



# TOWN OF CORTLANDT PLANNING BOARD

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### TO JOIN THE MEETING REMOTELY USE THE ZOOM LINK BELOW:

<https://us02web.zoom.us/j/86734592699?pwd=PGvBJnDKZnO83n6kkuvqEb9mvsibrR.1>

**WORK SESSION.....MARCH 4, 2025 6:00 PM**

1. Discuss February 4, 2025 Regular Planning Board Meeting Agenda.

**MEETING AGENDA.....PLANNING BOARD  
TOWN OF CORTLANDT  
6:30 TUESDAY EVENING\*  
MARCH 4, 2025**

1. **PLEDGE TO THE FLAG**
2. **ROLL CALL**
3. **CHANGES TO THE AGENDA BY MAJORITY VOTE**
4. **ADOPTION OF THE MINUTES OF THE MEETING OF FEBRUARY 4, 2025**
5. **CORRESPONDENCE**

**PB 16-99** a. Letter dated February 6, 2025 from John Bevegna, P.E. transmitting the 2024 Hollowbrook Golf Club 2024 Annual Monitoring Report.

**PB 1-16** b. Letter dated February 10, 2025 from James Annicchiarico requesting the 3<sup>rd</sup>, six-month time extension of Preliminary Plat approval for the Pomona Development, LLC (Boga) subdivision located on the south side of Revolutionary Rd., south of Eton Lane.

6. **RESOLUTION**

**PB 2025-2** a. Application of Wilvan Van Campen, R.A. on behalf of Victor Pena Gomez, for a Special Permit for an accessory apartment located within the existing residence at 60 Waterbury Parkway. Drawings dated January 16, 2025.

**7. PUBLIC HEARING (ADJOURNED FROM PREVIOUS MEETING)**

- PB 2024-3** a. Public Hearing: Application of Briga Enterprises Inc. & Bilotta Realty of Westchester Inc. for Amended Site Plan approval for a 2,400 sq. ft. storage building located at 2099 Albany Post Rd. Drawings latest revised February 18, 2025. (see prior PBs 29-95, 15-99, 8-03)

**8. OLD BUSINESS**

- PB 2025-4** a. Application of Zachary Kamm, P.E. on behalf of Kitzbuehel Realty, LLC for Amended Site Plan approval to convert the former ShopRite store to a Floor & Décor store for property located at 2094 E. Main Street. Drawings latest revised February 20, 2025. (see prior PB 25-92)
- PB 2024-2** b. Application of George McCombe for Preliminary & Final Approval for a 2-lot minor subdivision of a 2-acre parcel of property located at 107 Mountain View Road. Improvement drawings latest revised February 20, 2025. Plat dated August 7, 2024.

**9. ADJOURNMENT**

**Next Regular Meeting; TUESDAY, APRIL 1, 2025 at 6:30 PM**  
**Agenda information is also available at [www.townofcortlandt.com](http://www.townofcortlandt.com)**

*\* Regular meeting will begin at the conclusion of the work session*



February 6, 2025

Via E-mail: [MichaelP@townofcortlandt.com](mailto:MichaelP@townofcortlandt.com)

Mr. Michael Preziosi, P.E.  
Director, Department of Technical Services  
Town of Cortlandt  
One Heady Street  
Cortlandt Manor, NY 10567

RE: Hollow Brook Golf Club  
2024 Annual Monitoring Report

Dear Mr. Preziosi:

In accordance with the Hollow Brook Golf Club (HBGC) Water Quality Monitoring Program, WSP is submitting the following 2024 Annual Monitoring Report. The monitoring program has been in place since 2003 and is completed in accordance with the May 2002 Environmental Management Plan (EMP) and several modifications adopted by the Town over the following years.

The current monitoring program includes groundwater, surface-water and storm water sampling. Water samples are collected twice per year, in the summer and fall, from groundwater monitor wells GW-1R and GW-4, and from downstream surface water location DS-1 in the Hollow Brook. In addition, storm water samples are collected once per year from Hollow Brook location DS-1, if certain triggering conditions are met. Course samples are analyzed for pesticides and several inorganic parameters which are listed on Table 1. The EMP requires that all pesticides applied to the course in the previous 12 months be included in the analyses.

**0 SAMPLING DATA COLLECTIONS AND METHODS**

The 2024 sampling events for groundwater and surface-water were completed on August 1st and November 14<sup>th</sup>. During both events, samples collected from surface-water station DS-1 and groundwater sampling locations GW-1R and GW-4 were analyzed for the parameters listed on Table 1. A Site Plan showing sample locations is included as Figure 1.

The pesticides were analyzed by Columbia Laboratories of Portland, Oregon. A complete list of pesticides included in the analyses can be found attached to the lab reports in the Appendices. The remaining parameters were analyzed by York Analytical Laboratories (York) of Stratford, Connecticut.

The analytical results are compared to the New York State Surface Water and Groundwater Standards per 6 NYCRR Part 703 or, alternative Response Thresholds per the EMP (Table 5-5). Additionally, pesticides are evaluated for toxicological significance by comparison to 50-percent of compound specific, EPA Health Advisory Levels (HALs) for human health effects and, 10-percent of Lethal Concentration 50 (LC50s) for the protection of aquatic life in surface water.



This year a storm water sample was not collected due to a change in the triggering criteria which was not finalized until this past September. Prior to that, the Town and HBGC disagreed over the specific triggering criteria and as a result, storm sampling could not be completed. The revised storm event triggering criteria was adopted by the Town Planning Board on October 1, 2024, in Resolution Number 11-24. Per the resolution, a triggering event will be considered that which is forecast to produce 2.8 inches or more of precipitation within a 24-hour period. This is considered a once-a-year storm event for Cortlandt Manor in accordance with the National Oceanic and Atmospheric Administration, Point Precipitation Frequency Estimates. When sampling is triggered in response to a forecasted triggering event, and a sample is collected, the storm event will be deemed to have met the annual stormwater testing requirement, if the total rainfall is more than 1.5 inches within a 24-hour period. A triggering storm event did not occur between October 2024 and the end of the year, based on precipitation records from a monitoring station in Shrub Oak, NY.

**2.0 SAMPLING RESULTS**

The 2024 sampling results for groundwater and surface water are discussed below and presented on Table 1. Historical results are included in previous Annual Monitoring Reports. The laboratory analytical reports are included in Appendices I and II. All pesticides used on the course are registered for use in New York State and were reviewed for use at Hollow Brook by the Town’s consulting agronomist, Dr. Martin Petrovic.

**2.1 September 2024**

**2.1.1 Groundwater**

Pesticides were not detected in any of the August groundwater samples. All other parameters were either not detected or met applicable standards, guidance or response threshold criteria (Table 1).

**2.1.2 Surface Water**

As shown on Table 1, there were no pesticide detections in the downstream Hollow Brook surface water sample DS-1. All other parameters were either not detected or met applicable standards, guidance or response threshold criteria (Table 1).

**2.2 November 2024**

**2.2.1 Groundwater**

Laboratory results for November show the detection of the pesticide flutolanil at 1.61 ug/l (micrograms per liter) in well GW-1R. As shown on Table 1, under the Standard, Guidance or Response Threshold column, 50-percent of the HAL for flutolanil is 1,500 ug/l. The detected concentration of flutolanil was well below the applicable, human health-based response threshold and as a result no further action was taken. All other parameters were either not detected or met applicable standards, guidance or response threshold criteria.



### 2.2.2 Surface Water

As shown on Table 1, there were no pesticide detections in the downstream Hollow Brook surface water sample DS-1. All other parameters were either not detected, or met applicable Standards, Guidance or Response Threshold criteria.

### 3.0 **DISCUSSION AND CONCLUSIONS**

The management response to detections in groundwater or surface-water samples is described in the EMP. If certain pesticides (specifically listed in the EMP) are detected twice in the same year, the indicated response is to suspend their use. However, based on historical data and because new pesticides are not specifically addressed in the EMP, the Town and HBGC have agreed that pesticides that are repeatedly detected in groundwater samples could continue to be used on the course under the following conditions:

- The pesticide detection is below the toxicologically significant criteria. For groundwater this is 50 percent of the respective EPA HALs.
- The pesticide is not detected in the Hollow Brook; and,
- Use of the pesticide would be restricted to spot applications until it is no longer detectable.

Flutolanil was detected in a groundwater sample collected from GW-1R during the November event. The detected concentration (1.61 ug/l) was well below 50-percent the respective HAL, which is a human health-based toxicological criteria, and there were no pesticide detections in the Hollow Brook (Table 1). Flutolanil was not detected in any of the August samples. Based on the above protocols, no further action is needed at this time relative to flutolanil and no pesticide restrictions are warranted based on the 2024 sampling results.

All other analyzed parameters were either not detected or met applicable standards, guidance or response threshold criteria showing no impact to water quality.

Sincerely,  
WSP USA

John Benvegna, P.G.  
Vice President

CC: Chris Dehove, AICP, T/Cortlandt  
David Rambo, C/Peekskill Water Dept.  
Greg Coughlin, Hollow Brook  
Eugene Peterson, Hollow Brook

February 10, 2025

Steven Kessler, Chairman  
Town of Cortlandt Planning Board  
Town Hall  
One Heady Street  
Cortlandt Manor, New York 10567

**Re: *Time Extension Request for  
Subdivision Plan Approval PB #1-16  
Pomona Development, LLC  
Revolutionary Road  
Tax Map Designation: 23.15-1-43***

Dear Chairman Kessler and Members of the Planning Board:

The above referenced project received conditional Preliminary Subdivision Plat approval from the Planning Board via Resolution No. 9-23 on September 5, 2023, valid for a period of six (6) months. This approval was extended via Resolution No. 3-24 for an additional six (6) months on March 5, 2024 and extended again via Resolution No. 8-24 on September 11, 2024.

It should be noted that we have prepared the Realty Subdivision application for submission to the Westchester County Department of Health ("WCDH") and are only awaiting the subdivision plat from the surveyor. We anticipate submitting the application in the next month or so and having WCDH approval within the next 4 to 5 months. Therefore, the Applicant respectfully requests a third six (6) month time extension of the approval.

We respectfully request this item be placed on the March 4, 2025 Planning Board agenda for discussion and consideration for approval. Should you have any questions or require additional information please contact me at the above number. Thank you for your time and consideration in this matter.

Respectfully submitted,



James C. Annicchiarico  
Project Engineer

cc: Cafo Boga, Pomona Development, LLC, Property Owner/Applicant  
File: *Boga-Revolutionary Rd-Cortlandt-3 Lot Subdivision-Letter-Time Extension-20250210.doc*

February 20, 2025

**Via OpenGov (PBCK-24-8)**

Hon. Steven Kessler  
Chairman of the Town of Cortlandt Planning Board  
and Members of the Planning Board  
1 Heady Street  
Cortlandt Manor, New York 10567

**Re: Bilotta Realty of Westchester, Inc. (PB 2024-3)  
2099 Albany Post Road (Section 55.9 Block 1 Lot 3)**

Dear Chairman Kessler and Members of the Planning Board:

As you are aware, this firm represents Bilotta Realty of Westchester, Inc. (“Bilotta” or “Applicant”), owner of the property located at 2099 Albany Post Road in the Town of Cortlandt and Applicant in the above-referenced application for amended site plan approval.

This letter is submitted in response to Christopher Lapine’s January 23, 2025 and Michael Preziosi, P.E.’s January 27, 2025 memoranda, and in anticipation of the March 4, 2025 Planning Board meeting. We ask that, at the March 3<sup>rd</sup> Planning Board meeting, the public hearing be closed and that the application be approved (or that Town Staff be directed to prepare a resolution for the Board’s consideration) so that a Certificate of Occupancy may be issued for the storage building. In support of this request, and in response to the above-referenced memoranda, please find enclosed the following:

- Letter of George J. Mottarella, PE, LS, PC, dated February 18, 2025
- Site Plan (of 2099 Albany Post Road), prepared by George J. Mottarella, PE, LS and last revised January 23, 2025
- Details plan, prepared by George J. Mottarella, PE, LS and last revised January 23, 2025
- Architectural Drawings (3 pages), prepared by SJB Architecture & Design and last revised February 20, 2025

In addition to the above, a Change of Tenant application has also been filed with the Town’s Building Department in accordance with the Town consultant comments (*See OpenGov Permit App No. A-25-120*).

We look forward to again appearing before your Board at the March 4<sup>th</sup> Planning Board meeting. In the meantime, if you have any questions or require any further information, please do not hesitate to contact us.

Very truly yours,

ZARIN & STEINMETZ LLP

By:



David S. Steinmetz  
Brian T. Sinsabaugh

Enclosures.

cc: *(via e-mail)*

Chris Kehoe, AICP  
Thomas Wood, Esq.  
Michael Cunningham, Esq.  
SJB Architecture & Design  
George J. Mottarella PE, LS, PC  
Bilotta Realty of Westchester Inc.  
Ralph Mastromonaco



**GEORGE J. MOTTARELLA, PE, LS, PC.**  
*Civil Engineer & Land Surveyor*

*February 18, 2025*

*Christopher Lapine, P.E.  
LaBella Associates*

*Re: 2099 Albany Post Road, Briga Enterprise Inc. & Bilotta Realty of  
Westchester Inc.*

*Dear Mr. Lapine:*

*The following are my responses to you comments of January 23, 2025, as  
related to my work on the above site.*

- 2. Attached is a revised site plan showing existing conditions, which is based on  
actual survey data.*
  - a. The bins were shot by me and are accurately depicted on the site plan.  
The materials vary from several mulch types, several sizes of crushed  
stone, top soil, mason sand, and gravel.*
  - b. The existing utilities to the office building have been added to the site plan.*
  - c. The employee parking areas behind the office building and at the  
northwest corner of the property have been added to the site plan. Two  
ADA accessible parking spots in front of the office building have also been  
added.*
  - d. A fenced-in refuse area has been added to the site plan and fence detail  
added on the attached detail sheet.*
  - e. The hose bib has been added to the site plan. The hose bib is connected  
to an existing 2" water supply tapped off the water main on the access  
road leading to the concrete plant. All water supply through that main is  
protected by an RPZ installed in an underground vault at the entrance to  
the property.*
  - f. The septic system for the office building was installed in 1996, the owner  
will supply record of recent septic tank pump out.*



**GEORGE J. MOTTARELLA, PE, LS, PC.**  
*Civil Engineer & Land Surveyor*

3. *Maneuverability and access of emergency vehicles is demonstrated by the fact that tri-axle dump trucks, front end loaders, and tractor trailers maneuver around the outdoor storage areas on a daily basis.*
4. *The owner shall remove the fuel storage and waste oil containers located on the site off the mason yard.*
5. *The owner shall remove the 55-gallon waste oil container located within the storage building.*
6. *The note has been added to the site plan.*
7. *See 2f. above.*
8. *The Recharger detail (on Detail sheet) has been revised to indicate dimensions of the  $\frac{3}{4}$  inch stone.*
9. *Inverts have been added to the Site plan SP-1.*
10. *The note has been added to the site plan.*
11. *The owner shall have the backflow device in the office building replaced with a unit approved by the Westchester County Heath Dept. Test results after installation shall be submitted to the town.*
12. *The stormwater quality basin shall be replaced with a 2' x 2' pre-cast concrete box and a frame and solid cover set at grade, as soon as weather permits.*
13. *The owner shall install manhole covers over the existing septic tank access plugs.*

Regards,



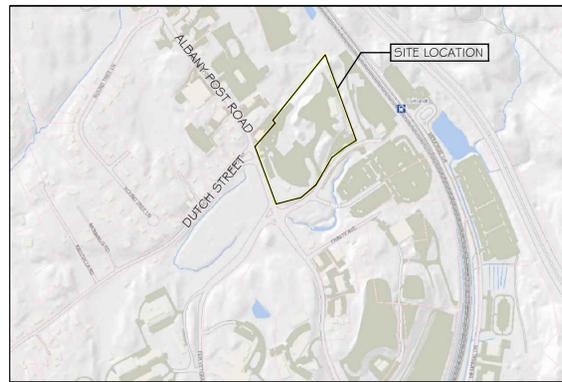
George J. Mottarella



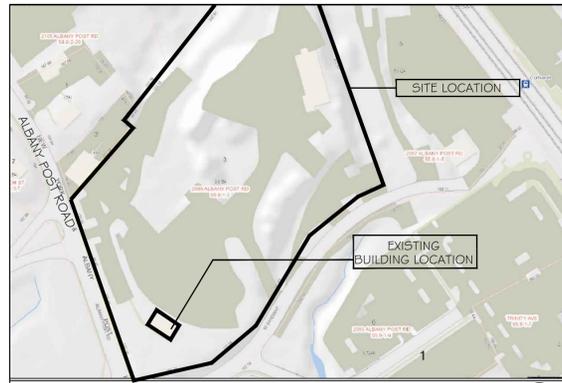


# DAKOTA SUPPLY CORP.

2099 Albany Post Road  
Montrose, NY 10548



LOCATION MAP - not to scale



PLOT PLAN - not to scale



AERIAL VIEW - not to scale

## PROJECT INFORMATION DATA:

- MUNICIPALITY: TOWN OF CORTLANDT
- VILLAGE TAX MAP DESIGNATION: SHEET: SBL - 55.9 - 1 - 3
- ZONING DISTRICT: M1 / HC-9A
- OWNER: BRIGA ENTERPRISES INC
- APPLICANT: DAKOTA SUPPLY CORP.
- SITE LOCATION: 2099 Albany Post Road, Montrose, NY 10548

### COMPLIANCE WITH CHAPTER 5 OF THE 2020 BC OF NYS BUILDING HEIGHT AND AREA

OCCUPANCY (TYPE VB)	# STORIES ALLOWED	# STORIES PROPOSED	HEIGHT ALLOWED	HEIGHT PROPOSED	AREA ALLOWED	AREA PROPOSED
B - BUSINESS	2	2	40'	31'	9,000 SF	2,481 SF
M - MERCANTILE	1	1	40'	31'	9,000 SF	625 SF
S2 - STORAGE	2	1	40'	21.6'	13,500 SF	2,647 SF
TOTAL FLOOR AREA (USING B-BUSINESS) =					9,000 SF	5,753 SF

## 2020 BC OF NYS COMPLIANCE

<p><b>CHAPTER 3 - Use &amp; Occupancy Classification</b></p> <p>EXISTING USE - Business Group B</p> <p>PROPOSED USE - Business Group B</p> <p><b>CHAPTER 4 - Special Detailed Requirements Based on Occupancy and Use</b></p> <p>Not Applicable</p> <p><b>CHAPTER 5 - General Building Heights and Areas</b></p> <p><b>SECTION 504 - BUILDING HEIGHT &amp; NUMBER OF STORIES</b></p> <p>TABLE 504.3 ALLOWABLE BUILDING HEIGHT</p> <p>Occupancy B - Type VB - 40 Feet max</p> <p>Existing Building Height - 31.0 ft &lt; 40 ft</p> <p>No change to building height proposed</p> <p><b>TABLE 504.4 ALLOWABLE NUMBER OF STORIES</b></p> <p>Occupancy B - No Sprinkler - Type VB - 2 Stories Maximum</p> <p>Existing Building - 2 Stories</p> <p><b>SECTION 506 - BUILDING AREA</b></p> <p>TABLE 506.2 ALLOWABLE AREA</p> <p>Occupancy B - Type VB Construction Governs</p> <p>9,000 SF Maximum Area</p> <p>Existing Building Area = 3,403 SF &lt; 9,000 SF</p> <p>No change to building area proposed.</p> <p><b>CHAPTER 6 - Types of Construction</b></p> <p>TABLE 601 - Fire Resistance Rating Requirements for Building Elements</p> <p>Existing Building - B Use - Type VB</p> <p>No fire resistance rating requirements for building elements.</p> <p>TABLE 602 Fire Resistance Rating Requirements for Exterior Walls Based on Fire Separation Distance</p> <p>Separation between Business Building and separate Storage building on site = 17.4 ft</p> <p>Separate storage building on site is Type IIB</p> <p>Required Rating for IIB and VB between 10 ft and 30 ft = 0</p> <p><b>CHAPTER 7 - Fire &amp; Smoke Protection Features</b></p> <p>No change in use is proposed.</p> <p>No change to fire &amp; Smoke Protection Features are required.</p> <p>Locations of Smoke detectors and fire extinguishers have not changed. Alarm system has not been altered. See note below.</p> <p><b>CHAPTER 8 - Interior Finishes</b></p> <p>Not Applicable</p> <p><b>CHAPTER 9 Fire Protection &amp; Life Safety Systems</b></p> <p>Sprinkler System not required for B Occupancies as proposed.</p> <p><b>Fire Alarm &amp; Detection System Notes:</b></p> <p>A licensed Fire Alarm Contractor shall inspect the existing alarm system within the modified space and install or relocate all necessary visual and audible warning devices, pull boxes and control units to conform to the 2020 BC OF NYS, 2020 IBC and 2016 NFPA 13.</p> <p>Smoke Detectors and Carbon Monoxide Detectors shall be installed in accordance to the 2020 BC OF NYS.</p> <p>Fire Extinguisher layout to be provided under separate cover.</p>	<p><b>CHAPTER 10 - Means of Egress</b></p> <p><b>SECTION 1004 - OCCUPANT LOAD</b></p> <p>TABLE 1004.1.1 MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT</p> <p>27 occupants (See table same page for calculations and drawing A-101 for key plan)</p> <p><b>SECTION 1005 - MEANS OF EGRESS SIZING</b></p> <p>1005.3.2 Exception 1 - Other egress components = .15 inches width per occupant - 27 occupants x .15 inches = 4.1 inches</p> <p>Egress from existing building = 72"</p> <p>1005.5 - Distribution of minimum width and required capacity.</p> <p>Where more than one exit, or access to more than one exit, is required, the means of egress shall be configured such that the loss of any one exit, or access to one exit, shall not reduce the available capacity or width to less than 50 percent of the required capacity or width.</p> <p><b>SECTION 1006 - EXIT ACCESS</b></p> <p>1006.2.1 Egress based on occupant load and common path of egress travel distance.</p> <p>Two exits or exit access doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1.</p> <p>TABLE 1006.2.1</p> <p>B' Business Use Max.Occupant Load = 49 w/ (1) EXIT</p> <p>Max.Common Path of Egress Travel Distance w/o Sprinkler System (&lt; 30 Occupants) = 100 feet.</p> <p>PROPOSED OCCUPANCY FOR BUILDING = 27</p> <p>MORE THAN ONE EXIT IS PROVIDED</p> <p><b>SECTION 1008 - MEANS OF EGRESS ILLUMINATION</b></p> <p><b>SECTION 1013 - EXIT SIGNS</b></p> <p>Design Electrical and Egress Illumination on sheet A-102</p> <p><b>CHAPTER 11 - Accessibility</b></p> <p><b>SECTION 1104.4 MULTISTORY BUILDINGS AND FACILITIES</b></p> <p>At least one accessible route shall connect each accessible story, mezzanine and occupied roofs in multilevel buildings and facilities.</p> <p>Exception 1 - An accessible route is not required to stories that have an aggregate area of not more than 3,000sf and are located above accessible levels.</p> <p><b>SECTION 1109.2 - TOILET AND BATHING FACILITIES</b></p> <p>1109.2.1 Family or assisted use toilet and bathing rooms in assembly and mercantile occupancies, an accessible family or assisted-use toilet room shall be provided where an aggregate of six or more male and female water closets is required.</p> <p>AGGREGATE WATER CLOSETS REQUIRED AS PER OCCUPANCY IS LESS THAN 6.</p> <p>See calculations same page.</p> <p>No family or assisted use toilet room is required.</p> <p>(2) Separate Bathrooms are provided in existing 2-story structure utilized for Business/Mercantile Use.</p>	<p><b>CHAPTER 29 - Plumbing Systems</b></p> <p><b>SECTION 2902 - MINIMUM PLUMBING FACILITIES</b></p> <p>TABLE 2902.1 Minimum Number of Required Plumbing Fixtures</p> <p>Occupancy - Business "B"</p> <p>See Calculations on drawings same page</p> <p>Required and Proposed fixtures - see Calculations same page</p> <p>2902.2 Separate facilities.</p> <p>Where plumbing fixtures are required, separate facilities shall be provided for each sex.</p> <p>Exception #3 - Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or fewer.</p> <p>Exception #4 - Separate facilities shall not be required in business occupancies in which the maximum occupant load is 25 or fewer.</p> <p>Separate facilities are not required however (2) separate bathrooms are provided each with a lavatory and water closet.</p> <p><b>OCCUPANT LOAD NOTE:</b></p> <p>AS PER SECTION 1004.5 CHAPTER 10 IN THE 2020 BC OF NYS:</p> <p>The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.5</p> <p>- EXCEPTION: Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building area is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.</p>	<p><b>PLUMBING CALCULATIONS</b></p> <p>TOTAL- 30 OCCUPANTS</p> <p><b>PLUMBING</b></p> <p>27 / 2 (Men / Women) = 13.2</p> <p><b>WATER CLOSETS</b></p> <p>Male 1/125 = 14/125 = 0.112</p> <p>Women 1/65 = 14/65 = 0.22</p> <p><b>LAVATORIES</b></p> <p>Male/Female 1/200 = 14/200 = .07</p> <p><b>PROVIDED</b></p> <p>- GROUND FLR - (1) ACCESSIBLE BATHROOM</p> <p>W/ (1) LAV AND (1) WC</p> <p>- SECOND FLR - (1) BATH W/ (1) LAV AND (1) WC</p> <p><b>EMERGENCY LIGHTING AND EXIT SIGNS:</b></p> <p>A licensed electrician shall provide all necessary emergency egress lighting and illuminated exit signs to comply with Chapter 10 - Section 1008 of the 2020 BC OF NYS.</p> <p><b>EMERGENCY EVACUATION PLAN</b></p> <p>(Shall be prepared and submitted prior to issuance of Certificate of Occupancy)</p> <p>Emergency evacuation plan must comply with Section 403 and 404 of the 2020 NYS Fire Code and must include comprehensive directions for both the tenant space and the site.</p> <p><b>FIRE EXTINGUISHERS AND FIRE ALARM SYSTEM TESTING</b></p> <p>All extinguishers shall be hung, tagged with recent inspection tag, and have appropriate fire extinguisher sign above it.</p> <p>Fire alarm system and water flow for sprinkler shall be tested on day of final inspection. Most recent detailed testing report and detailed fire alarm testing report shall also be provided at final inspection.</p> <p><b>EMERGENCY LIGHTING</b></p> <p>All emergency lighting and exit light battery backup will be tested at the final inspection. The relative breaker on the electrical panel shall be labeled for ease of testing.</p> <p><b>SITE ACCESS FOR INSPECTIONS</b></p> <p>Tenant or Contractor shall provide a temporary key for "Knox Box" during renovation and a Final Key and contact information upon final inspection.</p>	<p><b>GENERAL NOTES</b></p> <ol style="list-style-type: none"> <li>VERIFY ALL CONDITIONS AND DIMENSIONS ON THE JOB SITE.</li> <li>SET ALL WORK STRAIGHT, PLUMB AND LEVEL OR WITH INDICATED SLOPE.</li> <li>ALL CONTRACTORS AND/OR SUBCONTRACTORS ARE TO USE THE APPROVED STANDARDS: A.I.S.C., FEDERAL, U.S., ETC., AND THE HIGHEST STANDARDS OF THEIR TRADES. ALL CONSTRUCTION SHALL BE PERFORMED TO THESE STANDARDS.</li> <li>ALL WORK SHALL CONFORM TO THE 2020 BUILDING CODE OF NYS AND ALL OTHER APPLICABLE MUNICIPAL, STATE, AND FEDERAL RULES AND REGULATIONS.</li> <li>THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS IN THE FIELD FOR DISCREPANCIES BETWEEN ACTUAL CONDITIONS AND DRAWINGS. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT FOR CLARIFICATION.</li> <li>ANY UNSEEN CONDITIONS OR VARIATIONS FROM DRAWINGS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT.</li> <li>THE CONTRACTOR SHALL BE RESPONSIBLE FOR ADEQUATELY BRACING AND PROTECTING ALL WORK DURING CONSTRUCTION AGAINST WATER LEAKAGE, DAMAGE, BREAKAGE, COLLAPSE, DISTORTIONS AND MISALIGNMENT ACCORDING TO APPLICABLE CODES, STANDARDS AND GOOD PRACTICE.</li> <li>DO NOT SCALE DRAWINGS.</li> </ol> <p><b>2020 EBC OF NYS COMPLIANCE</b></p> <p><b>IEBC CHAPTER 6 - Classification of Work</b></p> <p>Exist. Use - Business Group B</p> <p>Proposed Use - SAME</p> <p><b>SECTION 603 - ALTERATION LEVEL 1 - Level 1 alterations include the removal and replacement or the covering of existing materials, elements, equipment, or fixtures using new materials, elements, equipment, or fixtures that serve the same purposes.</b></p> <p><b>EBC OF NYS CHAPTER 7 - Alterations - Level 1</b></p> <p><b>SECTION 702 - BUILDING ELEMENTS AND MATERIALS</b></p> <p>- All interior finishes will comply with Chapter 8 of the 2020 BC OF NYS</p> <p>- No doors, windows or egress openings have been altered.</p> <p><b>SECTION 703 - FIRE PROTECTION</b></p> <p>Not applicable - no changes to use or layout</p> <p><b>SECTION 704 - MEANS OF EGRESS</b></p> <p>No means have egress have been altered.</p> <p><b>SECTION 706 - STRUCTURAL</b></p> <p>No structural alterations have been made.</p> <p><b>SECTION 706 - ENERGY CONSERVATION</b></p> <p>No new construction is proposed therefore no changes to energy requirements are necessary.</p> <p><b>SECTION 707 - PLUMBING</b></p> <p>No plumbing alterations have been made.</p>
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UNAUTHORIZED ALTERATIONS TO THIS DRAWING IS A VIOLATION OF PART 69.5 (B) OF THE N.Y.S. EDUCATION LAW.

THIS PLAN IS NULL AND VOID UNLESS IT BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE ARCHITECT.

Drawn by:  Checked by:

Project #  Dwg. Date

Revisions

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I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF N.Y.S.

**SJB**  
Architecture + Design

sjbarchdesign.com  
914.402.1701  
Cortlandt Manor, NY

Client: **DAKOTA SUPPLY CORP.**

Project: **TENANT CHANGE IN EXISTING BLDG.**

2099 Albany Post Road  
Montrose, NY

Dwg. Name: **CODE COMPLIANCE NOTES LOCATION MAPS**

Sheet #: **A-100**

UNAUTHORIZED ALTERATIONS TO THIS DRAWING IS A VIOLATION OF PART 69.5 (B) OF THE N.Y.S. EDUCATION LAW.

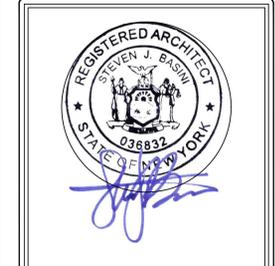
THIS PLAN IS NULL AND VOID UNLESS IT BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE ARCHITECT.

Drawn by:  Checked by:

Project #  Dwg. Date

Revisions

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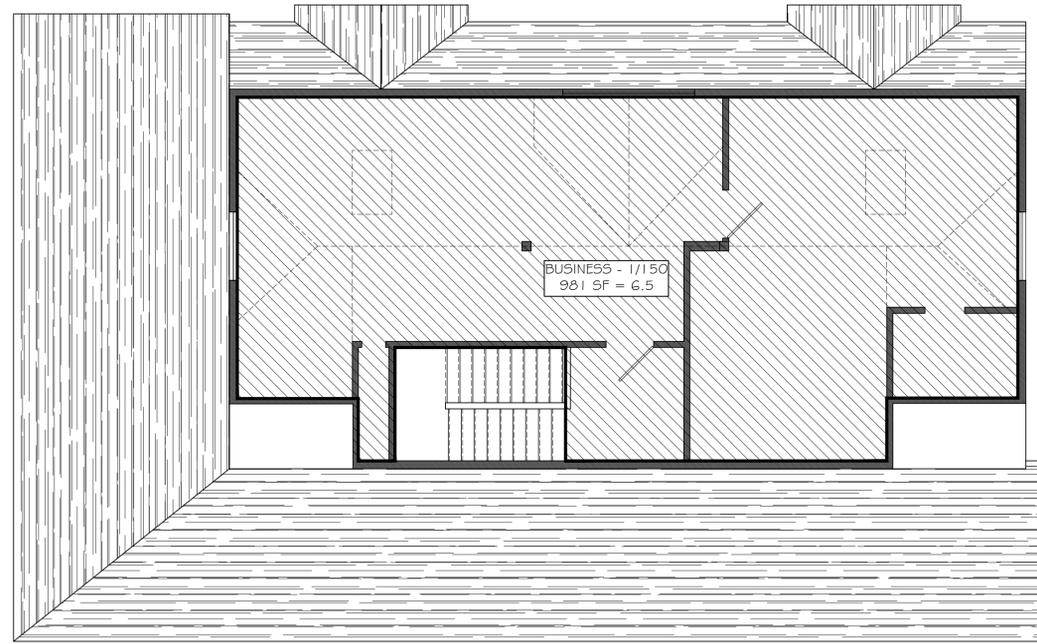


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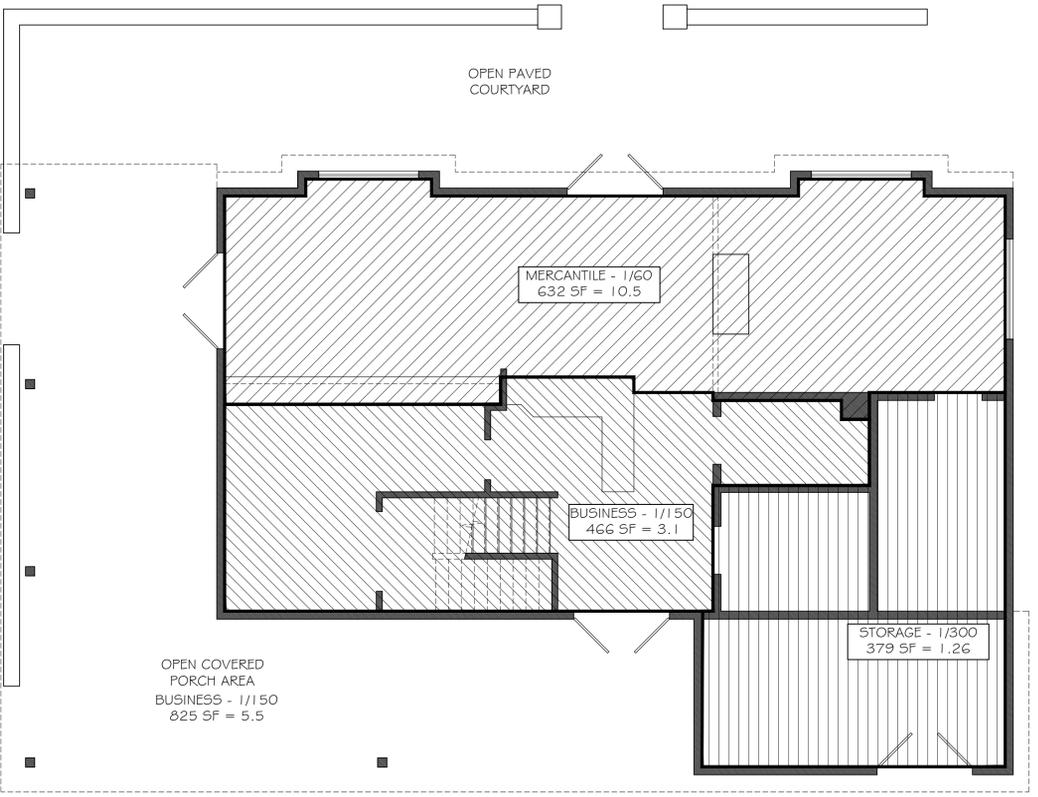
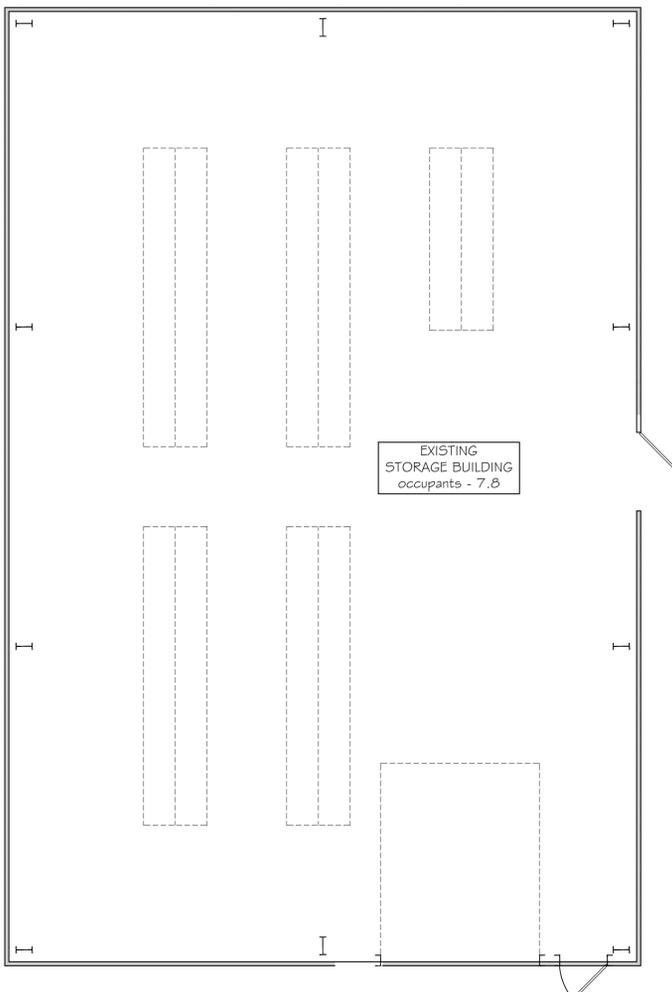
OCCUPANCY CALCULATIONS	
OCCUPANCY	COUNT
GROUND FLOOR	
BUSINESS AREA	3.1
BUSINESS OUTDOOR AREA	5.5
STORAGE EXISTING	1.26
MERCANTILE	10.5
SECOND FLOOR	
BUSINESS	6.5
TOTAL OCCUPANT COUNT	26.86 (27)

**OCCUPANT LOAD NOTE:**  
 AS PER SECTION 1004.5 CHAPTER 10 IN THE 2020 BC OF NYS:  
 The number of occupants shall be computed at the rate of one occupant per unit of area as prescribed in Table 1004.5  
 EXCEPTION: Where approved by the building official, the actual number of occupants for whom each occupied space, floor or building area is designed, although less than those determined by calculation, shall be permitted to be used in the determination of the design occupant load.

OCCUPANCY CALCULATIONS	
OCCUPANCY	COUNT
SEPARATE STORAGE BLDG.	7.8



② SECOND FLOOR - OCCUPANCY KEY PLAN  
 SCALE - 3/16" = 1'-0"



① GROUND FLOOR - OCCUPANCY KEY PLAN  
 SCALE - 3/16" = 1'-0"

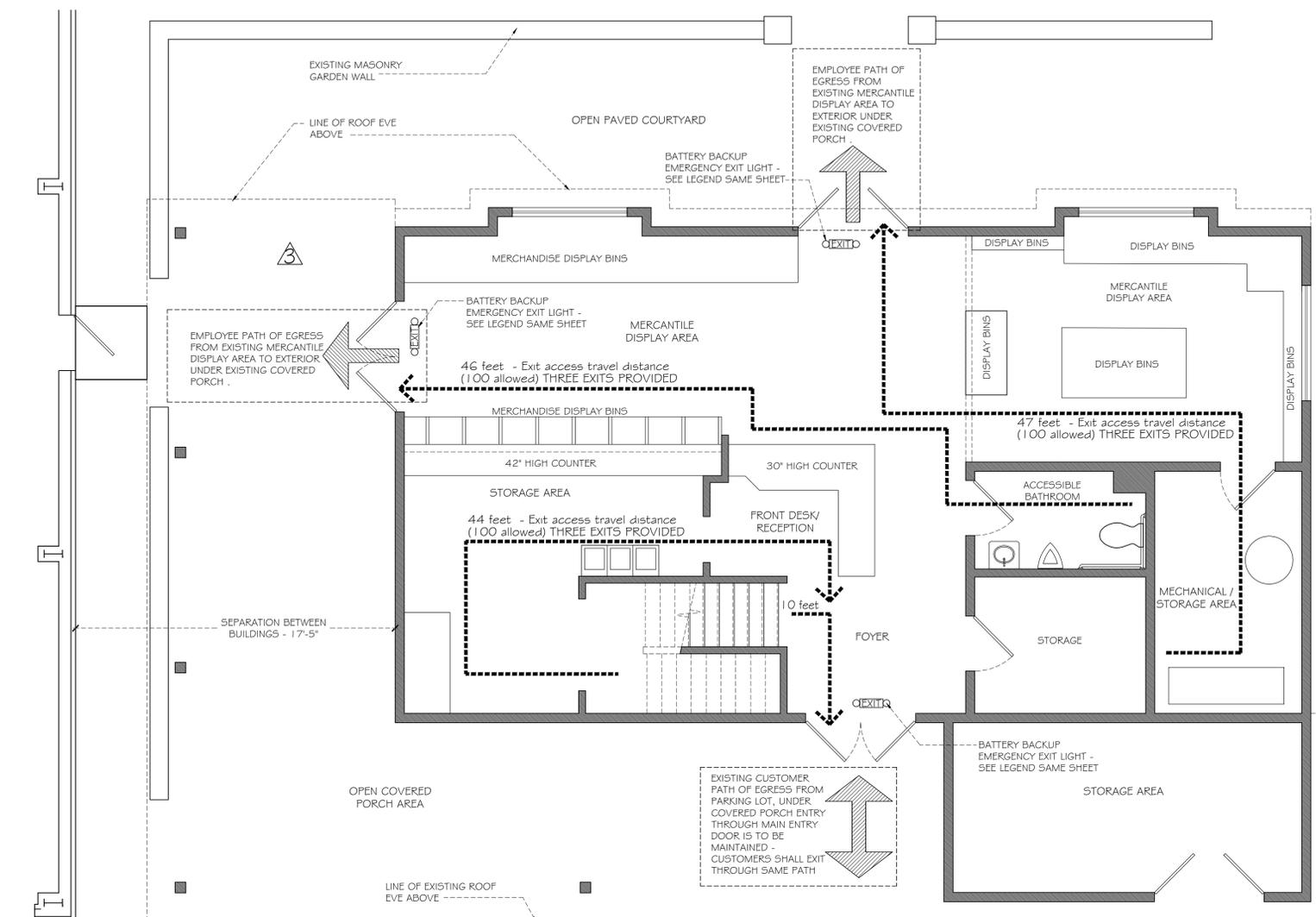
**SJB**  
 Architecture + Design  
 sjbarchdesign.com  
 914.402.1701  
 Cortlandt Manor, NY

Client: **DAKOTA SUPPLY CORP.**

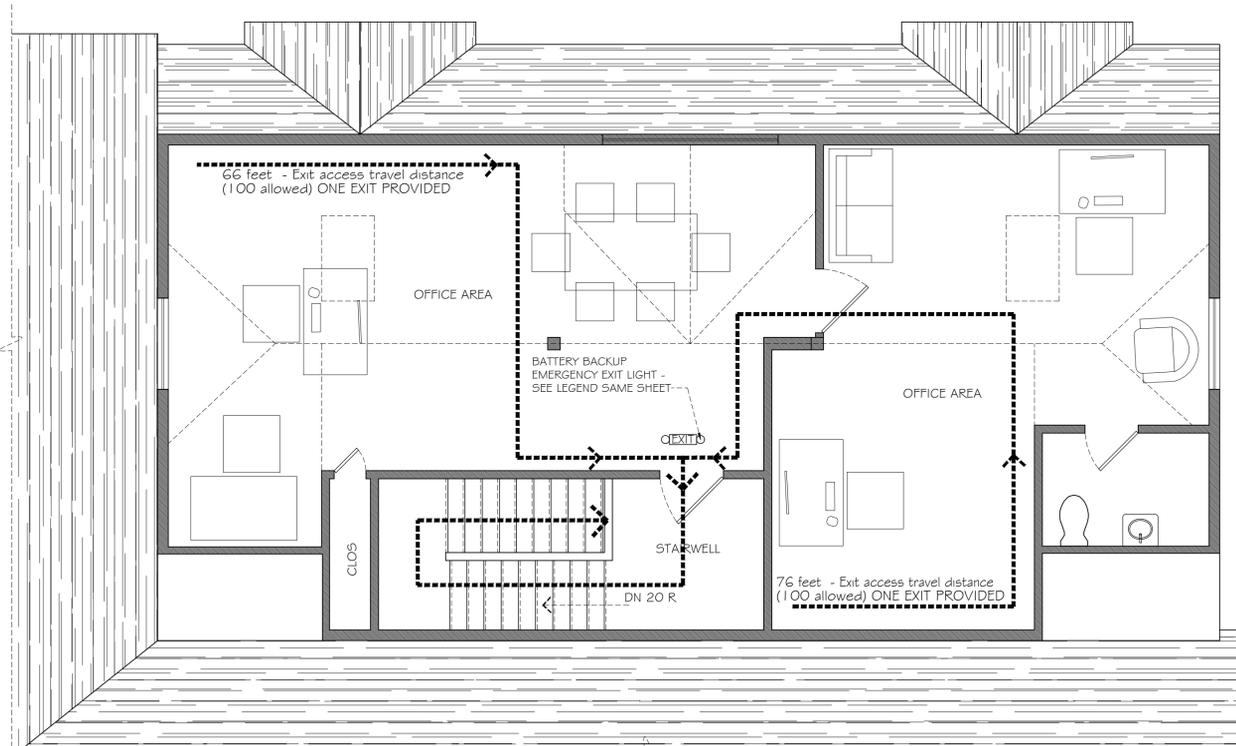
Project: **TENANT CHANGE IN EXISTING BUILDING**  
 2099 Albany Post Road  
 Montrose, NY

Dwg. Name: **OCCUPANCY KEY PLAN CALCULATIONS**

Sheet #: **A-101**



1 EXIT ACCESS / EGRESS PLAN - GROUND FLOOR  
SCALE - 1/4" = 1'-0"



2 EXIT ACCESS / EGRESS PLAN - 2ND FLOOR  
SCALE - 1/4" = 1'-0"

Electrical Legend	
EXIT	EMERGENCY BATTERY BACKUP LED WALL MOUNTED EXIT SIGN W/ EMERGENCY LIGHTS

**LIGHTING / ELECTRICAL NOTES:**  
All additions of electrical fixtures requires an electrical permit and installation by a licensed electrician and shall comply with Chapter 4CE of the 2020 ECC CODE..

**EMERGENCY LIGHTING AND EXIT SIGNS:**  
A licensed electrician shall test and verify all necessary emergency egress lighting and illuminated exit signs to comply with Chapter 10 - Section 1008 of the 2020 IBC.  
Exit sign placement shall be such that any point in an exit access corridor or exit passageway is within 100 feet or the listed viewing distance of the sign, whichever is less, from the nearest visible exit sign.

**CHAPTER 10 - Means of Egress**

**SECTION 1006 - EXIT ACCESS**

1006.2.1 Egress based on occupant load and common path of egress travel distance.  
Two exits or exit access doorways from any space shall be provided where the design occupant load or the common path of egress travel distance exceeds the values listed in Table 1006.2.1.  
SEE CODE COMPLIANCE SHEET A-100  
(1) EXIT PROVIDED FROM 2ND FLOOR  
(3) EXITS PROVIDED FROM GROUND FLOOR

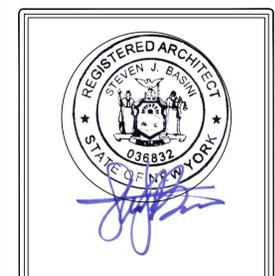
UNAUTHORIZED ALTERATIONS TO THIS DRAWING IS A VIOLATION OF PART 69.5 (B) OF THE N.Y.S. EDUCATION LAW.

THIS PLAN IS NULL AND VOID UNLESS IT BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE ARCHITECT.

Drawn by: SJB  
Checked by:

Project #  
Dwg. Date: 02/18/25

Revisions	
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I CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME, AND THAT I AM A DULY LICENSED ARCHITECT UNDER THE LAWS OF N.Y.S.

**SJB**  
Architecture + Design

sjbarchdesign.com  
914.402.1701  
Cortlandt Manor, NY

Client: DAKOTA SUPPLY CORP.

Project: TENANT CHANGE IN EXISTING BUILDING  
2099 Albany Post Road  
Montrose, NY

Dwg. Name: EXIT ACCESS EGRESS FLOOR PLAN

Sheet #: A-102

Ralph G. Mastromonaco  
2083 Albany Post Road #3  
Montrose, NY 10548

January 7, 2025

Steven Kessler, Chairman, and  
Members of the Cortlandt Town Planning Board  
c/o Chris Kehoe, Director of Planning  
1 Heady Street Cortlandt Manor, NY 10567

via email / portal

Re: **Fifth Letter** for Dakota Supply Corp. Montrose Concrete Plant and C&D Facility  
Bilotta Realty & Briga Enterprises

Dear Members:

This is my **fifth** letter raising numerous alternative grounds opposing your possible approval of a Site Plan for the Dakota property in Montrose, NY. The Town Attorney and some members of your Board have indicated they would be willing to approve a partial Site Plan showing only the portion of the site that contains the new building and ignore the remaining 10 acres of illegal site uses.

However, based on the zoning code, your Board may only approve a Site Plan that shows the **entire site** with all its land uses.

The Applicant for the Dakota Site Plan hopes that your Board will ignore the remaining portion of the site, as illegal uses are operating there.

This letter focuses on the **legal requirements** for the submission of a Site Plan.

### **Part 1 –The Town Zoning Code – Table of Dimensional Regulations**

Focusing on only a small part of a site is **contrary** to the concept of proper community planning. Such a lack of planning has already produced negative results in the Dakota application. For example, the current Site Plan was submitted without showing topography, proper stormwater facilities, identifiable parking and access plans, and material storage areas, and it avoided showing illegal uses.

The zoning code requires that the Board review the entire site, as this requirement is found in the Table of Dimensional Regulations. The Dakota site is in two zoning districts, the HC-9A and M-1 zones. Lot coverage and Landscape coverage must be computed based on the **entire property**. These statistics cannot be obtained and recorded without the Site Plan exposing the **entire property's** buildings and landscaped areas.

For example, the allowable Building Coverage in the HC-9A zone is **25** percent, and this must be computed by involving the area of the **entire parcel** and all of its buildings. The zoning code has other overall requirements for the **entire parcel**, such as yard setbacks. (See Table following)

Town of Cortlandt Planning Board

**Town Zoning Table Showing the Elements that Depend on the Entire Parcel**

Table of Dimensional Regulations, Nonresidential Districts  
 § 307-17, Zoning  
 Town of Cortlandt  
 [Amended 5-11-1999; 4-15-2008 by L.L. No. 3-2008]

Zoning District	Use	Minimum Lot Area (square feet)	Minimum Lot Width (feet)	Maximum Height	Minimum Yard: Principal Structure			Minimum Lot Area Per Dwelling Unit (square feet)	Maximum Building Coverage (percent of lot area)	Minimum Landscape Coverage (percent of lot area)	Maximum Building Floor Area (square feet)
					Front (feet)	Side (feet)	Rear (feet)				
<b>Nonresidential Districts</b>											
CC	Lot connected to a public sewer system	7,500	60	2½ stories or 35 feet	30	10	10	5,000	25%	30%	12,000(1)
	Lot not connected to a public sewer system	15,000	100	2½ stories or 35 feet	30	10	10	7,500	25%	30%	12,000(1)
HC		20,000	100	2½ stories or 35 feet	30	30	30		20%	30%	
HC-9A	Commercial only	20,000	100	2½ stories or 35 feet	30	30	30	NA	25%	30%	
	Residential only(2)	20,000	100	2½ stories or 35 feet	30	10	25	7,500	25%	25%	
	Mixed-use(2)	20,000	100	2½ stories or 35 feet	30	25	25	7,500	25%	25%	
CD		80,000	200	3 stories or 35 feet	75	50	50		20%	25%	
MD		5 acres	300	3 stories or 40 feet	75	75	75		25%	40%	
M-1		20,000	100	40 feet	40	20	30		35%		
All nonresidential	Accessory structures			As required for principal building							

**Part 2 –The Town Zoning Code – Required Information as per the Town Zoning Code**

Related to the information required by the Town Zoning Code for Site Plans, the following is a list of all the required items that indicate where a Site Plan must include the entire property.

