submissions.

This committee will select the top 5 contenders

Members of this committee will then visit these 5 gardens in early Sept to determine the winner.

Awards

The winner will receive a certificate, a plant, a sign to be posted on the front lawn and recognition at a Village Board Mtg.

### **Mt. Kisco School Planting Project**

Joanne Hack agreed to chair this project she will need to contact Mr. Hunter to make arrangements.

Michael's Nursery provides: trays, pots potting soil seeds sticks for labeling student's names

### **Marci's Farwell Lunch**

Terra Rustica Due (old Eduardo's) 77 S Moger NOON 2/9

Joan said that the committee is really not able to thank Marci enough for her 20 years of dedication, expertise, and hard work. She will be sorely missed. We wish her all the best in future endeavors!

Carol made the motion that the meeting adjourned. Seconded by Harold.  
Meeting adjourned at 11:30.

Respectfully submitted by Carol Welch