The items highlighted in red were not provided in the Dakota application but should have been included in a comprehensive Site Plan. The rules in the Town Zoning Code are the same for **amended** Site Plans, and as Dakota submitted to your board, there are no zoning code references to allowing **partial** Site Plans as they are not permitted.

§ 307-71 Information to be submitted. (Unnecessary Line items are removed)

C. The following site development plan data shall be shown on a drawing as follows:

- (3) The location of existing and proposed buildings and the uses thereof.
- (4) The location of existing and proposed water mains and service lines with pipe sizes, hydrants, wells and other facilities as required.
- (5) The existing and proposed sewage disposal system and sanitary sewer mains and service connections with pipe sizes, grades, manholes and other facilities as required.
- (7) The existing and proposed contours with intervals of two feet or less, referred to a datum satisfactory to the Board.
- (8) The location of existing watercourses, marshes, wooded areas, rock outcrops and other significant existing features. Appropriate photogrammetry may be submitted in lieu of detailed topographic information with the understanding that supplemental information may be required by the Board to locate and identify significant features.

## Town of Cortlandt Planning Board

- (9) Size, number, location and type of trees with diameter of four inches or more measured four and one-half (4 1/2) feet above ground level, to be cut and to be saved.
- (11) The proposed use or uses of land and buildings and proposed location of buildings, including proposed grades.
- (12) All existing and proposed easements, rights-of-way and otherwise restricted areas.
- (13) All existing and proposed driveways, with profiles indication grade and cross sections showing width of roadway, location and width of sidewalk and location and size of utility lines, according to the standards and specifications approved by the Town Engineer.
- (14) The location and design of any existing and proposed off-street parking areas or loading areas, including the proposed surfacing of the same.
- (15) All site development plans that involve outdoor lighting shall submit the materials required as per §307-12.3E, Permit requirements.[Amended 8-13-2024 by L.L. No. 8-2024]
- (16) The existing and proposed screening and landscaping, including a planting plan.
- (17) The existing and proposed location, height and design of all fences.
- (19) The existing and proposed stormwater drainage system, including pipe sizes, manholes, drains, grades and other facilities as required.
- (22) The existing and proposed location, height and design of all existing and proposed signs.

### Part 3 – The NYS Town Law for Site Plans Provides the Unequivocal Definition

New York Consolidated Laws, Town Law - TWN § 274-a. Site Plan review

**1. Definition of Site Plan.** As used in this section the term “Site Plan” shall mean a rendering, drawing, or sketch prepared to specifications and containing necessary elements, as set forth in the applicable zoning ordinance or local law, which shows the arrangement, layout and design of the proposed use of a **single parcel of land as shown on said plan**. Plats showing lots, blocks or sites which are subject to review pursuant to authority provided for the review of subdivisions under section two hundred seventy-six of this article shall continue to be subject to such review and shall not be subject to review as Site Plans under this section.

**2. Approval of Site Plans.** (a) The town board may, as part of a zoning ordinance or local law adopted pursuant to this article or other enabling law, authorize the planning board or such other administrative body that it shall so designate, to review and approve, approve with modifications or disapprove Site Plans prepared to specifications set forth in the ordinance or local law and/or in regulations of such authorized board. **Site Plans shall show the arrangement, layout and design of the proposed use of the land on said plan.** The ordinance or local law shall specify the land uses that require Site Plan approval and the elements to be included on plans submitted for approval. The required Site Plan elements which are included in the zoning ordinance or local law may include, where appropriate, those related to parking, means of access, screening, signs, landscaping, architectural features, location and dimensions of buildings, adjacent land uses and physical features meant to protect adjacent land uses as well as any additional elements specified by the town board in such zoning ordinance or local law.

Town of Cortlandt Planning Board

#### **Part 4- The NYS Court of Appeals – Commentary**

The Court of Appeals has commented on the concept of a Site Plan, and the Court agrees that a Site Plan should address the **entire lot**.

*A Site Plan usually evidences the proposed development of a **single lot**, whether for one principal building and permitted accessory buildings, or for a group of buildings (such as a group residential development or an industrial park), intended to remain in one ownership.*

And,

*A Site Plan is a plan required to be submitted by the builder, showing the proposed location of the buildings, parking areas, and other installations **on the plot**, and their relation to existing conditions, such as roads, neighboring land uses, natural features, public facilities, ingress and egress roads, interior roads, and similar features" (2 Rathkopf, Zoning and Planning [4th ed], § 30.04[1], pp 30-13 -- 30-14 [n omitted]).*

(Riegert Apts. Corp. v Planning Bd. of Clarkstown, 57 NY2d 206, 211 [1982])

#### **Stormwater Always Requires a Full Site Plan**

In all cases, a stormwater design must analyze the entire disturbed area. In the Dakota case, a Site Plan must include the **entire parcel** as the extent of disturbance is throughout.

#### **Summary**

A Site Plan is an integrated plan of numerous planning elements that act and function together. Isolating and separating the elements as though each is acting independently is improper.

As noted above, there is **no** legal basis for an applicant to limit the review of a Site Plan to one corner of a lot, especially when the remaining portions of the lot may be engaged in illegal activities.

I ask that your Board reject this application due to lacking a legal and proper Site Plan.

Signed:



Ralph G. Mastromonaco

Cc: B. Sinsabaugh, Esq., for Dakota Supply et al.  
M. Cunningham, Esq., Deputy Town Attorney  
M. Preziosi, PE, Director of Technical Services  
Martin Rogers, PE, Director of Code Enforcement



# TOWN OF CORTLANDT

## DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Chris Kehoe, AICP – Director

Planning Staff:  
Heather LaVarnway, CNU-A, AICP  
Michelle Robbins, AICP  
Rosemary B. Lasher

Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1080

**Town Supervisor**  
Richard H. Becker, MD

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert Mayes  
Joyce C. White

### MEMORANDUM

**TO:** Planning Board

**FROM:** Chris Kehoe, AICP, Planning Director, Department of Planning & Community Development *CK*  
Heather LaVarnway, CNU-A, AICP, Planner, Department of Planning & Community Development *HL*

**SUBJECT:** Floor & Décor application to Planning Board (PB 2025-4) for Site Plan Amendment approval for proposed modifications to the former Shop Rite building and property associated with the location of a Floor & Décor retail store in the existing ±55,460 square foot building located at 2094 East Main Street (Section 24.13, Block 2, Lots 4, 5, 6, 9, 11 and 12)

**DATE:** February 11, 2025

The Planning Department conducted a review of the subject application consisting of a 14-page set of drawings entitled “Floor & Décor Outlets of America Inc.” and 3-page project narrative prepared by Dynamic Engineering and dated January 23, 2025, and a 7-page set of sign specifications prepared by Atlas and dated (revised) January 21, 2025.

1. **Architecture:** The applicant shall provide a color rendering showing all proposed changes to the building and façade. The “Shell Elevations” sheet (“SHELL 02”) references changes to paint colors, metal coping, and EIFS materials but they are not illustrated on the building.
2. **Parking and Circulation:**
  - a. The amount of parking pre-existing on the site is well in excess of both what is required by code and what the applicant has stated they need. Based on the stated size of the building (±55,460 sf), the code requires 277 parking spaces. The applicant is proposing to remove three spaces which will bring the number provided from 334 down to 331. This represents an excess of 54 spaces above what code requires, and in pre-application conversations with the applicant, they stated a desired minimum of just 120 parking spaces. Given this overabundance, some of the parking should be removed in favor of additional landscaping.
  - b. The applicant is proposing grading modifications and reconfiguration of a portion of the main lot to accommodate the required code-compliant accessible parking spaces. However, as designed, people utilizing the accessible spaces will be backing up directly into traffic on the main internal roadway, posing a safety concern. The applicant should redesign the parking to correct the grading issue while retaining the existing aisle configuration, and locate the accessible spaces within the parking rows. This would facilitate safer use of the accessible spaces away from traffic traversing the main internal roadway.
  - c. The lone accessible space shown on the west side of the building is pinching the drive aisle that accesses the rear parking lot, creating a substandard width between the parking space and the curbed landscape island to the northeast. This should be redesigned to eliminate the pinch-point.

3. **Landscaping:**

- a. Per §307-22-B(1), a minimum of 5% of the total area within the parking lot must be landscaped. According to the applicant, 2,511 square feet of interior landscaping is proposed where a minimum of 7,148 square feet is required. The applicant shall propose additional landscaped islands interior to the main parking lot to meet the minimum 5% requirement. The applicant should consider locating this additional landscaping in areas of the lot that are currently lacking landscaping such as midway along the internal rows of parking and along the outer perimeter of the lot. This will provide shade and cooling within the lot, reduce impervious coverage and related stormwater runoff, and soften the visual impact of the large expanse of asphalt.
- b. Every effort should be made to select native plant materials throughout the project. The proposed Broadmoor Juniper and Munchkin Oakleaf Hydrangea are not native to this area.

4. **Lighting:** Lower lighting levels that are evenly-distributed are the ideal for parking lot and pedestrian areas. The even distribution improves safety by allowing the eye to stay adjusted instead of swinging back and forth between darkness to overly bright. Average levels of just one footcandle are the goal when paired with even distribution, and upwards of five footcandles are only appropriate in high-security areas such as adjacent to outdoor ATMs (the maximum required per NYS Banking Law). There are numerous areas of this photometric plan where hot spots are evident (ranging from 2-5 footcandles beneath the pole-mounted fixtures, and upwards of 12+ footcandles near the wall packs). This wide range of lighting levels speaks to a lack of uniformity throughout the site. The applicant should consider increasing the number of light poles within the parking area, and select replacement pole fixtures with fewer lumens to even out the distribution throughout the main lot. In addition, the number, locations, and lumen level of the wall packs should be reconsidered to reduce overly-bright areas behind and along the loading dock area.

The applicant should confirm whether the data points in the “Statistical Area Summary” on sheet 8 are correct. We cannot locate the listed maximum of 15.1 footcandles on the photometric plan, and question the accuracy of the stated average (1.0fc) given the numerous bright areas and high footcandle hot-spots throughout the site.

5. **Signs:** The applicant is proposing over 446 square feet (sf) of signage where a maximum combined sign area of 80sf is permitted, representing an increase of more than five times the allowable signage. In addition, the freestanding sign is proposed at 32sf where 24 is permitted. The amount of signage should be reduced; specific suggestions include:
- a. The proposed 330sf main wall sign over the customer entrance is much larger than what is necessary to communicate the business name to customers in the parking lot. This sign should be greatly reduced in size.
  - b. The proposed 71sf wall sign and 32sf freestanding sign, both adjacent to Route 6, are duplicative to each other. The applicant should propose one or the other of those signs instead of both. The freestanding sign, oriented perpendicular to Route 6, appears to more clearly communicate the business’s location to passersby than the wall sign.

In addition, if retaining the freestanding sign, the applicant could consider shifting it closer to the main vehicular entrance from Route 6. This would help direct customers to turn in at the correct curb cut while de-emphasizing the loading dock and overflow parking area entrance located south of the building.

6. **Noise:** The applicant is proposing to add a compactor at the loading dock. Information should be provided regarding potential noise impacts, including maximum decibel levels of the compactor during operation, and hours of operation.

February 20, 2025  
Via Online Portal (OpenGov)

Cortlandt Town Hall  
1 Heady Street  
Cortlandt Manor, NY 10567

Attn: Mr. Chris Kehoe, AICP, Director  
Department of Planning & Community Development  
and Members of the Planning Board

**RE: Floor & Decor  
Proposed Floor & Décor  
PB 2025-4  
2094 East Main Street  
Tax ID 24.13-2-9  
Town of Cortlandt  
Westchester County, NY  
DEC# 5079 24-04330**

Dear Mr. Kehoe and Members of the Planning Board,

On behalf of the applicant, Floor & Decor, please find the following enclosed items consisting of our Site Plan Amendment Planning Board submission for the above-mentioned project submitted via the Town of Cortlandt OpenGov Portal:

- Signed copy of the Response Letter (this document) prepared by our office, dated February 20, 2025;
- Signed and Sealed copy of the Preliminary and Final Site Plan prepared by our office, dated January 23, 2025, last revised February 20, 2025;
- Signed and Sealed Architectural Set prepared by SBLM Architects, dated December 6, 2024, last revised February 13, 2025;
- Signage package prepared by Atlas, created February 14, 2025; and
- Signed and Sealed Circulation and Parking Assessment, prepared by Dynamic Traffic, LLC, dated February 18, 2025.

**Review Letter prepared by Martin G. Rogers, P.E. – Director of Code Enforcement of the Town of Cortlandt dated February 5, 2025:**

1. All “ADA” notes and callouts should state “Accessible” since both “ADA” and the NYS Codes including reference standard (ICC A117.1) applies. It is noted the Town can only enforce the NYS Codes.

**“ADA” notes and callouts have been revised to state “Accessible”.**

2. Accessible Aisles at Accessible Spaces are required to be 8’ wide minimum. No Parking Anytime signs are required at each aisle. Show and include in details. BCNYS Section 1106.

**All accessible aisles proposed are compliant with Federal ADA accessibility standards and regulations. Four proposed accessible aisles are dimensioned at 8' wide on the site plan to meet the minimum required width, one proposed accessible aisle is dimensioned at 5' wide. "No Parking" signs have been provided for all access aisles that do not interfere with an accessible route.**

3. Remove "Van Accessible" and "Penalty" signs from the details. All spaces are "Van Accessible" by default in NYS.

**The ADA accessible parking sign details have been revised to remove the "van accessible" and "penalty" signs.**

4. Typical Ramp Detail shall be specific to this site. Show stair and landings and how railings as well as required clearances at landings will comply for both with the handrail extensions.

**The Typical Switchback ADA Accessible Ramp Detail has been revised to be site specific. Clearance compliance for handrails has been provided in the ramp detail and notes. The stairs have been modified to ensure the ramp and landings have adequate clearance.**

5. The upper level appears to not qualify as a mezzanine. Exception(s) in BCNYS Section 505.2.3 do not appear to be met.

**The upper-level occupancy load is 10 and will be qualified for a closed mezzanine.**

**A mezzanine shall be open and unobstructed to the room in which such mezzanine is located except for walls not more than 42 inches (1067 mm) in height, columns and posts.**

**Exceptions:**

1. Mezzanines or portions thereof are not required to be open to the room in which the mezzanines are located, provided that the occupant load of the aggregate area of the enclosed space is not greater than 10.

6. Scope of Work shall note the Level of Alteration in the EBCNYS. It appears Level 3 Alteration applies.

**The work impacts more than 50% of the floor area and will comply with Alteration Level 3.**

7. SBLM Drawings are not Signed and Sealed by the Design Professional.

**The SBLM Drawings have been resubmitted with sign and seal from the Design Professional.**

8. Traffic Study is not Signed and Sealed by the Design Professional.

**The Traffic Study has been resubmitted with a sign and seal from the Design Professional.**

9. Signage

- a. Exceeds allowable by a large percentage. 80 SF allowed, 450 +/- SF proposed. 562% increase. Town Code Section 245-10(B) states max variance that can be granted is 100% of the Sign Area permitted to allow maximum 160 SF.

**The proposed signage for the site has been revised. A compliant, 24 SF freestanding sign is proposed in the front yard near East Main Street. One, 136 SF, business wall sign is proposed along the northern façade of the building, facing the interior parking lot. The proposed total signage area is 160 SF which requires a variance.**

**An additional directional sign measuring 8 SF is proposed which exceeds the permitted 4 SF, requiring an additional variance. The plans have been updated to reflect the new signage and variances being sought from the Zoning Board of Appeals.**

- b. The allowable sign SF is based on the frontage of the East façade facing E Main St. The North façade cannot be included.

**The allowable sign area calculation for the East Façade has been removed from the signage table. The Applicant is seeking a variance for the total signage area.**

- c. If the area (rectangle) behind the signage over the entry is a different color than the adjoining exterior walls it shall be included in the sign square footage.

**The sign's letterset is to be installed on raceways painted to match the color of the adjoining exterior walls.**

10. Add warning note as required by Article 145, Professional Engineering and Land Surveying 7209 (2), and/or Commissioner's regulations Part 79-1.4, Landscape Architecture or Part 69, Architecture, 69.5b on all drawings and reports prepared and sealed by an engineer, surveyor, or architect. Similar to this:

*It is a violation of the law for any person, unless acting under the direction of a licensed professional, to alter an item in any way. If an item bearing the seal of a licensed professional is altered, the altering licensed professional shall affix to their item their seal and the notation "altered by" followed by their signature and the date of such alteration, and a specific description of the alteration.*

It is recommended it is within the Title Block on each sheet near the Seal and Signature of the Design Professional or Surveyor.

**A note has been added to each page of the site plan set.**

11. The New York State Department of State recently amended its regulations concerning the minimum standards for the administration and enforcement of the New York State Uniform Fire Prevention and Building Code and the New York State Energy Conservation Construction Code. Effective December 30, 2022, pursuant to 19 NYCRR 1203.3(a)(3)(ix), code administration and enforcement agencies will require, where applicable, construction documents submitted as part of an application for a building permit to include, among other things evidence that the documents were prepared by a licensed and registered architect in accordance with Article 147 of the New York State Education Law or a licensed and registered professional engineer in accordance with Article 145 of the New York State Education Law and practice guidelines, including but not limited to:

- the design professional's seal which clearly and legibly shows both the design professional's name and license number and is signed by the design professional whose name appears on the seal in such a manner that neither the name nor the number is obscured in any way

**Design documents provide the design professional's name, license number, signature, and seal in accordance with Article 145 of the NYS Education Law and practice guidelines.**

- the design professional's registration expiration date

**Design documents provide the design professional's registration expiration in accordance with Article 145 of the NYS Education Law and practice guidelines.**

- the design professional's firm name (if not a sole practitioner), and,

**The design professional's firm's name has been provided along with the name of the design professional responsible in accordance with Article 145 of the NYS Education Law and practice guidelines.**

- if the documents are submitted by a professional engineering firm and not a sole practitioner professional engineer, the firm's Certificate of Authorization number.

**The design documents provide the practicing engineer's signature, seal, and license number.**

**Planner Memorandum prepared by Chris Kehoe, ACIP – Planning Director of the Town of Cortlandt dated February 11, 2025:**

1. The applicant shall provide a color rendering showing all proposed changes to the building and façade. The "Shell Elevations" sheet ("SHELL 02") references changes to paint colors, metal coping, and EIFS materials but they are not illustrated on the building

**The Architect has provided a revised Shell 02 sheet providing color renderings.**

2. Parking and Circulation:
  - a. The amount of parking pre-existing on the site is well in excess of both what is required by code and what the applicant has stated they needed. Based on the stated size of the building (+/- 55,460 sf) the code requires 277 parking spaces. The applicant is proposing to remove three spaces which will bring the number provided from 334 down to 331. This represents an excess of 54 spaces above what code requires, and in pre-application conversations with the applicant, they stated a desired minimum of just 120 parking spaces. Given this overabundance, some of the parking should be removed in favor of additional landscaping.

**The proposed number of parking spaces has been reduced to 330 spaces. We are respectfully requesting that the number of parking spaces remain in excess of Town Code, to minimize the disturbance due to the proposed scope and budget of the project. The project is focused on providing interior building renovations to allow for the retrofit from the previous use (ShopRite) to the proposed use (Floor and Décor).**

**The project proposes minimal site improvements which are limited to facilitating proper ADA access (which the previous use did not have) for both pedestrian traffic and vehicular along with the added Customer Pick Up (CPU) area needed for the building operations and functionality.**

**Additional landscaping and supplemental plantings have been provided in the front yard adjacent to East Main Street.**

- b. The applicant is proposing grading modifications and reconfiguration of a portion of the main lot to accommodate the required code-compliant accessible parking spaces. However, as designed, people utilizing the accessible spaces will be backing up directly into traffic on the main internal roadway, posing a safety concern. The applicant should redesign the parking to correct the grading issue while retaining the existing aisle configuration, and locate the accessible spaces within the parking rows. This would facilitate safer use of the accessible spaces away from traffic traversing the main internal roadway.

**We have reconfigured the existing ADA accessible spaces to comply with code regulations and provide proper access from the building sidewalk to the parking lot. The location of the parking ADA accessible spaces has been selected to minimize site disturbance due to the limited scope of the project and existing cross slopes which are in excess of 6% when only**

**2% is permitted. The proposed location of the ADA spaces minimizes grading modifications needed to accommodate allowable cross slopes.**

- c. The lone accessible space shown on the west side of the building is pinching the drive aisle that accesses the rear parking lot, creating a substandard width between the parking space and the curbed landscape island to the northeast. This should be redesigned to eliminate the pinch-point.

**The curbed landscape island to the northeast of the CPU area has been revised to allow for a 24' drive aisle.**

3. Landscaping:

- a. Per §307-22-B(1), a minimum of 5% of the total area within the parking lot must be landscaped. According to the applicant, 2,511 square feet of interior landscaping is proposed where a minimum of 7,148 square feet is required. The applicant shall propose additional landscaped islands interior to the main parking lot to meet the minimum 5% requirement. The applicant should consider locating this additional landscaping in areas of the lot that are currently lacking landscaping such as midway along the internal rows of parking and along the outer perimeter of the lot. This will provide shade and cooling within the lot, reduce impervious coverage and related stormwater runoff, and soften the visual impact of the large expanse of asphalt.

**We have added additional supplemental plantings to the front of the property toward the East Main Street right-of-way. Existing trees are to remain with added groundcover to improve the visual impact of the site. Due to the limited project scope as a retrofit of a previous commercial use, additional landscape islands are not proposed to minimize disturbance where possible. Proposed conditions provide a positive improvement in comparison to current site conditions and the previous use.**

- b. Every effort should be made to select native plant materials throughout the project. The proposed Broadmoor Juniper and Munchkin Oakleaf Hydrangea are not native to this area.

**Understood. The landscaping has been revised on sheet C-07 Landscape Plan to include plant species that are native to the area.**

4. Lighting: Lower lighting levels that are evenly distributed are the ideal for parking lot and pedestrian areas. The even distribution improves safety by allowing the eye to stay adjusted instead of swinging back and forth between darkness to overly bright. Average levels of just one footcandle are the goal when paired with even distribution, and upwards of five footcandles are only appropriate in high-security areas such as adjacent to outdoor ATMs (the maximum required per NYS Banking Law). There are numerous areas of this photometric plan where hot spots are evident (ranging from 2-5 footcandles beneath the pole-mounted fixtures, and upwards of 12+ footcandles near the wall packs). This wide range of lighting levels speaks to a lack of uniformity throughout the site. The applicant should consider increasing the number of light poles within the parking area and select replacement pole fixtures with fewer lumens to even out the distribution throughout the main lot. In addition, the number, locations, and lumen level of the wall packs should be reconsidered to reduce overly bright areas behind and along the loading dock area.

The applicant should confirm whether the data points in the "Statistical Area Summary" on sheet 8 are correct. We cannot locate the listed maximum of 15.1 footcandles on the photometric plan and question the accuracy of the stated average (1.0fc) given the numerous bright areas and high footcandle hot-spots throughout the site.

**The site lighting has been revised to produce a lower footcandle average and provide a more uniform lighting intensity in the parking lot and pedestrian areas within the property. The statistical area summary on sheet C-08 Lighting Plan has been updated and confirmed to reflect changes made to**

**the lighting design. Footcandle hot-spot areas have been reduced throughout the site, particularly around wall mounted areas. Additional light poles are not being proposed on site to reduce disturbance and limit site improvements due to the scope and nature of the redevelopment.**

5. Signs: The applicant is proposing over 446 square feet (sf) of signage where a maximum combined sign area of 80sf is permitted, representing an increase of more than five times the allowable signage. In addition, the freestanding sign is proposed at 32sf where 24 is permitted. The amount of signage should be reduced; specific suggestions include:
  - a. The proposed 330sf main wall sign over the customer entrance is much larger than what is necessary to communicate the business name to customers in the parking lot. This sign should be greatly reduced in size.
  - b. The proposed 71sf wall sign and 32sf freestanding sign, both adjacent to Route 6, are duplicative to each other. The applicant should propose one or the other of those signs instead of both. The freestanding sign, oriented perpendicular to Route 6, appears to more clearly communicate the business's location to passersby than the wall sign.

In addition, if retaining the freestanding sign, the applicant could consider shifting it closer to the main vehicular entrance from Route 6. This would help direct customers to turn in at the correct curb cut while de-emphasizing the loading dock and overflow parking area entrance located south of the building.

**The proposed main wall sign for the customer entrance has been greatly reduced from 330 SF to 136 SF, and the freestanding sign has been reduced from 32 SF to 24 SF. The freestanding sign location has been revised to be closer to the main vehicular entrance as well. The previously proposed wall sign along the East Façade facing East Main Street has been removed from the application.**

6. Noise: The applicant is proposing to add a compactor at the loading dock. Information should be provided regarding potential noise impacts, including maximum decibel levels of the compactor during operation, and hours of operation.

**The proposed TP-2500HD compactor runs at 75 decibels. Per Ordinance § 197-15 Commercial districts, noise levels shall not exceed 65 decibels conducted at the property line. The proposed compactor is over 100 feet away from the property line. Therefore, the estimated noise levels shall be less than 65 decibels at the property line when the compactor is in use. Hours of operation for the compactor are subject to change based on business demands and will typically occur within the store's hours of operation.**

Should you have any questions, comments or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

**Dynamic Engineering Consultants, PC**



Zachary A. Kamm, PE  
Senior Project Manager

Enclosures:  
Erin Witt – Floor & Décor

**APPLICABLE CODES** LEVEL 3 ALTERATION, EXISTING BUILDING

BUILDING	2020 BUILDING CODE OF NEW YORK STATE 2020 NEW YORK STATE EXISTING BUILDING CODE, IBC 2018 AMENDED
Mechanical	2020 MECHANICAL CODE OF NEW YORK STATE, IMC 2018 AMENDED
PLUMBING	2020 PLUMBING CODE OF NEW YORK STATE, IPC 2018 AMENDED
ELECTRICAL	2017 ELECTRICAL CODE OF NEW YORK STATE, NFPA 70, 2017
ENERGY	2020 ENERGY CODE OF NEW YORK STATE, IECC 2018 AMENDED
FIRE	2020 FIRE CODE OF NEW YORK STATE, IFC 2018 AMENDED
ACCESSIBILITY	2009 ACCESSIBILITY CODE OF NEW YORK STATE, A117.1, ADA 2010

**CODE ANALYSIS**

CONSTRUCTION TYPE	II-B
OCCUPANCY	M - MERCANTILE
BUILDING AREA	ALLOWABLE GROSS AREA: 50,000 SF (TBL 506.2) EXISTING TOTAL GROSS AREA: 54,222 SF - (INCREASE 506.3)
BUILDING HEIGHT	75'-0" & 3 STORIES MAX. (SECTION 504.3 & 504.4)
FULLY SPRINKLERED	YES
EGRESS TRAVEL DISTANCE	250'-0" MAX. (M), 300'-0" MAX. (B), 400'-0" MAX. (S-2)
COMMON PATH OF EGRESS TRAVEL	100'-0" (B.5), 75'-0" (M)

**DRAWING LEGEND**

SYMBOL	DESCRIPTION
X YYY ZZZZ	DRAWING IDENTIFICATION
XX YY	EXTERIOR ELEVATION CALLOUT
X -- YY	COLUMN LINE IDENTIFIER
XX YY	ROOM IDENTIFIER
---	NEW DOOR
---	EXISTING DOOR
XXX	DOOR IDENTIFIER
XXXX YYYY	SPOT ELEVATION CALLOUT
[Hatched Area]	HATCHED AREA OF LOW DECK ABOVE @ 15'-0" A.F.F. STRUCTURAL ENGINEER TO DETERMINE IF REMOVAL IS POSSIBLE
[Hatched Area]	HATCHED AREA OF LOW DECK ABOVE @ 15'-0" A.F.F.
[Hatched Area]	HATCHED AREA OF EXISTING SLAB TO REMAIN
[Hatched Area]	(N) ACT CEILING AT 18'-0" A.F.F.

**BASE PLAN CHECKLIST**

NUMBER	ITEM	COMMENT
1	STOREFRONT ELEVATION	
2	SHELL BASE PLAN	
3	OFFICE PACKAGE / PUBLIC RESTROOMS LOCATED (NOTE IF IT CAN'T BE MOVED) SHOW ROOM NAMES IN OFFICE PACKAGE WITH SQUARE FOOTAGE	
4	SHOW CUSTOMER LOAD AREA WITH CANOPY (NOTE IF IT CAN'T BE MOVED). ALSO SHOW DOUBLE SLIDE DOORS FOR CUSTOMER ENTRANCE TO CUSTOMER PICK UP (WITH 93" EGRESS WIDTH). CUSTOMER LOAD-OUT DOOR OPENING SHOULD BE 12'X10' (UNLESS OTHERWISE REQUESTED)	
5	LOADING DOCKS LOCATED	
6	SHOW COMPACTOR LOCATION, VERIFY LOCATION OF 3'-6" X 3'-6" COMPACTOR DOOR WITH DIMENSIONS	
7	SHOW ALL ELECTRICAL - PANELS, TRANSFORMERS, ETC. INSIDE AND OUTSIDE. SHOW STRIPING. (NOTE IF IT CAN'T BE MOVED)	
8	IDF CABINET (NOTE IF IT CAN'T BE MOVED)	
9	PROPANE STORAGE LOCATED	
10	INDICATE CEILING HEIGHT - FROM FLOOR TO LOWEST POINT AT SALES AND STOCKROOMS. SPRINKLER MAINS, ELECTRICAL COMPONENTS, BAR JOISTS, HVAC, ETC.)	
11	TOTAL SQUARE FOOTAGE NOTED	
12	VESTIBULE POSITION (NOTE IF IT CAN'T BE MOVED)	
13	VERIFY ALL EXTERIOR PENETRATIONS AND EGRESS DOORS WITH DIMENSIONS (NOTE IF ANY CAN'T BE MOVED)	
14	COUNTERTOP STORAGE - IS IT ALLOWED OUTSIDE, IF SO SHOW IT ON BASE PLAN	
15	CART STORAGE - CAN SHOPPING CARTS BE STORED OUTSIDE?	
16	SEISMIC RACKING REQUIRED?	
17	REC APPROVED	
18	GO DATE	
19	90% CHECK SET DATE	
20	PRELIMINARY DRAWING DUE DATE	
21	OTHER I.E., FLOOR LOAD ISSUES, STRUCTURAL BRACING, ETC.) IF SO, NOTE ON PLAN	
22	INDICATE TRUE NORTH ON BASE PLAN	
23	JUSTIFY LOWER LEFT INTERIOR CORNER OF BUILDING TO 0.0. ENTRANCE NEEDS TO FACE BOTTOM OF PAGE (ROTATE IF NOT).	
24	SHOW ALL PLUMBING - RISERS, PUMP ROOMS, FIRE MAIN, ALARM PANELS (SHOW STRIPING), CLEANOUTS, SANITARY SEWERS AND ROOF DRAINS, PIPING	
25	SHOW ACTUAL SIZE AND SHAPE OF ALL COLUMNS ON BASE PLAN. INCLUDE COLUMN GRID LINES AND COLUMN GRID INDICATORS WITH DIMENSION STRINGS	
26	SHOW ALL PLUMBING, MILLWORK, AND ACCESSORIES IN THE OFFICE PACKAGE	
27	IF APPLICABLE, INDICATE ZERO CURB ADJACENT TO MAIN ENTRANCE AND CUSTOMER/PRO ENTRANCE (ADVISE IF WHEN RAMP IS NEEDED).	
28	SHOW 75' ROOF ADJACENT TO DOCK DOORS FOR TRUCK DRIVERS.	
29	INDICATE ROOF ACCESS LOCATION (NEW OR EXISTING)	
30	INCLUDE CORRECT CITY, STATE CODE IN BOTH EGRESS AND SALES EGRESS CALCULATIONS.	

**PROJECT SUMMARY**

TOTAL AREAS	AREA	APPLICABLE CODE:
GROSS F&D LEASE	55,749 S.F.	BASED ON 2020 NEW YORK STATE EXISTING BUILDING CODE, IBC 2018 AMENDED
GROSS N.I.C.		ADOPTED BY THE COUNTY OF WESTCHESTER
GROSS BUILDING	55,749 S.F.	SEISMIC RACKING REQUIREMENT: TBD

**ROOM SQUARE FOOTAGES**

NUMBER	NAME	NET SQ FT	PROTOTYPE	CHANGE
101	VESTIBULE	255	126	1%
102	SALES	40,929	61,536	0%
103	STOCKROOM	10,428	12,651	1%
104	CPU LOBBY	525	566	1%
106	RESTROOM	51	208	0%
107	CORRIDOR 1	39	52	1%
108	RESTROOM 2	51	208	0%
113	CORRIDOR 2	89		
114	CEM	119	110	
115	ASSISTANT MANAGER	121	148	
116	TRAINING	113	264	
119	DESIGN CENTER	0		
120	DISPLAY BUILD	0		
121	SPRINKLER ROOM	39		
122	CLOSET	76		
123	ELECTRIC ROOM	167		
201	ELEVATOR MACHINE ROOM	19		
205	STORAGE	71		
206	MEN'S	138	208	
208	WOMEN'S	138	208	
209	DATA ROOM	97	72	1%
211	BREAK ROOM	396	419	1%
212	CASH	115	115	
213	CORRIDOR 3	190	143	1%

**OCCUPANT LOAD**

FUNCTION OF SPACE	AREA	OCCUPANT LOAD FACTOR	OCCUPANT LOAD
MERCANTILE (SALES, CPU, VEST.)	41,709	60	696
STORAGE, STOCK, SHIPPING, MECHANICAL / ELECTRICAL	10,729	300	36
BUSINESS (OFFICE AREA)	1,032	150	7
<b>TOTAL OCCUPANT LOAD:</b>			<b>739</b>

NOTES:  
A. GROSS LEASE AREA OF BUILDING IS TO OUTSIDE FACE OF EXTERIOR WALLS.  
B. GROSS SQUARE FEET IS CALCULATED PER SECTION 202 DEFINITIONS GROSS FLOOR AREA, FOR INTERIOR GROSS SQUARE FEET (INSIDE FACE OF EXTERIOR WALLS)

**EGRESS REQUIRED**

SPACE	OCCUPANT LOAD	MEANS OF EGRESS CAPACITY FACTOR	CAPACITY REQUIRED
OVERALL	739	0.2	147.80
SALES & OFFICE	703	0.2	140.60
STOCK ROOM	36	0.2	7.20

DOOR	OVERALL	SALES & OFFICE	STOCK ROOM
101A	164.5 in.	164.5 in.	
102A	44.0 in.	44.0 in.	
102C	44.0 in.	44.0 in.	
113	36.0 in.	36.0 in.	
103E	36.0 in.		36.0 in.
103F	44.0 in.		44.0 in.
103J	36.0 in.		36.0 in.
104A	94.5 in.		94.5 in.

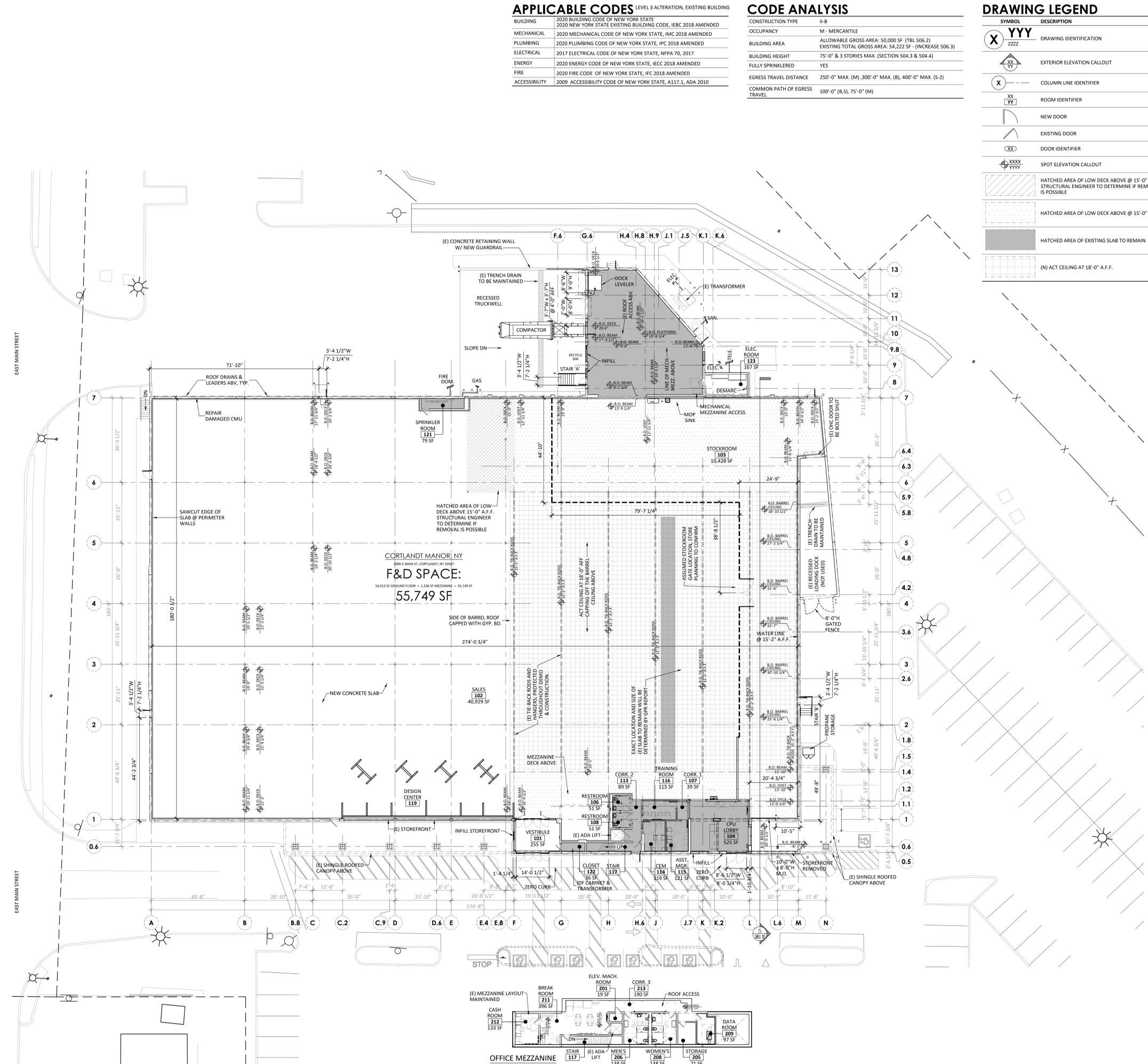
CAPACITY PROVIDED: 499.0 in. 288.5 in. 210.5 in.

EXITS REQUIRED: 5 EXITS PROVIDED: 8

NOTES:  
A. EGRESS DOORS SHALL BE READILY OPENABLE FROM EGRESS SIDE WITHOUT THE USE OF A KEY OR SPECIAL KNOWLEDGE OR EFFORT  
B. OFFICE EGRESS PROVIDED VIA SALES

**PLUMBING FIXTURES**

NUMBER OF OCCUPANTS	TOTAL REQUIRED	MALE PROVIDED	FEMALE PROVIDED
1 DRINKING FOUNTAIN PER 1000 PEOPLE	1	1	1
1 SERVICE SINK	1	1	1
1 WATER CLOSET PER 500 PEOPLE	1	1	3
1 LAVATORY PER 750 PEOPLE	1	1	2



**1 SHELL PLAN**  
SCALE: 1/16" = 1'-0"

2500 WINDY RIDGE PARKWAY, SE ATLANTA, GA 30339

SBLM Architects AA-0003434  
33 Wall Whitman Road, Suite 300A  
Huntington Station, NY 11746  
Tel: 631 583 5588  
Fax: 631 683 5591

A. V. SCHMAN & ASSOC.  
STRUCTURAL ENGINEERS  
600 East Thomas Rd, Suite 1  
Scottsdale, Arizona 85261  
(602) 265-4331

EKLH ENGINEERS  
150 PROFESSIONAL CENTER DR., 2ND FL.  
NEW YORK, NY 10008  
212 278 9908  
(917) 478-5550

218 WEST 40TH STREET, 16TH FLOOR  
NEW YORK, NY 10018  
212 278 9908  
www.cci.com

DYNAMIC ENGINEERING  
525 Route 73 North  
Morton, NJ 08853  
(856) 334-2000

PROJECT

**FLOOR & DECOR**  
CORTLANDT MANOR, NY

2096 E MAIN STREET  
CORTLANDT, NY 10567

ISSUE DATE: 12/06/24  
STORE NUMBER: TBD  
AREA: 55,749 SF  
JOB NUMBER: 024106  
PROTOTYPE: 2024 Q3

ISSUE

50% PROGRESS SET	12/26/24
75% PROGRESS SET	01/20/25
90% REVIEW SET	02/26/25
100% CD / PERMIT / BD	02/13/25

SEAL

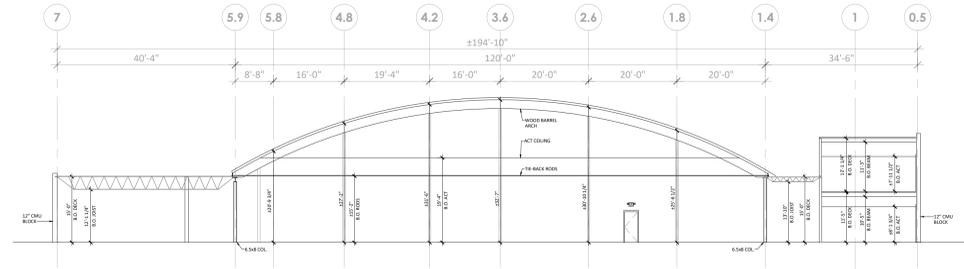
REGISTERED ARCHITECT  
GEORGE AZER FARRAR  
No. 004204  
STATE OF NEW YORK

SHEET

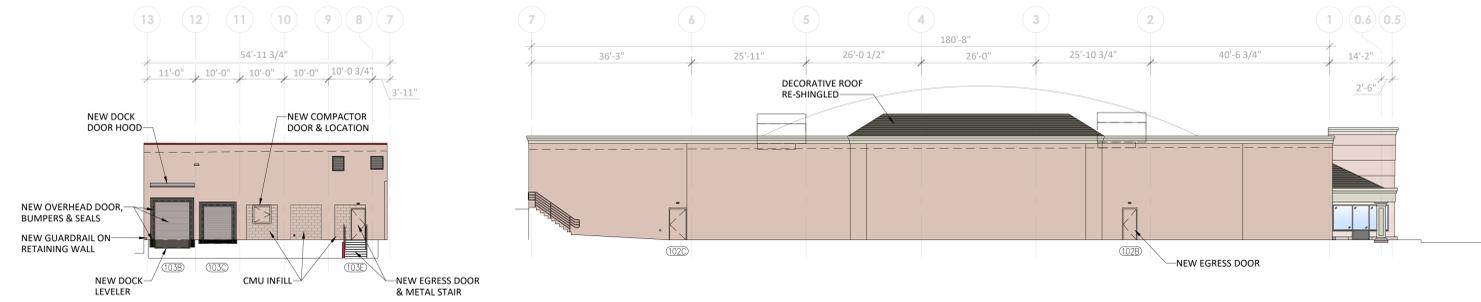
**SHELL PLAN**

DRAWN: MD  
CHECKED: GF

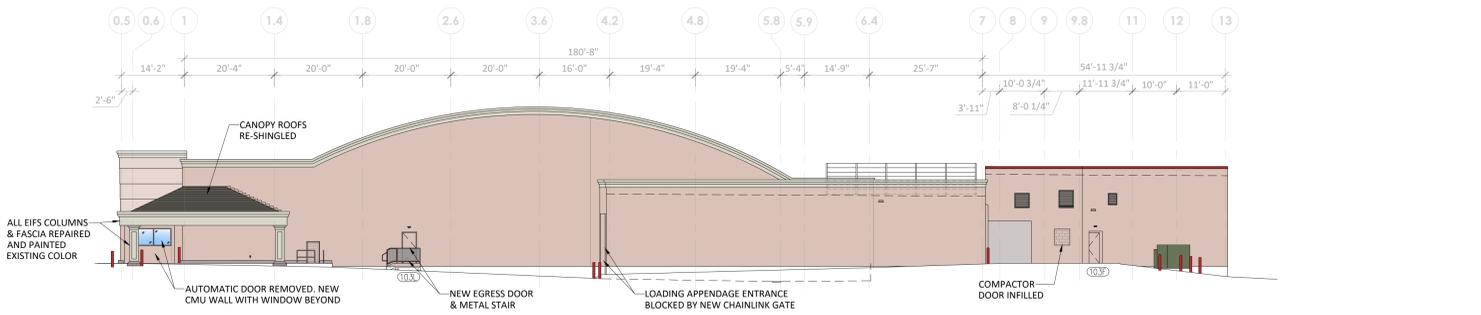
**SHELL 01**



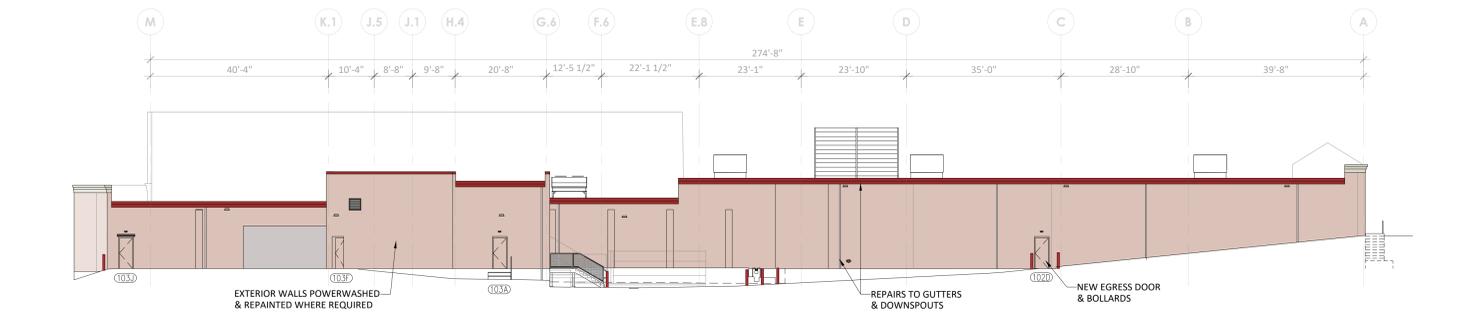
**5 TRANSVERSE BUILDING SECTION**  
SCALE: 1/16" = 1'-0"



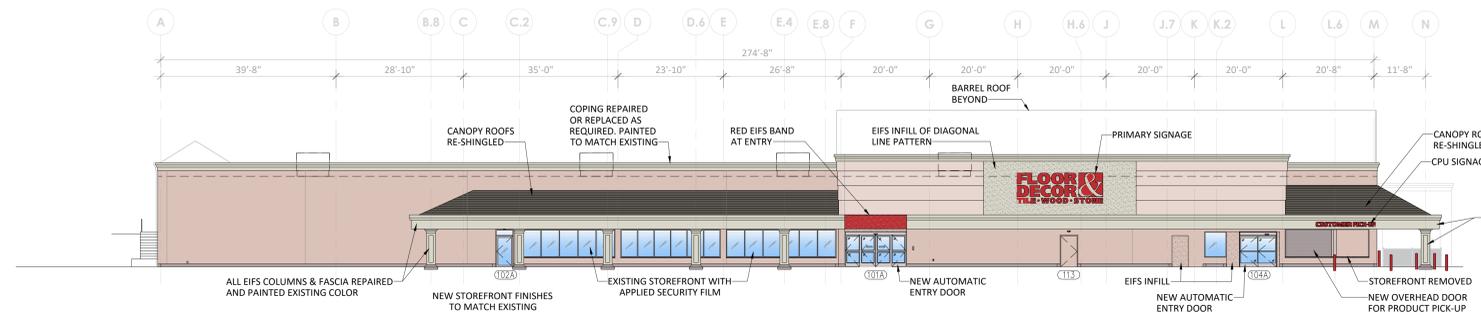
**4 LEFT ELEVATION (EAST) - E MAIN STREET**  
SCALE: 1/16" = 1'-0"



**3 RIGHT ELEVATION (WEST)**  
SCALE: 1/16" = 1'-0"



**2 REAR ELEVATION (SOUTH)**  
SCALE: 1/16" = 1'-0"



**1 FRONT ELEVATION (NORTH)**  
SCALE: 1/16" = 1'-0"

ISSUE	
50% PROGRESS SET	12/30/24
75% PROGRESS SET	01/30/25
90% REVIEW SET	02/28/25
100% CD / PERMIT / BID	02/13/25



# FLOOR & DECOR

---

Site #: TBD  
2094 E. Main Street  
Courtlandt Manor, NY 01567

SO#216110

Created: 02/14/2025  
Revised: 00/00/2025



National Headquarters: 1077 West Blue Heron Blvd.  
West Palm Beach, Florida 33404  
800.772.7932  
[www.atlasbtw.com](http://www.atlasbtw.com)

# SITE PLAN

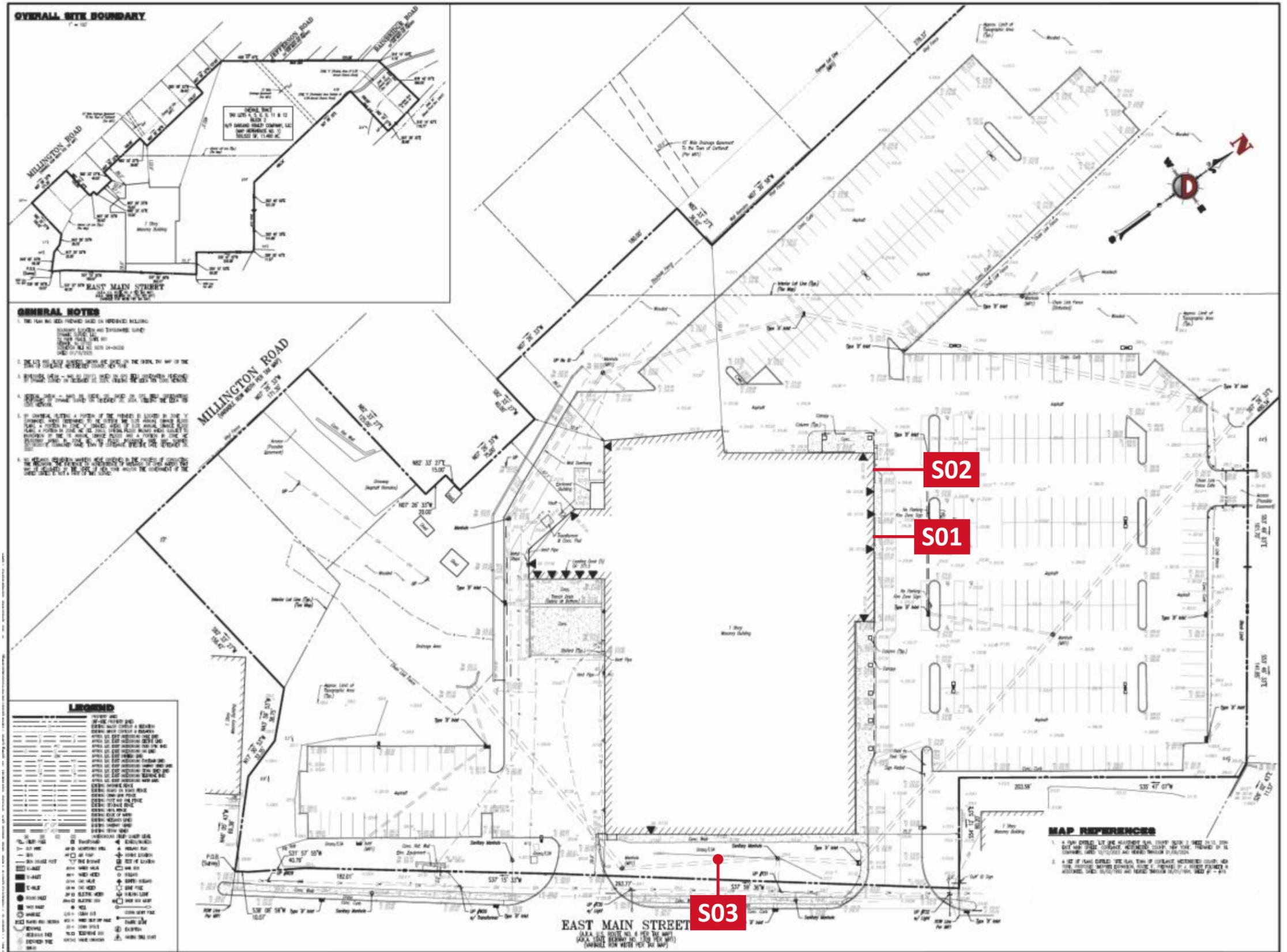
<b>S01</b>	Floor & Decor TWS (Stacked) Raceway Mounted
Type:	Individual Channel Letters   Wall Sign
Illumination:	Internally Illuminated LED
Square Footage:	136 Sq Ft

OR

<b>S01</b>	Floor & Decor (Stacked) Raceway Mounted
Type:	Individual Channel Letters   Wall Sign
Illumination:	Internally Illuminated LED
Square Footage:	135.5 Sq Ft

<b>S02</b>	Customer Pick Up Raceway Mounted
Type:	Individual Channel Letters
Illumination:	Non-Illuminated
Square Footage:	8 Sq Ft

<b>S03</b>	D/S Pylon
Type:	Pylon
Illumination:	Internally Illuminated LED
Square Footage:	24 Sq Ft



National Headquarters: 1077 West Blue Heron Blvd.  
West Palm Beach, Florida 33404  
800.772.7932  
www.atlasbtw.com

Revisions:	
...	...
...	...
...	...
...	...
...	...

SP

PM: PS	Address: 2094 E. Main Street
Drawn By: NR	City State: Courtlandt Manor, NY 01567
Date: 01.14.2025	Drawing Number: 216110

# Face Lit Channel Letters on Raceway / Wall Sign - OPT 1

Action:

- Manufacture and install new letterset as shown.
- Letterset to be installed on aluminum 7" x 4.5" raceways, painted to match wall with non corrosive fasteners

## FLOOR DECOR Material & Color:

- Vinyl - 3M 3630-33 Red with UV Laminate
- Letter Faces - 2447 LD White Acrylic
- Trimcap - 1" Standard Red Jewelite
- Returns - Pre Finished Red
- Raceways - to match Wall TBD

## & Material & Color:

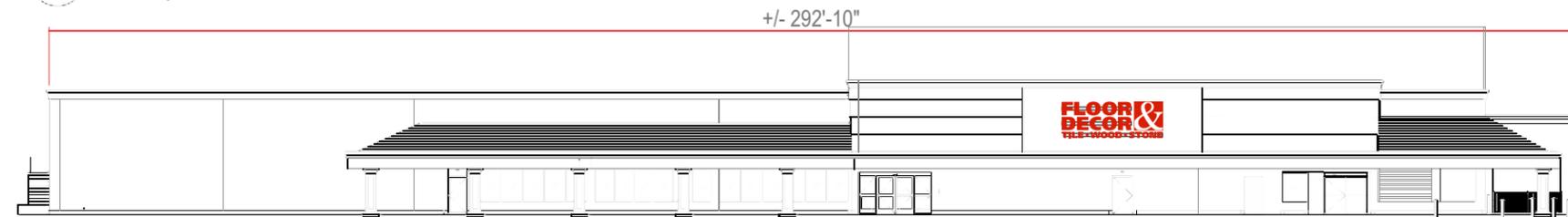
- Vinyl - 3M 3630-33 Red with UV Laminate
- Logo Faces - White Flex Face
- Cabinet - Painted Matthews MP 2032 Red
- Raceways - to match Wall TBD

Code:

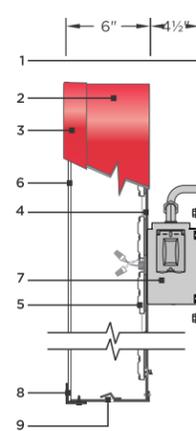
Variance Required



1 FRONT ELEVATION (NORTH)  
SCALE: 1/16"=1'-0"



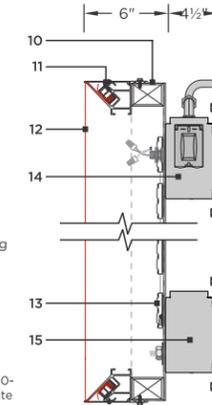
1 FRONT ELEVATION (NORTH)  
SCALE: 1/32"=1'-0"



### letters

- EIFS Fascia
- .040 Pre-finished Red Aluminum Return (white interior)
- 1" Red Jewelite Trim Cap - bonded to face and #8 pan head screws to return - for 48" letters and smaller
- 3mm ACM Composite White Backs Stapled to Returns (interior of letter back caulked to prevent moisture)
- White LED Modules (6500K)
- .15" 7328 White Polycarbonate Face w/ 1st surface application of translucent red vinyl AND a clear/gloss UV Laminate
- 7" x 4.5" Extruded Raceway (finished to match fascia) to House All Wiring & Power Supplies, w/ NEC 600-6 Compliant Disconnect Switch
- 1" x 1" Aluminum Face Retainer (only for letters that are 54" and larger)
- Weep Hole with Aluminum Light Baffle

- RETURNS: Pre-Finished Red (Hunter Red)
- TRIM CAPS: Vidon True Red
- METAL RETURNS: Painted to match PMS #1797 (gloss)
- FACES: #7328 White Polycarbonate
- FACE DECORATION: 3M 3630-33 Vinyl w/ Gloss UV Laminate
- RACEWAY: Painted to match Fascia (TBD)



### ampersand

- 2" x 3" Aluminum Tube Frame to match Matthews MP 2032 Red
- Bleed Face Retro Frame (SignComp #2014) 1/ Cover (SignComp #2121) and .080" Back. Frame & Retro-Frame to match Matthews MP 2032 Red
- White Panagraphics III Substrate with 1st Surface Application of Translucent Red Vinyl AND a clear/gloss UV Laminate
- White LED Modules (6500K)
- TOP RACEWAY: 7" x 4.5" Extruded Raceway (finished to match fascia) to
- House All Wiring & Power Supplies, w/ NEC 600-6 Compliant Disconnect Switch
- BOTTOM RACEWAY: 7" x 4.5" Extruded Raceway (finished to match fascia). This Raceway contains no wiring or electrical components. (It is for mounting and stability reasons ONLY)

- FRAME/RETAINER: Painted to match PMS #1797 (gloss)
- FACES: Panagraphics III White Flexible Substrate
- FACE DECORATION: 3M 3630-33 Vinyl w/ Gloss UV Laminate
- RACEWAY: Painted to match Fascia (TBD)

FD-66LOGO-30CLS-TWS-RW 136 Sq Ft



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Revisions:

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S01

PM: PS  
Drawn By: NR  
Date: 01.14.2025

Address: 2094 E. Main Street  
City State: Courtlandt Manor, NY 01567  
Drawing Number: 216110

# Face Lit Channel Letters on Raceway / Wall Sign - OPT 2

Action:

- Manufacture and install new letterset as shown.
- Letterset to be installed on aluminum 7" x 4.5" raceways, painted to match wall with non corrosive fasteners

## FLOOR DECOR Material & Color:

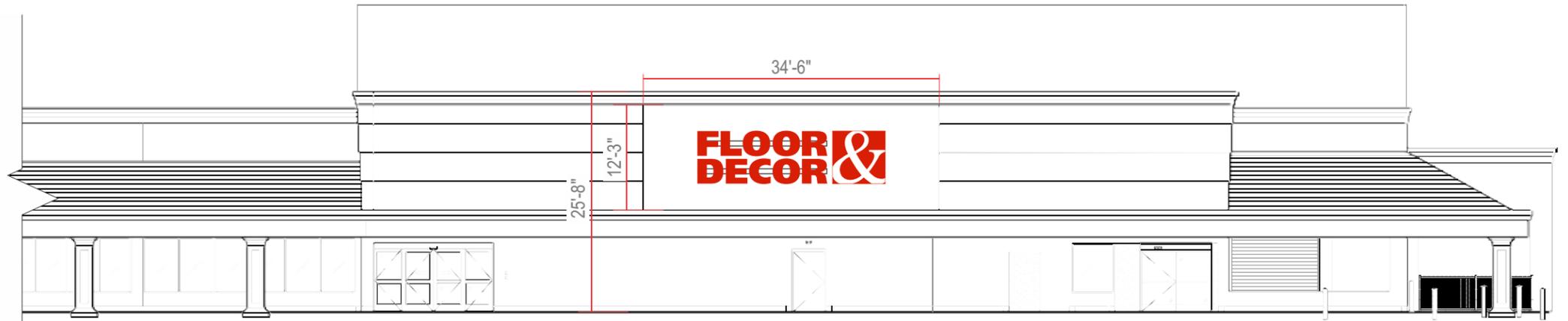
- Vinyl - 3M 3630-33 Red with UV Laminate
- Letter Faces - 2447 LD White Acrylic
- Trimcap - 1" Standard Red Jewelite
- Returns - Pre Finished Red
- Raceways - to match Wall TBD

## & Material & Color:

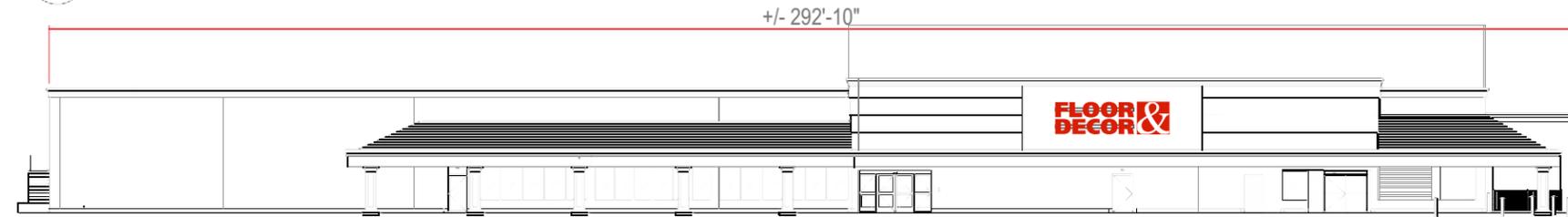
- Vinyl - 3M 3630-33 Red with UV Laminate
- Logo Faces - White Flex Face
- Cabinet - Painted Matthews MP 2032 Red
- Raceways - to match Wall TBD

Code:

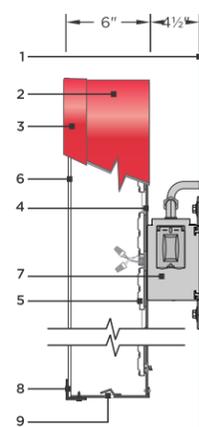
Variance Required



1 FRONT ELEVATION (NORTH)  
SCALE: 1/16"=1'-0"



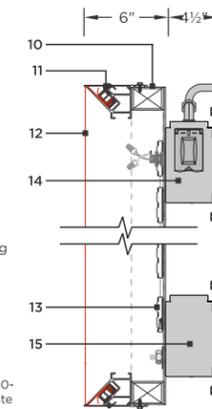
1 FRONT ELEVATION (NORTH)  
SCALE: 1/32"=1'-0"



### letters

- EIFS Fascia
- .040 Pre-finished Red Aluminum Return (white interior)
- 1" Red Jewelite Trim Cap - bonded to face and #8 pan head screws to return - for 48" letters and smaller
- 3mm ACM Composite White Backs Stapled to Returns (interior of letter back caulked to prevent moisture)
- White LED Modules (6500K)
- .15" 7328 White Polycarbonate Face w/ 1st surface application of translucent red vinyl AND a clear/gloss UV Laminate
- 7" x 4.5" Extruded Raceway (finished to match fascia) to House All Wiring & Power Supplies, w/ NEC 600-6 Compliant Disconnect Switch
- 1" x 1" Aluminum Face Retainer (only for letters that are 54" and larger)
- Weep Hole with Aluminum Light Baffle

- RETURNS: Pre-Finished Red (Hunter Red)
- TRIM CAPS: Vidon True Red
- METAL RETURNS: Painted to match PMS #1797 (gloss)
- FACES: #7328 White Polycarbonate
- FACE DECORATION: 3M 3630-33 Vinyl w/ Gloss UV Laminate
- RACEWAY: Painted to match Fascia (TBD)



### ampersand

- 2" x 3" Aluminum Tube Frame to match Matthews MP 2032 Red
- Bleed Face Retro Frame (SignComp #2014) 1/ Cover (SignComp #2121) and .080" Back. Frame & Retro-Frame to match Matthews MP 2032 Red
- White Panagraphics III Substrate with 1st Surface Application of Translucent Red Vinyl AND a clear/gloss UV Laminate
- White LED Modules (6500K)
- TOP RACEWAY: 7" x 4.5" Extruded Raceway (finished to match fascia) to
- House All Wiring & Power Supplies, w/ NEC 600-6 Compliant Disconnect Switch
- BOTTOM RACEWAY: 7" x 4.5" Extruded Raceway (finished to match fascia). This Raceway contains no wiring or electrical components. (It is for mounting and stability reasons ONLY)

- FRAME/RETAINER: Painted to match PMS #1797 (gloss)
- FACES: Panagraphics III White Flexible Substrate
- FACE DECORATION: 3M 3630-33 Vinyl w/ Gloss UV Laminate
- RACEWAY: Painted to match Fascia (TBD)

FD-72LOGO-34CLS-RW 135.8 Sq Ft



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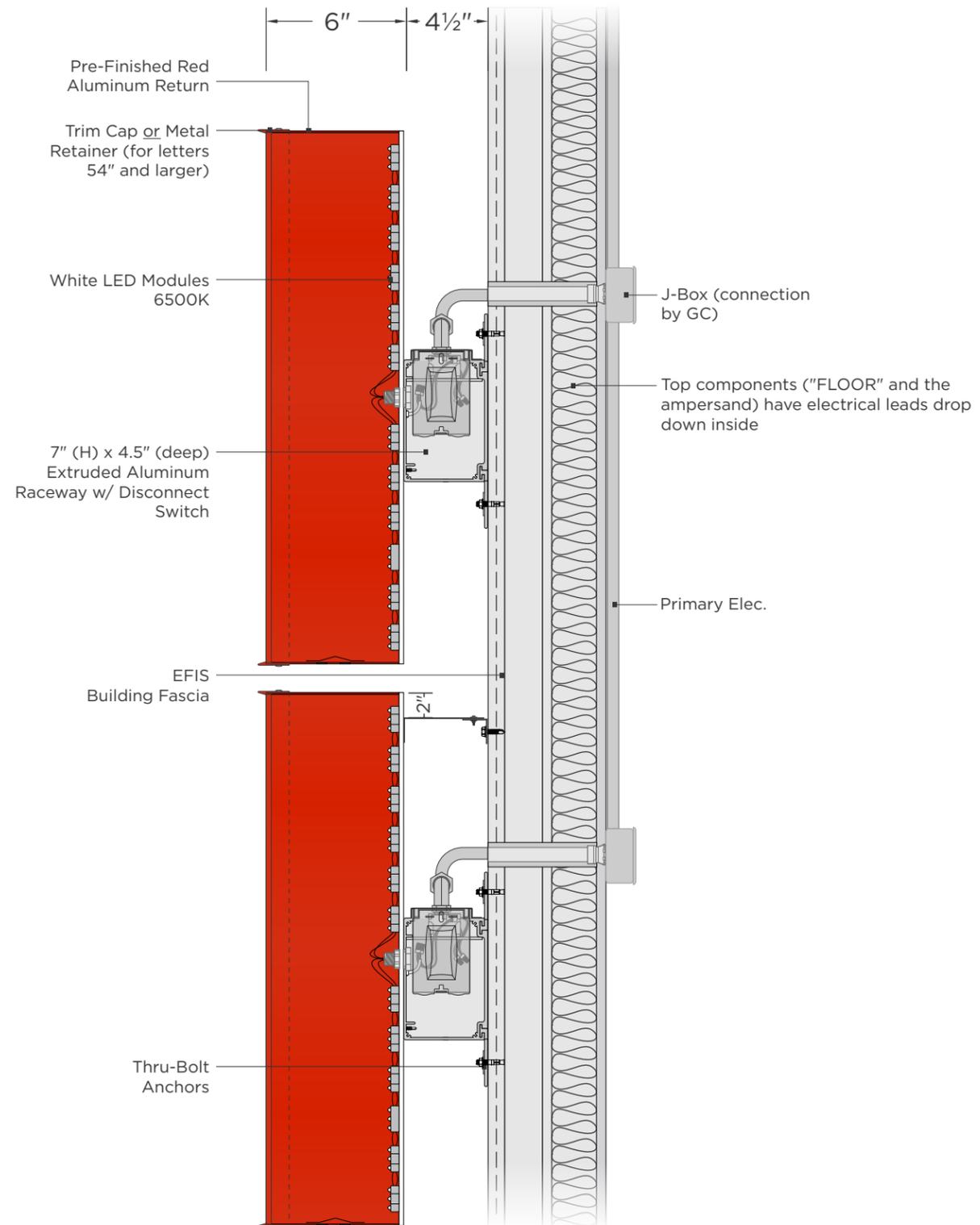
PM: PS  
Drawn By: NR  
Date: 01.14.2025

Address: 2094 E. Main Street  
City State: Courtlandt Manor, NY 01567  
Drawing Number: 216110

# Installation Notes

**\*ADDITIONAL TECH SURVEY REQ. REQUIRED ON EXISTING WALL AND ENGINEERING REQ. FOR MORE DETAILED INSTALL NOTES**

**\*\*GENERIC EXAMPLE OF SIDE VIEW INSTALL SHOWN**



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PM: PS	Address: 2094 E. Main Street
Drawn By: NR	City State: Courtlandt Manor, NY 01567
Date: 01.14.2025	Drawing Number: 216110

# Non Lit Channel Letters on Raceway / Wall Sign

Action:

- Manufacture and install new non-lit letterset as shown.
- Letterset to be installed on aluminum 7" x 4.5" raceways, painted to match wall with non corrosive fasteners

Material & Color:

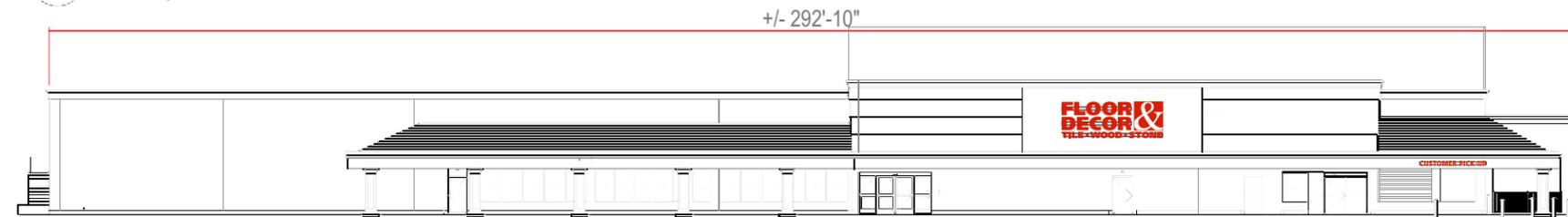
- Vinyl - 3M 3630-33 Red with UV Laminate
- Letter Faces - 2447 LD White Acrylic
- Trimcap - 1" Standard Red Jewelite
- Returns - Pre Finished Red
- Raceways - to match Wall TBD

Code:

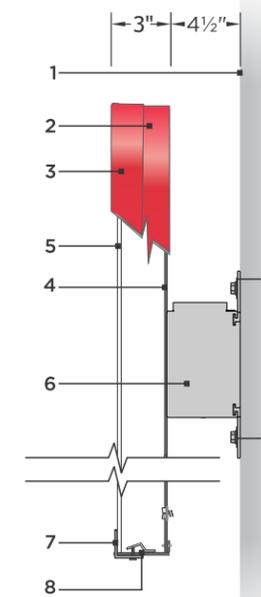
Variance Required



**1 FRONT ELEVATION (NORTH)**  
SCALE: 1/16"=1'-0"



**1 FRONT ELEVATION (NORTH)**  
SCALE: 1/32"=1'-0"



letters

- 1 EIFS Fascia
- 2 .040 Pre-finished Red Aluminum Return (white interior)
- 3 1" Red Jewelite Trim Cap - bonded to face and #8 pan head screws to return - for 48" letters and smaller
- 4 3mm ACM Composite White Backs Staped to Returns (interior of letter back caulked to prevent moisture)
- 5 .15" 7328 White Polycarbonate Face w/ 1st surface application of translucent red vinyl AND a clear/gloss UV Laminate
- 6 7" x 4.5" Extruded Raceway (finished to match fascia)
- 7 1" x 1" Aluminum Face Retainer (only for letters that are 54" and larger)
- 8 Weep Hole with Aluminum Light Baffle

- RETURNS: Pre-Finished Red (Hunter Red)
- FACES: #7328 White Polycarbonate
- TRIM CAPS: Vidon True Red
- FACE DECORATION: 3M 3630-33 Vinyl w/ Gloss UV Laminate
- METAL RETURNS: Painted to match PMS #1797 (gloss)
- RACEWAY: Painted to match Fascia (TBD)



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S02

PM: PS	Address: 2094 E. Main Street
Drawn By: NR	City State: Courtlandt Manor, NY 01567
Date: 01.14.2025	Drawing Number: 216110

# Pylon

## Action:

- Manufacture and install new double faced monument sign.
- Sign to be of aluminum construction with 1" retainers, painted PMS 1797c
- Pole to be painted black.
- Faces to be white polycarb with first surface vinyl applied
- Sign to be internally illuminated with white LEDs.
- Sign to be set in concrete footer per engineering.
- (2) Digitally printed Low Tack coming soon vinyl to be applied to Floor Decor faces.

## Material & Color:

- Faces: White Polycarb
- Vinyl: 3M #3630-33 red with Gloss UV Laminate
- Cabinet: Painted to match PMS 1797C
- Pole: Painted to match Black
- Illumination: White LED
-  Vinyl: Digitally printed on low tack vinyl

## Code:

Allowed: 16 OAH & 24 SQFT

Proposed Cabinet: 24 Sq Ft



PROPOSED LOCATION

**\*\*\*PYLON- SET BACK SO NOT TO INTERFERE WITH POWER LINES**



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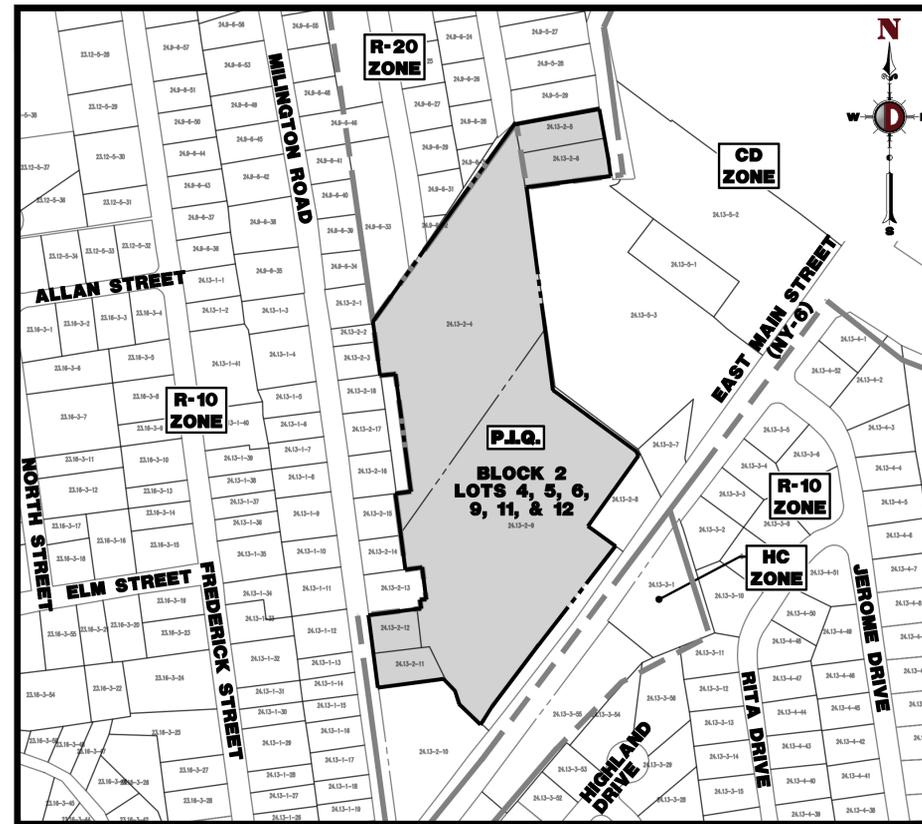
S04

PM: PS	Address: 2094 E. Main Street
Drawn By: NR	City State: Courtlandt Manor, NY 01567
Date: 01.14.2025	Drawing Number: 216110

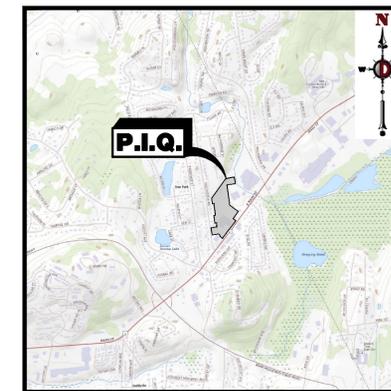
# PRELIMINARY AND FINAL SITE PLAN

## FOR FLOOR & DÉCOR OUTLETS OF AMERICA INC. PROPOSED FLOOR & DÉCOR

SECTION: 24.13 BLOCK 2, LOTS 4, 5, 6, 9, 11, & 12; TAX MAP SHEET 24.13 - LATEST REV. DATED 10/2015  
2094 EAST MAIN STREET (NY-6)  
TOWN OF CORTLANDT  
WESTCHESTER COUNTY, NEW YORK



**AREA MAP**  
1" = 200'



**KEY MAP**  
1" = 2000'

DRAWING INDEX	
COVER SHEET	1 of 14
AERIAL MAP	2 of 14
EXISTING CONDITIONS PLAN	3 of 14
DEMOLITION PLAN	4 of 14
SITE PLAN	5 of 14
GRADING, DRAINAGE & UTILITY PLAN	6 of 14
LANDSCAPE PLAN	7 of 14
LIGHTING PLAN	8 of 14
SOIL EROSION & SEDIMENT CONTROL PLAN	9 of 14
SOIL EROSION & SEDIMENT CONTROL DETAILS	10 of 14
CONSTRUCTION DETAILS	11 - 13 of 14
VEHICLE CIRCULATION PLAN	14 of 14

NOTE:  
IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL, TO ALTER AN ITEM IN ANY WAY, IF AN ITEM BEARING THE SEAL OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING LICENSED PROFESSIONAL SHALL AFFIX TO THEIR ITEM THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.



REV.	DATE	REV. COMMENTS	BY
1	02/13/24	REVISED PER TOWN COMMENTS	DUS
2	02/20/24	REVISED PER TOWN COMMENTS	ADY

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

PROJECT: FLOOR & DÉCOR OUTLETS OF AMERICA INC.  
SECTION: 24.13, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12  
2094 EAST MAIN STREET (NY-6)  
TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK

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FOR STATE SPECIFIC DIRECT PHONE NUMBERS VISIT: WWW.CALL811.COM

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**JOSHUA M. SEWALD**  
PROFESSIONAL ENGINEER  
NEW YORK LICENSE No. 097639

TITLE:  
**COVER SHEET**

SCALE: (H) AS SHOWN DATE: 01/23/2025  
PROJECT No: 5079-24-04330

SHEET No: **1** OF 14 Rev. #: 2

Plotted: 02/20/25 - 3:46 PM, By: danderson, Product Ver: 24.3a (LMS Tech), File: P:\BECPC PROJECTS\5079 Floor and Decor\24-04330 Cortlandt NY.Dwg Site Plans\507924043305K2.dwg, ---> 01 COVER SHEET



REV.	DATE	COMMENTS	BY
1	02/13/25	REVISED PER TOWN COMMENTS	ADJ
2	02/20/25	REVISED PER TOWN COMMENTS	DUS

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

PROJECT: FLOOR & DECOR OUTLETS OF AMERICA INC.  
 PROPOSED FLOOR & DECOR  
 SECTION 24.13, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12  
 2094 EAST MAIN STREET (NY-6)  
 TOWN OF CORTLAND, WESTCHESTER COUNTY, NEW YORK

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 NEW YORK LICENSE No. 097639

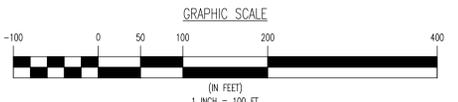
TITLE:  
**AERIAL MAP**

SCALE: (H) 1" = 100'  
 (V) DATE: 01/23/2025

PROJECT No:  
 5079-24-04330

SHEET No:  
**2** OF 14

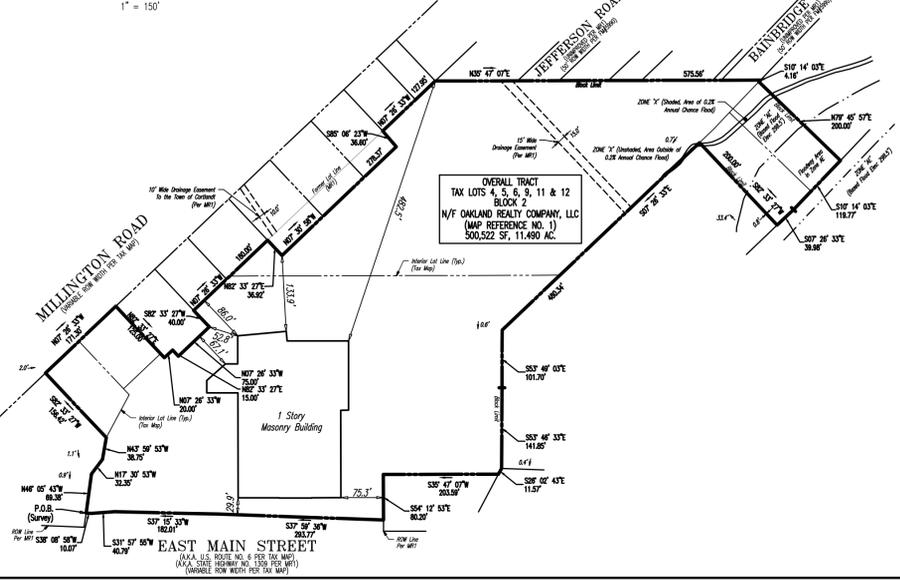
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THE AERIAL IMAGE DEPICTED ON THIS PLAN IS BASED ON IMAGERY PREPARED BY DIGITAL GLOBE, GEO EYE AND USDA FARM SERVICE AGENCY. THIS IMAGERY WAS PROVIDED BY GOOGLE MAPS ON 10/19/2024. THE CONDITIONS OF THE SITE AND SURROUNDING AREAS MAY HAVE CHANGED SINCE THE DATE OF AERIAL PHOTOGRAPHY AND THEREFORE THIS PLAN MAY NOT ACCURATELY REFLECT ALL CURRENT EXISTING CONDITIONS.

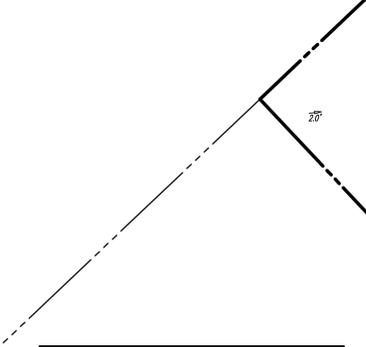
Plotted: 02/20/25 - 3:47 PM, By: danderson, Product Ver: 24.3a (LMS Tech)  
 File: P:\BECPC PROJECTS\5079 Floor and Decor\24-04330 Cortland NY.Dwg Site Plans\50792404330S02.dwg. --> 02 AERIAL MAP

OVERALL SITE BOUNDARY



GENERAL NOTES

- 1. THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING: BOUNDARY SURVEY AND TOPOGRAPHIC SURVEY BY DYNAMIC SURVEY, LLC...
2. THE LOT AND BLOCK NUMBERS SHOWN ARE BASED ON THE DIGITAL TAX MAP OF THE TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK.
3. HORIZONTAL DATUM - NAD 83 (2011), BASED ON GPS FIELD OBSERVATIONS PERFORMED BY DYNAMIC SURVEY ON DECEMBER 20, 2024, UTILIZING THE LEICA RXR CORS NETWORK.
4. VERTICAL DATUM - NAVD 88 (GEOID 18), BASED ON GPS FIELD OBSERVATIONS PERFORMED BY DYNAMIC SURVEY ON DECEMBER 20, 2024, UTILIZING THE LEICA RXR CORS NETWORK.
5. BY GRAPHICAL PLOTTING A PORTION OF THE PREMISES IS LOCATED IN ZONE 'X' (UNSHADED, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN)...
6. NO WETLANDS DELINEATION MARKERS WERE OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK...



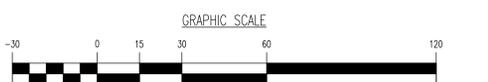
NOTE: IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL, TO ALTER AN ITEM IN ANY WAY, IF AN ITEM BEARING THE SEAL OF A LICENSED PROFESSIONAL IS ALTERED...

LEGEND table with columns for symbols and descriptions. Includes categories for PROPERTY LINES, EXISTING UTILITIES, and SURVEY MARKERS.

EAST MAIN STREET (A.K.A. U.S. ROUTE NO. 6 PER TAX MAP) (A.K.A. STATE HIGHWAY NO. 1309 PER MR1) (VARIABLE ROW WIDTH PER TAX MAP)

MAP REFERENCES

- 1. A PLAN ENTITLED 'LOT LINE ADJUSTMENT PLAN, COUNTY BLOCK 2 SHEET 2413, 2094 EAST MAIN STREET, CORTLANDT, WESTCHESTER COUNTY, NEW YORK', PREPARED BY BL COMPANIES, DATED 12/12/2023 AND REVISED THROUGH 01/09/2024.
2. A SET OF PLANS ENTITLED 'SITE PLAN, TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK, PROPOSED SHARPLEY EXPANSION, ROUTE 6', PREPARED BY A. ROBERT FOLCHETTI & ASSOCIATES, DATED: 06/02/1992 AND REVISED THROUGH 06/01/1994, SHEET #1 - #19.



Professional information block including DYNAMIC SURVEY & ENGINEERING logo, project details for FLOOR & DECOR OUTLETS OF AMERICA INC., engineer signature of JOSHUA M. SEWALD, and sheet number 3 of 14.

Vertical text on the left margin: Plotted: 02/20/25 - 3:47 PM, By: danderson, Product Ver: 24.3s (LMS Tech), File: P:\BECPC PROJECTS\5079\_Floor and Decor\14-04330\_Cortlandt\_NY\DWG\Site Plans\50792404330SE2.dwg, --> 03 EXISTING CONDITIONS PLAN

**DEMOLITION NOTES**

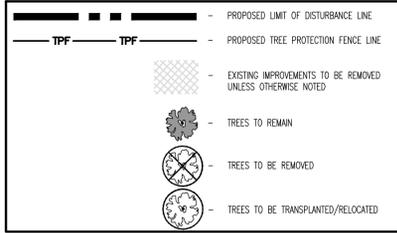
- ALL DEMOLITION ACTIVITIES ARE TO BE PERFORMED IN STRICT ADHERENCE TO ALL FEDERAL, STATE AND LOCAL REGULATIONS.
- PROCEED WITH DEMOLITION IN A SYSTEMATIC MANNER, FROM THE TOP OF THE STRUCTURE(S) TO THE GROUND.
- COMPLETE DEMOLITION WORK ABOVE EACH FLOOR OR TIER BEFORE DISTURBING ANY OF THE SUPPORTING MEMBERS OF THE LOWER LEVELS.
- DEMOLISH CONCRETE AND MASONRY IN SMALL SECTIONS.
- REMOVE STRUCTURAL FRAMING MEMBERS AND LOWER THEM TO THE GROUND.
- BREAK UP CONCRETE SLABS-ON-GRADE, UNLESS OTHERWISE DIRECTED BY OWNER.
- LOCATE DEMOLITION EQUIPMENT THROUGHOUT THE STRUCTURE AND REMOVE MATERIALS SO AS TO NOT IMPOSE EXCESSIVE LOADS ON SUPPORTING WALLS, FLOORS, OR FRAMING.
- PROVIDE INTERIOR AND EXTERIOR SHORING, BRACING AND SUPPORTS TO PREVENT MOVEMENT, SETTLEMENT OR COLLAPSE OF STRUCTURES TO BE DEMOLISHED (AND ADJACENT FACILITIES, IF APPLICABLE).
- DEMOLISH AND REMOVE ALL FOUNDATION WALLS, FOOTINGS AND OTHER MATERIALS WITHIN THE AREA OF THE DESIGNATED FUTURE BUILDING. ALL OTHER FOUNDATION SYSTEMS, INCLUDING BASEMENTS, SHALL BE DEMOLISHED TO A DEPTH OF NOT LESS THAN ONE FOOT BELOW PROPOSED PAVEMENT OR BREAK BASEMENT FLOOR SLABS. SEAL ALL OPEN UTILITY LINES WITH CONCRETE. CONTRACTOR TO REVIEW STRUCTURE PRIOR TO DEMOLITION TO DETERMINE IF BASEMENT, CRAWL SPACE OR ANY SUB-STRUCTURE EXISTS. ANY SUB-STRUCTURE, INCLUDING BASEMENTS SHALL BE REMOVED IN ITS ENTIRETY OR AS DIRECTED BY OWNER.
- ERECT AND MAINTAIN COVERED PASSAGEWAYS IN ORDER TO PROVIDE SAFE PASSAGE FOR PERSONS AROUND THE AREA OF DEMOLITION. CONDUCT ALL DEMOLITION OPERATIONS IN A MANNER THAT WILL PREVENT DAMAGE AND PERSONAL INJURY TO STRUCTURES, ADJACENT BUILDINGS AND ALL PERSONS. PLACE THE SAFETY AND PROTECTION OF THE SURROUNDING COMMUNITY AND PROPERTY AT THE HIGHEST PRIORITY.
- REFRAIN FROM USING ANY EXPLOSIVES WITHOUT PRIOR WRITTEN CONSENT OF OWNER AND APPLICABLE GOVERNMENTAL AUTHORITIES.
- CONDUCT DEMOLITION SERVICES IN SUCH A MANNER TO ENSURE MINIMUM INTERFERENCE WITH ROADS, STREETS, WALKS AND OTHER ADJACENT FACILITIES. DO NOT CLOSE OR OBSTRUCT STREETS, WALKS, OR OTHER OCCUPIED FACILITIES WITHOUT PRIOR WRITTEN PERMISSION OF OWNER AND ANY APPLICABLE GOVERNMENTAL AUTHORITIES. PROVIDE ALTERNATE ROUTES AROUND CLOSED OR OBSTRUCTED TRAFFIC WAYS, IF REQUIRED BY APPLICABLE GOVERNMENTAL REGULATIONS.
- USE WATERING, TEMPORARY ENCLOSURES AND OTHER SUITABLE METHODS, AS NECESSARY TO LIMIT THE AMOUNT OF DUST AND DIRT RISING AND SCATTERING IN THE AIR. CLEAN ADJACENT STRUCTURES AND IMPROVEMENTS OF ALL DUST AND DEBRIS CAUSED BY THE DEMOLITION OPERATIONS. RETURN ALL ADJACENT AREAS TO THE CONDITIONS EXISTING PRIOR TO THE START OF WORK.
- ACCOMPLISH AND PERFORM THE DEMOLITION IN SUCH A MANNER AS TO PREVENT THE UNAUTHORIZED ENTRY OF PERSONS AT ANY TIME.

- COMPLETELY FILL BELOW GRADE AREAS AND VOIDS RESULTING FROM THE DEMOLITION OF STRUCTURES AND FOUNDATIONS WITH SOIL MATERIALS IN ACCORDANCE WITH THE GEOTECHNICAL REPORT, CONSISTING OF STONE, GRAVEL AND SAND, FREE FROM DEBRIS, TRASH, FROZEN MATERIALS, ROOTS AND OTHER ORGANIC MATTER. STONES USED WILL NOT BE LARGER THAN 6 INCHES IN DIMENSION. MATERIAL FROM DEMOLITION MAY NOT BE USED AS FILL. PRIOR TO PLACEMENT OF FILL MATERIALS, UNDERTAKE ALL NECESSARY ACTION IN ORDER TO ENSURE THAT AREAS TO BE FILLED ARE FREE OF STANDING WATER, FROST, FROZEN MATERIAL, TRASH, DEBRIS. PLACE FILL MATERIALS IN HORIZONTAL LAYERS NOT EXCEEDING 6 INCHES IN LOOSE DEPTH AND COMPACT EACH LAYER AT PLACEMENT TO 95% OPTIMUM DENSITY. GRADE THE SURFACE TO MEET ADJACENT CONTOURS AND TO PROVIDE SURFACE DRAINAGE.
- REMOVE FROM THE DESIGNATED SITE, AT THE EARLIEST POSSIBLE TIME, ALL DEBRIS, RUBBISH, SALVAGEABLE ITEMS, HAZARDOUS AND COMBUSTIBLE SERVICES. REMOVED MATERIALS MAY NOT BE STORED, SOLD OR BURNED ON THE SITE. REMOVAL OF HAZARDOUS AND COMBUSTIBLE MATERIALS SHALL BE ACCOMPLISHED IN ACCORDANCE WITH THE PROCEDURES AS AUTHORIZED BY THE FIRE DEPARTMENT OR OTHER APPROPRIATE REGULATORY AGENCIES AND AUTHORITIES.
- DISCONNECT, SHUT OFF AND SEAL IN CONCRETE ALL UTILITIES SERVING THE STRUCTURE(S) TO BE DEMOLISHED BEFORE THE COMMENCEMENT OF THE DESIGNATED DEMOLITION. MARK FOR POSITION ALL UTILITY DRAINAGE AND SANITARY LINES AND PROTECT ALL ACTIVE LINES. CLEARLY IDENTIFY BEFORE THE COMMENCEMENT OF DEMOLITION SERVICES THE REQUIRED INTERRUPTION OF ACTIVE SYSTEMS THAT MAY AFFECT OTHER PARTIES, AND NOTIFY ALL APPLICABLE UTILITY COMPANIES TO ENSURE THE CONTINUATION OF SERVICE.
- THIS DEMOLITION PLAN IS INTENDED TO IDENTIFY THOSE EXISTING CONDITIONS WHICH ARE TO BE REMOVED. IT IS NOT INTENDED TO PROVIDE DIRECTION OTHER THAN THAT ALL PROCEDURES ARE TO BE IN ACCORDANCE WITH STATE, FEDERAL, LOCAL, AND JURISDICTIONAL REQUIREMENTS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL SAFETY PRECAUTIONS NECESSARY.
- VERIFY THAT ALL ENVIRONMENTAL CONCERNS INCLUDING BUT NOT LIMITED TO ASBESTOS, LEAD BASED PAINT, HAZMAT MATERIALS, UNDERGROUND STORAGE TANKS, AND TRANSFORMERS HAVE BEEN REMOVED PRIOR TO COMMENCEMENT OF DEMOLITION ACTIVITIES. THESE ARE NOT SHOWN ON THE PLANS. REFER TO ENVIRONMENTAL REPORTS AND DOCUMENTS FOR LOCATIONS AND DISPOSAL PROCEDURES.

**NOTES**

- IN ACCORDANCE WITH STATE LAW, THE CONTRACTOR SHALL BE REQUIRED TO CALL THE BOARD OF PUBLIC UTILITIES ONE CALL DAMAGE PROTECTION SYSTEM OR UTILITY MARK OUT IN ADVANCE OF ANY EXCAVATION.
- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFYING ALL EXISTING SITE IMPROVEMENTS AND UTILITIES. ALL DISCREPANCIES SHALL BE IDENTIFIED TO THE ENGINEER IN WRITING.
- ALL EXISTING UTILITIES TO BE ABANDONED SHALL BE DISCONNECTED AND CAPPED AT THE MAIN FOR WATER, AT THE CLEAN-OUT FOR SEWER AND THE SHUT-OFF VALVE OR MAIN FOR GAS IN ACCORDANCE WITH MUNICIPAL AND LOCAL UTILITY REQUIREMENTS.
- ALL EXISTING DEBRIS SHALL BE REMOVED BY CONTRACTOR IN ACCORDANCE WITH MUNICIPAL AND LOCAL UTILITY COMPANY REQUIREMENTS.

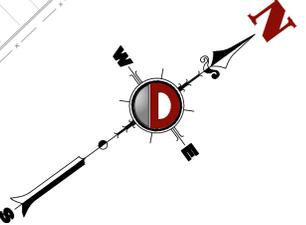
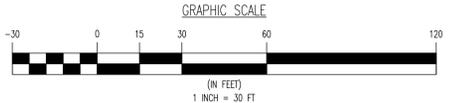
**DEMOLITION PLAN LEGEND**



**NOTE:**  
IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING LICENSED PROFESSIONAL SHALL AFFIX TO THEIR ITEM THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

**MILLINGTON ROAD**  
(VARIABLE ROW WIDTH PER TAX MAP)

**EAST MAIN STREET**  
(A.K.A. U.S. ROUTE NO. 6 PER TAX MAP)  
(A.K.A. STATE HIGHWAY NO. 1309 PER MR1)  
(VARIABLE ROW WIDTH PER TAX MAP)



Plotted: 02/20/25 - 3:48 PM, By: danderson, Product Ver: 24.3s (LMS Tech)  
 File: P:\BECPC PROJECTS\5079 Floor and Decor\54-04330 Cortlandt NY.Dwg (Site Plans)\50792404330SR2.dwg, --> 04 DEMOLITION PLAN



REV.	DATE	COMMENTS	BY
1	02/13/25	REVISED PER TOWN COMMENTS	ADJ
2	02/20/25	REVISED PER TOWN COMMENTS	DUS

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

DRAWN BY: DRT  
 CHECKED BY: LB  
 DESIGNED BY: ZAK  
 CREDIT BY:

**PROJECT: FLOOR & DECOR OUTLETS OF AMERICA INC.**  
 PROPOSED FLOOR & DECOR  
 SECTION 24.1.3, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12  
 2094 EAST MAIN STREET (NY-6)  
 TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK

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TITLE:  
**DEMOLITION PLAN**

SCALE: (H) 1" = 30'  
(V) 1" = 30'  
DATE: 01/23/2025  
PROJECT No: 5079-24-04330

SHEET No: **4** OF 14  
Rev. #: 2

**GENERAL NOTES**

- THIS PLAN HAS BEEN PREPARED BASED ON REFERENCES INCLUDING:
  - BOUNDARY, LOCATION AND TOPOGRAPHIC SURVEY: DYNAMIC SURVEY, LLC, 50 PARK PLACE, SUITE 901, NEWARK, NJ 07102, SURVEYOR FILE NO. 5079-24-04330, DATED 01/03/2025
  - PROPOSED FLOOR & DECOR: SEMA ARCHITECTS, 33 WALL WHITMAN ROAD, SUITE 300A, HUNTINGTON STATION, NY 11746, JOB NUMBER: 02019, DATED 12/6/24
- APPLICANT: FLOOR AND DECOR OUTLETS OF AMERICA, INC., 2500 WHINY RIDGE PARKWAY SE, ATLANTA GA, 30339
- OWNER: KITZBERG REALTY, LLC, 727 CENTRAL PARK AVENUE, SCARSDALE, NY 10583
- PARCEL DATA: PARCEL ID: 24.13-2-4, 5, 6, 9, 11, 12, TOWN OF CORTLAND, WESTCHESTER COUNTY, NY
- ZONE: ZONE DESIGNATED COMMERCIAL (CD ZONE)
- EXISTING USE: FOOD STORE (PERMITTED USE) (§ 307 ATTACHMENT 2)
- PROPOSED USE: BUILDING MATERIALS AND GARDEN SUPPLIES (PERMITTED USE) (§ 307 ATTACHMENT 2)
- SCHEDULE OF ZONING REQUIREMENTS (§ 307-17 ATTACHMENT 5)

CD DISTRICT REQUIREMENTS (§245 TABLE 1)	PROPOSED
FREESTANDING	NUMBER OF SIGNS: ONE (1) MAXIMUM SIGN AREA: 24 SF MAXIMUM SIGN HEIGHT: 16 FT ABOVE GRADE, 24 SF HT MINIMUM SIGN SETBACK: N/A
BUSINESS WALL SIGNS	NUMBER OF WALL SIGNS: ONE (1) MAXIMUM FACADE SIGN AREA: 1 SF / 1 LF OF BLDG FRONTAGE MINUS THE SQUARE FOOTAGE OF FREESTANDING SIGNS NORTH FACADE: 292 LF = 292 SF, 292 SF = 24 SF (FREESTANDING) = 268 SF MAXIMUM TOTAL SIGNAGE: 1 SF / 1 LF OF BLDG FRONTAGE UP TO A MAX OF 80 SF
WEEKEND DIRECTIONAL SIGN	MAX SIGN AREA: 4 SF
N/S: NO STANDARD	N/A: NOT APPLICABLE (E): EXISTING NON-CONFORMANCE (V): VARIANCE

**REQUIRED VARIANCES**

MAXIMUM WEEKEND DIRECTIONAL SIGN AREA	VARIANCE REQUIRED
MAXIMUM TOTAL SIGNAGE	VARIANCE REQUIRED

NOTE: GENERAL CONTRACTOR SHALL DOCUMENT EXISTING CONDITIONS WITH PHOTOGRAPHS PRIOR TO CONSTRUCTION

NOTE: EXISTING VEGETATION TO BE REMOVED FROM EXISTING STRUCTURES AND WITHIN ALL DRIVE ASLE UNLESS OTHERWISE NOTED, ALL EXISTING LANDSCAPE SHALL REMAIN

- PARKING REQUIREMENTS
  - OFF-STREET PARKING FACILITIES WHICH SERVE A USE THAT IS IN EXISTENCE ON THE EFFECTIVE DATE OF CHAPTER 307 SHALL NOT BE REDUCED IN NUMBER OR CHANGED IN DESIGN CONTRARY TO THE REQUIREMENTS IN ORDINANCE CHAPTER 307 ARTICLE VII, SO LONG AS SUCH USE REMAINS (§ 307-26)
  - WHEN A USE OR STRUCTURE WITH PARKING SPACES INSUFFICIENT IN NUMBER TO MEET THE REQUIREMENTS OF CHAPTER 307 IS INCREASED IN AREA OR CHANGED TO A USE REQUIRING MORE PARKING THAN HAS THE PRESENT USE, ADDITIONAL SPACES SHALL BE PROVIDED IN THE AMOUNT NECESSARY SO THAT SAID EXPANSION OR CHANGE IN USE WILL NOT RESULT IN ANY INCREASED VIOLATION OF THE REQUIREMENTS OF THIS SECTION (§ 307-27) (NOT APPLICABLE)
  - WHEN THE COMPARISON OF REQUIRED PARKING OR LOADING SPACES RESULTS IN THE REQUIREMENT OF A FRACTIONAL SPACE, ANY FRACTION OVER ONE-HALF (1/2) SHALL REQUIRE ONE SPACE (§ 307-29A)
  - FOR RETAIL SERVICES, MINIMUM NUMBER OF OFF-STREET PARKING SPACES REQUIRED IS ONE (1) SPACE FOR EACH 300 SQUARE FEET OF HABITABLE GROUND FLOOR SPACE, PLUS ONE (1) SPACE FOR EACH 500 SQUARE FEET OF HABITABLE FLOOR SPACE ON UPPER FLOORS; ONE (1) SPACE FOR EACH 200 SQUARE FEET IN THE CD DISTRICT (§ 307-29B)
  - REQUIRED OFF-STREET PARKING SPACES SHALL BE PROVIDED ON THE SAME LOT AS THE PRINCIPAL USE; THEY ARE REQUIRED TO SERVE, WITH THE FOLLOWING EXCEPTION: (§ 307-29B) (COMPLEX)

**MINIMUM DIMENSIONS OF PARKING SPACES (FEET)**

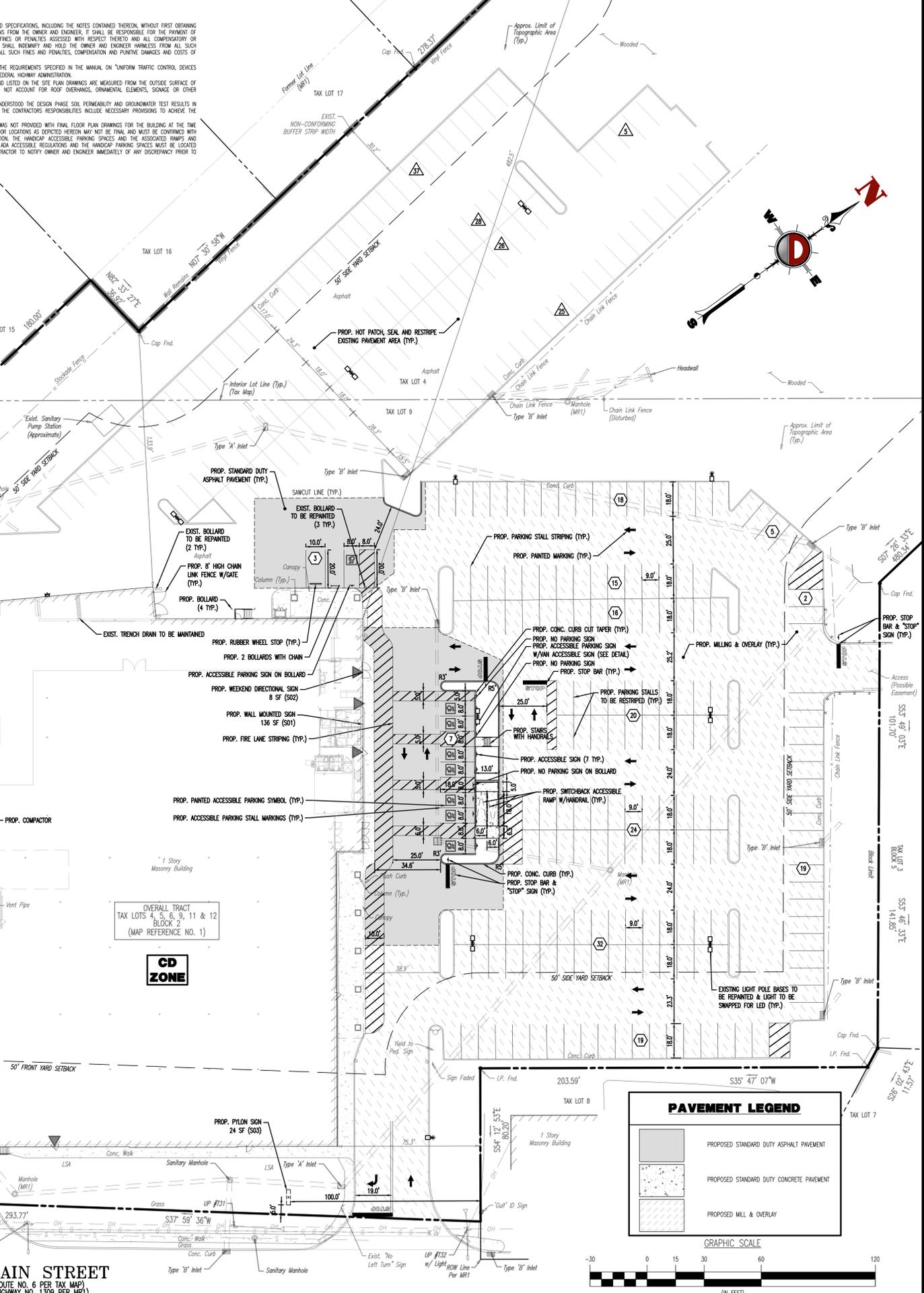
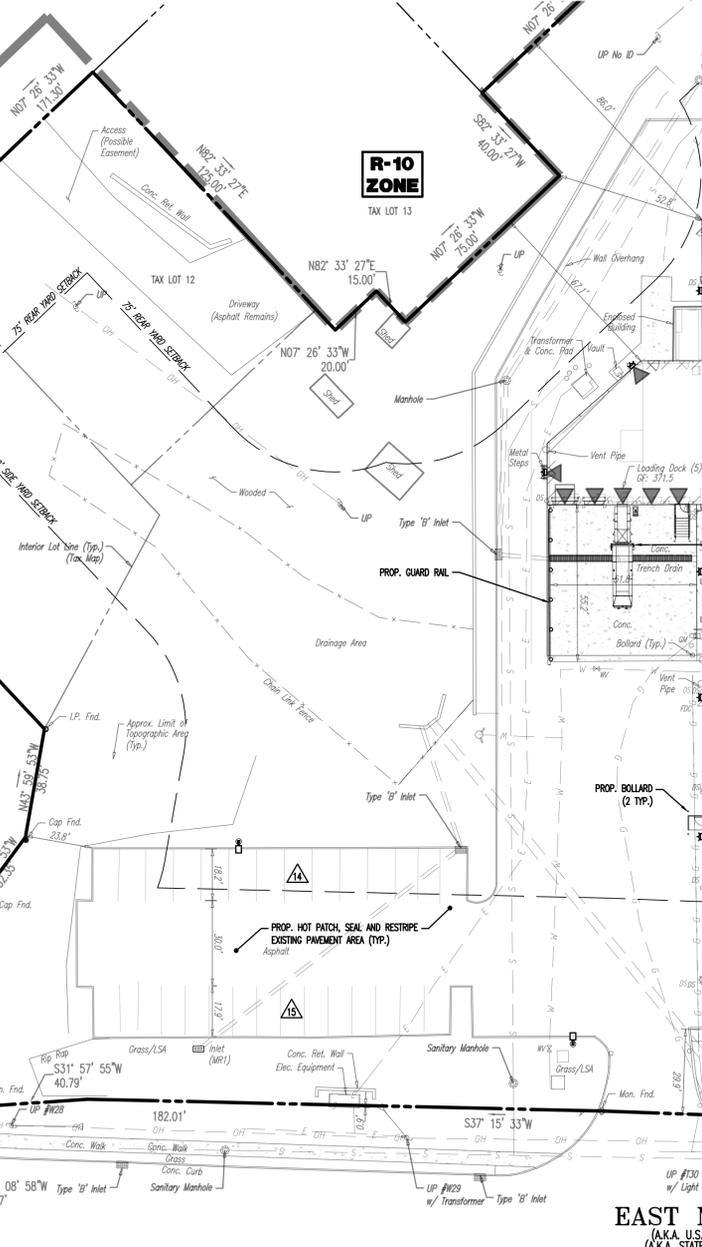
ANGLE OF PARKING	STALL WIDTH	STALL DEPTH	1-WAY	2-WAY
61-90	9 FT	18 FT	-	25 FT
46-60	9 FT	18 FT	18 FT	-
45	8 FT	14 FT	14 FT	-
Parallel	8 FT	22 FT	12 FT	-

- HANDICAPPED SPACES SHALL BE PROVIDED ACCORDING TO THE REQUIREMENTS OF THE NEW YORK STATE UNIFORM CODE: (§ 307-34) (COMPLEX)
- PARKING CALCULATION:
  - PROPOSED REQUIRE = (66,500 SF) / (1 PARKING SPACES/200 SF) = 283 SPACES
  - EXISTING PARKING SPACES = 334 SPACES
  - PROPOSED PARKING SPACES = 330 SPACES
- TOTAL ACCESSIBLE SPACES REQUIRED PER NYS BUILDING CODE 2020, TABLE 1106.1:
  - 8 ACCESSIBLE PARKING SPACES REQUIRED (COMPLEX)

- THE APPLICANT REQUESTS ANY AND ALL SUBMISSION WAIVERS THAT ARE NOT SPECIFICALLY IDENTIFIED HEREIN; TESTIMONY WILL BE SUPPLIED AT THE PUBLIC HEARING TO SUPPORT SAID SUBMISSION WAIVERS.
- PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE TO MAKE SURE THAT ALL REQUIRED PERMITS AND APPROVALS HAVE BEEN OBTAINED. NO CONSTRUCTION OR FABRICATION SHALL BEGIN UNTIL THE CONTRACTOR HAS RECEIVED AND THOROUGHLY REVIEWED ALL PLANS AND OTHER DOCUMENTS BY ALL OF THE PERMITTING AUTHORITIES.
- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE REQUIREMENTS AND STANDARDS OF THE LOCAL GOVERNING AUTHORITY.
- THE SOILS REPORT AND RECOMMENDATIONS SET FORTH THEREIN ARE A PART OF THE REQUIRED CONSTRUCTION DOCUMENTS AND IN CASE OF CONFLICT SHALL TAKE PRECEDENCE UNLESS SPECIFICALLY NOTED OTHERWISE ON THE PLANS. THE CONTRACTOR SHALL NOTIFY THE ENGINEER/CONSTRUCTION MANAGER OF ANY DISCREPANCY BETWEEN SOILS REPORT & PLANS.
- THE PROPERTY SURVEY SHALL BE CONSIDERED A PART OF THESE PLANS.
- ALL DIMENSIONS SHOWN ON THE PLANS SHALL BE FIELD VERIFIED BY THE CONTRACTOR PRIOR TO CONSTRUCTION. CONTRACTOR SHALL NOTIFY ENGINEER IF ANY DISCREPANCIES EXIST PRIOR TO PROCEEDING WITH CONSTRUCTION FOR NECESSARY PLAN CHANGES. NO EXTRA COMPENSATION SHALL BE PAID TO THE CONTRACTOR FOR WORK HAVING TO BE REDONE DUE TO DIMENSIONS OR GRADES SHOWN INCORRECTLY ON THESE PLANS IF SUCH NOTIFICATION HAS NOT BEEN GIVEN.
- SOLID WASTE TO BE DEPOSITED BY CONTRACTOR IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL REGULATIONS.
- ALL EXCAVATED UNSUITABLE MATERIAL MUST BE TRANSPORTED TO AN APPROVED DISPOSAL LOCATION.
- CONTRACTOR IS RESPONSIBLE FOR ALL SHORING REQUIRED DURING EXCAVATION AND SHALL BE PERFORMED IN ACCORDANCE WITH CURRENT OSHA STANDARDS, AS WELL AS ADDITIONAL PROVISIONS TO ASSURE STABILITY OF CONTIGUOUS STRUCTURES, AS FIELD CONDITIONS INDICATE.
- ALL CONTRACTORS MUST CARRY STATUTORY WORKERS COMPENSATION, EMPLOYERS LIABILITY INSURANCE AND APPROPRIATE LIMITS OF COMMERCIAL GENERAL LIABILITY INSURANCE (CGL). ALL CONTRACTORS MUST HAVE THEIR CGL POLICES ENDORSED TO NAME DYNAMIC ENGINEERING CONSULTANTS, P.C., ITS SUBSIDIARIES AS ADDITIONAL INSURED AND TO PROVIDE CONTRACTUAL LIABILITY COVERAGE SUFFICIENT TO INSURE THE HOLD HARMLESS AND INDEMNITY OBLIGATIONS ASSUMED BY THE CONTRACTOR. ALL CONTRACTORS MUST FURNISH DYNAMIC ENGINEERING CONSULTANTS, P.C. WITH CERTIFICATES OF INSURANCE AS EVIDENCE OF THE REQUIRED INSURANCE PRIOR TO COMMENCING WORK AND UPON RESUMPTION OF EACH POLICY DURING THE ENTIRE PERIOD OF CONSTRUCTION. IN ADDITION, ALL CONTRACTORS WILL, TO THE FULLEST EXTENT PERMITTED BY LAW, INDEMNIFY AND HOLD HARMLESS DYNAMIC ENGINEERING CONSULTANTS, P.C. AND ITS SUBSIDIARIES FROM AND AGAINST ANY DAMAGES, LIABILITIES OR COSTS, INCLUDING REASONABLE ATTORNEYS' FEES AND DEFENSE COSTS, ARISING OUT OF OR IN ANY WAY CONNECTED WITH THE PROJECT, INCLUDING ALL CLAIMS BY EMPLOYEES OF THE CONTRACTORS.
- NEITHER THE PROFESSIONAL ACTIVITIES OF DYNAMIC ENGINEERING CONSULTANTS, P.C. NOR THE PRESENCE OF DYNAMIC ENGINEERING CONSULTANTS, P.C. OR ITS EMPLOYEES AND SUBCONSULTANTS AT A CONSTRUCTION/PROJECT SITE, SHALL RELIEVE THE GENERAL CONTRACTOR OF ITS OBLIGATIONS, DUTIES AND RESPONSIBILITIES INCLUDING, BUT NOT LIMITED TO, CONSTRUCTION MEANS, METHODS, SEQUENCES, TIMING OR PROCEDURES NECESSARY FOR PROPERLY SUPERVISING AND COORDINATING THE WORK. IN ACCORDANCE WITH THE CONTRACT DOCUMENTS AND ANY HEALTH OR SAFETY PRECAUTIONS REQUIRED BY ANY REGULATORY AGENCIES, DYNAMIC ENGINEERING CONSULTANTS, P.C. AND ITS PERSONNEL SHALL BE AUTHORIZED TO EXERCISE ANY CONTROL OVER ANY CONSTRUCTION CONTRACTOR OR ITS EMPLOYEES IN CONNECTION WITH THEIR WORK OR ANY HEALTH OR SAFETY PROGRAMS OR PROCEDURES. THE GENERAL CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR JOBSITE SAFETY. DYNAMIC ENGINEERING CONSULTANTS, P.C. SHALL BE INDEMNIFIED BY THE GENERAL CONTRACTOR AND SHALL BE MADE ADDITIONAL INSURED UNDER THE GENERAL CONTRACTORS POLICES OF GENERAL LIABILITY INSURANCE.

NOTE: IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL, TO ALTER AN ITEM IN ANY WAY, IF AN ITEM BEARING THE SEAL OF A LICENSED PROFESSIONAL, IS ALTERED, THE ALTERING LICENSED PROFESSIONAL SHALL AFFIX TO THEIR ITEM THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

**HC ZONE**



**EAST MAIN STREET**  
(A.K.A. U.S. ROUTE NO. 6 PER TAX MAP)  
(A.K.A. STATE HIGHWAY NO. 1309 PER MR1)  
(VARIABLE ROW WIDTH PER TAX MAP)



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NEW YORK LICENSE NO. 097639

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TITLE: **SITE PLAN**

SCALE: (H) 1" = 30'  
(V) 1" = 30'

DATE: 01/23/2025

PROJECT No: 5079-24-04330

SHEET No: **5** Rev. #:

UTILITY NOTES

- 1. LOCATION OF ALL EXISTING AND PROPOSED SERVICES ARE APPROXIMATE AND MUST BE CONFIRMED INDEPENDENTLY WITH LOCAL UTILITY COMPANIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION OR EXCAVATION...

DRAINAGE NOTES

- 1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO NOTIFY UTILITY "ONE-CALL" NUMBER 72 HOURS PRIOR TO ANY EXCAVATION ON THIS SITE. CONTRACTOR SHALL ALSO NOTIFY LOCAL WATER & SEWER DEPARTMENTS TO MARK-OUT THEIR UTILITIES.

GRADING NOTES

- 1. SITE GRADING SHALL BE PERFORMED IN ACCORDANCE WITH THESE PLANS AND SPECIFICATIONS AND THE RECOMMENDATIONS SET FORTH IN THE SOILS REPORT REFERENCED IN THESE PLANS SET. THE CONTRACTOR SHALL BE RESPONSIBLE FOR REMOVING AND REPLACING ALL SOFT YIELDING OR UNSUITABLE MATERIALS...

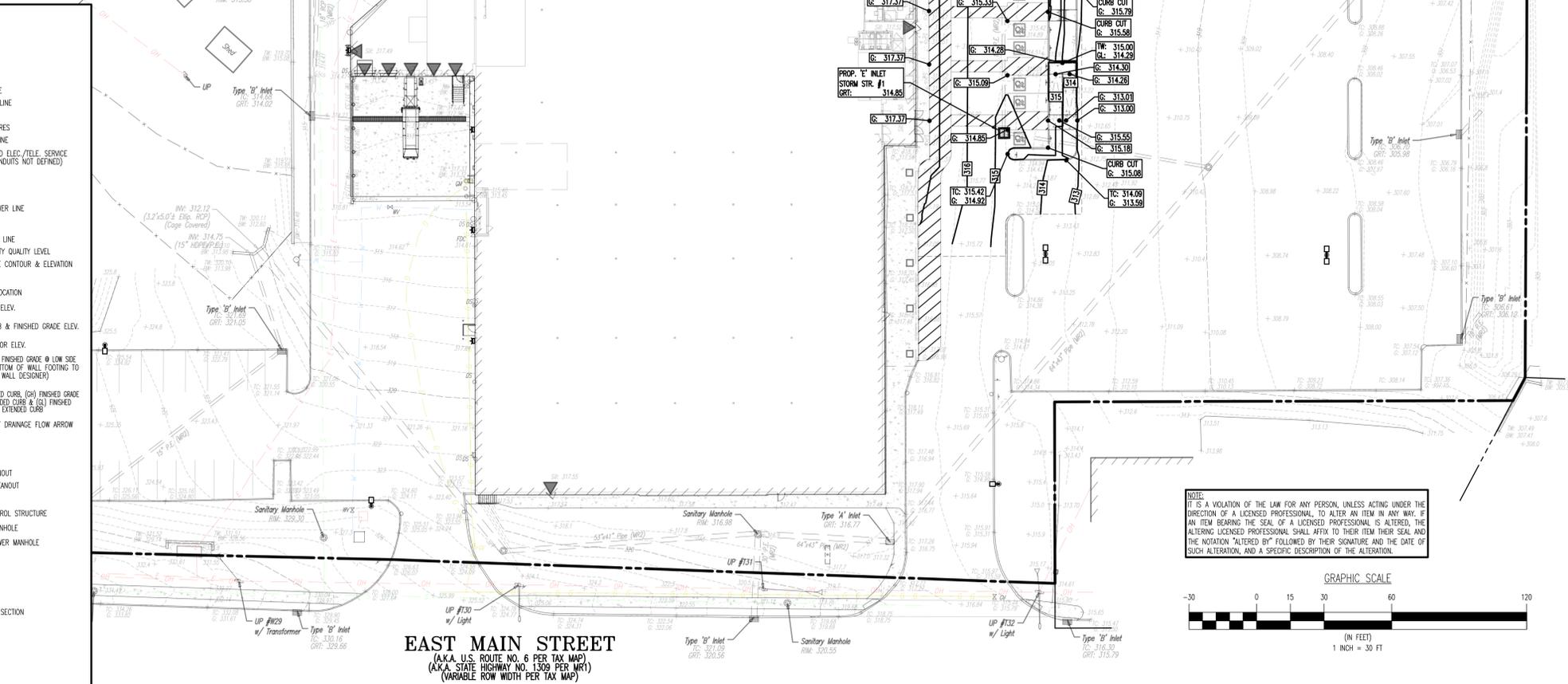
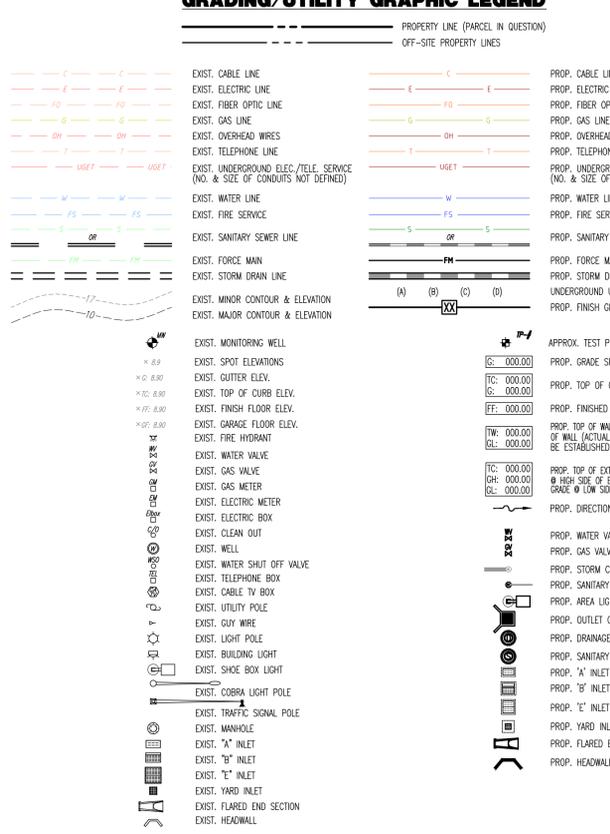
ADA NOTES

- ALL SLOPES INDICATED ARE ACTUAL. CONTRACTOR TO CONSTRUCT IMPROVEMENTS IN COMPLIANCE WITH THE LATEST ADA GUIDELINES AND BUILDING CODE REQUIREMENTS. AT THE TIME OF PLAN DESIGN, THESE REQUIREMENTS INCLUDE BUT ARE NOT LIMITED TO: SIDEWALKS/ ACCESSIBLE ROUTES...

EXISTING UTILITY NOTES

- EXISTING WATER SERVICE NOTE: CONTRACTOR TO LOCATE AND UTILIZE EXISTING WATER SERVICE CONNECTION IF FEASIBLE. OTHERWISE REMOVE EXISTING WATER SERVICE LINE AND CAP AT MAN IN R.O.W. IN ACCORDANCE WITH THE LOCAL WATER COMPANY REQUIREMENTS...

GRADING/UTILITY GRAPHIC LEGEND



Project information block containing logos for Dynamic Engineering Consulting, Inc. and Zachary A. Hamm, Professional Engineer. Includes project title 'GRADING DRAINAGE & UTILITY PLAN', sheet number '6', and date '01/23/2025'.

**PLANTING NOTES**

- PLANT MATERIAL SHALL BE FURNISHED AND INSTALLED AS INDICATED, INCLUDING ALL LABOR, MATERIALS, PLANTS, EQUIPMENT, ACCIDENTALS, AND CLEAN-UP.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PLANTING AT CORRECT GRADES AND ALIGNMENT. LAWN TO BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- PLANTS SHALL BE TYPICAL OF THEIR SPECIES AND VARIETY; WELL DEVELOPED BRANCHES, DENSELY RELATED, VIGOROUS ROOT SYSTEMS AND BE FREE FROM DISEASES AND INJURIES.
- CONTRACTOR SHALL REPORT ANY SOIL OR DRAINAGE CONDITIONS CONSIDERED DETRIMENTAL TO THE GROWTH OF PLANT MATERIAL.
- ALL PLANT MATERIAL SHALL BE GUARANTEED BY THE CONTRACTOR TO BE IN VIGOROUS GROWING CONDITION. PROMOTION SHALL BE MADE FOR A GROWTH GUARANTEE OF AT LEAST ONE (1) YEAR FROM THE DATE OF ACCEPTANCE FOR TREES AND SHRUBS. REPLACEMENTS SHALL BE MADE AT THE BEGINNING OF THE FIRST SUCCEEDING PLANTING SEASON. ALL REPLACEMENTS SHALL HAVE A GUARANTEE OF A MINIMUM OF ONE (1) YEAR FROM THE DATE OF ACCEPTANCE FOR TREES AND SHRUBS.
- INsofar as it is practicable, PLANT MATERIAL SHALL BE PLANTED ON THE DAY OF DELIVERY. IN THE EVENT THIS IS NOT POSSIBLE, THE CONTRACTOR SHALL PROTECT AND MAINTAIN PLANTS PLANTED FOR LONGER THAN A THREE DAY PERIOD AFTER DELIVERY. ANY PLANTS NOT INSTALLED DURING THIS PERIOD WILL BE REJECTED.
- QUALITY AND SIZE OF PLANTS, SPREAD OF ROOTS, AND SIZE OF BALLS SHALL BE IN ACCORDANCE WITH ANSI Z60.1 (REV. 2001) AMERICAN STANDARD FOR NURSERY STOCK AS PUBLISHED BY THE AMERICAN NURSERY & LANDSCAPE ARCHITECTURE SOCIETY.
- ALL PLANTS SHALL BE PLANTED IN AMENDED TOPSOIL THAT IS THOROUGHLY WATERED AND TAMPED AS BACK FILLING PROGRESSES. PLANTING MAY BE DELAYED DUE TO UNDESIRABLE LARGE PLANTING AREAS TO OCCUPANCY OUTSIDE THESE PERIODS. SUCH PERIODS SHALL BE PROVIDED DURING THE PREVIOUS OR NEXT APPROPRIATE SEASON.
- PLANTS SHALL NOT BE GROUND WITH WIRE OR PEEL AT ANY TIME SO AS TO DAMAGE THE BARK OR BREAK BRANCHES. PLANTS SHALL BE HANDLED FROM THE BOTTOM OF THE BALL ONLY.
- PLANTING OPERATIONS SHALL BE PERFORMED DURING PERIODS WITHIN THE PLANTING SEASON WHEN WEATHER AND SOIL CONDITIONS ARE SUITABLE AND IN ACCORDANCE WITH ACCEPTED LOCAL PRACTICE. PLANTS SHALL NOT BE INSTALLED IN TOPSOIL THAT IS IN A MUDDY OR FROZEN CONDITION. ALL PLANT MATERIAL SHALL BE SPRAYED WITH "WILL-FRUIT" OR EQUAL AS PER MANUFACTURER'S INSTRUCTIONS.
- NO PLANT, EXCEPT GROUND COVERS, SHALL BE PLANTED LESS THAN TWO FEET FROM EXISTING STRUCTURES AND SIDEWALKS.
- SET ALL PLANTS PLUMB AND STRAIGHT; SET AT SUCH LEVEL THAT A NORMAL OR NATURAL RELATIONSHIP TO THE CROWN OF THE PLANT WITH THE GROUND SURFACE WILL BE ESTABLISHED LOCUS PLANT IN THE CENTER OF THE PIT.
- ALL INJURED ROOTS SHALL BE PRUNED TO MAKE CLEAN ENDS BEFORE PLANTING UTILIZING CLEAN, SHARP TOOLS. IT IS ADVISABLE TO PRUNE APPROXIMATELY 1/3 OF THE GROWTH OF LARGE TREES (2" CALIPER AND OVER) BY THE REMOVAL OF SUPERFLUOUS BRANCHES THOSE WHICH CROSS, THOSE WHICH RUN PARALLEL, ETC. MAIN LEADER OF TREES WILL NOT BE CUT BACK. LONG SIDE BRANCHES, HOWEVER, MUST BE SHORTENED.
- EACH TREE AND SHRUB SHALL BE PRUNED IN ACCORDANCE WITH STANDARD HORTICULTURAL PRACTICE TO PRESERVE NATURAL CHARACTER OF PLANT. PRUNING SHALL BE DONE WITH CLEAN, SHARP TOOLS.
- ALL EXISTING TREES TO REMAIN SHALL BE PRUNED TO REMOVE ANY DAMAGED BRANCHES AS A RESULT OF CONSTRUCTION OPERATIONS. ALL EXISTING TREES SHALL BE FERTILIZED WITH A REGULAR GARDEN FERTILIZER (5-10-5) UPON COMPLETION OF WORK. THE ENTIRE LIMB OF ANY DAMAGED BRANCH SHALL BE CUT OFF AT THE TRUNK. CONTRACTOR TO ENSURE THAT CUTS ARE SMOOTH AND STRAIGHT. ANY EXPOSED ROOTS SHALL BE CUT BACK WITH SHARP TOOLS AND FILLED AROUND WITH TOPSOIL. COMPLETELY SATURATE THESE AREAS WITH WATER. ROOTS SHALL NOT BE LEFT EXPOSED FOR MORE THAN ONE (1) DAY. CONTRACTOR IS TO PROTECT ALL EXISTING TREES TO REMAIN BY ERECTING TREE PROTECTION FENCE AT THE GRP LINE. THIS WILL ENSURE NO COMPACTION OF THE ROOT MASS.
- NEW PLANTING AREAS SHALL BE MULCHED WITH 2" LAYER OF DOUBLE SHREDED HARDWOOD BARK MULCH.
- NEW PLANTING AREAS AND SOIL SHALL BE ADEQUATELY IRRIGATED OR WATERED THROUGH THE PROPOSED PLANTS AND LAWN.
- BEFORE THE INSTALLATION OF ANY CERTIFICATE OF OCCUPANCY, THE PROPOSED LANDSCAPE PLAN SHOWN ON THE APPROVED LANDSCAPE PLAN MUST BE INSTALLED, INSPECTED AND APPROVED BY THE MUNICIPAL LANDSCAPE ARCHITECT, THE MUNICIPAL ENGINEER AND LANDSCAPE ARCHITECT SHALL TAKE INTO ACCOUNT SEASONAL CONSIDERATIONS IN THIS REGARD AS FOLLOWS: THE PLANTING OF TREES, SHRUBS, VINES OR GROUND COVER AS REQUIRED BY A SUBDIVISION OR SITE PLAN APPROVAL BY THE PLANNING BOARD OR ZONING BOARD OF ADJUSTMENT SHALL BE INSTALLED DURING THE FOLLOWING PLANTING SEASONS:

TYPE	DATE
PLANTS	3/15 TO 12/15
LAWN	3/15 TO 6/15
	9/15 TO 12/1

- FURTHERMORE, THE FOLLOWING TREE VARIETIES SHALL NOT BE PLANTED DURING THE FALL PLANTING SEASON DUE TO THE HAZARDS ASSOCIATED WITH THESE TREES IN THIS SEASON:
- |                          |                         |
|--------------------------|-------------------------|
| ACER FRAXINUS            | POPULUS VARIETIES       |
| BETULA VARIETIES         | PRUNUS VARIETIES        |
| CORNUS VARIETIES         | PRUNUS VARIETIES        |
| CRATAEGUS VARIETIES      | ALNUS VARIETIES         |
| KOELERUTERA              | SALIX WEEPING VARIETIES |
| LIGULONARX STRAPELLIA    | ULMUS TOMENTOSA         |
| RHOODODENDRON TULIPIFERA | ZELKOVA VARIETIES       |
| PLATANUS KERRIANA        |                         |
- ANY PLANTINGS INSTALLED IN CONFLICT WITH THIS REQUIREMENT MUST RECEIVE THE WRITTEN APPROVAL BY THE TOWN ENGINEER OR LANDSCAPE ARCHITECT. PRIOR TO PLANTING, FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL REQUIRE THE REMOVAL OF THE PLANTING. IN QUESTION, THIS REQUIREMENT DOES NOT APPLY TO SECTIONS OR SECTIONS OF PLANTINGS SPECIFICALLY FOR SOIL STABILIZATION PURPOSES. THE PLANTING ACCORDANT WITH ANY LOT GIVEN A CERTIFICATE OF OCCUPANCY OUTSIDE THESE PERIODS SHALL BE PROVIDED DURING THE PREVIOUS OR NEXT APPROPRIATE SEASON.
19. ALL DISTURBED AREAS TO BE TREATED WITH TOPSOIL SEED SOIL STABILIZATION METHOD.

**PLANTING SPECIFICATIONS**

- SCOPE OF WORK
  - THIS WORK SHALL CONSIST OF PERFORMING, CLEANING AND SOIL PREPARATION, FINISH GRADING, PLANTING AND DRAINAGE, INCLUDING ALL LABOR, MATERIALS, TOOLS, EQUIPMENT, AND ANY OTHER APPLICANCES NECESSARY FOR THE COMPLETION OF THIS PROJECT.
- MATERIALS
  - GENERAL - ALL MATERIALS SHALL MEET OR EXCEED SPECIFICATIONS AS OUTLINED IN THE STATE DEPARTMENT OF TRANSPORTATION (DOT) MANUAL OF ROADWAY AND BRIDGE CONSTRUCTION (LATEST EDITION) OR APPROVED EQUAL.
  - PLANTS - ALL PLANTS SHALL BE HEALTHY OR NORMAL GROWTH, WELL ROOTED, FREE FROM DISEASE AND INSECTS.
  - TOPSOIL - LOAMY SOIL HAVING AN ORGANIC CONTENT NOT LESS THAN 2% OF RANGE BETWEEN 4.5 - 7%, BE FREE OF DEBRIS, ROCKS LARGER THAN TWO INCHES (2"), WOOD, ROOTS, VEGETABLE MATTER AND CLAY CLODS.
  - MULCH - FOUR INCHES DOUBLE SHREDED HARDWOOD BARK MULCH.
  - FERTILIZER AND SOIL CONDITIONER - PLANTED AREAS SHALL ADD EQUAL TO "NUTROGROW".
  - ORGANIC FERTILIZER SHALL BE PROCESSED SEWER SLUDGE WITH MINIMAL CONTENT OF 1% NITROGEN AND 2% PHOSPHORIC ACID EQUAL TO "NUTROGROW".
  - ORGANIC FERTILIZER AND SOIL CONDITIONER - SHALL BE "GRO-POWER" AND ORGANIC BASE MATERIALS COMPRISED OF DECOMPOSED ANIMAL AND VEGETABLE MATTER AND COMPOSTED TO SUPPRESS BACTERIAL CULTURES, CONTAINING NO POLYMER OR HUMAN WASTE. GUARANTEED ANALYSIS (5-3-1); NITROGEN 5%, PHOSPHATE 3%, POTASH 1%, 50% HUMUS AND 15% HUMIC CONDITIONERS AS STATED IN PLANTING SPECIFICATIONS.
- GENERAL WORK PROCEDURES
  - LANDSCAPE WORK SHALL COMMENCE AS SOON AS THOSE PORTIONS OF THE SITE ARE AVAILABLE. CONTRACTOR TO UTILIZE WORKMANLIKE STANDARDS IN PERFORMING ALL LANDSCAPE CONSTRUCTION. THE SITE IS TO BE LEFT IN A CLEAN STATE AT THE END OF EACH DAY'S WORK. ALL DEBRIS, MATERIALS, AND TOOLS SHALL BE PROPERLY STOCKPILED OR DISPOSED OF. ALL PAVED SURFACES SHALL BE KEPT CLEAN AT THE END OF EACH DAY'S WORK.
- WEEDING
  - BEFORE AND DURING PRELIMINARY GRADING AND FINISH GRADING, ALL WEEDS AND GRASSES SHALL BE DUG OUT BY THE ROOTS AND DISPOSED OF AT THE CONTRACTOR'S EXPENSE.
- TOPSOILING
  - CONTRACTOR TO UNIFORM A 4" THICK TOPSOIL LAYER IN ALL PLANTING AREAS. TOPSOIL SHOULD BE SPREAD OVER A PREPARED SURFACE IN A UNIFORM LAYER TO PRODUCE A 4" UNSETTLED THICKNESS. TOPSOIL PRESENT AT THE SITE, IF ANY, MAY BE USED TO SUPPLEMENT TOTAL AMOUNT REQUIRED. CONTRACTOR TO FURNISH AN ANALYSIS OF ON-SITE TOPSOIL, UTILIZED IN ALL PLANTING AREAS, ADJUST pH AND NUTRIENT LEVELS AS REQUIRED TO ENSURE AN ACCEPTABLE GROWING MEDIUM.
- SOIL CONDITIONING
  - CULTIVATE AREAS TO BE PLANTED TO A DEPTH OF 6" - ALL DEBRIS EXPOSED FROM EXCAVATION AND CULTIVATION SHALL BE DISPOSED OF AT THE CONTRACTOR'S EXPENSE. SPREAD EVENLY IN ALL PLANTING AREAS AND TILL (2 DIRECTIONS) INTO TOP 4" WITH THE FOLLOWING PER 1,000 SQ. FT.:  
20 POUNDS "GRO-POWER"  
100 POUNDS AGRICULTURAL GYPSUM  
20 POUNDS NITROFORM (COARSE) 38-0-0 BLUE CHIP
- SOIL MODIFICATIONS
  - THOROUGHLY TILL ORGANIC MATTER INTO THE TOP 6 TO 12 IN. OF MOST PLANTING SOILS TO IMPROVE THE SOIL'S ABILITY TO RETAIN WATER AND NUTRIENTS. USE COMPOSTED BARK, RECYCLED YARD WASTE OR PEAT MOSS. ALL PRODUCTS SHOULD BE COMPOSTED TO A DARK COLOR AND BE FREE OF IDENTIFIABLE LEAF OR WOOD STRUCTURE. AVOID MATERIAL WITH A pH HIGHER THAN 7.5.
  - MODIFY HEAVY CLAY OR SILT (MORE THAN 40% CLAY OR SILT) BY ADDING COMPOSTED PINE BARK (UP TO 30% BY VOLUME) AND/OR GYPSUM. COARSE SAND MAY BE USED IF ENOUGH IS ADDED TO BRING THE SAND CONTENT TO MORE THAN 20% OF THE TOTAL MIX. IMPROVE DRAINAGE IN HEAVY SOILS BY PLANTING IN RAISED MOUNDS OR BEDS, AND INCLUDING SUBSURFACE DRAINAGE LINES.
  - MODIFY EXTREMELY SANDY SOILS (MORE THAN 85% SAND) BY ADDING ORGANIC MATTER AND/OR DRY, SHREDED CLAY LOAM UP TO 30% OF THE TOTAL MIX.
- PLANTING
  - CULTIVATE TREES AND SHRUBS AT THEIR INTENDED LOCATIONS AS PER THE PLANS AND SECURE THE APPROVAL OF THE LANDSCAPE ARCHITECT BEFORE EXCAVATING PITS, MAKING NECESSARY ADJUSTMENTS AS DIRECTED.
  - PLANTING PITS SHALL BE DUG WITH LEVEL BOTTOMS WITH THE WIDTH TWICE THE DIAMETER OF ROOT BALL. THE ROOT BALL SHALL REST ON UNDISTURBED GRADE. EACH PLANT PIT SHALL BE BACK FILLED WITH THE FOLLOWING PREPARED SOIL MIXED THOROUGHLY:  
1 PART PEAT MOSS BY VOLUME  
1 PART LOAM MANURE BY VOLUME  
1 PARTS TOPSOIL BY VOLUME  
21 GRAM "NUTROFORM" PLANTING TABLETS AS FOLLOWS:  
2 TABLETS PER 1 CAL PLANT  
3 TABLETS PER 5 CAL PLANT  
4 TABLETS PER 15 CAL PLANT  
LARGER PLANTS (2") TWO TABLETS PER 1/2" DIAM. OF TRUNK CALIPER
  - PREPARED SOIL SHALL BE TAMPED FIRMLY AT BOTTOM OF PIT. FILL PREPARED SOIL AROUND BALL OF PLANT 1/2" WAY, AND INSERT PLANT TABLETS, COMPLETE BACK FILL AND WATER THOROUGHLY.
  - ALL PLANTS SHALL BE SET SO THAT THEY BEAR THE SAME RELATION TO THE REQUIRED GRADE AS THEY BORE TO THE NATURAL GRADE BEFORE BEING TRANSPORTED.
  - PREPARE RAISED EARTH BASIN AS WIDE AS PLANTING HOLE OF EACH TREE.
  - WATER IMMEDIATELY AFTER PLANTING. WATER SHALL BE APPLIED TO EACH TREE AND SHRUB IN SUCH MANNER AS NOT TO DISTURB BACK FILL AND TO THE EXTENT THAT ALL MATERIALS IN THE PLANTING HOLE ARE THOROUGHLY SATURATED.
  - PRUNE ALL PROPOSED TREES DIRECTLY ADJACENT TO WALKWAYS TO A MIN. OF 7' BRANCHING HEIGHT.

**LANDSCAPE SCHEDULE**

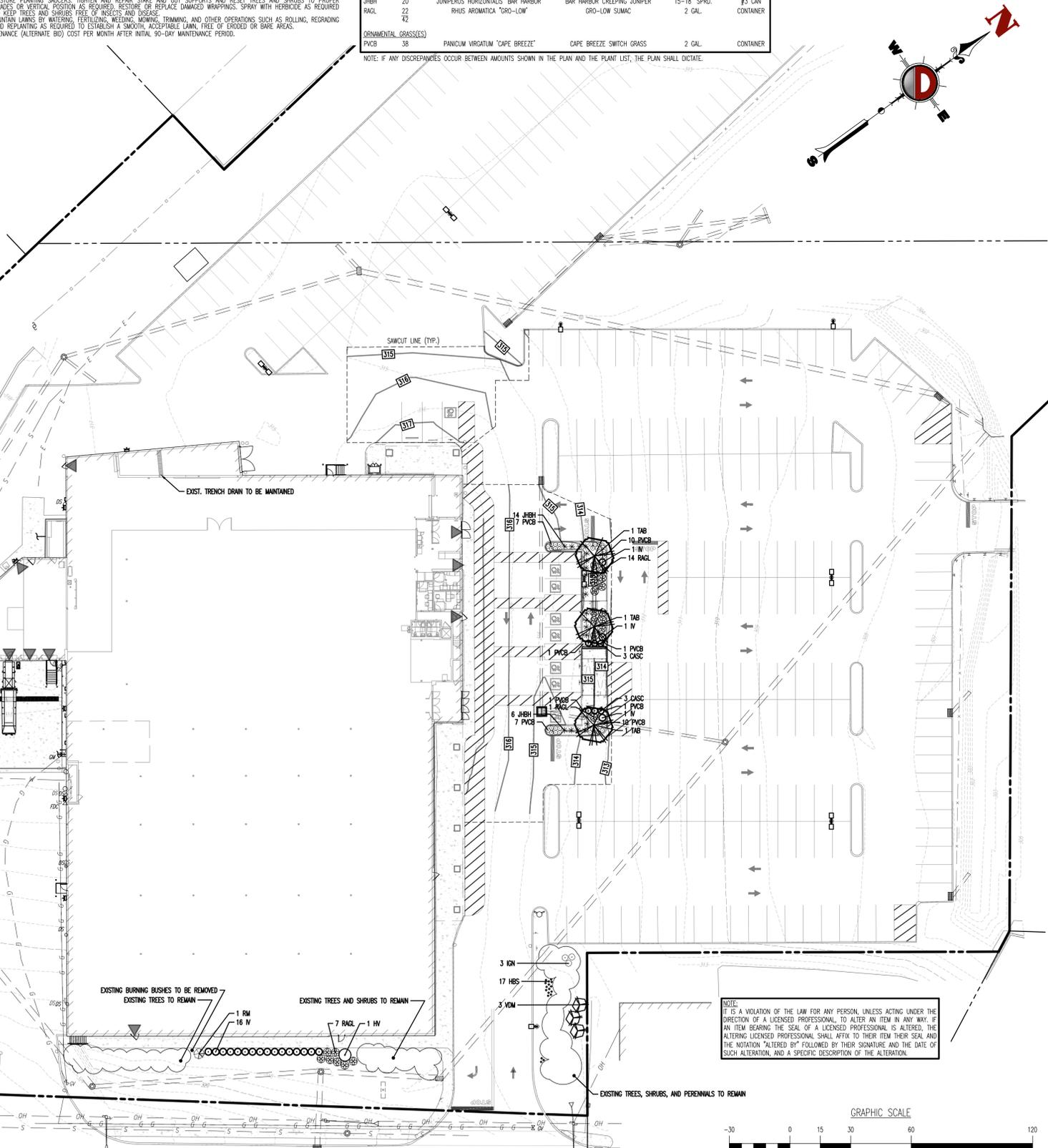
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
SHADE TREES(S)					
TAB	3	TILIA AMERICANA 'BOULEVARD'	BOULEVARD LINDEN	2 1/2-3" CAL.	B+B
EVERGREEN SHRUB(S)					
KN	3	LEK GLABRA X 'CHAMON'	NORDIC ANEBERRY	24-30"	#3 CAN
RM	1	RHOODODENDRON MAXIMUM 'ROSEBAY'	ROSEBAY RHOODODENDRON	30-36"	#5 CAN
FINISH GRADING					
A					ALL AREAS WILL BE RECEIVED BY THE CONTRACTOR AT SUBSTANTIALLY PLUS/MINUS 1 FOOT OF FINISH GRADE.
D					ALL GROUND COVER AREAS SHALL BE TREATED WITH A PRE-EMERGENT BEFORE FINAL LANDSCAPE INSPECTION. GROUND COVER AREAS SHALL BE WEEDED PRIOR TO APPLYING PRE-EMERGENT. PRE-EMERGENT TO BE APPLIED AS PER MANUFACTURER'S RECOMMENDATION.
GROUND COVER					
CASC	6	CLETHRA ALNIFOLIA 'SUGARTINA' 'CRYSTALINA'	SUGARTINA CRYSTALINA SUMMERSWEET	24-30"	#3 CAN
HV	1	HAMMELIS VERNALIS	VERNAL WITCHHAZEL	3-4'	B+B
NV	19	ITEA VIRGINICA 'HENRY'S GARNET'	GARNET SWEETSPIRE	24-30"	#3 CAN
VDM	3	VBURNUM DENTATUM 'MORTON'	NORTHERN BURGUNDY ARROWWOOD VBURNUM	30-36"	#5 CAN
GROUND COVER					
JHSH	20	JUNIPERUS HORIZONTALIS 'BAR HARBOR'	BAR HARBOR CREEPING JUNIPER	15-18" SPRD.	#3 CAN
RACL	22	RHUS AROMATICA 'GRO-LOW'	GRO-LOW SUMAC	2 GAL.	CONTAINER
ORNL	42				
GROUND COVER (GRASSES)					
PVCB	38	PANICUM VIRGATUM 'CAPE BREEZE'	CAPE BREEZE SWITCH GRASS	2 GAL.	CONTAINER

NOTE: IF ANY DISCREPANCIES OCCUR BETWEEN AMOUNTS SHOWN IN THE PLAN AND THE PLANT LIST, THE PLAN SHALL DICTATE.

**TOWN LANDSCAPING NOTES**

- BUFFER REQUIREMENTS
  - WHERE A LOT IN A NONRESIDENTIAL DISTRICT ADJUTS A LOT IN A RESIDENTIAL DISTRICT, A BUFFER STRIP IN THE LOT IN THE NONRESIDENTIAL DISTRICT SHALL BE REQUIRED ALONG THE BOUNDARY OF THE LOT IN THE RESIDENTIAL DISTRICT, EXCEPT THAT NO SUCH BUFFER STRIP SHALL BE REQUIRED ALONG ANY ZONING DISTRICT BOUNDARY LINE WHICH DRAWS A LOT INTO A RESIDENTIAL AND NONRESIDENTIAL DISTRICT. (§ 307-23.8.1) (COMPLEX)
  - A PORTION OF THE REQUIRED BUFFER STRIP MAY BE LOCATED IN A REQUIRED YARD. (§ 307-23.8.1) (COMPLEX)
  - IN THE DESIGNATED COMMERCIAL ZONE, BUFFER STRIPS SHALL HAVE A WIDTH OF 50 FEET. SEE § 307-23.8.4. (§ 307-23.8.2) (EXISTING NON-CONFORMITY)
  - THE PLANNING BOARD, AS PART OF SITE DEVELOPMENT PLAN APPROVAL, MAY MODIFY THE REQUIREMENTS OF SUBSECTION (b)(2) AND (3) WHICH IT DETERMINES THAT THE SPECIFIC CIRCUMSTANCES OF THE PARTICULAR SITE WARRANT. ADHERENCE TO THE REQUIREMENTS OF SUBSECTION (b)(2) OR (3) UNWARRANTED OR IMPRACTICAL, AND ALTERNATIVE BUFFERING MEANS WHICH ACHIEVE THE PURPOSES OF THIS SECTION, THE REASONS FOR ANY SUCH MODIFICATIONS SHALL BE EXPRESSED AND PLACED INTO THE OFFICIAL RECORD OF THE PLANNING BOARD. (§ 307-23.8.4)
  - A SCREEN THAT IS OPAQUE FROM THE GROUND TO A HEIGHT OF AT LEAST SIX FEET, WITH INTERMITTENT VISUAL OBSTRUCTION FROM ABOVE THE OPAQUE PORTION TO A HEIGHT OF AT LEAST 10 FEET, SHALL BE PROVIDED WITHIN THE BUFFER STRIP. THE OPAQUE SCREEN SHALL BE DESIGNED TO EXCLUDE ALL VISUAL CONTACT BETWEEN USES AND TO CREATE A STRONG IMPRESSION OF SPATIAL SEPARATION. THE SCREEN MAY BE COMPOSED OF A WALL, FENCE, LANDSCAPED EARTH BERM, PLANTED VEGETATION OR EXISTING VEGETATION. THE REMAINING PORTION OF THE SCREEN MAY CONTAIN DECIDUOUS PLANTS. EXAMPLES OF SCREENS MEETING THIS STANDARD INCLUDE COMBINATIONS OF THE FOLLOWING: (§ 307-23.8.3) (EXISTING TO REMAIN)
    - SMALL TREES PLANTED 20 FEET ON CENTER.
    - LARGE TREES PLANTED 30 FEET ON CENTER AND SIX-FOOT-HIGH EVERGREEN SHRUBBERY PLANTED FOUR FEET ON CENTER.
    - TALL EVERGREEN TREES, STAGGER PLANTED, WITH BRANCHES TOUCHING THE GROUND.
- ON LOTS WHERE BOTH BUFFER STRIPS AND LANDSCAPED COVERAGE ARE REQUIRED BY THIS CHAPTER, BOTH REQUIREMENTS MUST BE MET. A PORTION, NOT TO EXCEED 50% OF THE LANDSCAPED COVERAGE REQUIREMENT MAY BE SATISFIED BY AREAS WHICH ARE PROVIDED IN MEETING THE BUFFER REQUIREMENT. THE LOCATIONS OF SUCH STRIPS AND COVERAGE WILL BE APPROVED BY THE PLANNING BOARD AS PART OF SITE DEVELOPMENT PLAN APPROVAL. (§ 307-23.8.4) (EXISTING TO REMAIN)
- LANDSCAPED COVERAGE REQUIREMENTS (§ 307-21)
  - IN ALL REQUIRED LANDSCAPED AREAS IN COMMERCIAL AND INDUSTRIAL DISTRICTS, THERE SHALL BE A MINIMUM OF TWO KINDS OF LANDSCAPE COVER, USING SOME COMBINATION OF TREES, SHRUBS AND GROUND COVER. (§ 307-21.8.1)
  - A PORTION OF SUCH REQUIRED LANDSCAPING SHALL BE LOCATED IN SUCH MANNER AS TO SEPARATE BUILDINGS, PARKING AREAS AND DRIVEWAYS FROM ADJUTING STREETLINES IN HC, CD, W-1 AND MD DISTRICTS, SUCH SEPARATION SHALL BE PROVIDED IN LANDSCAPED STRIPS OF 25 FEET IN WIDTH WHICH SHALL BE CONTINUOUS EXCEPT AT ACCESS POINTS OF DRIVEWAYS AND SIDEWALKS. (§ 307-21.8.2)
  - WHERE LANDSCAPED STRIPS ARE REQUIRED PURSUANT TO THIS SUBSECTION, A SCREEN COMPOSED OF INTERMITTENT VISUAL OBSTRUCTIONS FROM THE GROUND TO A HEIGHT OF AT LEAST 20 FEET SHALL BE PROVIDED. THE INTERMITTENT SCREEN SHALL BE DESIGNED TO CREATE THE IMPRESSION OF A SEPARATION OF SPACES WITHOUT NECESSARILY ELIMINATING VISUAL CONTACT BETWEEN THE SPACES. IT MAY BE COMPOSED OF A WALL, FENCE, LANDSCAPED EARTH BERM, PLANTED VEGETATION OR EXISTING VEGETATION. TREES PROVIDED IN MEETING THIS REQUIREMENT SHOULD BE A MINIMUM OF 10 FEET IN HEIGHT AT THE PLANTING DATE. EXAMPLES OF SCREENS MEETING THIS STANDARD INCLUDE: (§ 307-21.8.3)
    - SMALL TREES PLANTED 20 FEET ON CENTER, WITH SHRUBBERY OR LOW FENCING.
    - LARGE TREES PLANTED 30 FEET ON CENTER, WITH SHRUBBERY AND LOW FENCING.
  - A PORTION OF THE REQUIRED LANDSCAPING SHALL BE USED TO SCREEN TRASH COLLECTION AND OUTDOOR STORAGE AREAS. SUCH SCREENING SHALL INCLUDE: (§ 307-21.8.4)
    - STRIPS OF LAND AT LEAST FOUR FEET WIDE, DENSELY PLANTED WITH SHRUBS AND/OR TREES AND/OR
    - WALLS AND FENCES, NOT OF A CHAIN LINK VARIETY, SUFFICIENT TO PROVIDE VISUAL SCREENING.
- PARKING LOT LANDSCAPING REQUIREMENTS (§ 307-22)
  - GENERAL - WHERE THE PROVISION OF OFF-STREET PARKING OF 30 OR MORE CARS IS REQUIRED BY THIS CHAPTER, LANDSCAPED AREAS SHALL BE PROVIDED WITHIN THE PERIMETER OF SAID PARKING AREAS. THIS REQUIREMENT SHALL BE IN ADDITION TO THE REQUIREMENTS OF §§ 307-21 AND 307-23 OF THIS CHAPTER.
  - STANDARDS
    - REQUIRED LANDSCAPED AREAS PURSUANT TO THIS SECTION SHALL COMPRISE A MINIMUM OF 5% OF THE TOTAL AREA WITHIN THE PERIMETER OF THE PARKING AREA. (§ 307-22.8.1)
 

PARKING LOT AREA = 142,950 SF	142,950 SF ÷ 5% = 7,148 SF
EXISTING PARKING LOT LANDSCAPED AREA:	2,134 SF
PROPOSED PARKING LOT LANDSCAPED AREA:	2,511 SF (F)
    - REQUIRED LANDSCAPED AREAS SHALL BE PROVIDED TO ASSURE THE ESTABLISHMENT OF A SAFE, CONVENIENT AND ATTRACTIVE PARKING FACILITY MEETING A MINIMUM AMOUNT OF MAINTENANCE, INCLUDING PLANT CARE, SNOWPLOWING AND THE REMOVAL OF LEAVES AND OTHER DEBRIS. WHENEVER POSSIBLE, PLANTING ISLANDS AT LEAST FOUR FEET WIDE AND PROTECTED BY CURBS SHALL BE PROVIDED TO GUIDE VEHICLE MOVEMENT AND TO SEPARATE OPPOSING ROWS OF PARKING SPACES SO AS TO PROVIDE ADEQUATE SPACE FOR PLANT GROWTH, PEDESTRIAN CIRCULATION AND VEHICLE OVERSIGHT. SUCH PLANTING ISLANDS AND THE LANDSCAPING WITHIN THEM SHALL BE DESIGNED AND ARRANGED IN SUCH A MANNER AS TO PROVIDE FESTIVAL ORIENTATION TO MAJOR TRAFFIC CIRCULATION AISLES, ENTRANCES AND EXITS, TO CHANNEL INTERNAL TRAFFIC FLOW, PREVENT UNDESIRABLE MOVEMENT OF VEHICLES AND TO PROVIDE RELIEF FROM THE VISUAL MONOTONY AND SHALELESS COVERAGE OF A LARGE PARKING AREA. (§ 307-22.8.2)



**EAST MAIN STREET**  
(A.K.A. U.S. ROUTE NO. 6 PER TAX MAP)  
(A.K.A. STATE HIGHWAY NO. 1309 PER MRP)  
(VARIABLE ROW WIDTH PER TAX MAP)

**SEE SHEET 11 OF 14 FOR LANDSCAPE PLAN DETAILS**



REV.	DATE	COMMENTS
1	02/13/25	REVISED PER TOWN COMMENTS
2	02/20/25	REVISED PER TOWN COMMENTS

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

DESIGNED BY: LB  
CHECKED BY: ZAK  
DRAWN BY: DRT  
PROJECT: FLOOR & DECOR OUTLETS OF AMERICA, INC.  
SECTION 24.1.3, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12  
2094 EAST MAIN STREET (NY-6)  
TOWN OF CORLANDU, WESTCHESTER COUNTY, NEW YORK

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TITLE: **LANDSCAPE PLAN**

SCALE: (H) 1" = 30'  
(V) 1" = 30'

DATE: 01/23/2025

PROJECT No: 5079-24-04330

SHEET No: **7** Rev. #:

OF 14 2

Plotted: 02/20/25 - 3:50 PM, By: danderon Product Ver: 24.3a (LMS Tech)  
File: P:\VEPC PROJECTS\5079 Floor and Decor\14-04330 Corlandu NY\DWG\Site Plans\50792404330SL2.dwg. --- 07 LANDSCAPE PLAN

**LIGHTING NOTES**

- THIS LIGHTING PLAN ILLUSTRATES ILLUMINATION LEVELS CALCULATED FROM LABORATORY DATA TAKEN UNDER CONTROLLED CONDITIONS IN ACCORDANCE WITH ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA) APPROVED METHODS. ACTUAL SITE ILLUMINATION LEVELS AND PERFORMANCE OF LUMINAIRES MAY VARY DUE TO VARIATIONS IN WEATHER, ELECTRICAL VOLTAGE, TOLERANCE IN LAMPS, AND OTHER RELATED VARIABLE FIELD CONDITIONS.
  - ALL EXISTING CONDITIONS LIGHTING LEVELS ARE REPRESENTATIVE OF AN APPROXIMATION UTILIZING LABORATORY DATA FOR SIMILAR FIXTURES AND/OR ACTUAL FIELD MEASUREMENTS TAKEN WITH A LIGHT METER. DUE TO FACTORS SUCH AS FIXTURE MAINTENANCE, EQUIPMENT TOLERANCES, WEATHER CONDITIONS, ETC., ACTUAL LIGHTING LEVELS MAY DIFFER AND THE LIGHTING LEVELS DEPICTED ON THIS PLAN SHOULD BE CONSIDERED AS APPROXIMATE.
  - CONDUITS SHALL BE INSTALLED A MINIMUM OF 2 FEET BEHIND CURB/RAIL POSTS.
  - ALL WIRING METHODS AND EQUIPMENT CONSTRUCTION SHALL CONFORM TO THE CURRENT NATIONAL ELECTRICAL CODE.
  - REFER TO ARCHITECTURAL PLANS FOR SITE WIRING DIAGRAM.
  - THIS PLAN IS PREPARED SPECIFICALLY TO ANALYZE THE LIGHTING LEVELS GENERATED BY THE PROPOSED ON-SITE LIGHTING ONLY. EXISTING LIGHT FIXTURES BEYOND THE EXTENTS OF THIS DEVELOPMENT/PROPERTY ARE NOT MODELED IN THIS DESIGN, AND MAY ALTER ACTUAL LIGHT LEVELS AT THE PROPERTY LINES.
  - LIGHTING REQUIREMENTS
    - THE FOLLOWING OUTDOOR LIGHTING SHALL BE PROHIBITED: (§ 307-12.3.0):
      - UPLIGHTING IS PROHIBITED. EXTERNALLY LIT SIGNS, DISPLAYS, BUILDINGS, STRUCTURES, STREETS, PARKING AREAS, RECREATIONAL AREAS, LANDSCAPING, AND OTHER OBJECTS LIT FOR AESTHETIC OR OTHER PURPOSES SHALL BE ILLUMINATED ONLY WITH STEADY, STATIONARY, FULLY SHIELDED FIXTURES WITHOUT CAUSING GLARE OR LIGHT TRESPASS BEYOND THE PROPERTY LINE. (§ 307-12.3.0.1)
      - ROOF-MOUNTED AREA LIGHTING IS PROHIBITED. (§ 307-12.3.0.2)
      - THE USE OF SEARCH LIGHTS, STROBE LIGHTS, LASER LIGHTS, LASER LIGHTING, OR ANY SIMILAR HIGH-INTENSITY LIGHT IS PROHIBITED. (§ 307-12.3.0.3)
      - THE USE OF MERCURY VAPOR AND METAL HALIDE LAMPS ARE PROHIBITED. (§ 307-12.3.0.4)
      - UNSHIELDED FIXTURES ARE PROHIBITED. (§ 307-12.3.0.5)
      - NEON/TUBE OR ROPE LIGHTING USED TO OUTLINE OR HIGHLIGHT A BUILDING OR A BUILDING'S FEATURES IS PROHIBITED. (§ 307-12.3.0.6)
      - ANY LIGHTING THAT FLASHES, BLINKS, SCINTILLATES, REVOLVES, ROTATES, FLICKERS, FADES, FLUCTUATES, MOVES, RUNS, OR THAT USES ELECTRICAL PULSATION, OR THAT DOES NOT MAINTAIN A STATIONARY AND CONSTANT INTENSITY, COLOR, OR DIRECTION AT ALL TIMES IS PROHIBITED, WITH THE EXCEPTION OF MOTION-ACTIVATED SECURITY LIGHTING. (§ 307-12.3.0.7)
    - PARKING LOTS, PEDESTRIAN WALKWAYS, MAIN BUILDING ENTRANCES, AND OTHER AREAS OF A SITE TO BE LIT SHALL HAVE A MAXIMUM AVERAGE LIGHTING LEVEL OF ONE FOOT-CANDLE. (§ 307-12.3.1.A) (COMPLIES)
    - THE UNIFORMITY RATIO (CALCULATED BY DIVIDING MINIMUM/AVERAGE) SHALL NOT BE LESS UNIFORM THAN 1:3 (0.33) FOR ALL PARKING AND TRAFFIC AREAS, OR 1:4 (0.25) FOR PEDESTRIAN AREAS. UNIFORMITY RATIOS CLOSER TO ONE ARE PREFERRED. (§ 307-12.3.1.C) (COMPLIES)
    - DESIGN SHOULD ESTABLISH A HIERARCHY OF LIGHTING TO ASSURE A SMOOTH TRANSITION FROM BRIGHT AREAS TO THOSE WITH SUBTLED LIGHTING. (§ 307-12.3.1.D) (COMPLIES)
- ALL OUTDOOR LIGHTING FIXTURES SHALL HAVE A MAXIMUM BUG (BACKLUG, UPLIGHT, GLARE) UPLIGHTING RATING OF ZERO (0) TO PREVENT GLARE, LIGHT TRESPASS, AND SKY GLOW. FIXTURES THAT DO NOT HAVE A BUG RATING SHALL BE CLASSIFIED BY THE IES AS FULLY SHIELDED FIXTURES OR SHALL HAVE THE "DARKSKY APPROVED" SEAL OF APPROVAL. (§ 307-12.3.F.2.A) (COMPLIES)
- ALL OUTDOOR LIGHTING FIXTURES INSTALLED UNDER CANOPIES, BUILDING OVERHANGS, ROOF EAVES, OR SIMILAR STRUCTURE, SHALL BE FULLY-RECESSED SO THAT THE BOTTOM OF THE FIXTURE IS FLUSH WITH THE PLANE OF THE CEILING. (§ 307-12.3.F.2.B) (COMPLIES)
- ALL OUTDOOR LIGHTING FIXTURES INSTALLED ADJACENT TO WOODED OR OTHER NATURAL HABITATS SHALL HAVE A MAXIMUM CCT OF 2200K AND A BUG BACKLIGHTING RATING OF ZERO (0) TO REDUCE POTENTIAL NEGATIVE IMPACTS OF ARTIFICIAL LIGHTING ON WILDLIFE. (§ 307-12.3.F.2.C) (COMPLIES)
- ALL LIGHTING FIXTURES SHALL BE INSTALLED AND MAINTAINED WITH FIXED ARMS. THE LIGHTING SHALL BE INSTALLED TO PREVENT DIRECT GLARE AND LIGHT TRESPASS AT THE PROPERTY LINE. (§ 307-12.3.F.2.D) (COMPLIES)
- FLOODLIGHTING IS DISCOURAGED BUT, IF USED: (§ 307-12.3.F.2.E) (N/A)
  - MUST BE SHIELDED TO PREVENT GLARE FOR DRIVERS AND PEDESTRIANS;
  - MUST NOT PERMIT LIGHT TRESPASS BEYOND THE PROPERTY LINE; AND
  - MUST NOT EMIT LIGHT ABOVE A 75° HORIZONTAL PLANE.
- ALL OUTDOOR LIGHTING SHALL BE DESIGNED, LOCATED, INSTALLED, FITTED, SHIELDED, AND DIRECTED SO AS NOT TO PRESENT A HAZARD TO DRIVERS OR PEDESTRIANS BY IMPAIRING THEIR ABILITY TO SAFELY TRAVERSE THE AREA, AND SO AS NOT TO CREATE A NUISANCE BY PROJECTING OR REFLECTING OBJECTIONABLE LIGHT ONTO AN ADJACENT USE OR PROPERTY. (§ 307-12.3.F.2.F) (COMPLIES)
- ALL LED LIGHT SOURCES SHALL HAVE A MAXIMUM CORRELATED COLOR TEMPERATURE OF 2700K. PRODUCTS WITH COLOR TUNING CAPABILITIES ABOVE 2700K ARE PROHIBITED. (§ 307-12.3.F.3) (COMPLIES)
- ALL LED LIGHT SOURCES SHALL HAVE A MINIMUM COLOR RENDERING INDEX (CRI) RATING OF 70. (§ 307-12.3.F.4) (COMPLIES)
- IN ALL RESIDENTIAL DISTRICTS, AND WHEREVER A NONRESIDENTIAL USE ADJACENT TO A RESIDENTIAL USE, LIGHTING LEVELS AT THE PROPERTY LINE SHALL NOT EXCEED ZERO FOOT-CANDLE. IN ADDITION, NO DIRECT LIGHT SOURCE SHALL BE VISIBLE AT THE PROPERTY LINE AT GROUND LEVEL OR ABOVE. (§ 307-12.3.F.5.A) (N/A)
- FOR ALL OTHER NONRESIDENTIAL USES IN A NONRESIDENTIAL ZONING DISTRICT, LIGHTING LEVELS MAY BE ALLOWED UP TO 0.1 FOOT-CANDLE AT THE PROPERTY LINE WITH THE EXCEPTION OF PUBLIC HIGHWAYS AND RIGHTS-OF-WAY AS PER § 307-12.3.F.5.C, THOUGH NO LIGHT TRESPASS IS PREFERRED. (§ 307-12.3.F.5.B) (COMPLIES)
- LIGHT TRESPASS INTO A PUBLIC HIGHWAY OR RIGHT-OF-WAY SHALL NOT EXCEED ZERO FOOT-CANDLE. (§ 307-12.3.F.5.C) (EXPECTED TO COMPLY)
- IN CD ZONE, THE MAXIMUM MOUNTING HEIGHT SHALL BE 18 FEET ABOVE THE AVERAGE FINISHED GRADE. (§ 307-12.3.F.6.A) (COMPLIES)
- Q. LIGHTING TO BE TURNED OFF NO LATER THAN ONE HOUR AFTER THE CLOSE OF BUSINESS AND SHALL REMAIN OFF UNTIL NO EARLIER THAN ONE HOUR BEFORE THE BUSINESS REOPENS. (§ 307-12.3.F.7.A) (COMPLIES)

**LIGHTING LUMINAIRE SCHEDULE**

SYMBOL	QUANTITY	LABEL	MOUNTING HEIGHT	ARRANGEMENT	LIGHT LOSS FACTOR	MANUFACTURER	DESCRIPTION	IES FILE
	2	A-1	18	Single	1.0	Lithonia Lighting	DSXO LED P2 27K 80CR T3M	DSXO_LED_P2_27K_80CR_T3M.ies
	1	A-2	18	Single	1.0	Lithonia Lighting	DSXO LED P3 27K 80CR T3M	DSXO_LED_P3_27K_80CR_T3M.ies
	7	A-3	18	Back-Back	1.0	Lithonia Lighting	DSXO LED P2 27K 80CR T4M	DSXO_LED_P2_27K_80CR_T4M.ies
	2	A-4	18	Single	1.0	Lithonia Lighting	DSXO LED P2 27K 80CR T4M	DSXO_LED_P2_27K_80CR_T4M.ies
	8	W-1	12, 13, 13.33, 16, 18, 21.5	Single	1.0	Lithonia Lighting	WST_LED_P1_27K_VF_MVOLT	WST_LED_P1_27K_VF_MVOLT.ies

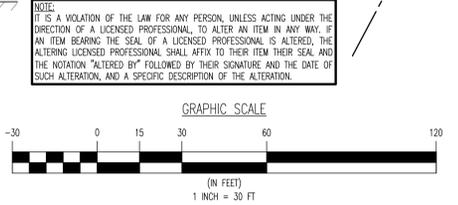
ISO CURVE LINES ARE MAINTAINED AND SHOWN AT 1.0, 0.5, AND 0.1 FC.  
 (FM) - FLUSH MOUNT FOUNDATION (PED) - PEDESTAL FOUNDATION  
 THE CALCULATIONS SHOWN WERE MADE UTILIZING ACCEPTED PROCEDURES OF THE ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA. VARIATIONS IN LAMP OUTPUT, BALLAST OUTPUT, LINE VOLTAGE, DIRT DEPRECIATION, AND OTHER FACTORS MAY AFFECT ACTUAL RESULTS. UNLESS OTHERWISE STATED, ALL RESULTS ARE MAINTAINED VALUES, UTILIZING ACCEPTED LIGHT LOSS FACTORS (LLF).

**STATISTICAL AREA SUMMARY**

LABEL	AVG	MAX	MIN	AVG/MIN	MAX/MIN
PAVEMENT	0.7	3.8	0.0	N.A.	N.A.
PROPERTY-LINE	0.0	0.1	0.0	N.A.	N.A.

**MILLINGTON ROAD**  
 (VARIABLE ROW WIDTH PER TAX MAP)

**EAST MAIN STREET**  
 (A.K.A. U.S. ROUTE NO. 6 PER TAX MAP)  
 (A.K.A. STATE HIGHWAY NO. 1309 PER MTR)  
 (VARIABLE ROW WIDTH PER TAX MAP)



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**SEE SHEET 08 OF 14 FOR LIGHTING PLAN DETAILS**

Product Ver: 24.3a (LMS Tech) - Product Ver: 24.3a (LMS Tech)  
 Plotted: 02/20/25 - 3:51 PM, By: danderson  
 File: P:\BECPC PROJECTS\5079 Floor and Decor\14-04330 Cortland NY\DWG\Site Plans\507924-04330512.dwg, ----> 08 LIGHTING PLAN

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 PROFESSIONAL ENGINEER  
 NEW YORK LICENSE NO. 097639

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**JOSHUA M. SEWALD**  
 PROFESSIONAL ENGINEER  
 NEW YORK LICENSE No. 097639

---

TITLE:  
**LIGHTING PLAN**

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SCALE: (H) 1" = 30'  
 (V) 1" = 10'  
 DATE: 01/23/2025

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PROJECT No:  
 5079-24-04330

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SHEET No:  
**8** of 14

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REV. DATE COMMENTS

1	02/13/25	REVISED PER TOWN COMMENTS
2	02/20/25	REVISED PER TOWN COMMENTS

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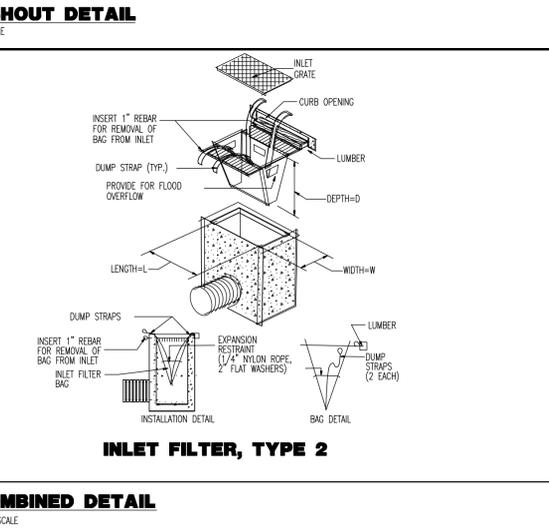
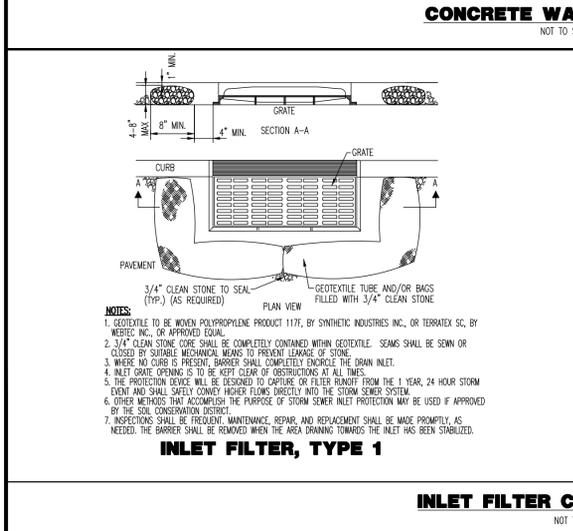
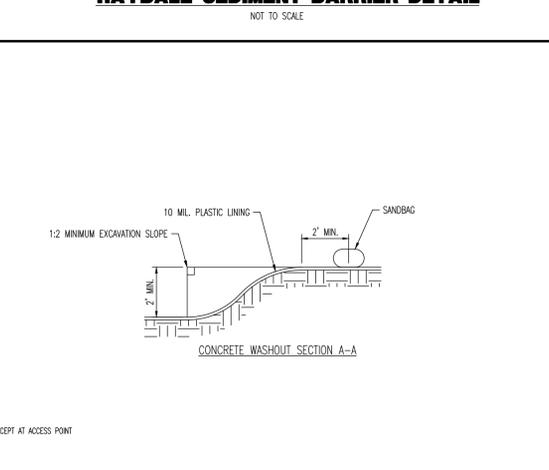
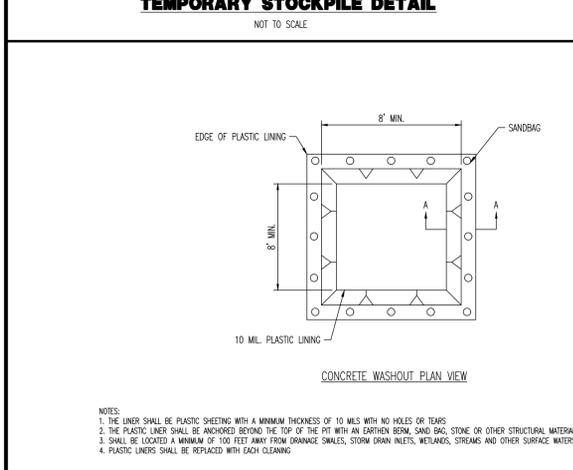
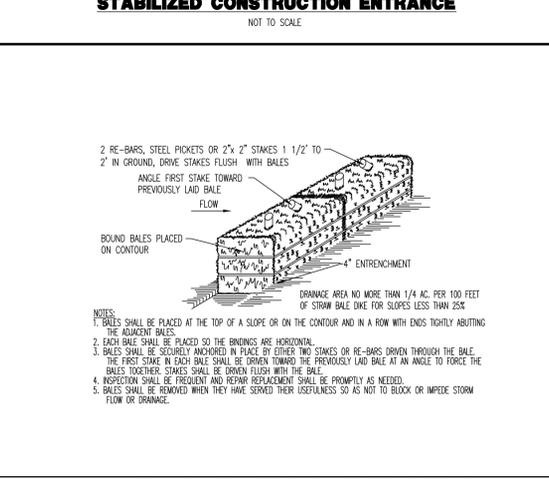
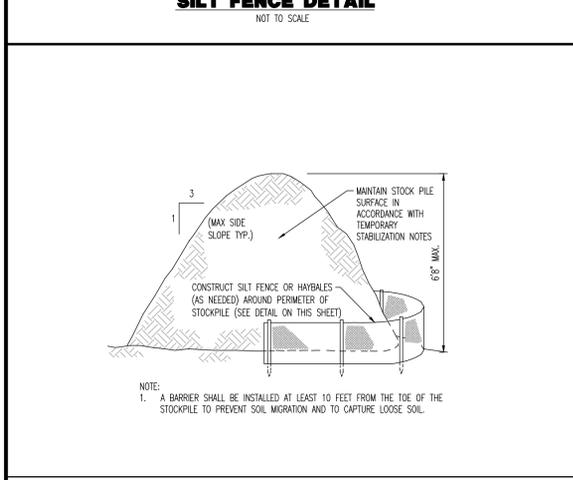
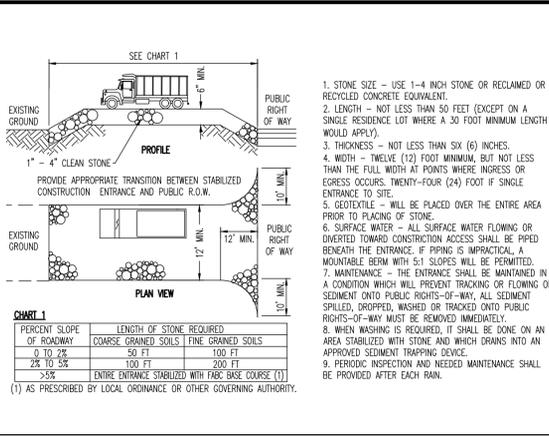
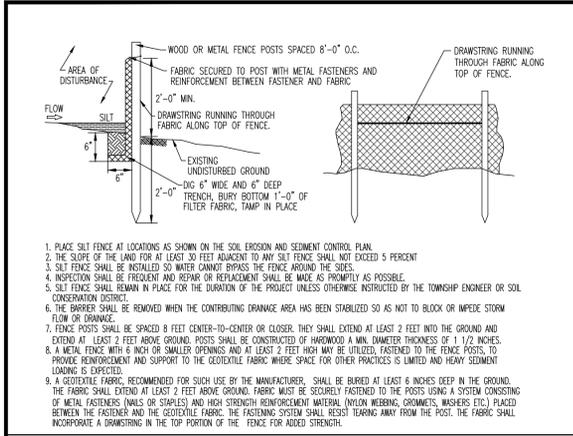
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PROJECT: **FLOOR & DECOR OUTLETS OF AMERICA INC.**  
 PROPOSED FLOOR & DECOR  
 SECTION 24.1.3, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12  
 2094 EAST MAIN STREET (NY-6)  
 TOWN OF CORTLAND, WESTCHESTER COUNTY, NEW YORK

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**STABILIZATION SPECIFICATIONS - TEMPORARY SEEDING AND MULCHING**

- LIME - 90 LBS/1,000 SF GROUND LIME/STONE; FERTILIZER - 11 LBS/1,000 SF; 10-20-10 OR EQUIVALENT WORKED INTO SOIL A MINIMUM OF 4".
- SEEDS:
- COOL SEASON: PERENNIAL RYE GRASS 100LBS/ACRE OR OTHER APPROVED SEEDS; PLANT BETWEEN MARCH 1 AND MAY 15 OR BETWEEN AUGUST 15 AND OCTOBER 1.
- WARM SEASON: PEARL MILLET AT 20 LBS/AC. OR OTHER APPROVED SEEDS; PLANT BETWEEN MAY 15 AND AUGUST 15.
- MULCH - SALT HAY OR SMALL GRASS STRAW AT A RATE OF 70 TO 90 LBS/1,000 SF TO BE APPLIED ACCORDING TO THE STATE STANDARDS. MULCH SHALL BE SECURED BY APPROVED METHODS (I.E. PEG AND TWINE, MULCH NETTING, OR LIQUID MULCH BINDER).

**STABILIZATION SPECIFICATIONS - PERMANENT SEEDING**

- PERMANENT STABILIZATION SPECIFICATIONS: SEEDING
- 1. PRIOR TO SEEDING, AREA IS TO BE TOPSOILED, FINE GRADED, AND RAKED OF ALL DEBRIS LARGER THAN 1/2".
- 2. PRIOR TO SEEDING, CONSULT MANUFACTURER'S RECOMMENDATIONS AND INSTRUCTIONS.

PERENNIAL RYEGRASS	1/2 LB/1,000 SQ FT
KENTUCKY BLUEGRASS	1 LB/1,000 SQ FT
	1/2 LBS/1,000 SQ FT
FERTILIZER (20-10-10)	14 LBS/1,000 SQ FT
	14 LBS/1,000 SQ FT

3. SEEDING DATES: APRIL 15TH TO MAY 15TH OR AUGUST 15TH TO OCTOBER 1ST.

4. GERMINATION RATES WILL VARY AS TO TIME OF YEAR FOR SOWING. CONTRACTOR TO IRRIGATE SEEDED AREA UNTIL AN ACCEPTABLE STAND OF COVER IS ESTABLISHED BY OWNER.

- PERMANENT STABILIZATION SPECIFICATIONS: MULCHING
- A. MULCH MATERIALS TO BE UNROTATED SALT HAY, HAY, OR SMALL GRASS STRAW AT THE RATE OF 1.5 TO 2 TONS PER ACRE OR 70 TO 90 POUNDS PER 1,000 SQ. FT.
- B. SPREAD UNIFORMLY BY HAND OR MECHANICALLY SO THAT APPROXIMATELY 75% TO 85% OF SOIL SURFACE WILL BE COVERED.
- C. MULCH ANCHORING TO BE DONE IMMEDIATELY AFTER PLACEMENT BY ONE OF THE FOLLOWING:
  - (1) PEG AND TWINE
  - (2) MULCH NETTING
  - (3) LIQUID MULCH-BINDERS

**MULCH STABILIZATION**

A. UNROTATED SMALL-GRAIN STRAW, OR SALT HAY AT 2.0 TO 2.5 TONS PER ACRE IS SPREAD UNIFORMLY AT 90 TO 115 POUNDS PER 1,000 SQUARE FEET AND ANCHORED WITH A MULCH ANCHORING TOOL, LIQUID MULCH BINDERS, OR NETTING TIE DOWN. OTHER SUITABLE MATERIALS MAY BE USED IF APPROVED BY THE SOIL CONSERVATION DISTRICT.

B. ASPHALT EMULSION IS RECOMMENDED AT THE RATE OF 600 TO 1,200 GALLONS PER ACRE. THIS IS SUITABLE FOR A LIMITED PERIOD OF TIME WHERE TRAVEL BY PEOPLE, ANIMALS, OR MACHINES IS NOT A PROBLEM.

C. SYNTHETIC OR ORGANIC SOIL STABILIZERS MAY BE USED UNDER SUITABLE CONDITIONS AND IN QUANTITIES AS RECOMMENDED BY THE MANUFACTURER.

D. WOOD-FIBER OR PAPER-FIBER MULCH AT THE RATE OF 1,500 POUNDS PER ACRE (OR ACCORDING TO THE MANUFACTURER'S REQUIREMENTS) MAY BE APPLIED BY A HYDROSEEDER.

E. MULCH NETTING, SUCH AS PAPER JUTE, EXCELSIOR, COTTON, OR PLASTIC MAY BE USED.

F. MULCH ANCHORING TO BE DONE IMMEDIATELY AFTER PLACEMENT BY ONE OF THE FOLLOWING METHODS:
 

- (1) PEG AND TWINE
- (2) MULCH NETTING
- (3) LIQUID MULCH-BINDERS

Plotted: 02/20/25 - 3:53 PM, By: danderson, Product Ver: 24.3a (LMS Tech) File: P:\BECPC PROJECTS\5079 Floor and Decor\24-04330 Cortlandt NY.Dwg (Site Plans)\50792404330S02.dwg, ---> 10 SOIL EROSION & SEDIMENT CONTROL DETAILS

NO.	DATE	REV.	COMMENTS
1	02/20/25	1	REVISED PER TOWN COMMENTS
2	02/13/25	1	REVISED PER TOWN COMMENTS

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DESIGNED BY: LB  
CHECKED BY: ZAK  
DRT

PROJECT: FLOOR & DECOR OUTLETS OF AMERICA INC. PROPOSED FLOOR & DECOR SECTION 24.1.3, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12 2094 EAST MAIN STREET (NY-6) TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK

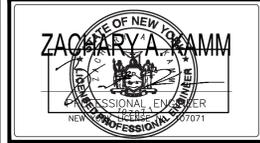
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**JOSHUA M. SEWALD**  
PROFESSIONAL ENGINEER  
NEW YORK LICENSE No. 097639

TITLE: SOIL EROSION & SEDIMENT CONTROL DETAILS

SCALE: (H) AS SHOWN (V) SHOWN DATE: 01/23/2025

PROJECT No: 5079-24-04330

SHEET No: 10 OF 14 Rev. #: 2

NOTE: IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING LICENSED PROFESSIONAL SHALL AFFIX TO THEIR ITEM THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

REV.	DATE	COMMENTS
1	02/13/24	REVISED PER TOWN COMMENTS
2	02/20/25	REVISED PER TOWN COMMENTS

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PROJECT: FLOOR & DECOR OUTLETS OF AMERICA INC. PROPOSED FLOOR & DECOR SECTION 24.1.3, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12 2094 EAST MAIN STREET (NY-6) TOWN OF CORTLAND, WESTCHESTER COUNTY, NEW YORK

DESIGNED BY: LB ZAK  
CHECKED BY: DRT  
DRAWN BY: LB ZAK

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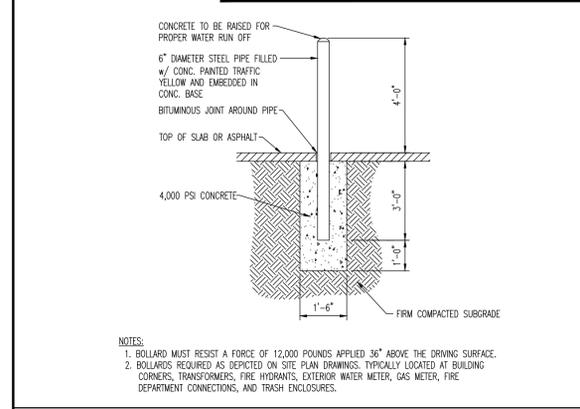
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SCALE: (H) AS SHOWN DATE: 01/23/2025

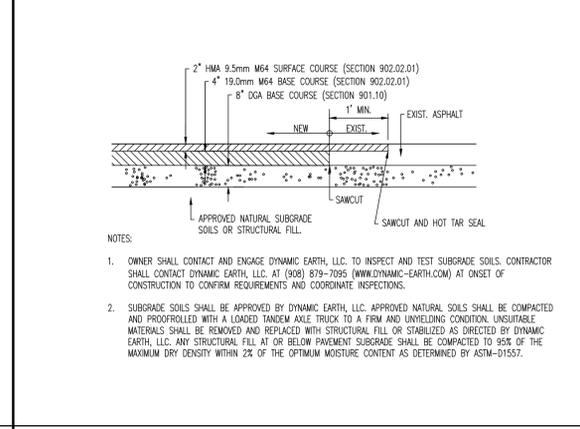
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SHEET No: 11 OF 14

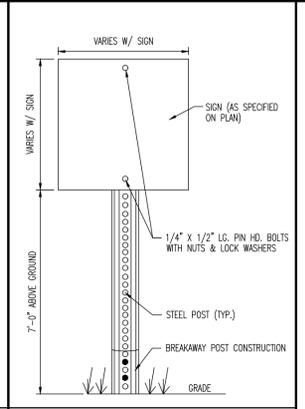
MUNICIPAL, COUNTY, STATE AND MVA DETAILS TO SUPERSEDE DYNAMIC ENGINEERING DETAILS WHERE APPLICABLE



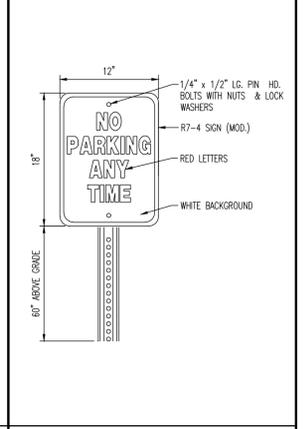
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NOT TO SCALE



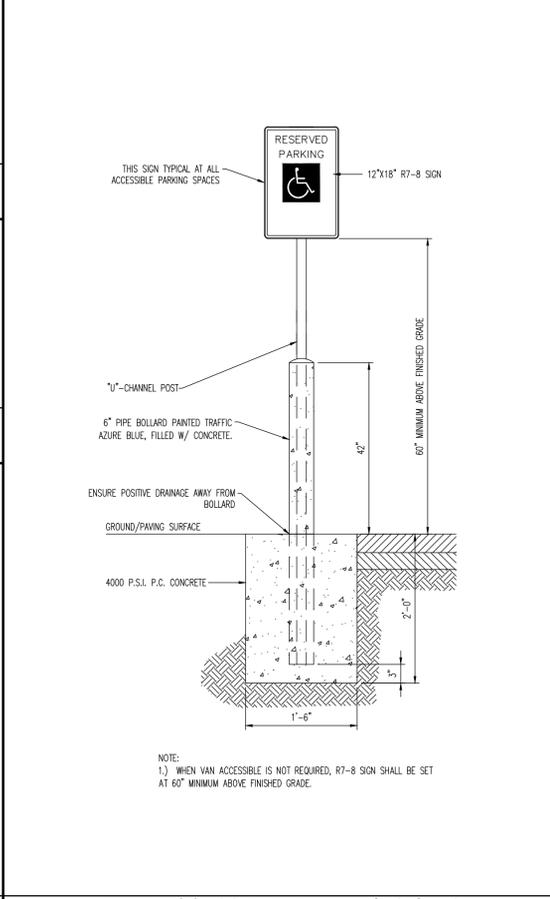
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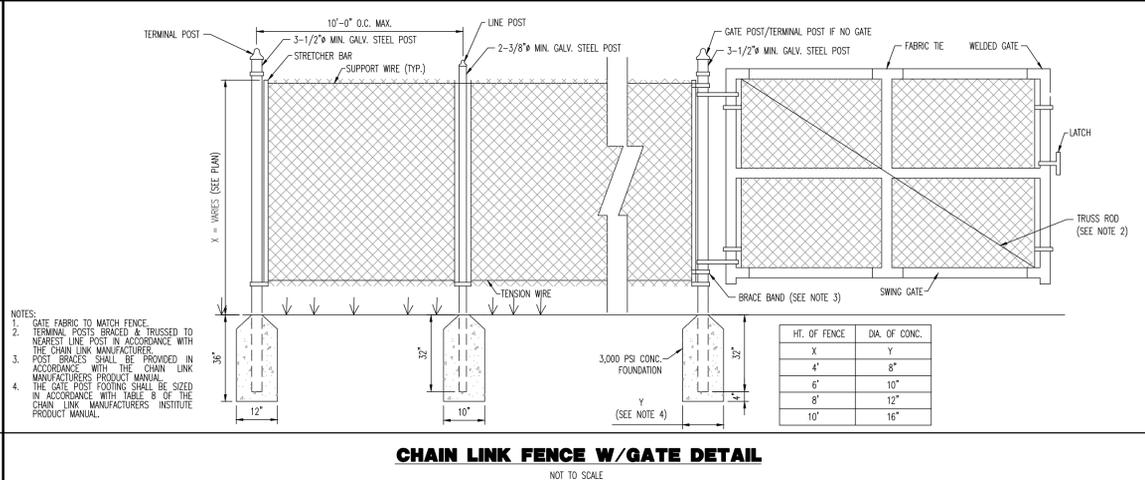
**SIGN POST DETAIL**  
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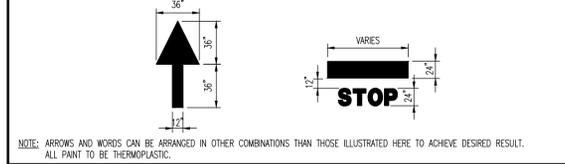
**"NO PARKING" SIGN DETAIL**  
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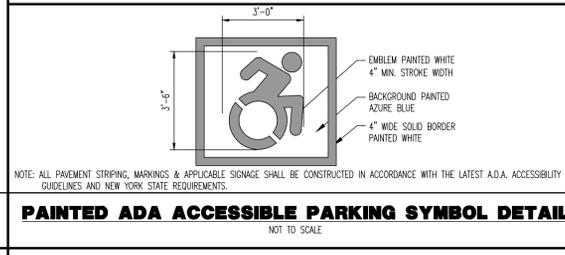
**ADA ACCESSIBLE PARKING SIGN ON BOLLARD DETAIL**  
NOT TO SCALE



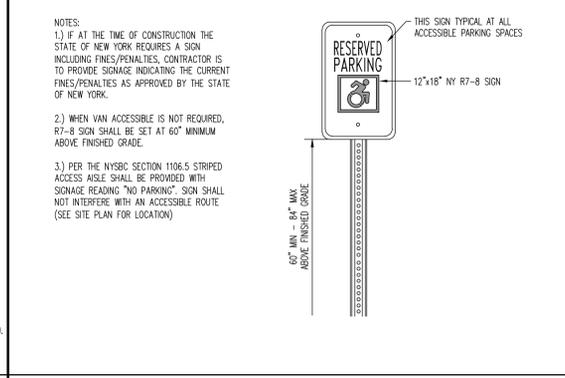
**CHAIN LINK FENCE W/GATE DETAIL**  
NOT TO SCALE



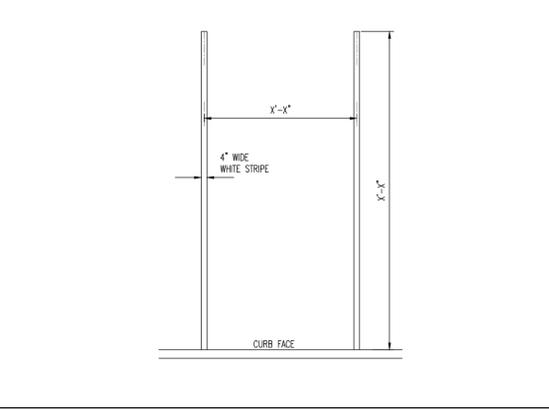
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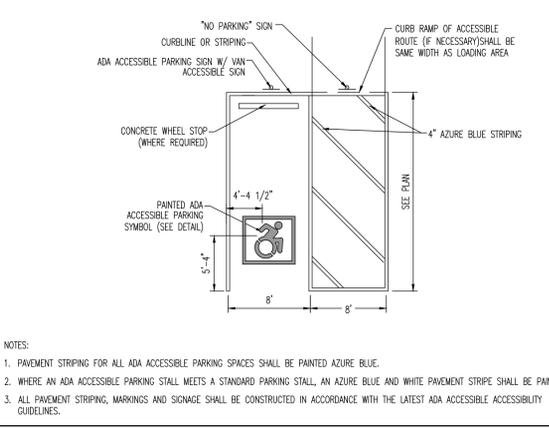
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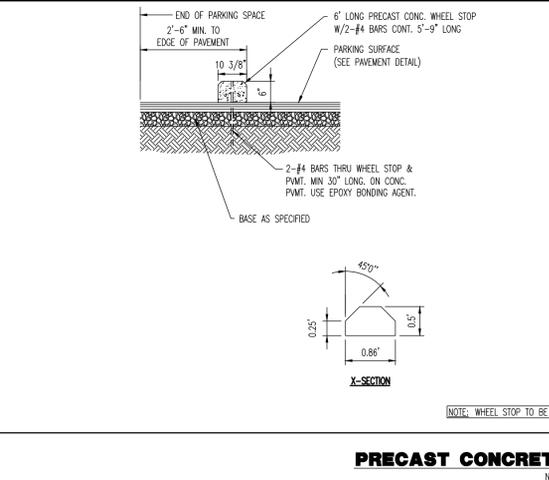
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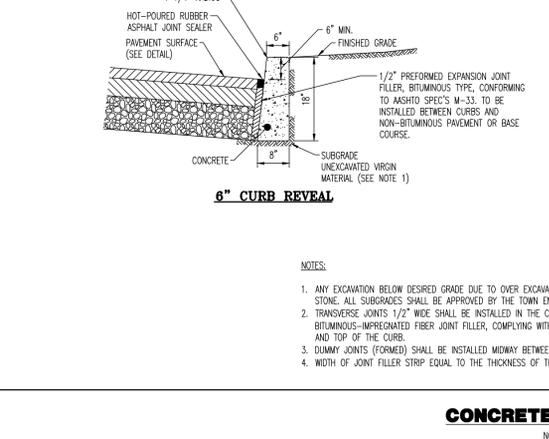
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NOT TO SCALE



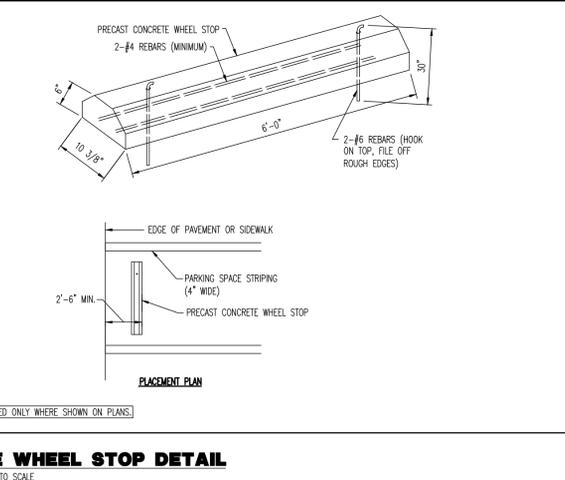
**ADA ACCESSIBLE STALL MARKINGS**  
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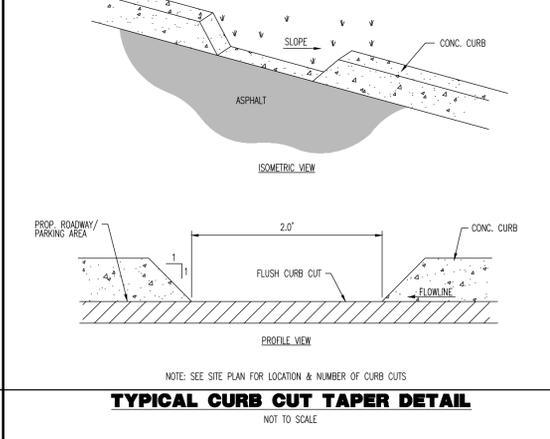
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NOT TO SCALE



**CONCRETE CURB DETAIL**  
NOT TO SCALE



**TYPICAL CURB CUT TAPER DETAIL**  
NOT TO SCALE

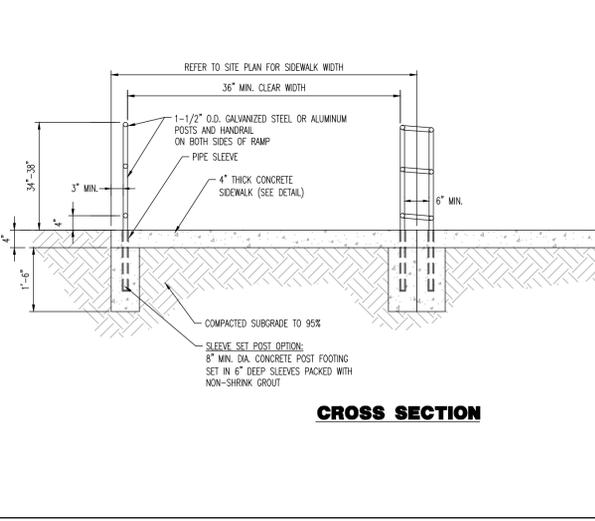
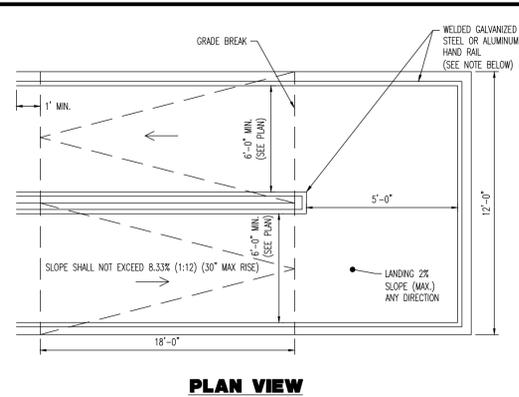
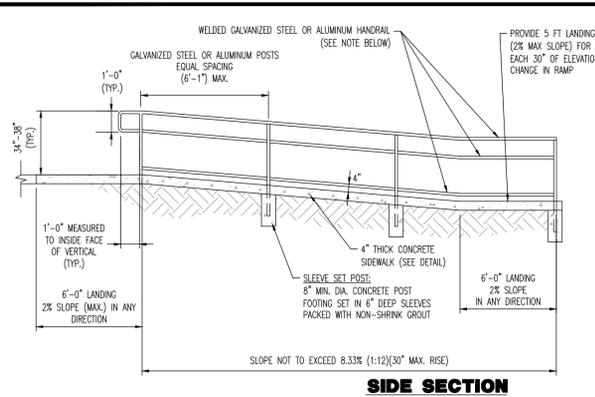


**TYPICAL CURB CUT TAPER DETAIL**  
NOT TO SCALE

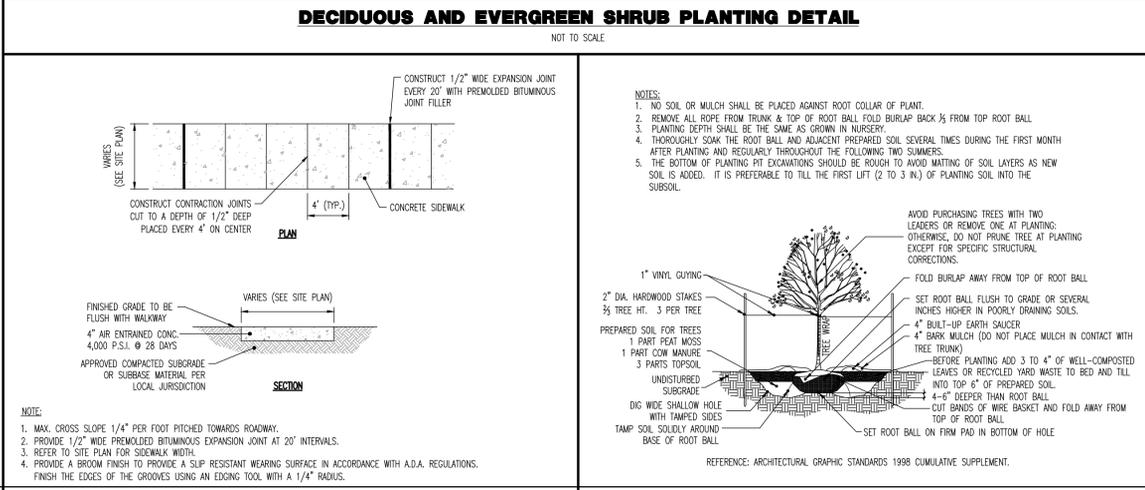
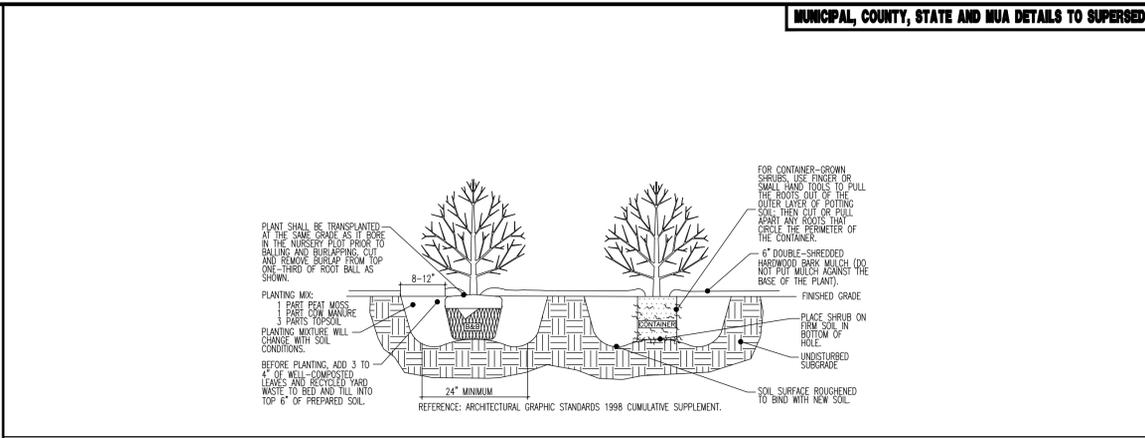
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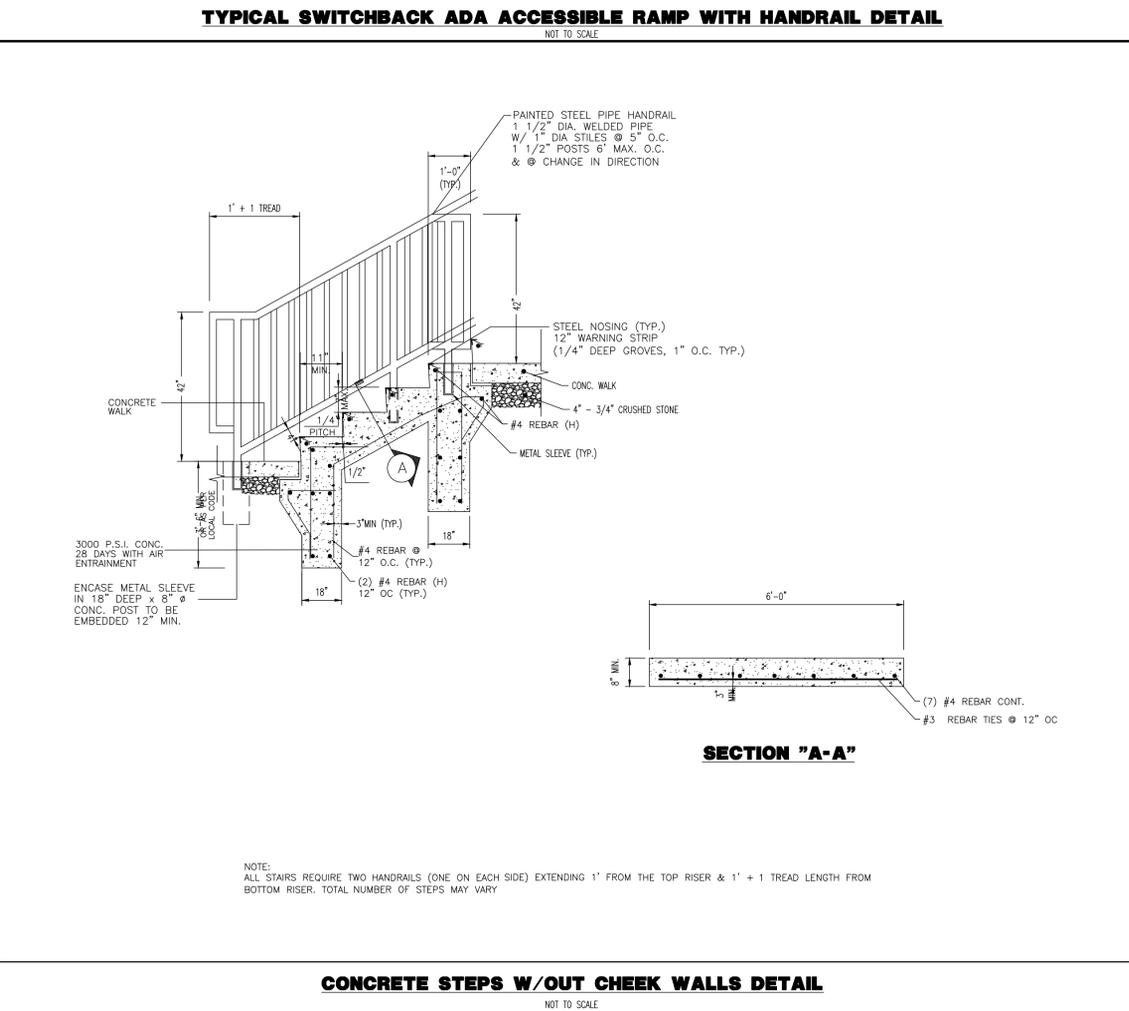
REV.	DATE	REVISED PER	CODE	DD'S / PERMIT / BID	BY
1	02/20/25				
2	02/13/25				



- NOTES:
- REFER TO PLAN FOR RAMP DIMENSIONS AND SLOPES.
  - UNLESS NOTED OTHERWISE, RAMP FINISH SHALL BE A NON-SLIP HORIZONTAL BROOM FINISH.
  - THE MAXIMUM SLOPE OF A RAMP IN NEW CONSTRUCTION SHALL BE 1:12. THE MAXIMUM RISE FOR ANY RUN SHALL BE 30IN.
  - THE MINIMUM CLEAR WIDTH OF A RAMP SHALL BE 36IN.
  - RAMPS SHALL HAVE LEVEL LANDINGS AT BOTTOM AND TOP OF EACH RAMP AND EACH RAMP RUN. LANDINGS SHALL HAVE THE FOLLOWING FEATURES:
    - THE LANDINGS SHALL BE AT LEAST AS WIDE AS THE RAMP LEADING TO IT.
    - THE LANDING LENGTH SHALL BE A MINIMUM OF 60IN CLEAR.
  - HANDRAILS SHALL BE PROVIDED ALONG BOTH SIDES OF RAMP SEGMENTS 3/4IN MINIMUM AND 38IN MAXIMUM VERTICALLY ABOVE RAMP SURFACE. HANDRAILS SHALL BE A CONSISTENT HEIGHT ABOVE RAMP SURFACE. THE INSIDE HANDRAIL ON SWITCHBACK OR DOGLEG RAMPS SHALL ALWAYS BE CONTINUOUS.
  - IF HANDRAILS ARE NOT CONTINUOUS, THEY SHALL EXTEND AT LEAST 12IN BEYOND THE TOP AND BOTTOM OF THE RAMP SEGMENT IN THE SAME DIRECTION AS RAMP RUN AND SHALL BE PARALLEL WITH THE FLOOR OR GROUND SURFACE AND RETURN TO A WALL, GUARD OR THE LANDING SURFACE.
  - THE CLEAR SPACE BETWEEN THE HANDRAIL AND THE WALL SHALL BE 1-1/2IN.
  - HANDRAIL GRIPPING SURFACES SHALL BE CONTINUOUS ALONG THEIR LENGTH AND SHALL NOT BE OBSTRUCTED ALONG THEIR TOPS OR SIDES. THE BOTTOMS OF HANDRAIL GRIPPING SURFACES SHALL NOT BE OBSTRUCTED FOR MORE THAN 20% OF THEIR LENGTH. WHERE PROVIDED, HORIZONTAL PROJECTIONS SHALL OCCUR 1-1/2IN BELOW THE BOTTOM OF THE HANDRAIL GRIPPING SURFACE.
  - HANDRAILS, EDGE PROTECTION, VERTICAL POSTS AND OTHER ELEMENTS CANNOT OBSTRUCT OR OVERLAP THE MINIMUM 60" BY 60" CLEARANCE.
  - HANDRAIL GRIPPING SURFACES SHALL HAVE A CIRCULAR CROSS SECTION WITH AN OUTSIDE DIAMETER OF BETWEEN 1-1/4IN MINIMUM AND 2IN MAXIMUM.
  - HANDRAIL GRIPPING SURFACES AND ANY SURFACES ADJACENT TO THEM SHALL BE FREE OF SHARP OR ABRASIVE ELEMENTS AND SHALL HAVE ROUNDED EDGES.
  - ENDS OF HANDRAILS SHALL BE EITHER ROUNDED OR RETURNED SMOOTHLY TO FLOOR, WALL OR POST.
  - HANDRAILS SHALL NOT ROTATE WITHIN THEIR FITTINGS.
  - UNLESS OTHERWISE SPECIFIED, ALL RAMP POSTS, HANDRAILS, RAILINGS AND RETURNS SHALL BE WELDED SCHEDULE 40 GALVANIZED STEEL OR ALUMINUM PAINTED BLACK.
  - HANDRAILS TO BE CONSTRUCTED AND INSTALLED IN ACCORDANCE WITH BUILDING CODE REQUIREMENTS. POSTS SHALL BE SET IN 8IN MINIMUM DIAMETER 18IN DEEP POST FOOTING WITH SLEEVE OR CORED AND SLEEVED. MINIMUM 8IN EMBEDMENT PACKED WITH NON-SHRINK GROUT. COLOR TO MATCH CONCRETE.
  - ALL RAMPS AND RAILINGS TO BE CONSTRUCTED IN ACCORDANCE WITH THE LATEST ADA ACCESSIBILITY GUIDELINES AND BUILDING CODES.



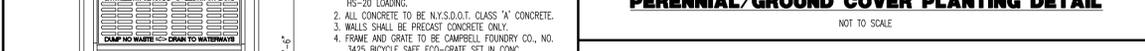
- NOTES:
- MAX. CROSS SLOPE 1/4" PER FOOT PITCHED TOWARDS ROADWAY.
  - PROVIDE 1/2" WIDE PREMOULDED BITUMINOUS EXPANSION JOINT AT 20' INTERVALS.
  - REFER TO SITE PLAN FOR SIDEWALK WIDTH.
  - PROVIDE A BROOM FINISH TO PROVIDE A SLIP RESISTANT WEARING SURFACE IN ACCORDANCE WITH A.D.A. REGULATIONS. FINISH THE EDGES OF THE GROOVES USING AN EDGING TOOL WITH A 1/4" RADIUS.



- NOTES:
- CONSTRUCTION PER ASTM C-913, LATEST REVISION & HS-20 LOADING.
  - ALL CONCRETE TO BE N.Y.S.D.O.T. CLASS 'A' CONCRETE.
  - WALLS SHALL BE PRECAST CONCRETE ONLY.
  - FRAME AND GRATE TO BE CAMPBELL FOUNDRY CO., NO. 3429 BICYCLE SAFE ECO-GRATE SET IN CONC.
  - STEEL REINFORCED COPOLYMER POLYPROPYLENE LADDER RUNG @ 12" O.C.
  - WHEN ADDITIONAL DEPTH IS SCHEDULED, WALLS BELOW 8'-0" MEASURED FROM GRATE TO INVERT SHALL BE 12" THICK AND EXTEND 12" BEYOND OUTSIDE OF WALL.



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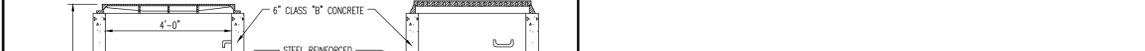
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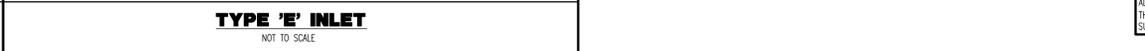
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THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

PROJECT: FLOOR & DECOR OUTLETS OF AMERICA INC. SECTION 24.1.3, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12 2094 EAST MAIN STREET (NY-6) TOWN OF CORTLAND, WESTCHESTER COUNTY, NEW YORK

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**ZACHARY A. KAMM** PROFESSIONAL ENGINEER NEW YORK LICENSE NO. 0970791

**JOSHUA M. SEWALD** PROFESSIONAL ENGINEER NEW YORK LICENSE No. 097639

TITLE: CONSTRUCTION DETAILS

SCALE: (H) 1"=10' (V) DATE: 01/23/2025

PROJECT No: 5079-24-04330

SHEET No: 12 OF 14 Rev. #: 2

NOTE: IT IS A VIOLATION OF THE LAW FOR ANY PERSON, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL, TO ALTER AN ITEM IN ANY WAY. IF AN ITEM BEARING THE SEAL OF A LICENSED PROFESSIONAL IS ALTERED, THE ALTERING LICENSED PROFESSIONAL SHALL AFFIX TO THEIR ITEM THEIR SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY THEIR SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

Plotted: 02/20/25 - 3:53 PM, By: danderson, Product Ver: 24.3a (LMS Tech) File: P:\BECPC PROJECTS\5079 Floor and Decor\Site Plans\50792404330502.dwg, ---> 12 CONSTRUCTION DETAILS

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THIS PLAN TO BE UTILIZED FOR VEHICLE CIRCULATION PURPOSES ONLY



REV.	DATE	COMMENTS
1	02/13/25	REVISED PER TOWN COMMENTS
2	02/20/25	REVISED PER TOWN COMMENTS

THIS PLAN SET IS FOR PERMITTING PURPOSES ONLY AND MAY NOT BE USED FOR CONSTRUCTION

PROJECT: FLOOR & DECOR OUTLETS OF AMERICA INC.  
 SECTION 24.13, BLOCK 2, LOTS 4, 5, 6, 9, 11 & 12  
 2094 EAST MAIN STREET (NY-6)  
 TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK

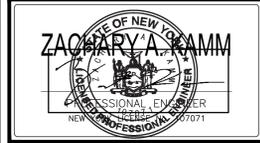
**811** PROTECT YOURSELF  
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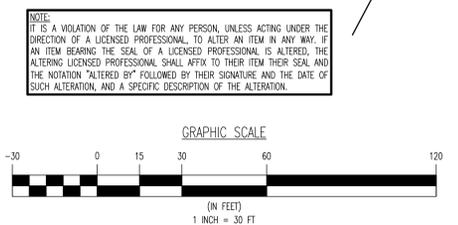
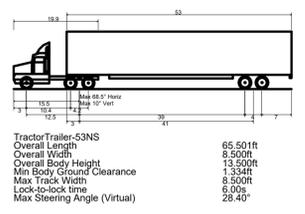
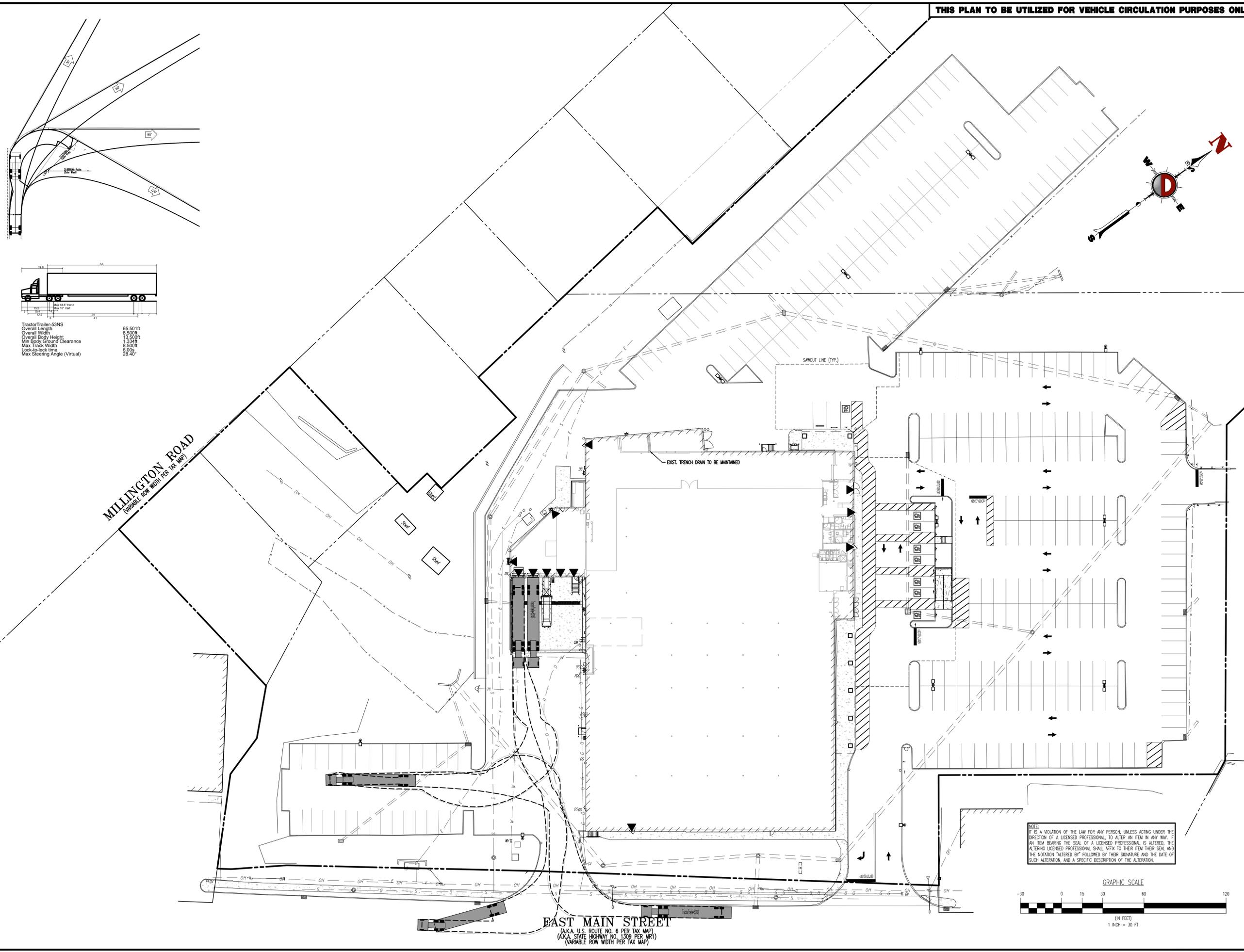


**JOSHUA M. SEWALD**  
 PROFESSIONAL ENGINEER  
 NEW YORK LICENSE No. 097639

TITLE: **VEHICLE CIRCULATION PLAN**

SCALE: (H) 1" = 30'  
 (V) 1" = 30'  
 DATE: 01/23/2025  
 PROJECT No: 5079-24-04.330

SHEET No: **14** OF 14  
 Rev. #: 2



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**EAST MAIN STREET**  
 (A.K.A. U.S. ROUTE NO. 6 PER TAX MAP)  
 (A.K.A. STATE HIGHWAY NO. 1309 PER MTR)  
 (VARIABLE ROW WIDTH PER TAX MAP)

Plotted: 02/20/25 - 3:54 PM, By: danderson, Product Ver: 24.3a (LMS Tech)  
 File: P:\BECPC PROJECTS\5079 Floor and Decor\24-04.330 Cortlandt NY.Dwg Site Plans\507924043305V2.dwg. --- 14 VEHICLE CIRCULATION PLAN

**February 20, 2025**

Steven Kessler, Chairman  
Town of Cortlandt Planning Board  
Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567

**Re: *Minor Subdivision***  
***McCombe***  
***107 Mountain View Road***

Dear Chairman Kessler and Members of the Planning Board:

This project was presented to the Board on July 09, 2024 and subsequently referred back to Staff for review. Since the meeting, we have received comments from your staff dated July 25, 2024, and your town consulting engineer, Labella, letter dated August 13, 2024 and the NYCDEP, letter dated July 26, 2024.

As previously discussed this office has been retained by the Applicant, George McCombe, to seek Subdivision Plat Approval from the Planning Board for a minor subdivision application for 107 Mountain View Road. The property has an existing residence, driveway and sewage treatment system, labeled as Lot 1 for the subdivision. The subject property is located in the R-40 Residential Zoning District.

There are no wetlands nor steep slopes associated with this project. Tree removal is limited to proposed Lot 2 and thirteen trees are proposed to be removed. The project proposes to plant thirteen trees on Lot 2 as mitigation.

Lot 2 will be developed with a single family residence with access to Mountain View Road. The Lot will be served by an existing water main in Mountain View Road and an on-site wastewater treatment system.

There will be no disturbance to Lot 1 and the development of Lot 2 will only require 0.43 acres of disturbance. Ample sight distance from the new driveway access point exceeds 300 linear feet looking left and is approximately 300 feet looking right.

The following is an annotated response to the Labella comments:

**Administrative**

1. ALL plans subsequently submitted to the Town for review must be designed for construction and be complete for review by all regulatory agencies having jurisdiction (e.g. WCDOH, NYCDEP, etc.).

**NYCDEP approval is not required and WCDH approval will be condition of approval.**

2. Applicant shall be required to meet the standards set forth in Chapter 157 – Excavations and Topsoil Removal should publication of this chapter become available during the design process at the discretion of the Town Planning Board.

**Acknowledged.**

3. Application and EAF indicate Owner/Applicant George McCombe resides at 107 Mountain View Road, Cortlandt NY. The Subdivision and Site Development Plan indicates the Owner/Applicant resides at 122 Wooddale Road, Peekskill, New York. Please clarify and update the documents accordingly.

**Adjustments have been made accordingly.**

4. Westchester County of Department of Health (WCDOH) Approval for Subsurface Sewage Disposal System (SSDS), well abandonment, and water service will be required.

**WCDH approval for the Realty Subdivision will be condition of Final Plat approval.**

5. The parcel is located within the New York City Department of Environmental Protection's (NYCDEP) New Croton Reservoir Watershed. NYCDEP approval of the SSDS will be required.

**Approval of the Subdivision and OWTS area is acknowledged.**

6. Since the project is located within the NYCDEP watershed, The NYSDEC General SPDES Permit requires the Applicant to prepare a Stormwater Pollution Prevention Plan (SWPPP) that includes Erosion and Sediment Control, as the overall disturbance is greater than 5,000 sf but less than 1 acre.

**SWPPP has been prepared and included in this resubmission.**

7. Section G of the Environmental Assessment Form should be updated to reflect the approval of the NYCDEP is required.

**EAF revised.**

8. Conduct a sight distance analysis for the proposed location of the driveway.

**Sight distances from the site have been measured by this office and are shown on the revised plans.**

9. Contact the Town of Department of Environmental Services to request the following:

- a. Request road opening permit from DES and include the appropriate permanent asphalt repaving detail on site plans.
  - i. Top course asphalt, Type 6F3
  - ii. Binder course asphalt, Type 3
  - iii. NYSDOT Subbase course Type 2

**This will be done at the time of Building Permit.**

10. Applicant shall provide a Cortlandt Consolidated Water District approval for the proposed connection to the existing water line.

**Acknowledged.**

**Plans**

1. Sheet 1 of 5 – In accordance with Chapter 265 Subdivision of Land, please provide names of all adjacent property owners to include lot, block and section number.

**Name and lot number of adjoiningers have been included on the plans and a list of all nearby property owners has been added.**

2. Sheet 1 of 5 - Please provide a tree protection detail and delineate the trees to be protected during construction.

**A tree protection detail has been added to the construction details and the trees to be protected have been delineated.**

3. Sheet 1 of 5 – In accordance with Chapter 265 Subdivision of Land, please provide locations of school, fire districts, and other special district lines within the vicinity of the subdivision.

**All districts are listed in General Notes**

4. Sheet 2 of 5 – Provide delineation of saw cut within the Mountain View Road for the water line.

**The saw cut for the water line has been delineated.**

5. Sheet 2 of 5 – Please provide the following notes on the plan:
  - a. Permittee is to maintain work zone traffic control plan in accordance with Section 104 of Highway Law, while working within the Town Right-of-Way.
  - b. Road Closures are not permitted.
  - c. Overnight excavation will not be permitted.

**The notes have been added.**

6. Sheet 3 of 5 – Please provide the following notes:
  - a. The applicant is aware that the disturbed areas shall be 100% stabilized and planted prior to the issuance of a Certificate of Occupancy.
  - b. The applicant shall submit an as-built foundation survey to the Town of Cortlandt prior to framing.
  - c. The applicant shall submit an as-built centerline driveway profile with slopes/grades to the Town of Cortlandt prior to paving.
  - d. Prior to the backfilling of any storm water best management practice, DOTSE-Engineering shall be notified to perform an inspection.
  - e. All proposed import fill must be tested and certified as unrestricted, suitable for residential use in accordance with Town Policy. Certification must be provided by a licensed professional. All certifications shall be addressed to Town's Planning Board Engineer. All soil analytics and reports will be forwarded to the Town's Planning Board Engineer for review and approval.
  - f. Prior to the issuance of the Certificate of Occupancy (C.O.), the Town will require a certification from a NYS Engineer that the completed site work and drainage improvements will not cause an adverse impact to adjoining or downstream properties.

- g. Double check valve shall be installed in accordance with University of Southern California List of Approved Backflow Prevention Devices, NYSDOH Guidelines for Designing Backflow Prevention Assembly Installations, and Building Code.

**The notes have been added.**

- 7. Sheet 3 of 5 - Potable water service connection must be type k-copper. P.E. water service on Sheet 3 shall be changed to copper.

**The water service has been changed to type-K copper.**

- 8. Sheet 3 of 5 - Provide erosion control matting and associated detail where proposed slopes exceed 5:1.

**Erosion control matting and detail have been included.**

- 9. Sheet 3 of 5 - Provide invert elevations of roof leaders and footing drains.

**Invert elevations have been added to the callouts for roof leaders and footing drain.**

- 10. Sheet 3 of 5 – Redirect discharge from eastern roof leader so drainage does not flow onto Lot 1.

**Roof leader discharge has been relocated.**

- 11. Sheet 4 of 5 – Roof leader discharge and footing drain discharge on western portion of Lot 2 appears to encroach within the required separation NYSDEC distances between absorption field and tight drainage pipe, and septic tank and tight drainage pipe.

**Discharge has been relocated.**

- 12. Sheet 5 of 5 - Update Water Service Connection detail to specify Mueller H-15000N Corporation Valve, Mueller 15214 Curb Stop and Drain, and Mueller 15204N Adjustable Curb Box, brick beneath the curb stop and drain, and crushed stone beneath the drain opening. Also eliminate maximum size stone of 3-inches within the clean granular fill callout. Incorporate a typical sand bedding and trench backfill, and if rock is encountered bedding and trench backfill material shall be size No. 57 crushed stone. Make same change on individual lot water service trench detail.

**The detail has been updated.**

- 13. Sheet 5 of 5: Provide a geotextile fabric beneath the rip-rap within the rip-rap dispersion pad installation detail.

**The detail has been updated.**

We believe that the comments have been satisfactorily addressed and we are respectfully requesting a site inspection with the Board and to schedule the project for a public hearing for the April 2025 meeting for both preliminary and final Subdivision Plat approval at the April meeting.

The following is included in this re-submission package:

- 1- Revised Planning Board Application
- 2- Revised Full EAF.
- 3- Stormwater Pollution Prevention Plan (SWPPP).
- 4- 2 Copies of the Subdivision Plat.
- 5- 2 Copies of the Subdivision and Site Development Plan, full size.

We respectfully request placement of the application on the Planning Board's March 04, 2025 meeting agenda for consideration. Should you have any questions or require additional information please contact me at the above number. Thank you for your time and consideration in this matter.

Respectfully submitted,



Keith Staudohar  
Cronin Engineering, P.E., P.C.

cc: McCombe via email w/ encl.

McCombe-pb subdivision-re submission1-ks-20250220

# SUBDIVISION + SITE DEVELOPMENT PLAN FOR 107 MOUNTAIN VIEW ROAD

TOWN OF CORTLANDT  
WESTCHESTER COUNTY, NEW YORK

**TREE LEGEND**

OK14TW - ATTRIBUTE (TW = TWN)  
CALIPER (14 = 14")  
SPECIES (OK = OAK)  
TREE LOCATION

**KEY**

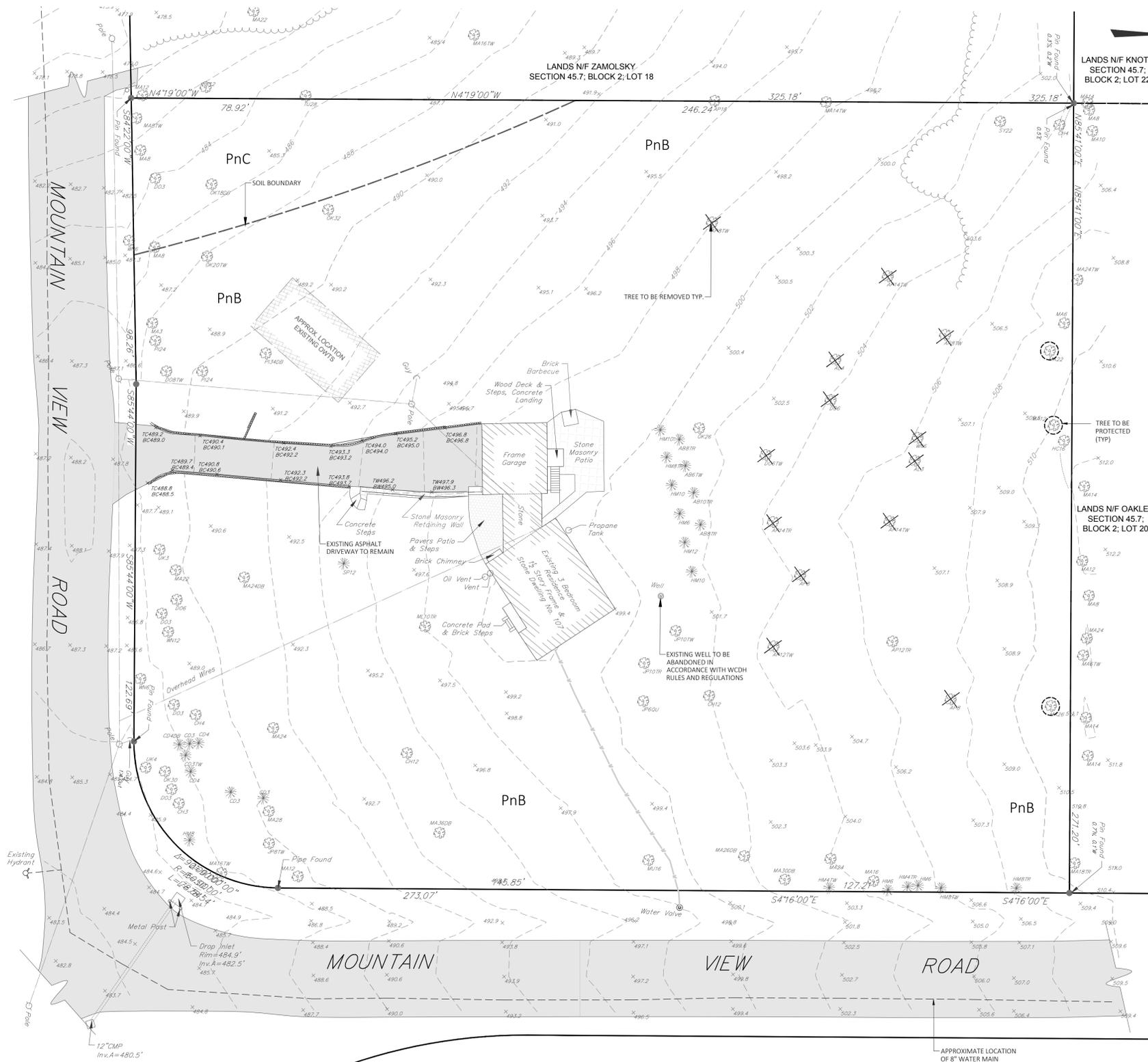
**SPECIES**

AB ARBORVITAE	MA MAPLE
AL AILANTHUS	MJ MULBERRY
AP APPLE	OK OAK
CD CEDAR	PC PINE
CH CHERRY	SP SPRUCE
DO DOGWOOD	TU TULIP
HC HICKORY	UK UNKNOWN
HM HEMLOCK	WN WALNUT
JP JAPANESE MAPLE	

**ATTRIBUTES**

*DB DOUBLE DEAD	*TR TRIPLE
DE	*TW TWN

\*DOUBLE TREES ARE THOSE WHERE THE TRUNK SPLITS AT 4.5 FEET OR HIGHER, TWN TREES ARE THOSE WHERE THE TRUNK SPLITS BELOW 4.5 FEET.



EXISTING CONDITIONS / REMOVALS PLAN  
SCALE: 1" = 20'

- GENERAL NOTES**
- SURVEY AND TOPOGRAPHIC INFORMATION SHOWN HEREON IS TAKEN FROM A SURVEY PREPARED BY BADEY & WATSON SURVEYING & ENGINEERING D.P.C. ENTITLED: "SURVEY OF PROPERTY PREPARED FOR GEORGE McCOMBE SITUATE IN THE TOWN OF CORTLANDT." DATED MARCH 6, 2024.
  - TOWN OF CORTLANDT MANOR TAX MAP DESIGNATION: SECTION: 45.7, BLOCK: 2, LOT: 19
  - THE GROSS SITE AREA EQUALS 2.00 ACRES
  - THE SUBJECT SITE IS LOCATED IN THE FOLLOWING DISTRICTS:  
- R-49 (RESIDENTIAL) ZONING DISTRICT  
- YORKTOWN SCHOOL DISTRICT  
- MOHEGAN FIRE DISTRICT  
- CORTLANDT CONSOLIDATED WATER DISTRICT
  - THE SUBJECT SITE IS LOCATED IN THE NYCDEP NEW CROTON RESERVOIR WATERSHED
- ENGINEER'S NOTES**
- THERE SHALL BE NO MODIFICATION TO ANY ASPECT OF THIS PLAN WITHOUT CONTACTING THE DESIGN ENGINEER.
  - ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH APPLICABLE FEDERAL, STATE, COUNTY AND LOCAL CODES, RULES & REGULATIONS.
  - IT IS THE OWNERS RESPONSIBILITY TO INSURE THAT ALL IMPROVEMENTS ARE PLACED ON MATERIAL WITH A SUITABLE BEARING CAPACITY.
  - CONTRACTOR TO VERIFY DEPTH & LOCATION OF ALL UTILITIES INCLUDING WATER, SEWER, DRAINAGE, GAS, TELEPHONE, ELECTRIC & CABLE PRIOR TO START OF WORK.
- SPECIAL NOTES:**
- THE DESIGN ENGINEER ASSUMES NO RESPONSIBILITY FOR THE MEANS AND METHODS NEEDED TO PERFORM THE CONSTRUCTION / EXCAVATION, ET AL. OPERATIONS SHOWN HEREON. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE A SAFE WORKING ENVIRONMENT AND PROVIDE THE MEANS AND METHODS TO PERFORM THE NECESSARY TASKS. NOTHING ON THESE PLANS SHALL OBLIGATE THE DESIGN ENGINEER AS TO THE MEANS AND METHODS TO PERFORM THE TASKS ASSOCIATED WITH THE APPROVED DESIGN PLANS. THOSE OBLIGATIONS AT ALL TIMES REMAIN WITH THE CONTRACTOR(S).
  - THESE DRAWINGS MAY OR MAY NOT TRULY REFLECT EXISTING CONDITIONS AND THAT SUCH INFORMATION IS INCLUDED ON THE ASSUMPTION THAT IT MAY BE OF INTEREST TO THE CONTRACTOR, BUT THE ENGINEER, OWNER AND THEIR CONSULTANTS DO NOT ASSUME RESPONSIBILITY FOR ITS ACCURACY OR COMPLETENESS. THE CONTRACTOR HAS AN OBLIGATION TO DETERMINE FOR ITSELF THE TRUE NATURE OF EXISTING CONDITIONS.

**SITE CAPACITY ANALYSIS**

ZONING DISTRICT	R-40
LOT #	SEC: 33.14, BLOCK: 3, LOT: 1
TOTAL APPROXIMATE GPA IN ZONE	87,120 SF. 2.0 AC.
WETLAND (WWW)	0 SF. 0.0 AC.
50% OF 100' WETLAND BUFFER AREA	0 SF. 0.0 AC.
SLOPES > 15% (SS)	0 SF. 0.0 AC.
NYSDEC WETLAND (FW)	0 SF. 0.0 AC.
100 YEAR FLOODPLAIN (FD)	0 SF. 0.0 AC.
TOTAL CONSTRAINED AREA	0 SF. 0.0 AC.
PARCEL AREA AFTER CONSTRAINTS	87,120 SF. 2.0 AC.
10% OF PARCEL AREA AFTER CONSTRAINTS	N/A. N.A.
NET PARCEL AREA (NPA)	87,120 SF. 2.0 AC.
R-40 RESIDENTIAL DENSITY PERMITTED (40,000 SF. / LOT MIN. REQUIRED)	2.178 LOTS = 2 LOTS MAX

**ADJOINER PROPERTY INFORMATION**

#	TAX I.D.	PARCEL OWNER ADDRESS
1	45.7-2-19	GEORGE McCOMBE - 122 WOODDALE ROAD, PEEKSKILL
2	45.7-2-16	KOURIL, KEVIN & TARA - 106 MOUNTAIN VIEW ROAD
3	45.7-2-17	JANI, MILIND & JOANNE - 104 MOUNTAIN VIEW ROAD
4	45.7-2-18	ZAMOLSKY, LAWRENCE & ALICE - 426 CROTON AVENUE
5	45.7-2-22	KNOTT, BRETT & BRIAN - 416 CROTON AVENUE
6	45.7-2-20	OAKLEY, DREW - 117 MOUNTAIN VIEW ROAD
7	45.7-2-10	LOPEZ, RAFAEL & MARLENE - 118 MOUNTAIN VIEW ROAD
8	45.7-2-11	PAVONE, ROBERT & VALERIE - 114 MOUNTAIN VIEW ROAD
9	45.7-2-12	KLINE, FAMILY TRUST II - 112 MOUNTAIN VIEW ROAD
10	45.7-2-13	GALELLA, ELAINE & JOSEPH - 110 MOUNTAIN VIEW ROAD
11	45.7-2-14	ESPINOZA, FRANK & ANDREA - 108 MOUNTAIN VIEW ROAD

**SOILS TABLE**

SOIL SYMBOL	SOIL NAME	PERCENT OF LOT
PnC	PAXTON FINE SANDY LOAM, 8 TO 15 PERCENT SLOPES	5%
PnB	PAXTON FINE SANDY LOAM, 3 TO 8 PERCENT SLOPES	95%

SOURCE: USDA WEB SOIL SURVEY

**SLOPE ANALYSIS**

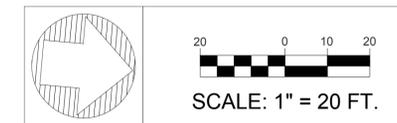
SLOPE RANGE	AREA (SF)
0 - 15%	87,120 SF.
15% - 20%	0 SF
> 20%	0 SF

**TREE REMOVAL TABLE**

TREES TO BE REMOVED:	13
TREES TO BE PLANTED:	13

**LIST OF DRAWINGS**

SHEET TITLE	SHEET NUMBER	TITLE	ISSUE DATE	LAST REVISED
EX-1.1	1 OF 5	EXISTING CONDITIONS / REMOVALS PLAN	6/27/2024	2/20/2025
SP-2.1	2 OF 5	LAYOUT + ZONING PLAN / TREE PLANTING PLAN	6/27/2024	2/20/2025
UG-3.1	3 OF 5	UTILITY + GRADING PLAN / EROSION + SEDIMENT CONTROL PLAN	6/27/2024	2/20/2025
IPP-4.1	4 OF 5	INTEGRATED PLOT PLAN	6/27/2024	2/20/2025
CD-5.1	5 OF 5	CONSTRUCTION DETAILS	6/27/2024	2/20/2025



**OWNER/APPLICANT**

GEORGE McCOMBE  
122 WOODDALE ROAD  
PEEKSKILL, NEW YORK 10566

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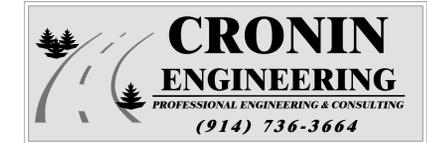
**REVISIONS**

#	REASON	DATE
1	RESUBMISSION TO PLANNING BOARD	02-20-2025

MUNICIPAL TAX IDENTIFICATION:

SECTION: 45.7  
BLOCK: 2  
LOT: 19  
SUBLOT: --  
DRAWN BY: AD / KW  
CHECKED: KS  
PROJECT: McCOMBE  
DATE: JUNE 27, 2024  
JOB #: 240409

STATE OF NEW YORK  
PATRICK MICHAEL BELL  
LICENSED PROFESSIONAL ENGINEER  
087679  
AUTHORIZATION NO. U08856  
EXPIRATION DATE: 03-31-2027  
PATRICK M. BELL, PE  
LICENSE #087679



**EXISTING CONDITIONS / REMOVALS PLAN**

SUBDIVISION +  
SITE DEVELOPMENT PLAN  
FOR  
107 MOUNTAIN VIEW ROAD

LOCATION:  
107 MOUNTAIN VIEW ROAD  
TOWN OF CORTLANDT, NY

SHEET 1 OF 5

**EX-1.1**



LAYOUT + ZONING PLAN / TREE PLANTING PLAN  
SCALE: 1" = 20'

ZONING DATA CHART - R-40 (SINGLE FAMILY RESIDENTIAL)									
LOT DESCRIPTION	MINIMUM LOT AREA (SF)	MINIMUM LOT WIDTH (FT)	MAXIMUM HEIGHT (FT)	MINIMUM FRONT YARD (FT)	MINIMUM SIDE YARD (FT)	MINIMUM REAR YARD (FT)	MAXIMUM BUILDING COVERAGE	MINIMUM LANDSCAPE COVERAGE (%)	MAXIMUM BUILDING FLOOR AREA (SF)
REQUIRED	40,000	150	35	50	30	30	<65% FAR	>60	SEE BELOW
EXISTING LOT	87,120	268	<35	121 / 79	79	157	<5.425	94	<8,347
PROPOSED SUBDIVISION LOT 1	43,560	274.4	<35	121 / 79	30	30	<3.512	89	<5,403
PROPOSED SUBDIVISION LOT 2	43,560	156.8	<35	145	30	75	<3.512	88	<5,403



PROPOSED HOUSE RENDERING

TOWN OF CORTLANDT SITE PLAN NOTES

- AS PART OF THE BUILDING PERMIT PROCESS FOR THE INITIAL DEVELOPMENT OF ALL SINGLE FAMILY LOTS AN INDIVIDUAL SITE DEVELOPMENT PLAN SHALL BE SUBMITTED TO DIVISION OF CODE ADMINISTRATION AND ENFORCEMENT FOR APPROVAL BY THE DIRECTOR OF TECHNICAL SERVICES IN COMPLIANCE WITH ALL LOCAL ORDINANCES, INCLUDING AMONG OTHERS, THE TOWN'S WETLAND ORDINANCE AND STEEP SLOPE ORDINANCE AND INCLUDING SOIL EROSION AND DUST CONTROLS AND STORMWATER DRAINAGE FACILITIES DURING CONSTRUCTION. PURSUANT TO CHAPTER 283 (TREES) OF THE TOWN OF CORTLANDT CODE, TREES SHALL BE LOCATED AND IDENTIFIED ON A TREE INVENTORY AND TREE PROTECTION PLAN PREPARED BY AN ISA CERTIFIED ARBORIST AS TO SIZE AND SPECIES. TREES TO BE CUT AND TREES TO BE SAVED SHOULD BE IDENTIFIED. THE LOCATION AND SIZE OF LOADING AREAS FOR THE REMOVAL OF CUT TREES SHOULD BE SHOWN ON THE PLAN FOR TREE DISPOSITION AND CLEAN UP DESCRIBED. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOTS SHOWN HEREON UNTIL THE DIRECTOR OF TECHNICAL SERVICES APPROVES THE SITE DEVELOPMENT PLAN FOR SAME, AND NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR ANY LOTS UNTIL AN "AS BUILT" SURVEY HAS BEEN SUBMITTED TO AND APPROVED BY THE DIRECTOR OF TECHNICAL SERVICES. THE "AS BUILT" SURVEY SHALL SHOW COMPLETE INFORMATION INCLUDING FINAL CONTOURS, FLOOR LEVELS, AND ALL PERTINENT FEATURES.

ROAD WORK NOTES

- PERMITEE IS TO MAINTAIN WORK ZONE TRAFFIC CONTROL PLAN IN ACCORDANCE WITH SECTION 104 OF HIGHWAY LAW WHILE WORKING WITHIN THE TOWN RIGHT-OF-WAY.
- ROAD CLOSURES ARE NOT PERMITTED.
- OVERNIGHT EXCAVATION WILL NOT BE PERMITTED.

TREE REMOVAL AND PROTECTION NOTES

- ALL REMOVAL OF TREES ON PROPERTY ARE TO BE MINIMIZED AND SHOULD BE TAGGED BY THE APPLICANT AND INSPECTED BY THE TOWN OF CORTLANDT PRIOR TO CUTTING. TREE WELLS SHOULD BE CONSTRUCTED AROUND ALL TREES THAT COULD BE IMPACTED AS A RESULT OF CUTTING AND FILLING.
- ALL TREES DESIGNATED FOR PRESERVATION SHALL BE CLEARLY MARKED WITH A BRIGHT COLORED RIBBON OR OTHER EASILY DISCERNIBLE METHOD.
- TREES TO BE PROTECTED SHALL BE PROVIDED WITH FENCING OR TRUNK ARMOR AS DETAILED ON THIS PLAN. ALL TREE PROTECTION METHODS SHALL CONFORM TO CHAPTER 5.190 OF THE WESTCHESTER COUNTY \* BEST MANAGEMENT PRACTICES MANUAL SERIES FOR EROSION AND SEDIMENT CONTROL, 1991. THESE GUIDELINES SHALL BE IMPLEMENTED FOR ALL TREES DESIGNATED FOR PROTECTION.
- ALL TREES WITHIN SEPTIC AREA SHALL BE REMOVED AS REQUIRED BY THE W.C.D.H.
- ALL TREE STUMPS SHALL BE REMOVED FROM THE SITE IN A LAWFUL MANNER OR GRINDED ON SITE AND USED FOR LANDSCAPING PURPOSES ONLY.
- WOOD CHIPS SHALL BE STOCKPILED ONLY FOR USE IN LANDSCAPING AND DECORATIVE PURPOSES. WOOD CHIPS NOT FOR THESE PURPOSES SHALL BE REMOVED FROM THE SITE IN A LAWFUL MANNER.
- WOOD CHIPS AND STUMP CHIPS SHALL NOT BE USED FOR ANY FILLING OR BACKFILLING OPERATION.
- ALL CUT LOGS SHALL BE REMOVED FROM THE SITE IN A LAWFUL MANNER OR USED FOR DECORATIVE PURPOSES ONLY. CUT LOGS SHALL NOT BE STOCKPILED FOR MORE THAN 30 DAYS NOR USED FOR FILLING OR BACKFILLING PURPOSES.

PLANTING CHART

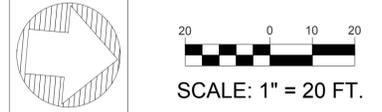
QUANTITY	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE			COMMENTS
				CALIPER (IN.)	HEIGHT (FT.)	VOLUME (GAL.)	
2	SM	ACER SACCHARUM	SUGAR MAPLE	2"	----	----	SEE PLAN
3	RO	QUERCUS RUBRA	RED OAK	2"	----	----	SEE PLAN
2	RB	BETULA NIGRA	RIVER BIRCH	2"	----	----	SEE PLAN
3	ER	CERCIS CANADENSIS	EASTERN REDBUD	2"	----	----	SEE PLAN
3	NS	PICEA ABIES	NORWAY SPRUCE	----	6'	----	SEE PLAN



SUGAR MAPLE RED OAK RIVER BIRCH EASTERN REDBUD NORWAY SPRUCE



VICINITY MAP SCALE: 1" = 500'



SCALE: 1" = 20 FT.

OWNER/APPLICANT

GEORGE McCOMBE  
122 WOODDALE ROAD  
PEEKSKILL, NEW YORK 10566

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REVISIONS

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MUNICIPAL TAX IDENTIFICATION:  
SECTION: 45.7  
BLOCK: 2  
LOT: 19  
SUBLOT: --  
DRAWN BY: AD / KW  
CHECKED: KS  
PROJECT: McCOMBE  
DATE: JUNE 27, 2024  
JOB #: 240409

**CRONIN ENGINEERING**  
PROFESSIONAL ENGINEERING & CONSULTING  
(914) 736-3664

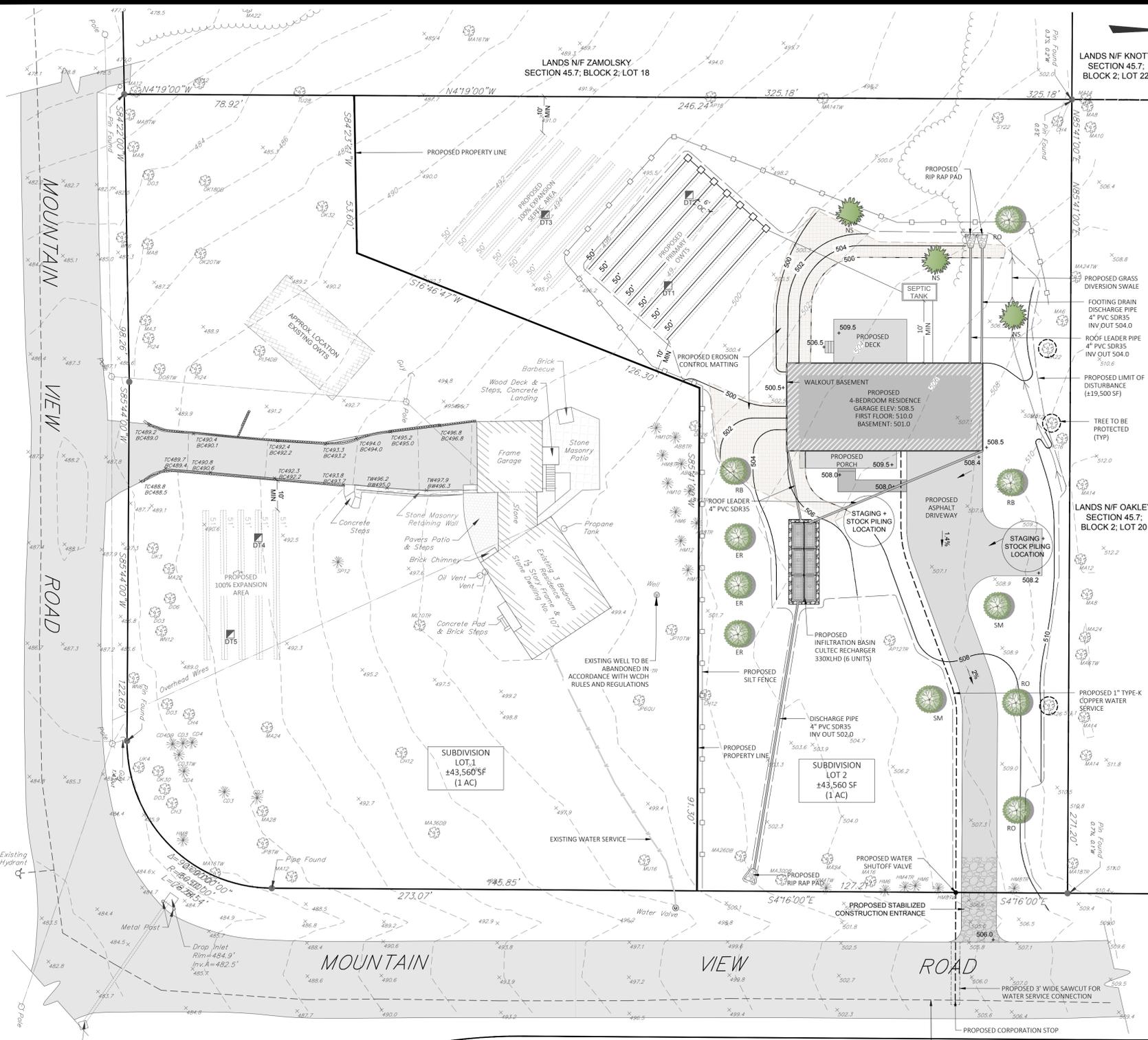
39 Arlo Lane  
Cortlandt Manor, New York 10567

LAYOUT + ZONING PLAN / TREE PLANTING PLAN

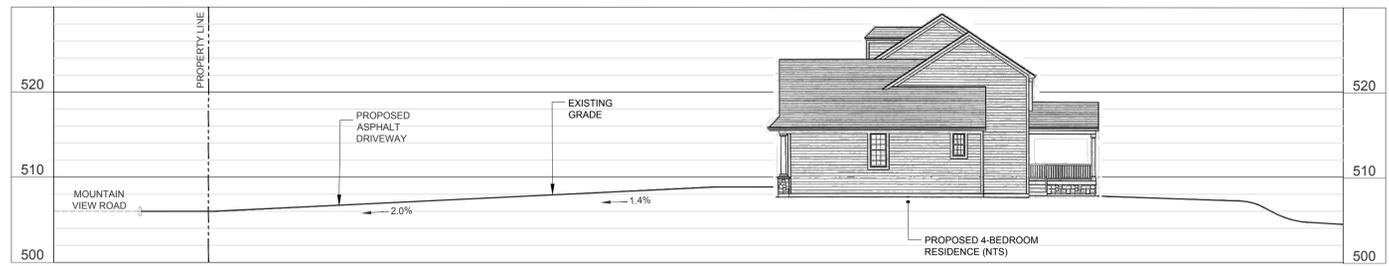
SUBDIVISION + SITE DEVELOPMENT PLAN FOR 107 MOUNTAIN VIEW ROAD

LOCATION:  
107 MOUNTAIN VIEW ROAD  
TOWN OF CORTLANDT, NY

SHEET 2 OF 5 **SP-2.1**



UTILITY + GRADING PLAN /  
EROSION + SEDIMENT CONTROL PLAN  
SCALE: 1" = 20'



PROFILE THRU PROPOSED DRIVEWAY & RESIDENCE  
HORIZONTAL SCALE: 1" = 20'  
VERTICAL SCALE: 1" = 10'

LANDS N/F KNOTT  
SECTION 45.7;  
BLOCK 2; LOT 22

**SUBDIVISION LOT 2 CONSTRUCTION SCHEDULE**

- FILE ANY PERTINENT DOCUMENTS WITH THE TOWN BUILDING DEPARTMENT, TOWN HIGHWAY DEPARTMENT AND ANY OTHER INVOLVED AGENCY. OBTAIN A SEWAGE DISPOSAL SYSTEM PERMIT FROM THE WCDH.
- OBTAIN REQUIRED BUILDING PERMIT, ROAD OPENING PERMIT, EXCAVATION PERMIT OR ANY OTHER PERMIT REQUIRED FOR THE CONSTRUCTION OF THE RESIDENCE.
- CONTACT THE UNDERGROUND LINE LOCATION SERVICE (CODE 53) AT 800-245-2828. INSTALL THE LIMITS OF DISTURBANCE FENCING (ORANGE CONSTRUCTION FENCING).
- THE HOUSE AND DRIVEWAY LOCATIONS SHALL BE STAKED OUT, WITH OFFSETS, BY A LICENSED LAND SURVEYOR.
- TREES TO BE PRESERVED ARE TO BE CLEARLY MARKED AND PROTECTED FROM CONSTRUCTION.
- INSTALL ALL REQUIRED EROSION CONTROL STRUCTURES PER THE PLANS.
- CLEAR AND GRUB AREAS PROPOSED FOR CONSTRUCTION, INCLUDING THE HOMESITE, DRIVEWAY, AND SEPTIC AREA. CHIP BRANCHES AND LOGS AS PRACTICABLE AND REMOVE STUMPS AND UNUSED LOGS AND OTHER DEBRIS FROM THE SITE IN A LAWFUL MANNER.
- BEGIN SITE EXCAVATIONS AND FILLING OPERATIONS FOR THE ROUGH GRADING OF THE LOT.
- CONSTRUCT FOOTING FORMS AND HAVE SAME APPROVED BY THE BUILDING DEPARTMENT. CONSTRUCT FOUNDATION WALLS AND HAVE SAME INSPECTED AND APPROVED. PROCEED WITH CONSTRUCTION OF HOUSE IN ACCORDANCE WITH ALL BUILDING DEPARTMENT REQUIREMENTS.
- INSTALL SEWAGE DISPOSAL SYSTEM PER SEWAGE DISPOSAL PLAN APPROVED BY THE WCDH. SAME SHALL BE INSPECTED AND APPROVED BY THE WCDH PRIOR TO BACKFILL. ALL SEWAGE DISPOSAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PLANS AND ALL WCDH REQUIREMENTS.
- INSTALL ROOF LEADER LINES AND FOOTING DRAIN LINES PER THE APPROVED PLANS.
- COORDINATE WITH UTILITY COMPANIES FOR THE INSTALLATION OF THE UNDERGROUND UTILITIES. UPON COMPLETION OF THE SEWAGE DISPOSAL SYSTEM AND HOUSE, LOT TO BE FINAL GRADED. TOPSOIL TO BE PLACED WHERE NECESSARY AND SEEDED AND MULCHED.
- CONTINUAL INSPECTION AND MAINTENANCE OF THE EROSION CONTROL DEVICES IS REQUIRED. DISTURBANCE OUTSIDE OF THE LIMITS OF DISTURBANCE FENCE IS NOT PERMITTED.
- COMPLETE THE DRIVEWAY PER THE PLAN SPECIFICATIONS.
- PROVIDE THE NECESSARY PLANTINGS AND GENERAL CLEAN UP OF THE LOT OBTAIN A CERTIFICATE OF OCCUPANCY.

**NOTES**

- THE APPLICANT IS AWARE THAT THE DISTURBED AREAS SHALL BE 100% STABILIZED AND PLANTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- THE APPLICANT SHALL SUBMIT AN AS-BUILT FOUNDATION SURVEY TO THE TOWN OF CORTLANDT PRIOR TO FRAMING.
- THE APPLICANT SHALL SUBMIT AN AS-BUILT CENTERLINE DRIVEWAY PROFILE WITH SLOPES/GRADES TO THE TOWN OF CORTLANDT PRIOR TO PAVING.
- PRIOR TO THE BACKFILLING OF ANY STORMWATER BEST MANAGEMENT PRACTICES, DOTS-ENGINEERING SHALL BE NOTIFIED TO PERFORM AN INSPECTION.
- ALL PROPOSED IMPORT FILL MUST BE TESTED AND CERTIFIED AS UNRESTRICTED, SUITABLE FOR RESIDENTIAL USE IN ACCORDANCE WITH TOWN POLICY. CERTIFICATION MUST BE PROVIDED BY A LICENSED PROFESSIONAL. ALL CERTIFICATIONS SHALL BE ADDRESSED TO TOWN'S PLANNING BOARD ENGINEER. ALL SOIL ANALYTICS AND REPORTS WILL BE FORWARDED TO THE TOWN'S PLANNING BOARD ENGINEER FOR REVIEW AND APPROVAL.
- PRIOR TO THE ISSUANCE OF THE CERTIFICATE OF OCCUPANCY (C.O.), THE TOWN WILL REQUIRE A CERTIFICATION FROM A NYS ENGINEER THAT THE COMPLETED SITE WORK AND DRAINAGE IMPROVEMENTS WILL NOT CAUSE AN ADVERSE IMPACT TO ADJOINING OR DOWNSTREAM PROPERTIES.
- DOUBLE CHECK VALVE SHALL BE INSTALLED IN ACCORDANCE WITH UNIVERSITY OF SOUTHERN CALIFORNIA LIST OF APPROVED BACKFLOW PREVENTION DEVICES, NYSOEH GUIDELINES FOR DESIGNING BACKFLOW PREVENTION ASSEMBLY INSTALLATIONS, AND BUILDING CODE.

**EROSION AND SEDIMENT CONTROL NOTES**

- CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL SEDIMENT AND EROSION CONTROL PRACTICES. THE SEDIMENT AND EROSION CONTROL PRACTICES ARE TO BE INSTALLED PRIOR TO ANY MAJOR SOIL DISTURBANCES, AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED.
- TIMELY MAINTENANCE OF SEDIMENT CONTROL STRUCTURES IS THE RESPONSIBILITY OF THE CONTRACTOR. ALL STRUCTURES SHALL BE MAINTAINED IN GOOD WORKING ORDER AT ALL TIMES. THE SEDIMENT LEVEL IN ALL SEDIMENT TRAPS SHALL BE CLOSELY MONITORED AND SEDIMENT REMOVED PROMPTLY WHEN MAXIMUM LEVELS ARE REACHED OR AS ORDERED BY THE ENGINEER. ALL SEDIMENT CONTROL STRUCTURES SHALL BE INSPECTED WEEKLY PRIOR TO EXPECTED RAIN EVENTS, AND AFTER EACH HEAVY RAIN TO INSURE PROPER OPERATION AS DESIGNED. AN INSPECTION SCHEDULE SHALL BE SET FORTH PRIOR TO THE START OF CONSTRUCTION.
- THE LOCATIONS AND THE INSTALLATION TIMES OF THE SEDIMENT CAPTURING STANDARDS SHALL BE AS ORDERED BY THE ENGINEER, AND IN ACCORDANCE WITH ACCEPTED STANDARDS.
- ALL TOPSOIL NOT TO BE USED FOR FINAL GRADING SHALL BE REMOVED FROM THE SITE IMMEDIATELY AND PLACED IN A STABILIZED STOCKPILE OR FILL AREA. ALL TOPSOIL REQUIRED FOR FINAL GRADING AND STORED ON SITE SHALL BE LIMED, FERTILIZED, TEMPORARILY SEEDED AND MULCHED WITHIN 14 DAYS.
- ANY DISTURBED AREAS THAT WILL BE LEFT EXPOSED MORE THAN 21 DAYS AND NOT SUBJECT TO CONSTRUCTION TRAFFIC, SHALL IMMEDIATELY RECEIVE TEMPORARY SEEDING. MULCH SHALL BE USED IF THE SEASON PREVENTS THE ESTABLISHMENT OF A TEMPORARY COVER. DISTURBED AREAS SHALL BE LIMED AND FERTILIZED PRIOR TO TEMPORARY SEEDING.
- ALL DISTURBED AREAS WITHIN 500 FEET OF AN INHABITED DWELLING SHALL BE WETTED AS NECESSARY TO PROVIDE DUST CONTROL.
- THE CONTRACTOR SHALL KEEP THE ROADWAYS WITHIN THE PROJECT AREA CLEAR OF SOIL AND DEBRIS AND IS RESPONSIBLE FOR ANY STREET CLEANING NECESSARY DURING THE COURSE OF THE PROJECT.
- SEDIMENT AND EROSION CONTROL STRUCTURES SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE DRAINAGE AREA HAS BEEN PROPERLY STABILIZED BY PERMANENT MEASURES.
- SOIL SEEDING AND FERTILIZER AMENDMENTS SHALL BE PERFORMED IN ACCORDANCE WITH THE CURRENT EDITION OF "NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL".
- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CURRENT EDITION OF "NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL".

SUBDIVISION LOT 2 - IMPERVIOUS AREA	
EXISTING	0 SQ. FT.
PROPOSED	5,160 SQ. FT.
TOTAL IMPERVIOUS	5,480 SQ. FT.

SUBDIVISION LOT 2 - PROPOSED DISTURBANCE	
PROPOSED DISTURBANCE	21,225 SF
PROP. WETLAND DISTURBANCE	0 SF
PROPOSED WETLAND BUFFER DISTURBANCE	0 SF

SUBDIVISION LOT 2 - SITE VOLUME TABLE	
CUT	150 CU. YD.*
FILL	150 CU. YD.
NET	(+) 0 CU. YD.

PIPE CHART	
PIPE LOCATION	TYPE
ROOF LEADERS	4"Ø SOLID PVC SDR35 @ 1% MIN SLOPE
FOOTING DRAINS	4"Ø PERFORATED HDPE
FOOTING DRAIN DISCHARGE	4"Ø SOLID HDPE @ 1% MIN SLOPE
WATER SERVICE	1"Ø TYPE "K" COPPER
WATER METER	NEPTUNE T-10 WATER METER
UTILITIES	BY UTILITY COMPANY, TO BE UNDERGROUND
RAW SEWER LINE TO SEPTIC SYSTEM	4"Ø SOLID PVC SDR35 @ 2% MIN SLOPE

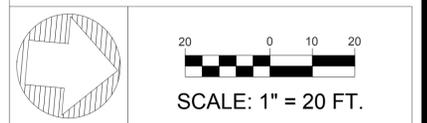
**BUILDING HEIGHT CALCULATION**

GRADE POINT	A1	A2	B1	B2	C1	C2	D1	D2
20' FROM HOUSE	TBD							
AVERAGE FINISHED GRADE	TBD							
HIGHEST POINT OF BUILDING	TBD							
CALCULATED BUILDING HEIGHT	TBD							

- MAXIMUM BUILDING HEIGHT IN R-40 ZONE IS 35-FEET.
- (A) THE VERTICAL DISTANCE MEASURED FROM THE AVERAGE ELEVATION OF THE FINISHED GRADE WITHIN 20' OF THE STRUCTURE TO THE HIGHEST POINT OF THE STRUCTURE (ZONING 307-4).
- (B) HEIGHT LIMITATIONS SHALL NOT APPLY TO CHIMNEYS NOR TO ELEMENTS LOCATED ON ROOFS, INCLUDING ROOF ANTENNAS, TOWERS, GABLES, SCENERY LOFTS, CUPOLAS, WATER TANKS, NECESSARY MECHANICAL EQUIPMENT AND SIMILAR STRUCTURES NOT FOR HUMAN OCCUPANCY. PROVIDED THAT NONE OF THE AFORESAID STRUCTURES SHALL COVER AT ANY LEVEL MORE THAN 25% OF THE AREA OF THE ROOF ON WHICH THEY ARE LOCATED AND FURTHER PROVIDED THAT NO SUCH STRUCTURE TO THE HIGHEST POINT OF THE STRUCTURE. (307-18 (2)).
- SEE BUILDING HEIGHT & STORY CALCULATION SPREADSHEETS FOR 1) BLDG HEIGHT CALCULATION 2) STORY ABOVE GRADE PLANE (1) 3) STORY ABOVE GRADE PLANE (2) 4) STORY ABOVE GRADE PLANE (3)



VICINITY MAP SCALE: 1" = 500'



SCALE: 1" = 20 FT.

**OWNER/APPLICANT**

GEORGE McCOMBE  
122 WOODDALE ROAD  
PEEKSKILL, NEW YORK 10566

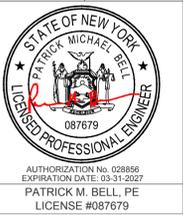
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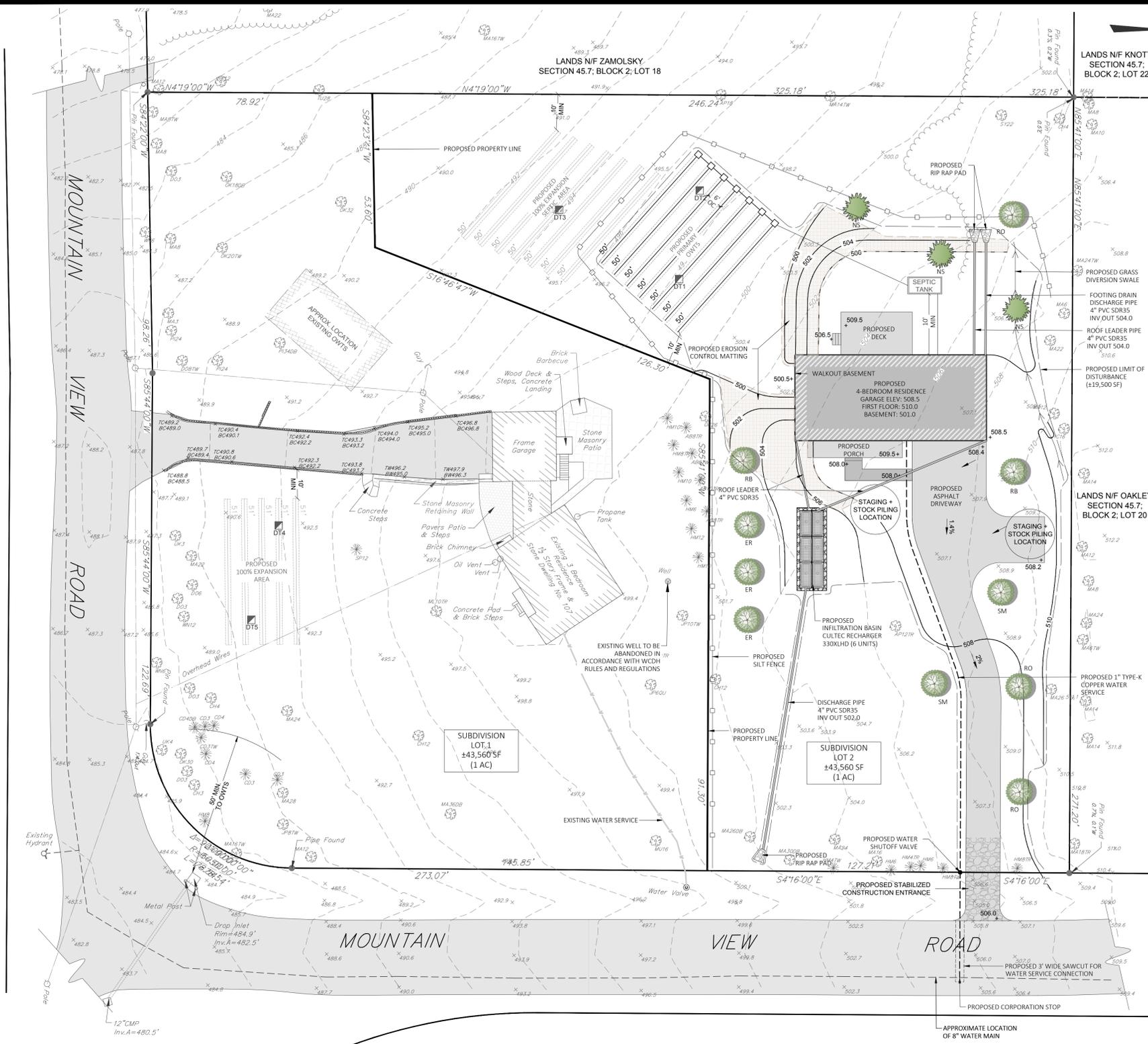


39 Arlo Lane  
Cortlandt Manor, New York 10567

UTILITY + GRADING PLAN /  
EROSION + SEDIMENT CONTROL PLAN

SUBDIVISION +  
SITE DEVELOPMENT PLAN  
FOR  
107 MOUNTAIN VIEW ROAD

LOCATION:  
107 MOUNTAIN VIEW ROAD  
TOWN OF CORTLANDT, NY



PROPOSED HOUSE RENDERING

SOIL DATA NOTES

- SOILS TESTING WAS CONDUCTED BY CRONIN ENGINEERING, P.E., P.C. AND WITNESS BY THE WCDH. DEEP TESTING WAS CONDUCTED ON FEBRUARY 14, 2025. PERCOLATION TESTING WILL BE CONDUCTED AT A LATER DATE.
- LOT 1 HAS AN EXISTING SINGLE-FAMILY RESIDENCE AND OWTS. AT THE TIME OF INSPECTION BY CRONIN ENGINEERING P.E. P.C., THE OWTS APPEARED TO BE OPERATING SATISFACTORILY.
- LOT 1 SOILS TESTING WAS PERFORMED TO PROVIDE A VIABLE 100% EXPANSION AREA FOR THE RESIDENCE.

TOWN OF CORTLANDT SITE PLAN NOTES

- AS PART OF THE BUILDING PERMIT PROCESS FOR THE INITIAL DEVELOPMENT OF ALL SINGLE FAMILY LOTS AN INDIVIDUAL SITE DEVELOPMENT PLAN SHALL BE SUBMITTED TO DIVISION OF CODE ADMINISTRATION AND ENFORCEMENT FOR APPROVAL BY THE DIRECTOR OF TECHNICAL SERVICES IN COMPLIANCE WITH ALL LOCAL ORDINANCES, INCLUDING AMONG OTHERS, THE TOWNS WETLAND ORDINANCE AND STEEP SLOPE ORDINANCE AND INCLUDING SOIL EROSION AND DUST CONTROLS AND STORMWATER DRAINAGE FACILITIES DURING CONSTRUCTION. PURSUANT TO CHAPTER 283 (TREES) OF THE TOWN OF CORTLANDT CODE, TREES SHALL BE LOCATED AND IDENTIFIED ON A TREE INVENTORY AND TREE PROTECTION PLAN PREPARED BY AN ISA CERTIFIED ARBORIST AS TO SIZE AND SPECIES. TREES TO BE CUT AND TREES TO BE SAVED SHOULD BE IDENTIFIED. THE LOCATION AND SIZE OF LOADING AREAS FOR THE REMOVAL OF CUT TREES SHOULD BE SHOWN ON THE PLAN FOR TREE DISPOSITION AND CLEAN UP DESCRIBED. NO BUILDING PERMIT SHALL BE ISSUED FOR ANY LOTS SHOWN HEREON UNTIL THE DIRECTOR OF TECHNICAL SERVICES APPROVES THE SITE DEVELOPMENT PLAN FOR SAME, AND NO CERTIFICATE OF OCCUPANCY SHALL BE ISSUED FOR ANY LOTS UNTIL AN "AS BUILT" SURVEY HAS BEEN SUBMITTED TO AND APPROVED BY THE DIRECTOR OF TECHNICAL SERVICES. THE "AS BUILT" SURVEY SHALL SHOW COMPLETE INFORMATION INCLUDING FINAL CONTOURS, FLOOR LEVELS, AND ALL PERTINENT FEATURES.

WCDH NOTES

- THERE ARE NO EXISTING OR PROPOSED WELLS LOCATED WITHIN 200 FEET AT A LOWER ELEVATION AND IN A DIRECT LINE WITH THE GROUNDWATER FLOW OR WITHIN 100 FEET IN ANY DIRECTION TO THE PROPOSED OWTS AREA UNLESS OTHERWISE SHOWN HEREON.
- ALL COMPONENTS OF THE OWTS AND CONSTRUCTION TECHNIQUES OF SAME ARE TO BE IN ACCORDANCE WITH THE LATEST WESTCHESTER COUNTY DEPARTMENT OF HEALTH RULES AND REGULATIONS FOR THE DESIGN AND CONSTRUCTION OF RESIDENTIAL SUBSURFACE TREATMENT SYSTEMS AND DRILLED WELLS IN WESTCHESTER COUNTY, NY AND ANY OTHER RULES AND REGULATIONS THAT MAY APPLY.
- THE OWTS AREAS MUST BE ISOLATED AND EFFECTIVELY PROTECTED AGAINST DAMAGE BY EROSION. STORAGE OF EARTH OR MATERIALS OR COMPACTION BY MACHINES AND HEAVY EQUIPMENT, DAMAGE TO ANY PORTION OF AN OWTS AREA SHALL BE REPAIRED BEFORE APPROVAL IS GRANTED.
- EXPANSION AREAS FOR ALL LOTS SHALL REMAIN UNDISTURBED AS MUCH AS IS PRACTICABLE.
- THE EXISTING ON-SITE WASTEWATER TREATMENT SYSTEM FOR LOT 1 WAS INSPECTED BY THIS OFFICE AND APPEARED TO BE OPERATING SATISFACTORILY AT THE TIME OF INSPECTION. NO IMPROVEMENTS OR CHANGES PROPOSED.
- REFERENCE IS MADE TO THE SUBDIVISION PLAT PREPARED BY BADEY & WATSON SURVEYING & ENGINEERING, D.P.C., DATED AS REVISED FEBRUARY 20, 2025.
- THE PROPERTY IS SUBJECT TO LOCAL WETLAND REGULATIONS, IF ANY.

PIPE CHART

PIPE LOCATION	TYPE
ROOF LEADERS	4"Ø SOLID PVC SDR35 AT 1% MIN SLOPE
FOOTING DRAINS	4"Ø PERFORATED HDPE
FOOTING DRAIN DISCHARGE	4"Ø SOLID HDPE AT 1% MIN SLOPE
WATER SERVICE	1"Ø TYPE "K" COPPER
UTILITIES	BY UTILITY COMPANY, TO BE UNDERGROUND
RAW SEWER LINE TO SEPTIC SYSTEM	4"Ø SOLID PVC SDR35 AT 2% MIN SLOPE

SOILS TABLE

SOIL SYMBOL	SOIL NAME	PERCENT OF LOT
PnC	PAXTON FINE SANDY LOAM, 8 TO 15 PERCENT SLOPES	5%
PnB	PAXTON FINE SANDY LOAM, 3 TO 8 PERCENT SLOPES	95%

SOURCE: USDA WEB SOIL SURVEY

INTEGRATED PLOT PLAN  
SCALE: 1" = 20'

ZONING DATA CHART - R-40 (SINGLE FAMILY RESIDENTIAL)

LOT DESCRIPTION	MINIMUM LOT AREA (SF)	MINIMUM LOT WIDTH (FT)	MAXIMUM HEIGHT (FT)	MINIMUM FRONT YARD (FT)	MINIMUM SIDE YARD (FT)	MINIMUM REAR YARD (FT)	MAXIMUM BUILDING COVERAGE	MINIMUM LANDSCAPE COVERAGE (%)	MAXIMUM BUILDING FLOOR AREA (SF)
REQUIRED	40,000	150	35	50	30	30	<65% FAR	>60	SEE BELOW
EXISTING LOT	87,120	268	<35	121 / 79	79	157	<5,425	94	<8,347
PROPOSED SUBDIVISION LOT 1	43,560	274.4	<35	121 / 79	30	30	<3,512	89	<5,403
PROPOSED SUBDIVISION LOT 2	43,560	156.8	<35	145	30	75	<3,512	88	<5,403

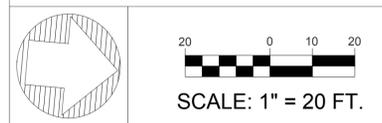
WESTCHESTER COUNTY DEPARTMENT OF HEALTH / SOIL DATA CHART

LOT #	LOT AREA (AC)	SLOPE OF OWTS AREA (%)	DEEP TEST DESCRIPTION		PERCOLATION RATE (MIN./IN.)	WATER ELEVATION (IN. BELOW SURFACE)	LENGTH OF FIELDS REQUIRED (LF)		BANK RUN FILL DEPTH (IN)	CURTAIN DRAIN VOLUME (CY)	IMPERVIOUS LAYER ELEVATION	REMARKS	
			TEST HOLE NUMBER	DEPTH			NEW 4-BEDROOM RESIDENCE	PER EACH ADDITIONAL BEDROOM					
LOT 1* 107 MOUNTAIN DR EXPANSION AREA ONLY	1.0	±6%	D4	84"	11-15 (TO BE VERIFIED)	NONE	EXISTING OWTS	N/A	12"	49	N/A	- EXISTING 3-BEDROOM RESIDENCE 100% EXPANSION AREA ONLY	
			D5	84"			254 LF EXPANSION AREA	N/A				- ABANDON WELL PER WCDH REGULATIONS	
LOT 2 VACANT	1.0	±8%	D1	84"	11-15 (TO BE VERIFIED)	NONE	339 LF	170 LF	0	0	N/A	NONE	
			D2	84"									0" TO 6" TOPSOIL 6" TO 84" SANDY LOAM
			D3	84"									0" TO 6" TOPSOIL 6" TO 84" SANDY LOAM

\* PER RECORDS SEARCH, THERE ARE NO RECORDS FOR THIS PROPERTY NOTE: SITE INSPECTION 02/14/2025 WITH WCDH FOR DEEP TEST HOLES



VICINITY MAP SCALE: 1" = 500'



SCALE: 1" = 20 FT.

OWNER/APPLICANT

GEORGE McCOMBE  
122 WOODDALE ROAD  
PEEKSKILL, NEW YORK 10566

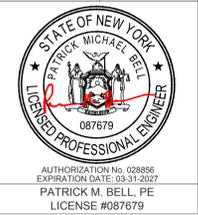
• UNDER NEW YORK STATE EDUCATIONAL LAW ARTICLE 145, SECTION 7209 (2), IT IS UNLAWFUL FOR ANY PERSON TO ALTER ANY ITEM ON THIS DRAWING, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. IF ANY ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION.  
• COPYRIGHT © 2025 BY CRONIN ENGINEERING, P.E., P.C. ALL RIGHTS RESERVED.

REVISIONS

#	REASON	DATE
1	RESUBMISSION TO PLANNING BOARD	02-20-2025

MUNICIPAL TAX IDENTIFICATION:

SECTION: 45.7  
BLOCK: 2  
LOT: 19  
SUBLOT: --  
DRAWN BY: AD / KW  
CHECKED: KS  
PROJECT: McCOMBE  
DATE: JUNE 27, 2024  
JOB #: 240409

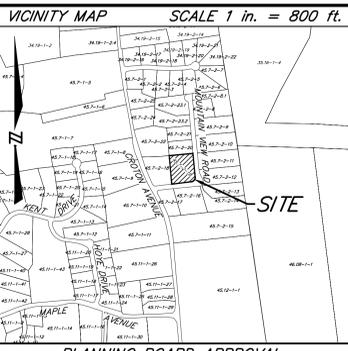
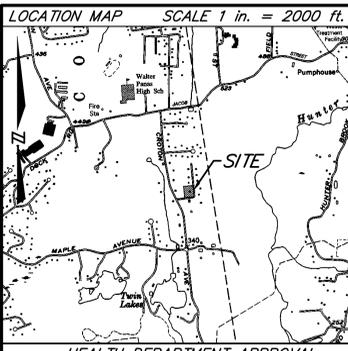


39 Arlo Lane  
Cortlandt Manor, New York 10567

INTEGRATED PLOT PLAN  
SUBDIVISION +  
SITE DEVELOPMENT PLAN  
FOR  
107 MOUNTAIN VIEW ROAD

LOCATION:  
107 MOUNTAIN VIEW ROAD  
TOWN OF CORTLANDT, NY





LOT #	LOT AREA (AC.)	SLOPE OF ODDS AREA (%)	DEEP TEST DESCRIPTION		PERCOLATION RATE (MIN./IN.)	WATER ELEVATION (IN. BELOW SURFACE)	LENGTH OF FIELDS REQUIRED (LF)		BANK RUN FILL (IN)	CURTAIN DRAIN	IMPERVIOUS LAYER ELEVATION	REMARKS			
			TEST HOLE NUMBER	DEPTH			NEW 4-BEDROOM RESIDENCE	PER EACH ADDITIONAL BEDROOM							
LOT 1 107 MOUNTAIN OR EXPANSION AREA ONLY	1.0	±6%	D4	84"	0" TO 6" TOPSOIL 6" TO 84" SANDY LOAM	11-15 (TO BE VERIFIED)	NONE	EXISTING OWIS	N/A	12"	49	N/A	N/A	- EXISTING 3-BEDROOM RESIDENCE 100% EXPANSION AREA ONE - ABANDON WELL PER WOOD REGULATIONS	
			D5	84"	0" TO 6" TOPSOIL 6" TO 72" SANDY LOAM 72" TO 84" CLAY LOAM		80"	254 LF EXPANSION AREA							
			D1	84"	0" TO 6" TOPSOIL 6" TO 84" SANDY LOAM										
LOT 2 VACANT	1.0	±6%	D2	84"	0" TO 6" TOPSOIL 6" TO 84" SANDY LOAM	11-15 (TO BE VERIFIED)	NONE	339 LF	170 LF	0	0	N/A	N/A	NONE	
			D3	84"	0" TO 6" TOPSOIL 6" TO 84" SANDY LOAM										

\* PER RECORDS SEARCH, THERE ARE NO RECORDS FOR THIS PROPERTY  
NOTE: SITE INSPECTION 02/14/2025 WITH WOOD FOR DEEP TEST HOLES

	ZONING REQUIREMENTS - Zone R-40	
	Required	Proposed
Min. Lot Area (square feet)	40,000 sq. ft.	43,560 sq. ft.
Min. Width (feet)	150'	274.4'
Max. Height	2 1/2 Stories or 35'	<35'
Min. Yards from Principal Building to Lot Lines		
Front Yard	50'	121.0'
Side Yard, Width of 70 feet or more	20% of width, max. 30'	30.1'
Rear Yard	30'	30.1'
Max. Building Coverage (square feet)	3,471 sq. ft.	1,122 sq. ft.
Min. Landscape Coverage (percent of lot area)	60%	88%
Max. Building Floor Area (square feet)	5,340 sq. ft.	1,663 sq. ft.

AREA TABLE	
	TOTAL
LOT 1	43,560 sq. ft. 1.000 acres
LOT 2	43,560 sq. ft. 1.000 acres
TOTAL	87,120 sq. ft. 2.000 acres



**HEALTH DEPARTMENT APPROVAL**  
"JURISDICTIONAL" APPROVAL STATEMENT

Approved subject to the provision of a public water supply and private sewage treatment system for each habitable lot in accordance with the Westchester County Sanitary Code and as shown on the Ready Subdivision Plan as filed with the Westchester County Department of Health, Consent is hereby given for the filing of this map in the Office of the County Clerk in accordance with the provisions of Sections 1116 & 1117 of the Public Health Law.

BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Environmental Health Services

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

**PLANNING BOARD APPROVAL**

Approved by Resolution No. \_\_\_\_\_ of the Planning Board of the Town of Cortlandt, New York, on the \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_, subject to all requirements and conditions of said Resolution. Any change, erasure, modification or revision in this plat, after the above date, shall void this approval.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

Chairman \_\_\_\_\_  
Secretary \_\_\_\_\_

**WESTCHESTER COUNTY DEPARTMENT OF HEALTH REALTY SUBDIVISION GENERAL NOTES**

- The Westchester County Department of Health requires a Construction Permit Application be submitted for approval for each individual subsurface sewage treatment system (SSTS) prior to the issuance of building permits by the local municipality.
- All individual water supplies shall be drilled wells.
- All drilled wells shall be constructed in accordance with the New York State Health Department Bulletin entitled, "Pure Water Supply".
- All wells shall be pump tested for a minimum of 6 hours and have a minimum safe yield of 5 gallons per minute.
- The Westchester County Department of Health approval is based on locations of SSTS, wells, house and driveway locations being maintained as shown. All modifications to have prior Westchester County Department of Health approval.
- Unauthorized modifications made to this drawing after the date of Westchester County Health Department approval voids said approval.
- No cut or fill is permitted in the SSTS area, except if so specified on the approved plan.
- All stone walls and within 10 feet of the SSTS area shall be removed to their entire depth and the resulting void replaced with similar on site soil.
- Purchasers of lots to be furnished with a true copy of this plan as approved by the Westchester County Department of Health together with a copy of the Certificate of Approval.
- The conditions noted on the Westchester County Department of Health Certificate of Approval are an integral part of this subdivision approval and compliance is required.
- The areas delineated for primary and reserve SSTS areas are to be physically marked on the ground and no earth moving or construction equipment, building equipment or excavated earth is to be allowed in these areas except as required for construction of the system.
- It is the intention of this plan that wells to be a minimum of 100 feet from absorption trenches, except when a well is downhill and in direct line of drainage with the SSTS, then the minimum distance shall be 200 feet.
- Flow from all proposed dwellings to the SSTS areas to be by gravity except if so noted in the SSTS Schedule.
- The SSTS designs do not provide for the installation of garbage grinders. Such installations require additional design and the approval of the Westchester County Health Department.
- Approval is herewith granted for a total of \_\_\_\_\_ lots only, namely lots \_\_\_\_\_, and these lots only.

**ADDITIONAL NOTES**

- No cut is permitted within 10 feet of a sewage disposal area.
- No absorption trench to be less than 100 feet from any lake, stream or water course.
- All existing and/or proposed Subsurface Sewage Treatment Systems and Wells on neighboring properties within 200 feet of the proposed SSTS and Wells are shown on this Plat.

**DEPARTMENT HEADS APPROVAL**

The Department Head signatures indicate that this drawing or set of drawings is consistent with the Planning Board resolution of approval and with the general requirements and policies of the Town of Cortlandt for which the Department Head is responsible. The project design including all public health and safety considerations are solely the responsibility of the design professional who has signed and sealed the drawings.

Reviewed by the Department of Environmental Services  
Director \_\_\_\_\_ Date \_\_\_\_\_

Reviewed by the Department of Technical Services  
Director \_\_\_\_\_ Date \_\_\_\_\_

**TOWN RECEIVER OF TAXES**

The Receiver of Taxes hereby certifies that all Town and County Real Property Taxes forwarded to this office for collection as of \_\_\_\_\_ have been paid for the parcel or parcels described as:  
Tax Map No. \_\_\_\_\_

Receiver of Taxes \_\_\_\_\_

**OWNER'S APPROVAL**

The undersigned, owner of the property hereon, states that it s/he is familiar with this map, its contents and its legends and hereby consents to the filing of this map.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 202\_\_\_\_.

GEORGE McCOMBE, Owner

**NOTES**

- COPYRIGHT "2024" by BADEY & WATSON, Surveying & Engineering, D.P.C. All Rights Reserved. Unauthorized duplication is a violation of applicable laws.
- Unauthorized alteration or addition to a document prepared by a licensed Land Surveyor or licensed Professional Engineer is a violation of Section 7209, Sub-Division 2 of the New York State Education Law.
- The premises hereon is Lot C as shown on that certain map entitled "Map Amending Parcels 10 & 11 Shown on Map No. 2 Croton Avenue Homesites," which was filed in the Westchester County Clerk's office on February 19, 1952 as Map No. 7582.
- Approximate location of water main obtained from Sheet 4 of "Subdivision & Site Development Plan for 107 Mountain View Road" by Cronin Engineering.
- Proposed Improvements to Lot 2 obtained from Sheet 4 of "Subdivision & Site Development Plan for 107 Mountain View Road" by Cronin Engineering.

**REVISIONS**

Date	Revision	Description
See Title	R01	Original Drawing.

PREPARED AND SURVEYED BY

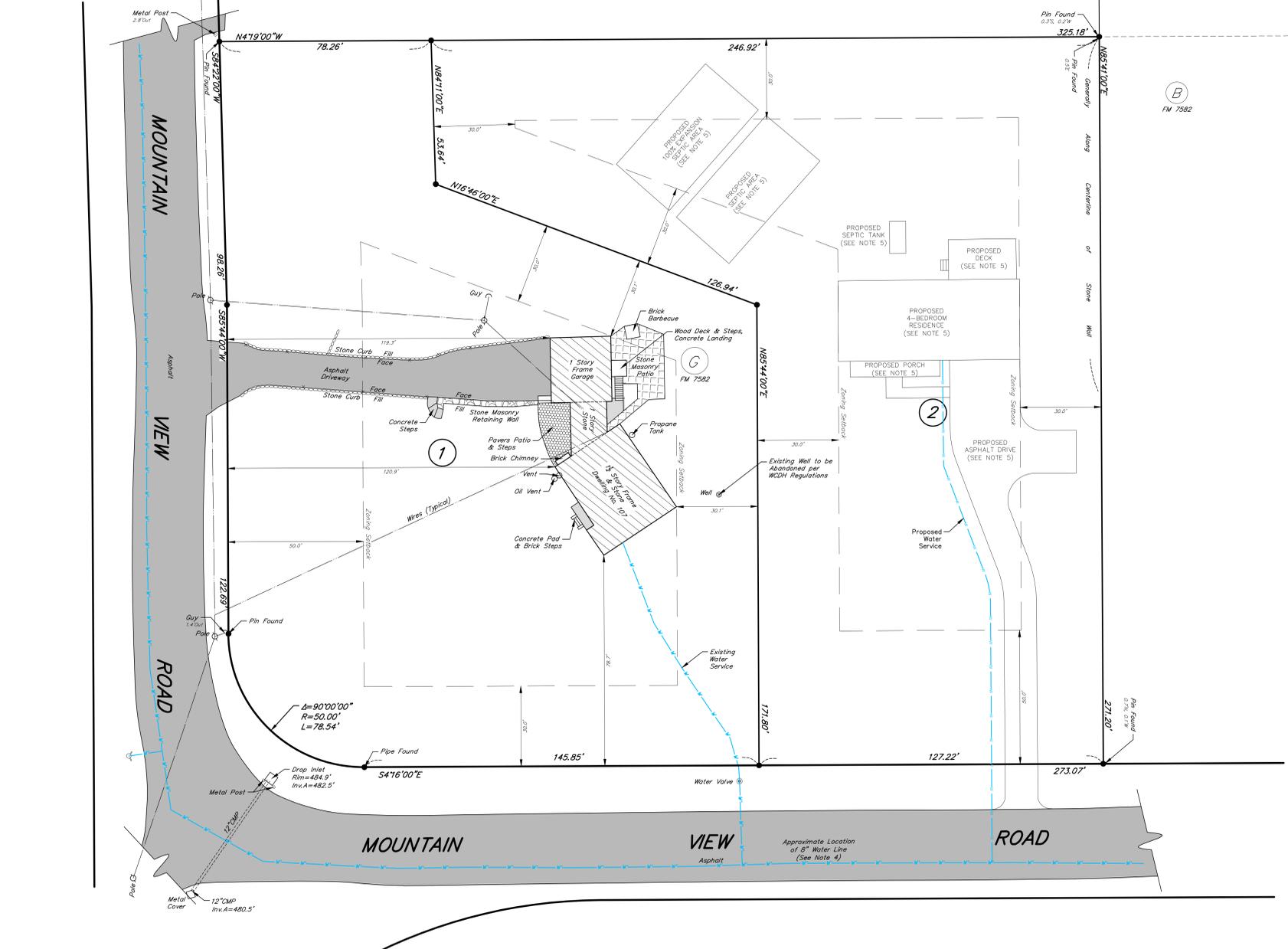
**BADEY & WATSON**  
Surveying & Engineering, D.P.C.

3063 Route 9  
Cold Spring, NY 10516  
www.Badey-Watson.com

845.265.9217  
877.3141593 (Toll Free)

**CRONIN ENGINEERING**  
PROFESSIONAL ENGINEERING & CONSULTING  
(914) 736-3664

Michael M. Brill, PE  
License No. 087629



SURVEYOR	CIVIL ENGINEERING BY	ENGINEER	OWNER / APPLICANT	PROPERTY DATA	WESTCHESTER COUNTY BLOCK INDEX SYSTEM
PRELIMINARY	CRONIN ENGINEERING	PRELIMINARY	George McCombe 122 Wooddale Road Peekskill, NY 10566	Tax Map Designation: 45.7-2-19 Zoning District: R-40 Total Area: 2,000 acres	The property hereon is located on  SHEET 45.07 BLOCK 2 LOT 19  of the Westchester County Block Index System

**ADVANCE COPY**  
**THIS IS ROX FOR R01**

SUBDIVISION PLAT  
PREPARED FOR  
**GEORGE McCOMBE**  
SITUATE IN THE  
**TOWN OF CORTLANDT**  
**WESTCHESTER COUNTY**  
**NEW YORK**

SCALE 1 in. = 20 ft. AUGUST 7, 2024

We hereby certify that this map is based on a survey completed by us on March 6, 2024, that this map was completed on August 7, 2024, and that the survey was prepared in accordance with the existing Code of Practice for Land Surveys adopted by The New York State Association.

For latest issue date see revision box.

**BADEY & WATSON**  
Surveying & Engineering, D.P.C.  
PRELIMINARY  
by  
NEW YORK STATE LICENSED LAND SURVEYOR  
LICENSE No. 50389

**PRINTED**  
February 18, 2025  
**BADEY & WATSON**  
Surveying & Engineering, D.P.C.

Drawing Name: SB\_LOG\_ROX\_FOR\_R01\_V22.DWG Layout: SUBDIVISION W.C. No. 30009 Checked by GJM Spell checked by MEY Drawn by MEY Closed by GJM On 8-6-2024



**TOWN OF CORTLANDT**  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Chris Kehoe, AICP – Director

Planning Staff:  
Heather LaVarnway, CNU-A, AICP  
Michelle Robbins, AICP  
Rosemary B. Lasher

Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1080

**Town Supervisor**  
Richard H. Becker, MD

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert Mayes  
Joyce C. White

**MEMORANDUM**

TO: Planning Board Members

FROM: Chris Kehoe, AICP, Director *CK*  
Department of Planning & Community Development

Heather LaVarnway, CNU-A, AICP, Planner *HL*  
Department of Planning & Community Development

SUBJECT: PB 2025-5 Application of VS Construction Corp. for Site Plan approval and for Tree, Wetland and Steep Slope permits for a proposed 97,700 sq. ft. Assisted Living Facility located in the Medical Oriented District (MOD) at 2003 Crompond Road. Drawings dated January 23, 2025.

DATE: February 21, 2025

1. The Planning Division conducted a review of the subject application consisting of:

An 18-page set of drawings entitled “2003 Crompond Road Site Plan Application – Parcel 1” prepared by Gerhard M. Schwalbe, P.E. latest revision dated January 23, 2025.

A 4-page set of floor plans and building elevations entitled “Benchmark Cortlandt” prepared by Stein Troost, LLC, Architects dated January 21, 2025.

2. Based on a review of the above-mentioned drawing and application, the following information as required by Chapter 307-71 of the Town of Cortlandt (Zoning) and other regulations should be submitted for the subject application unless waived by the Planning Board at the applicant’s request.

- a. Include the Section, Block & Lot number with the owner’s names for all adjacent properties on the subject site plan.
- b. The applicant shall clarify for the Planning Board when the trees located on the subject parcel were delineated and by whom and submit to the Planning Board the tree inventory. Sheet SP-10, entitled “Tree Removals Plan” has arrows that seem to imply that all trees within the proposed area of disturbance shall be removed. The proposed improvements shall be added to SP-10 and all trees proposed to be removed shall be clearly delineated with an “x”. It is unclear from the tree removal drawing if the trees located along Crompond Rd. within the 30 ft. front

yard setback and possibly within the NYSDOT r-o-w are proposed to be removed. The applicant's tree inventory shall be confirmed by a Town approved arborist. After the completion of the Town arborist inventory the proposed removals and required replanting will be re-analyzed. The Planning Board will ultimately make a determination on the granting of the tree removal permit as per Section 283-7 of the Town Code.

- c. The landscape chart from sheet SP-4.2 shall be added to the proposed Landscape Plan as shown on sheet SP-4.1. The planting plan is currently considered a "concept plan". The planting plan shall be finalized showing a mix of native deciduous trees, evergreens, shrubs, ground cover listing sizes, species and total number of each proposed tree/shrub. The proposed landscape plan shall be referred to the Town's Conservation Advisory Council (CAC) for their review and comments.
- d. The subject site plan shall show the proposed location and size of any site signage, wall signage and free-standing signage as per Chapter 245 (Signs) of the Town of Cortlandt Code. The applicant is further advised that referral to the Town's Architectural Advisory Council (ARC) will be required when the specific sign details are finalized.
- e. The subject site plan shall show a detail of the proposed dumpster enclosure. Refer to Chapter 153 of the Town Code. The applicant is advised that the Town will not pick up garbage from this facility.
- f. Provide elevation drawings for all 4 building elevations illustrating the proposed architectural design, including the type and color of materials to be used. The applicant is advised the building elevations shall be referred to the Town's Architectural Review Council (ARC) for review and comment.
- g. The applicant is advised that all site lighting, both for the building exterior and site, shall comply with the Town's Lighting Standards as per 307-12.3. A luminaire schedule shall be included that clearly shows the number and specs of each fixture, and the locations of all fixtures must be clearly shown on the photometric plan. Complete spec sheets for each fixture shall be included, with the features selections clearly indicated for each type.
- h. The subject site plan shall show any existing and proposed retaining walls and fences with details. The subject site plan shows several retaining walls, including stepped retaining walls that combined will be approximately 20 ft. in height. Clear details, renderings and views of these walls, including the landscape treatment between the stepped retaining walls, shall be provided for the Planning Board and Architectural Review Council's review. Views provided must include those from Crompond Road and the new access road.
- i. The Planning Board Engineer will provide a separate review memo reviewing and commenting on all utilities, i.e. sewer, water, drainage, stormwater, road access, etc.

3. The applicant is seeking site plan approval for the construction of an approximately 98,000 sq. ft. assisted living facility with 118 beds, 69 parking spaces, and associated landscape and other site improvements located at 2003 Crompond Rd. The Town Board, after several public hearings and public outreach meetings and referrals to all interested and involved agencies, including the Planning Board, adopted a SEQRA Findings Statement on March 20, 2023 (attached) which created the Medical Oriented District (MOD) (attached) containing 34 parcels covering 69.2 acres and provided SEQRA Findings for VS Construction/Evergreen Manor and Gyrodyne. Both projects are subject to final site plan and subdivision approval from the Planning Board. No specific project application has been proposed for the Gyrodyne site, which envisioned up to 150,000 square feet of medical uses. The VS Construction/Evergreen Manor project included a maximum of a 120-unit assisted living facility, a maximum of 99 townhomes and a maximum 10,000 sq. ft. of medically-oriented commercial development. Attached is the final Modified Plan for the Evergreen Manor development that was reviewed by the Town Board, and was subject to the SEQRA Findings issued by the Town Board, back in 2023. The subject application currently in front of the Planning Board is only for the assisted living facility parcel of the VS Construction/Evergreen property. Further development of this parcel, as well as the development of the Gyrodyne, LLC parcel, will require new applications to be made to the Planning Board.

Prior to the subject application the applicant received conditional Preliminary and Final Plat approval for a 2-lot subdivision, with a road parcel, as per Planning Board Case 2023-5 and Planning Board Resolution PB 15-23. The proposed assisted living facility is located on the conditionally approved Lot 1 of that subdivision. The applicant is in the process of meeting with Town staff to respond to staff comments and submit revised drawings. The subdivision plat must be signed by the Planning Board Chairman and filed in the Westchester County Office of Land Records prior to final site plan approval being granted to the assisted living residence.

4. The applicant shall provide a written narrative explaining the details of the proposed assisted living facility. The narrative shall include information on how the subject facility is licensed, other facilities run by the applicant, breakdown of the units as to bedroom size, number of memory care units, provision of any affordable units, services provided, security, staffing and shift changes, deliveries, etc. The applicant has stated that van service will be provided for the residents. The applicant shall provide information to the Planning Board on any plans to provide van service to the facility for staff from the area train stations.
5. The proposed facility is three stories and has a building height of 44' ft. on the north façade, facing Route 202/Crompond Rd. The west elevation, facing the new site access road, is proposed to be the service area for the facility including the location of the proposed dumpster enclosure and delivery area. The applicant shall provide perspectives of these two elevations from Rt. 202 and the proposed site access road, respectively, to give the Planning Board a clear idea of the visual impacts of the proposed building. The applicant shall consider, in consultation with the Planning Board, Architectural Review Council and staff re-orienting the building so the service area is not so prominent.
6. The Town Board's 2023 findings statement required a 100' non-disturbance area to the east of the proposed building to buffer the adjacent residences along Cypress and Nancy Lane. The 100' non-disturbance area is provided meeting the buffering requirements of Section 307-23 of the Town Zoning Code.

7. As per section 307-22 of the Zoning Code parking areas with parking for 30 or more cars require landscaped areas comprised of a minimum of 5% of the total area within the perimeter of the parking area. A chart shall be added to the subject drawing confirming this landscaping requirement has been met.
8. The applicant is proposing to remove most or all of the trees/vegetation beyond the required 100' non-disturbance area, and is proposing to plant just 55 new trees. No trees are proposed between the building and Crompond Road, nor between the loading dock / refuse area and the new access road. Additional substantial landscaping should be included to soften the transition between the public rights-of-way and the building.
9. Traffic impacts associated with the overall MOD development were analyzed as part of the Town Board's SEQRA Findings. Specific off-site traffic improvements, detailed in the Findings Statement Page 27, Table 8 (attached) are mandated to be completed prior to the issuance of a Certificate of Occupancy for the assisted living facility. Colliers Engineering has been retained by the Town, paid for by VS Construction and Gyrodyne, to complete the final design and permitting of the required improvements by the New York State Department of Transportation. The subject drawing shows new modifications (not described in the SEQRA findings) to the intersection at Conklin Avenue and Route 202, to include a left turn lane into the new site access road and a dedicated left turn lane from Route 202/Crompond Road onto Conklin Avenue. The subject drawings note that these new improvements are proposed by Colliers Engineering, the Town's traffic consultant. The applicant shall describe the reasoning behind these additional traffic improvements.
10. A wetland disturbance map entitled "*Wetland Disturbance Areas*" prepared by Divney, Tung & Schwalbe, LP latest revision dated July 27, 2021 (attached) was submitted by VS Construction as part of the environmental impact statement for the Evergreen project. According to the applicant there are no designated wetlands on the subject parcel. There is approximately 2,100 sq. ft. of wetland buffer disturbance. The 100' regulated wetland buffer is shown on Sheet SP-01. Wetlands on the entire 27-acre parcel were originally delineated by Town wetland consultant Stephen Coleman in 2016 and 2017. The wetlands were re-delineated by the applicant's consultant, Steven Marino in November 2023 and January 2025, although the Town has not received the 2025 delineation. A Town wetland consultant will need to confirm the delineation during the growing season, per Town code.

The applicant has submitted a letter/permit from the U.S. Army Corps of Engineers (ACOE) dated October 19, 2022 (attached) in which the ACOE has determined that, based on the proposed development plan as of the date of the letter, the ACOE would consider the wetland disturbances associated with the entire Evergreen Manor development under the requirements of a Nationwide Permit. According to the letter the ACOE reviewed the July 27, 2021 plan. The ACOE approval was conditioned on avoiding tree clearing between April 1 and October 31 of any year due to the presence of the federally-listed endangered Indiana bat, specific wetland mitigation as shown on a plan entitled "*Wetland Creation and Expansion Plan*" prepared by Divney, Tung & Schwalbe, LP latest revision dated July 27, 2021 annual reporting and monitoring. However, Bullet Point (C) of the ACOE Permit Special Conditions references a mitigation plan dated December 10, 2018. The applicant shall provide clarity to the Board on this discrepancy. Further discussion between the applicant, Town staff and the Planning Board is

required to determine if the impacts as reviewed by the Army Corps that led them to determine a Nationwide Permit was acceptable are still valid.

The ACOE was required to follow the Section 106 process as required by the National Historic Preservation Act regarding the project's impacts to the former Evergreen Hotel. The State Historic Preservation Officer (SHPO), the applicant, and the Army Corps of Engineers signed a Memorandum of Understanding (attached) that lays out requirements for the applicant to provide documentation, reporting, photographs, interpretive materials and materials salvage of the former Evergreen Hotel. In addition, the Town supports the ACOE's recommendation that the architecture of the assisted living facility should incorporate some of the key architectural design elements of the historic Evergreen building.

11. The applicant shall provide a colored map as per the attached guidelines depicting the impacts of the proposed site plan and all associated site improvements to wetlands, wetland buffers and areas of steep slope. As per the guidelines the regulated buffer shall be colored yellow, wetlands colored light blue and areas of steep slope colored tan and/or brown.
12. Enclosed is an aerial view of the subject site. A site plan drawing was transmitted to the members of the Planning Board at the time the application was submitted.
13. Referrals of this application will include, the Planning Board Engineer, the Office of Code Administration and Enforcement, the Architectural Review Council, the Conservation Advisory Council, the Fire Advisory Board, and the Westchester County Planning Board.
14. **The applicant is required to have a follow-up meeting with Town staff, after they have completed their revisions to the drawings as per the review memos, prior to being placed back on a Planning Board agenda.**

CRK/HL/crk  
attachments

cc: Dr. Richard H. Becker, Town Supervisor  
James Creighton, Town Board Liaison  
Michael Cunningham, Esq., Deputy Town Attorney  
Chris Lapine, P.E., Planning Board Engineer  
Michael Preziosi, P.E., Town Engineer  
David Steinmetz, Esq., Zarin & Steinmetz  
Gerhard Schwalbe, P.E., DTS Provident  
Matt Steinberg, AICP, DTS Provident  
VS Construction

# State Environmental Quality Review Act (SEQRA)

## Findings Statement

### Medical Oriented District (MOD)

Date Adopted: March 20, 2023

Pursuant to the State Environmental Quality Review Act (“SEQRA”), Article 8 of the New York State (“NYS”) Conservation Law and its implementing regulations (6 NYCRR Part 617), the Cortlandt Town Board as the SEQRA Lead Agency makes the following findings.

**Name of Action:** Medical Oriented District

**SEQRA Classification:** Type I action

**Lead Agency:** Cortlandt Town Board, 1 Heady Street, Cortlandt Manor, New York 10567

**Contact:** Chris Kehoe, Director of Planning and Community Development  
914-734-1081

**Description of Action:** VS Construction (Evergreen Manor) and Gyrodyne, LLC and their affiliated legal entities (referred to as “the Applicants”) are proposing to develop a mix of medical, residential and commercial uses on several parcels within the proposed MOD Overlay Zone. The Proposed Action includes: 1) the adoption of zoning to establish a Medical Oriented District (MOD) Overlay Zone comprising approximately 67 acres of land in the area surrounding New York Presbyterian Hospital on Route 202/Crompond Road near the City of Peekskill; and 2) site plan and subdivision approval for VS Construction and Gyrodyne, LLC. The Proposed Action consists of the development of an assisted living facility with 120 units and 60 parking spaces, up to 99 townhomes with 244 parking spaces, and 10,000 square feet of commercial/retail space with up to 59 parking spaces on the Evergreen Manor site and 150,000 sf of medical office with 497 structured parking spaces and 176 surface parking spaces on the Gyrodyne site.

**Project Location:** Route 202/Crompond Road including the New York Presbyterian Hospital Center (NYPH) and the abutting parcels to the west and across Route 202/Crompond Road from NYPH with frontage on Route 202/Crompond Road (see MOD Overlay Map).

**Tax ID No:** 1966 Crompond Road (SBL 33.8-1-3), 1968 Crompond Road (SBL 33.8-1-1), 1970 Crompond Road (SBL 33.8-1-2), 1980 Crompond Road (SBL 33.8-1-4), 1992 Crompond Road (33.8-1-6), 1983 Crompond Road (SBL 33.11-1-7), 1985 Crompond Road (SBL 33.12-1-3), 1987 Crompond Road (SBL 33.12-1-2), 1989 Crompond Road (SBL 33.12-1-1), 2003 Crompond Road (SBL 33.12-2-8), Crompond Road (SBL 33.12-2-7), Buttonwood Avenue (SBL 33.11-3-36), 206 Buttonwood Avenue (33.11-3-5) and Lafayette Avenue (SBL 33.12-2-1).

**Date Generic Environmental Impact Statement (DGEIS) and  
Draft Environmental Impact Statement (DEIS) Filed: September 17, 2019**

**Dates of Public Hearings on DGEIS/DEIS: November 19, 2019, January 4, 2020, and June 16, 2020.**

**End of Public Comment Period on DGEIS/DEIS: July 1, 2020**

**Dates of Public Hearings on FGEIS/FEIS: May 2, 2022**

**End of Public Comment Period on FGEIS/FEIS: May 22, 2022**

**Date Final Generic Environmental Impact Statement (FGEIS) and Final Environmental Impact  
Statement (FEIS) Accepted As Complete: March 15, 2022**

## A. INTRODUCTION

### BACKGROUND

In 2015, the Master Plan Committee (MPC) as part of the Town's comprehensive planning process developed the idea for a Medical Oriented District (MOD) in the area surrounding the New York Presbyterian-Hudson Valley Hospital Center along the Route 202/35 corridor. The Town Board, MPC and Town Staff, with the assistance of planning consultants, worked to create and envision a concept for how the MOD area could be redeveloped into a walkable, visually cohesive medical district with first class medical office space and services, complementary housing, and appropriate neighborhood scale redevelopment and amenities such as sidewalks, open space plazas, and eateries. It was understood that in order to realize the ideas and visions outlined in *Envision Cortlandt*, the existing zoning for this area of town would need to be reconsidered, and consensus built among local residents and property owners about how it should work. Early in the MOD planning process, the Town received two preliminary submissions for development within the MOD for the Evergreen Manor and Gyrodyne Sites and was advised a third proposal would soon be submitted. On April 17, 2018, the Town declared its intent to be Lead Agency for the proposed MOD and classified the Proposed Action as a Type I Action under SEQR. The Town held two preliminary public outreach meetings on June 6, 2018 and August 1, 2018 to receive public input regarding the proposed MOD zoning and initial development proposals (see Table 1).

**Table 1**  
**MOD Zoning and MOD Development Proposals Analyzed in the DGEIS/DEIS**

	<b>MOD Zoning Theoretical Development Scenario (TDS)</b>	<b>Original Evergreen Manor Proposal</b>	<b>Original Gyrodyne Proposal</b>	<b>Total MOD Development Plan Projects</b>	<b>MOD Density Remaining if MOD Development Proposals Approved</b>
<b>Size of Project Site</b>					
Total Area	105.0 acres	28.0 acres	13.8 acres	41.8 acres	63.0 acres
<b>Proposed Uses</b>					
Medical	200,000 sf	15,000 sf medical/dental office	100,000 sf medical office space	115,000 sf	85,000 sf
Assisted living	130 units	120 units		120 units	10* units
Multifamily Apartments	400 bedrooms	166 units/ 180 bedrooms	200 units/ 220 bedrooms	366 units/ 400 bedrooms	0 bedrooms
Hotel	100 rooms	100 rooms		100 rooms	0 rooms
Commercial/ Retail	60,000 sf	22,000 sf	4,000 sf	26,000 sf	34,000 sf
<b>Parking</b>					
Structured parking			191 spaces	191 spaces	
Surface parking		605 spaces	444 spaces	1049 spaces	
<b>Amenities</b>					
Preserved Wetlands/ open space		8.9 acres undeveloped land including wetlands	5.0 acres Orchard Lake, trails, wellness plaza, and green	13.9 acres open space/ wetlands/ public space	

During the public outreach sessions density, land uses, traffic, neighborhood character, visual character, school impacts, fiscal conditions, wetlands, sewers, stormwater, and natural resources were identified as significant issues of concern by the public. The public comments were considered in the development of the MOD zoning text and were used to inform the scope of the environmental review.

A scoping document was prepared that identified the need for both a generic analysis of the proposed MOD Zoning amendments to be evaluated in the Draft Generic Environmental Impact Statement (DGEIS) and site specific evaluations of the Evergreen Manor and Gyrodyne proposals to be evaluated in the Draft Environmental Impact Statement (DEIS). The MOD DGEIS examined the potential impacts of a Theoretical Development Scenario (TDS) which could be developed if the Proposed MOD Zoning is adopted and specified a potential buildout under MOD over a 10 year period. The MOD DEIS evaluated the potential impacts of the site-specific Evergreen Manor and Gyrodyne development proposals. On August 7, 2018, the Town Board adopted the MOD Final Scope for the combined DGEIS/DEIS which outlined and identified the issues of concern as well as the topics and analyses of the potential of the Proposed Action to impact environmental conditions and resources.

Following the adoption of the MOD Final Scope, a MOD DGEIS/DEIS was prepared. On September 17, 2019, the Town Board, as lead agency, determined that the MOD DGEIS/DEIS was adequate with respect to scope and content for the purpose of commencing public review and accepted the DGEIS/DEIS as complete. The DGEIS/DEIS was the subject of three public hearings held on November 19, 2019, January 14, 2020, and June 16, 2020 and a written comment period that extended from November 19, 2019 until July 1, 2020. In response to public comments and to reduce the potential for significant adverse impacts, the Proposed MOD Zoning and MOD Development Plans presented in the DGEIS/DEIS were revised by the applicants. The revised zoning and plans were presented and evaluated in the MOD FGEIS/FEIS which was accepted as complete by the Town Board on March 15, 2022 (see **Table 2** for a comparison between the MOD DGEIS/DEIS and FGEIS/FEIS Development Programs). The FGEIS/FEIS included the following revisions:

#### Revisions to MOD Zoning in the FGEIS

- The MOD Zoning Area was reduced from 105 acres and 34 parcels to 69.2 acres and 13 parcels
- The MOD was revised from an overlay district to a mapped district
- Hotels were eliminated as a permitted use in the MOD
- The zoning was revised to include a requirement that 10 percent of all new housing units in the MOD (excluding assisted living, memory care, and senior independent living) meet the definition of affordable per the Town of Cortlandt Zoning Code
- Density maximums for uses were eliminated and instead additional bulk standards were provided to limit densities

#### Revisions to Evergreen Manor Development Program in the FEIS

- The 100 room hotel was eliminated and replaced with 70 two-story townhomes and 171 parking spaces
- The four-story 120-unit assisted living facility was reduced to 114 assisted living units with 60 associated parking spaces
- The 37,000 sf of retail/medical office/dental lab space was reduced to 7,000 sf of restaurant/retail space and 75 parking spaces
- No revisions were proposed to the five-story multifamily building with 166 units and 244 surface parking spaces

Revisions to Gyrodyne Development Program in the FEIS

- The five-story 200-unit multi-family residential building was eliminated from the proposed project and presented as an alternative only. The multi-family residential use was replaced with a three-story medical office building with an additional 86,400 sf of medical office
- The amount of structured parking proposed on site increased with a total of 593 structured parking spaces in two buildings and a total of 346 surface parking spaces
- Walking trails and public amenities proposed at Orchard Lake were eliminated from the plan
- Proposed disturbance to site wetlands was reduced by 64%
- Overall site disturbance was reduced by approximately 1 acre
- Building height was reduced from 60 feet to 45 feet
- Setbacks were increased to the south and additional landscaped buffers were added to the west

**Table 2**  
**MOD DGEIS/DEIS Development Program Vs FGEIS/FEIS Development Program**

	Evergreen		Gyrodyne	
	DGEIS/DEIS Proposal	FGEIS/FEIS Proposal	DGEIS/DEIS Proposal	FGEIS/FEIS Proposal
<b>Total Area</b>	28.0 acres	28.0 acres	13.8 acres	13.8 acres
<b>Proposed Uses</b>				
Medical	15,000 sf		100,000 sf	184,600 sf
Assisted living	120 units	114 units		
Multifamily Apartments	166 units	166 units	200 units	
Hotel	100 rooms			
Commercial/Retail/restaurant	22,000 sf	7,000 sf	4,000 sf	4,000 sf
Townhomes		70		
<b>Parking</b>				
Structured parking			191 spaces	593 spaces
Surface parking	605 spaces	318 spaces	444 spaces	253 spaces
<b>Amenities</b>				
Preserved Wetlands/ open space/undeveloped	8.6 acres	5.0 acres	5.0 acres	5.27 acres

The Town Board conducted an optional public hearing on the FGEIS/FEIS on May 2, 2022 with a 20 day comment period extending to May 22, 2022. After evaluating the public comments on the FGEIS/FEIS, the Town conducted a Special Town Board Work Session on November 29, 2022 to provide feedback to the applicants regarding the FGEIS/FEIS proposals and to discuss further modifications to the Proposed Action based on the comments received at the FGEIS/FEIS public hearing. During this Town Board Work Session, the applicants presented additional density reductions to their development plans to address continued public concern regarding the proposed height and massing of the previously proposed rental apartment building proposed within close proximity to Tamarack Avenue, the density of the medical office on Gyrodyne, and the resulting impacts to neighborhood character from the visual changes, lighting, traffic and disturbance to wetlands and natural resources. The following alternate layouts were discussed for Evergreen Manor and Gyrodyne.

## Evergreen Manor

### Evergreen Manor Site Layout with Multi-Family

- 100 rental apartments and associated parking
- 90 townhomes and associated parking
- 120 Assisted Living Units and associated parking
- 7,000 sf of restaurant/commercial space and associated parking
- Pocket parks, sidewalks and trails

### Evergreen Manor Site Layout without Multi-Family

- 130 townhomes and associated parking
- 120 Assisted Living Units and associated parking
- 7,000 sf of restaurant/commercial space and associated parking
- Pocket parks, sidewalks and trails

## Gyrodyne

- Phase 1: 100,000 sf of medical office with 4,000 sf of internal restaurant/commercial space, parking structure (3 Levels): Approximately 60,900 GSF/303 parking spaces
- Phase 2: 84,600 sf of medical office, parking structure (2 Levels): Approximately 91,400 GSF/290 parking spaces

After considering public comments and the potential for environmental impacts, the Town Board directed the applicants to consider further reductions to the proposed FEIS/FGEIS development with regards to density, building height, and site disturbance. Specifically, the Town Board expressed concern about the impacts to neighborhood character and traffic resulting from the density and massing of the four-story multi-family residential building and associated retaining walls on the Evergreen Manor site and the density of the medical office building on Gyrodyne. In response to comments from the Town Board, Town Staff, and the public, the MOD Zoning was revised and the applicants have since developed revised conceptual plans "Mitigation Design" which are being considered as part of these findings and which modify the Proposed Action presented in the FGEIS/FEIS. A description of the zoning text revisions and a comparison of the FGEIS/FEIS development plans and the "Mitigation Design" being considered under these findings is presented in **Table 3** as part of the "Project Description" below.

## **PROJECT DESCRIPTION**

The Proposed Action and subject of this Statement of Findings is comprised of two elements: 1) the adoption of zoning to establish a Medical Oriented District (MOD) Overlay Zone comprising approximately 67 acres of land in the area surrounding New York Presbyterian Hospital on Route 202/Crompond Road near the City of Peekskill; and 2) site plan and subdivision approval for VS Construction (Evergreen Manor) and Gyrodyne, LLC (Gyrodyne) or "the Applicants" which propose to develop a mix of medical, residential, and commercial uses as well as parking and public amenities on two sites comprised of multiple parcels within the MOD Overlay Zone. The Evergreen Manor site is comprised of three adjoining parcels totaling 28.0 acres and is predominantly undeveloped except for three existing structures located in the northeast portion of the property consisting of the vacant former Evergreen Manor Hotel, an occupied caretakers' residence, and an old barn. The Gyrodyne site is comprised of four adjoining parcels totaling 12.61 acres and currently contains approximately 30,000 sf of medical office and associated parking.

VS Construction and Gyrodyne submitted complete site plan applications to the Planning Board seeking approval for the DGEIS/DEIS development programs. Following extensive public review and comment, the applicant submitted revised FGEIS/FEIS proposals. After evaluating the public comments on the FGEIS/FEIS, the Town conducted a Special Town Board Work Session on the MOD on November 29, 2022 to provide feedback to the applicants regarding the FGEIS/FEIS proposals and to discuss further modifications to the Evergreen Manor and Gyrodyne Development Plans based on the comments received at the FGEIS/FEIS public hearing. During this Town Board Work Session, the applicants presented additional density reductions to their development plans referred to herein as the “Mitigation Design” (see Table 3) to address continued public concern regarding the proposed height and massing of the previously proposed rental apartment building located within close proximity to Tamarack Avenue, the density of the medical office on Gyrodyne, and the resulting impacts to neighborhood character from the visual changes, lighting, traffic and disturbance to wetlands and natural resources. The following revisions were made to the MOD zoning to address continued public concerns and to further reduce the potential for significant adverse impacts related to neighborhood character:

1. The size of the MOD Overlay Zone was reduced to 67 acres
2. Maximum building height in the MOD was reduced to 45 feet
3. A minimum area of non-disturbance between the closest part of a structure in a parcel designated as MOD and the nearest lot line of any existing residentially-zoned parcel was included as follows:
  - i. No disturbance, except as otherwise allowed for in the enabling local law, shall be permitted within 100 feet from the nearest lot line of a parcel located on Cypress Lane, Nancy Lane, Ridge Road, and Tamarack Drive with an existing residential unit.
  - ii. No disturbance, except as otherwise allowed for in the enabling local law, shall be permitted within 30 feet from the nearest lot line of a parcel located on any other adjacent street with an existing residential unit.
4. Any new building with medical uses was limited in size to 125,000 s.f. of net leasable area, and 150,000 s.f. in aggregate. For Assisted Living developments, net leasable area shall include all areas used for sleeping, eating, and recreation.
5. Any non-medical uses such as cafes, bakeries, and restaurants and other food services located within the MOD must be in support of medical uses and located in a building with other medical uses.
6. All town-home units must be on separate lots and all common elements within a town-home development must be owned by a Homeowner’s Association.

**Table 3** compares the FGEIS/FEIS MOD development program with the revised “Mitigation Design”. For purposes of this Findings Statement, the “Mitigation Design” is the preferred alternative and is referred to in this Findings Statement as the “Proposed Action.”

**Table 3**  
**FGEIS/FEIS Proposal Vs Mitigation Design**

	Evergreen		Gyrodyne	
	FGEIS/FEIS Proposal	Mitigation Design	FGEIS/FEIS Proposal	Mitigation Design
<b>Total Area</b>	28 acres	28.0 acres	13.8 acres	12.61 acres
<b>Proposed Uses</b>				
Medical			184,600 sf	150,000 sf
Assisted living	114 units	120 units		
Multifamily Apartments	166 units			
Hotel				
Commercial/Retail/restaurant	7,000 sf	10,000 sf	4,000 sf	4,000 sf
Townhomes	70	99		
<b>Parking</b>				
Structured parking			593 spaces	593 spaces
Surface parking	605 spaces	318 spaces	346 spaces	253 spaces
<b>Amenities</b>				
Preserved Wetlands/ open space/undeveloped	8.6 acres	5.0 acres	5.0 acres	5.27 acres

As stated above, the Proposed Action will require the adoption of the MOD zoning as well as site plan approval for the proposed MOD Development Plans. The site plan approval for the MOD Development Plans is dependent on the adoption of the proposed MOD zoning. The MOD Development Plans will require the submission of site development plan applications, and applications for applicable local, state, and federal approvals. **Table 4** sets forth the anticipated permits, approvals, and reviews that will be required.

**Table 4**  
**Medical Oriented District (MOD) Required Approvals**

Agency	Approval or Permit Required
Town of Cortlandt Town Board	Zoning Text Amendment
Town of Cortlandt Town Board	MOD Designation
Town of Cortlandt Planning Board	Site Plan Approval
Town of Cortlandt Planning Board	Subdivision Approval
Town of Cortlandt	Road Opening Permit Water Main Extension Application Sewer Main Extension Application (Town Code Permits / Steep Slopes, Wetlands, Tree, Topographical, Stormwater Management, Alteration, et) Architectural Review Council (ARC)
Westchester County Division of Planning and Environmental Management	GML Section 239 Project Review
Westchester County Department of Health	Ground and/or Surface Water Withdrawal Water Supply Sanitary Sewer
New York City Department of Environmental Protection (NYCDEP)	Land Use Permit (for proposed traffic improvement only)
NYS Department of Environmental Facilities	Sanitary Sewer Extension
NYS Department of Environmental Conservation (DEC)	Public Water Supply Permit
NYS Department of Health (DOH)	Public Water Supply Permit
NYS DEC	SPDES Permit(s) – General Permit for Stormwater Discharges from Construction Activity
NYS DOH	Sewer System Extension Permit
NYS DEC	Article 24 Freshwater Wetland Permit
NYS DEC	Water Quality Certification (Section 401)
NYS DEC	Air Quality Permit or Registration
NYS DEC	Sewer Extension Approval/Formation of Sewage Corporation
NYS DEC	Protected Species and Habitats Review
NYS Department of Transportation	Highway Work Permit
New York State Historic Preservation Office (SHPO)	Section 106 and Section 14.09 Cultural Resources Coordination
US Army Corps of Engineers	Nationwide or Individual Wetland Permit
U.S. Fish and Wildlife Service (USFWS)	Threatened and Endangered Species Review

\*or any other agency with approving authority

## PURPOSE AND NEED

The purpose of the MOD is to foster economic development by building on the existing medical institutions in Town while also providing residents access to a continuum of care and creating a walkable, neighborhood scale town center that provides services and amenities to local residents, workers and visitors to the MOD. Specifically, the intent of the MOD zoning is to:

- Centralize and improve medical services by providing for a broader spectrum of high quality health care services;
- Build economic value for MOD area and provide net positive tax revenue to the Town
- Yield net positive fiscal impact to the Town and its residents
- Generate jobs and career opportunities for Town residents
- Allow residents to age in place by providing a continuum of care through various life stages in close proximity to medical services;
- Provide a broader range of housing options for people of all ages;
- Provide for a dynamic mix of uses including complementary and accessory commercial uses such as eateries and coffee shops; and
- Provide opportunities to improve and share infrastructure such as parking and pedestrian amenities (crosswalks, streetscape);
- Improve walkability in the area surrounding the hospital center;
- Create a sense of place through vibrant outdoor spaces, streetscape improvements, sidewalks, and pedestrian amenities (such as benches and street lighting);
- Connect the MOD to the Town and Region via various transit options including micro-mass transit (shuttles) and Westchester County beeline bus services.

The Proposed Action is intended to implement the recommendations of *Envision Cortlandt* that recognize the hospital center as a significant economic resource and employment center in the Town and were intended to encourage the revitalization and redevelopment of the area immediately surrounding New York Presbyterian Hospital. The location of the MOD was selected due to the proximity of the NYPH Campus, its location along a state highway, and the access to central water and sewer. The need for this Project in this location is driven by: 1) the proximity of the existing NYPH Campus; 2) the lack of Class A medical office to service the hospital and Town; 3) the need for alternative housing options that provide a continuum of care; 4) the project's location along a state highway; and 5) the availability of central sewer and water.

The Proposed Action is consistent with the goals and objectives of the Town's 2016 Comprehensive Plan, *Envision Cortlandt*, which identifies the MOD as a key planning initiative citing the NYPH Campus's role as a major service provider and employer to the region and the need for updated medical facilities and housing to service the area.

A substantial tax base would be created on what is now vacant and underutilized land. Permit and fee revenue would be created for the Town during construction and the Proposed Action would create short-term jobs during construction and permanent jobs during Project operations. Significant traffic improvements and sidewalk connections to the NYPH Campus would be constructed as part of the project. The traffic improvements and sidewalks would result in improvements to the operation and safety and of the roads and the walkability of the area surrounding the MOD. The proposed MOD and associated regulations may be pursued entirely at the option of a property owner and/or developer.

A property owner/developer can continue to pursue development in accordance with the regulations associated with the existing base zoning in lieu of the MOD zoning.

## **B. FINDINGS CONCERNING POTENTIAL ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES**

In making the findings below, the Town Board reviewed the information within the DGEIS/DEIS and the FGEIS/FEIS associated to the existing conditions of the MOD Study Area and the Evergreen Manor and Gyrodyne Project Sites.

### **1. LAND USE, COMMUNITY CHARACTER, ZONING, AND PUBLIC POLICY**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on land use, community character, zoning and public policy for the following reasons:

- 1) As a Medical Oriented District, the MOD is appropriately located near and includes the NYPH Campus.
- 2) The proposed MOD is located on a major state highway NYS Route 202/35/Crompond Road.
- 3) The Proposed MOD Zoning would result in land use, community character, and zoning changes that allow for the redevelopment of the Proposed MOD Zoning Area in a manner consistent with the goals and intent of the MOD described in the Town's 2016 Comprehensive Plan.
- 4) As described in detail in the MOD DGEIS/DEIS, the Proposed MOD Zoning would be consistent with regional planning documents such as the Mid-Hudson Regional Sustainability Plan, and the Westchester County Greenway Compact Plan ("The Greenprint").
- 5) The Proposed MOD would provide development around the NYPH Hospital Center along Route 202/35 that supports and complements the existing hospital and centralizes medically oriented uses.
- 6) The proposed new medical office building would provide up to 150,000 square feet of Class A medical office space in support of the existing medical facilities and services provided at the hospital.
- 7) The Proposed MOD would provide mixed-use development, pedestrian, and streetscape amenities.
- 8) The Proposed MOD would improve the walkability of the area and pedestrian safety.
- 9) The existing land uses within ¼ mile of the MOD are consistent and compatible with the proposed MOD uses. The medical office building and parking structures proposed on the Gyrodyne site would replace the outdated medical office and surface parking lots with higher density, modern Class A medical space consistent and compatible with the NYPH Campus located across the street. The proposed assisted living building would be located on Crompond Road and over 100 feet from the nearest adjacent residential structure to the east and south. Existing wooded areas between the assisted living facility and the neighboring residential uses along Tamarack Avenue would be retained to buffer views into the site. The proposed ninety-nine town-houses and stacked multiple dwellings would provide a transitional land use between the higher density medical uses and parking structures proposed on the Gyrodyne site and the single-family residential neighborhoods to the west and south. The townhomes and stacked multiple dwellings would be limited to 2.5 stories or 35 feet in height and would be located on a minimum of 100 feet from the nearest adjacent residential structure to the east and south. The proposed residential units would be subject to the same height limitations as all other residential zoning districts.

- 10) All dining and food service uses proposed as part of the MOD must be located in a building with other medical uses.
- 11) To minimize impacts on Buttonwood Avenue, Orchard Lake will remain in its natural state to serve as a buffer. The placement of the medical office buildings and parking garages are oriented away from Buttonwood and significantly setback from residential uses. The existing parking spaces closest to Buttonwood Avenue have been removed and additional landscaping and vegetation is proposed along the boundaries of the project site with Buttonwood Avenue.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to land use, community character, zoning and public policy are anticipated from the Project.**

## **2. COMMUNITY SERVICES**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Community Services including schools, emergency services, recreation, and solid waste for the following reasons:

### Schools

- 1) All residential uses were eliminated from the Gyrodyne site eliminating the potential for the site to generate school age children.
- 2) Based on the modifications to both MOD Development Plan Sites, the Evergreen Manor site is now the only potential source of school-aged children anticipated to be added to the Lakeland Central School District (LCSD) from its 99 residential units. Utilizing Rutgers University Residential Demographic Multipliers, it is estimated that the Evergreen Manor FEIS Plan will generate approximately 27 public school-age. This increase represents an approximately 3% increase in the number of students at Lincoln Titus Elementary School, 0.4% increase at Copper Beach Middle School and a 0.7% increase at Walter Panas High School. The projected public school-aged children is similar to the 29 evaluated under the DGEIS/DEIS plan. The 27 public school-aged children ages K thru 12<sup>th</sup> grade estimated to be generated from the Proposed Action will account for less than then 0.6 percent of the Lakeland Central School District's current enrollment.
- 3) The Lakeland Central School District enrollment numbers have declined each year since the 2009-2010 school year with an overall 14 percent decline in enrollment between the 2009-2010 school year and the 2019-2020 school year.

### Emergency Services

- 4) The costs associated with the increase in demand for emergency services resulting from the MOD Development would not be substantial because the proposed development is not expected to require additional investment in equipment. Any additional costs are expected to be offset by the estimated \$167,704 in property tax revenue that the Mohegan Fire Department would receive from the MOD Development and the \$14,097 the Ambulance #3 would receive from the MOD Development.
- 5) Police protection is not funded through a special tax district and is not included in the Town general budget since the Town of Cortlandt does not have its own police service and contracts with Westchester County and New York State Police departments to provide police services in Town. Based on the fiscal analysis presented in Chapter 14, "Economic Conditions," and updated to reflect the revised build program approximately \$324,392 and \$52,583 would accrue to Westchester County and the Town of Cortlandt respectively, which could be used to offset any additional cost for police protection that may result from the MOD Development Plan.

- 6) The Proposed MOD Zoning would require all buildings within the MOD to provide adequate water for firematic protection in the form of onsite storage tanks.
- 7) The Proposed MOD Zoning would require all streets and driveways in the MOD to adequately accommodate fire and emergency apparatus including emergency means of ingress and egress as required by Town and State Codes.
- 8) The Proposed MOD Zoning would require designated loading areas for emergency services to all new buildings.
- 9) If any use in the MOD post construction has a negative impact on emergency services, then the responsible owner shall be required to reimburse the district for additional costs incurred.

#### Recreation

- 10) The Proposed MOD Zoning would require MOD projects to either propose new public recreation areas or pay a recreation fee as required under § 265-11 of the Town of Cortlandt Subdivision Ordinance.
- 11) The Evergreen Manor Project Site assisted and independent living facility will include social and recreational amenity space (fitness center, community rooms) to serve the residents of the proposed assisted and independent living development.
- 12) The Evergreen Project will feature walking trails around the southern wetland which will connect to the internal pedestrian circulation network and will be available for residents, employees, and visitors to use.
- 13) The Gyrodyne Project includes two open space areas 1) the MOD Green; and 2) the Wellness Plaza. The MOD Green will provide a landscaped open space gathering area, while the wellness plaza will serve as an accessible drop-off area, but can also be closed off during non-peak times to allow for outdoor markets or other community events.

#### Solid Waste

- 14) The Proposed MOD Zoning would require all private development projects proposed as part of the MOD to contract with a licensed private carter for the removal of refuse and recyclable materials.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Community Services are anticipated from the Project.**

### **3. GEOLOGY, SOILS, AND TOPOGRAPHY**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Geology, Soils, and Topography for the following reasons:

- 1) The limit of disturbance areas for the Evergreen Manor and Gyrodyne sites will limit proposed construction activities to only that area which is necessary to construct the Projects.
- 2) The off-site removal of excess cut material or the importation of fill material will be minimized to the extent practicable through either site design measures or the on-site processing and reuse of available on-site fill materials.
- 3) Should any blasting be required for required rock removal, it will be conducted in accordance with applicable Town and State regulations.
- 4) In compliance with requirements established for the NYSDEC SPDES General Permit for Stormwater Discharges from Construction Activity (Permit No. GP-0-15-002) a preliminary Stormwater Pollution Prevention Plan (SWPPP) has been prepared and will be implemented

during construction activities. As a result, an Erosion Control Plan shall be prepared as part of the contract documents and will require that the erosion and sedimentation controls set forth thereon be implemented before the start of construction and further such controls will be monitored and maintained during construction. Stabilization of the site shall also comply with the conditions or requirements of the Town, County and State.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Geology, Soils, and Topography are anticipated from the Project.**

#### **4. NATURAL RESOURCES**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Natural Resources for the following reasons:

- 1) The proposed Evergreen Manor Development Plan preserves all but a small portion of the northern wetland (approximately ¼ acre), and provides a wetland mitigation/replacement plan that will offset the loss of wetland at a ratio of 2:1.
- 2) The majority of the vegetation and wildlife habitat area to be disturbed on the Evergreen Manor site is either the former developed area or second growth scrub/shrub following the cessation of landscape management. While the buildings and hardscape offer only limited habitat value, the second growth areas do provide habitat for the more common suburban species. The surrounding residential and institutional properties offer similar habitat and following completion of construction it is expected that a continuity of habitat will continue to exist for these more adaptable species.
- 3) No threatened or endangered species are recorded as existing on or near the Evergreen Manor site, and none were observed during the site surveys.
- 4) A substantial part of the Gyrodyne site was previously cleared and open landscape for medical and residential use, and the areas of the site not containing buildings or parking area were largely maintained lawn and managed landscape. The majority of the proposed development will occur in these areas.
- 5) While trees on the interior of the site will be removed for construction, most of the trees located along Lafayette Avenue and all of the trees around Orchard Lake will be preserved.
- 6) The vegetation surrounding Orchard Lake will remain and will not be affected by the proposed construction.
- 7) In a letter dated November 5, 2018, the NYSDEC Division of Fish and Wildlife, New York Natural Heritage Program stated that they have no records of rare or state-listed animals or plants, or significant natural communities at the Gyrodyne project site or in its immediate vicinity (see DGEIS/DEIS Appendix 5).
- 8) An Information for Planning and Consultation (IPaC) resource list ([//ecos.fws.gov/ipac/](http://ecos.fws.gov/ipac/)), under the jurisdiction of the U.S Fish and Wildlife Service, listed two species that could potentially be affected by the activities at the Gyrodyne Project Site. The first species is the Indiana Bat (*Myotis sodalist*) which is endangered, and the second species is the Northern Long-eared Bat (*Myotis septentrionalis*) which is threatened. The resource list indicates that the project site is located outside of the critical habitat for both species.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Natural Resources are anticipated from the Project.**

## 5. SURFACE WATER RESOURCES AND WETLANDS

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Surface Water Resources and Wetlands for the following reasons:

- 1) The Evergreen Manor site will require approximately 0.35 acres of wetland disturbance and 3.3 acres of wetland buffer modifications and includes mitigation in the form of approximately 0.82 acres of wetland creation/expansion along with buffer enhancement. Confirmation of wetland disturbance and mitigation measures will be finalized as part of site plan approval but cannot be more than what is presented in this findings or what is limited by the agencies having jurisdiction. The proposed mitigation will include invasive species management, cleanup of former debris areas, aggressive re-planting with native ground covers, shrubs and trees, and initiatives to improve wetland and wetland buffer functions. The proposed landscaping plan for the site will include native species wherever feasible, and the water quality/bioretenion features will be planted to mimic wetland vegetation to provide additional habitat, particularly to bird species.
- 2) Pursuant to § 179-6B. of the Cortlandt Town Code, the FGEIS/FEIS discusses the Evergreen Manor's compliance with the required criteria used to evaluate wetland buffer disturbance.
- 3) In response to Town Board and public input, the limits of wetland disturbance on the Gyrodyne site have been reduced by approximately 64% from 33,000 square feet to 12,000 square feet. Only the limited 12,000 square foot portion of the wetland area would be developed in connection with the proposed parking area. There will be no impacts related directly to Orchard Lake. The Gyrodyne Project proposes to keep the lake in its natural state without any disturbance to its function or flow system.
- 4) In direct response to feedback from Buttonwood Avenue residents, all walking paths and recreational components around Orchard Lake have been removed from the proposed project, which further reduces disturbances in natural areas.
- 5) The Gyrodyne Site has also been designed to maintain Orchards Lake's existing flows and function.
- 6) A monitoring protocol will be established for Orchard Lake to monitor existing hydraulic conditions for a minimum of one year prior to any certificate of completion.
- 7) Stormwater runoff will be contained on-site and discharged into Orchard Lake, providing for natural ground infiltration. This process will help ensure that a healthy water level is maintained in the lake that will support the surrounding natural environment.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Surface Water Resources and Wetlands are anticipated from the Project.**

## 6. STORMWATER MANAGEMENT

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Stormwater Management for the following reasons:

- 1) The Evergreen Manor and Gyrodyne sites will be developed so that the quantity and quality of stormwater runoff during construction and after development are not significantly altered from pre-construction conditions. Primary stormwater management objectives are to replicate, as close as possible, pre-development hydrology and to avoid causing downstream flooding and flood damage and to employ all means practicable to mitigate increases in pollutant (TSS and TP) loads that will occur as a result of the proposed Project. In addition to maintaining

stormwater runoff flow from the proposed watershed areas in a manner similar to existing drainage patterns, the peak rates of runoff at each storm event up to a 100-year storm frequency will be less than or equal to existing conditions through the implementation of proposed stormwater detention and infiltration practices.

- 2) The current proposal for Evergreen Manor would reduce impervious surface coverage from  $\pm 40\%$  to  $\pm 36\%$  (reduction of approximately 1 acre) on the Evergreen Manor Site particularly adjacent to neighboring properties along Tamarack Drive. In order to maintain the 100 foot buffer along the side adjacent to Tamarack, the wetland buffer disturbances remain similar to the FEIS proposed plan.
- 3) The Storm Water Pollution Prevention Plan (SWPPP) for the Evergreen Manor Site consists of a combination of Stormwater Management Practices (SMP), Green Infrastructure Practices, and Alternative Treatment Practices. Standard Treatment Practices such as bioretention basins and underground infiltration basins will be used to treat stormwater runoff from roads, walks, driveways and parking areas. Stormwater planters will be used to treat roof runoff. The proposed Stormwater Management Practices will be designed to meet the New York State Stormwater Management Design Manual (NYSSMDM) requirements in order to provide 80% Total Suspended Solids (TSS) removal and 40% Total Phosphorous (TP) removal.
- 4) The proposed stormwater management plan for the Gyrodyne Site would include several mechanisms for improving water quality, including structural water quality pretreatment units as well as vegetated bioswales and permeable pavement.
- 5) Construction activities and build-out at the Gyrodyne site will not impact the function or flow associated with Orchard Lake.
- 6) The integrated stormwater management approach proposed for the Gyrodyne site provides a combination of stormwater pre-treatment techniques consistent with New York State Department of Conservation Stormwater Management Design Manual. The multiple techniques utilized will permit the pre-treatment of stormwater prior to the discharge into Orchard Lake by reducing floatable debris, Phosphorus, Nitrogen, some metals, and pathogens. Additionally, the integration of permeable pavements reduces the volume of snow melt products thereby reducing discharge into Orchard Lake.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Stormwater Management are anticipated from the Project.**

## **7. WATER SUPPLY**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Water Supply for the following reasons:

- 1) Any new development proposed as part of the MOD would be required to connect to the municipal water system and would be required to obtain all necessary permits and approvals.
- 2) Each developer would be required to extend the system and would be responsible for the design, construction, inspection and certification of aforementioned extension. Capital construction costs, design and inspection fees would be borne by the developer(s). In addition infrastructure extension fees will be required by the Town.
- 3) The Northern Westchester Joint Water Works has a maximum plant capacity of 14.5 MGD. The available water supply within the NWJWW water supply system currently exceeds the estimated average daily demand for the Evergreen and Gyrodyne Development Plans.
- 4) The owners and operators of the buildings within the Evergreen Manor Project Site will be encouraged to utilize water fixtures and appliances that meet or exceed the minimum standards for water efficiency. In addition, most landscape plantings will be selected based on their ability

to be drought tolerant and native to the area. Irrigation if needed will be limited to only those areas where needed such as building and site entrances and gardens.

- 5) Irrigation will be scheduled during late evening or before early morning hours to minimize impacts to the Town's water distribution system.
- 6) The Evergreen Manor Project will include a connection to the 8-inch CIP water main located on the north side of Route 202/35/Crompond Road and extended as a public water main within the main access road. From there, individual building services will be made from the new water main. To minimize water main dead-end pipes, the water main in the main access road will be routed to the west through the development site and connected to the 8-inch Town owned and operated water main located in Lafayette Avenue. This interconnection will also help strengthen the Town water system by allowing water flow to travel through multiple pipes thereby increasing water flow. The water mains installed in the main access road and interconnection to Lafayette Avenue will be designed and constructed to meet the Town of Cortlandt standard specifications. Upon completion of the water mains, they will be offered for dedication to the Town of Cortlandt as a public water distribution main
- 7) The Gyrodyne Project will include a cross-connection between the existing water mains in Buttonwood Avenue and Lafayette Avenue to provide redundancy and enhance distribution. The water mains installed in the main access road and interconnection to Lafayette Avenue will be designed and constructed to meet the Town of Cortlandt standard specifications. Upon completion of the water mains, they will be offered for dedication to the Town of Cortlandt as a public water distribution main.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Water Supply are anticipated from the Project.**

## **8. SANITARY SEWER SERVICE**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Sanitary Sewer Service for the following reasons:

- 1) Any new development proposed as part of the MOD would be located within the Peekskill Sanitary Sewer District and would be required to connect to municipal sewer and obtain all necessary permits and approvals. Any development in the MOD would also require the formation of a local sewer district(s).
- 2) All new public sewer mains and private service laterals (with the capacity to convey in excess of 2,500 GPD) will require the review and approval of the Westchester County Department of Health and will be designed in strict accordance with local standards, the customary Ten States Standards, and regulatory Westchester County Department of Health (WCDOH) requirements. This will require, but shall not be limited to, the establishment of minimum pipe slopes based on pipe diameter (for self-cleansing velocities) and 4-foot minimum depth of cover over all sanitary sewer main pipes (for frost protection.)
- 3) To reduce the sanitary sewer demand of the MOD Development, water saving fixtures and devices will be used in all new buildings. Further, all new sanitary sewer piping will be pressure tested for leakage in accordance with WCDOH regulations and will be required to pass such testing before being allowed to be placed into service. This will assure little or no inflow or infiltration will enter the sewer system from the new construction.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Sanitary Sewer Service are anticipated from the Project.**

## **9. ENERGY & TELECOMMUNICATIONS**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Energy & Telecommunications:

- 1) The proposed MOD Zoning would require that any plan for development of any site designated MOD shall consider the design, construction, and arrangement of buildings in such a way as to promote energy efficiency and encourage the use of alternative energy sources, such as geothermal and active or passive solar systems.
- 2) All applicants in the MOD shall be required to complete an energy analysis that quantifies the estimated reduction in electric and gas measured against a baseline scenario of standard consumption patterns that the proposed conservation measures are anticipated to achieve.
- 3) To reduce the potential for visual and community character impacts, any new energy service or telecommunications connections would be required to be placed underground in the manner prescribed by the Town or service provider.
- 4) The existing infrastructure network that services the MOD is expected to be either capable of or upgraded to support the utility demands of the Evergreen Manor Project and Gyrodyne projects.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Energy & Telecommunications are anticipated from the Project.**

## **10. TRAFFIC AND TRANSPORTATION**

The Town of Cortlandt reviewed the information presented in the DGEIS/DEIS and FGEIS/FEIS in relation to traffic and transportation and makes the findings below:

- 1) A Traffic Impact Study (“TIS”) was performed to evaluate the potential impacts to the traffic network from the Proposed Action and was discussed in the DEIS. Based on the review and comments by the Board, members of the public, and the NYSDOT (an involved Agency), the Proposed Action was modified with a revised TIS as discussed in the FEIS. The Applicants in conjunction with the Town of Cortlandt have since developed revised conceptual plans (“Mitigation Design”) which modify the Proposed Project presented in the FEIS. A comparison of the trip generation anticipated with the revised conceptual plans as compared to the FEIS is shown in **Table 5**.

**Table 5**  
**Trip Generation Comparison**

Development	AM Peak Hour Trips	PM Peak Hour Trips	Sat Peak Hour Trips
FEIS	437	759	498
Revised Conceptual Plans	328	610	400

- 2) As the TIS included in the FEIS analyzed a higher generating development plan than the revised conceptual plans, the Town of Cortlandt bases its findings regarding the impacts of the Proposed Action with respect to traffic and transportation on the TIS presented in the FEIS. As such, the required mitigation detailed herein are still applicable and the responsibility of the Applicants. The methodology used to evaluate signalized and unsignalized intersections in the TIS is described below:

Methodology

***Signalized Intersections***

The operation of signalized intersections in the study area was analyzed by applying the Percentile Delay Methodology included in the Synchro 10 traffic signal software. The Percentile Delay Methodology differs from the *Highway Capacity Manual (HCM)* Methodology by calculating vehicle delays for five different percentile scenarios (10th, 30th, 50th, 70th and 90th) and taking the volume weighted average of the scenarios as compared to HCM which calculates delay for a single average scenario. In addition, the Percentile Delay Methodology includes an additional queue delay component to account for the effects of queues and blocking on short links and turning bays. The methodology evaluates signalized intersections for average delay per vehicle and level of service (LOS).

LOS can be characterized for the entire intersection, each intersection approach, and each lane group. Delay alone is used to characterize LOS for the entire intersection or an approach. Total delay and volume-to-capacity (v/c) ratio are used to characterize LOS for a lane group. The volume-to-capacity ratio quantifies the degree to which a phase's capacity is utilized by a lane group.

LOS A describes operation with a delay of 10 seconds per vehicle or less and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is low and either progression is exceptionally favorable or the cycle length is very short. If it is due to favorable progression, most vehicles arrive during the green indication and travel through the intersection without stopping.

LOS B describes operation with delay between 10 and 20 seconds per vehicle and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is low and either progression is highly favorable or the cycle length is short. More vehicles stop than with LOS A.

LOS C describes operation with delay between 20 and 35 seconds per vehicle and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is favorable or the cycle length is moderate. Individual cycle failures (i.e., one or more queued vehicles are not able to depart as a result of insufficient capacity during the cycle) may appear at this level. The number of vehicles stopping is significant, although many vehicles still pass through the intersection without stopping.

LOS D describes operation with delay between 35 and 55 seconds per vehicle and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is high and either progression is ineffective or the cycle length is long. Many vehicles stop and individual cycle failures are noticeable.

LOS E describes operation with delay between 55 and 80 seconds per vehicle and a volume-to-capacity ratio no greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is high, progression is unfavorable, and the cycle length is long. Individual cycle failures are frequent.

LOS F describes operation with delay exceeding 80 seconds per vehicle or a volume-to-capacity ratio greater than 1.0. This level is typically assigned when the volume-to-capacity ratio is very high, progression is very poor, and the cycle length is long. Most cycles fail to clear the queue.

A lane group can incur a delay less than 80 seconds per vehicle when the volume-to-capacity ratio exceeds 1.0. This condition typically occurs when the cycle length is short, the signal progression is favorable, or both. As a result, both the delay and volume-to-capacity ratio are considered when lane group LOS is established. A ratio of 1.0 or more indicates that cycle capacity is fully utilized and represents failure from a capacity perspective (just as delay in excess of 80 seconds per vehicle represents failure from a delay perspective).

Delay criteria for the range of service levels for signalized intersections are shown in **Table 6**.

**Table 6**  
**LOS Criteria for Signalized Intersections**

Total Delay Per Vehicle	Level-of-Service (LOS) <sup>(1)</sup>	
	v/c ratio ≤ 1.0	v/c ratio > 1.0
≤ 10.0 seconds	A	F
>10.0 and ≤ 20.0 seconds	B	F
>20.0 and ≤ 35.0 seconds	C	F
>35.0 and ≤ 55.0 seconds	D	F
>55.0 and ≤ 80.0 seconds	E	F
>80.0 seconds	F	F

**Note:** (1) For approach-based and intersection-wide assessments, LOS is defined solely by delay.  
**Source:** Transportation Research Board. *2010 Highway Capacity Manual*.

***Unsignalized Intersections***

LOS for a two-way stop-controlled (TWSC) and all-way stop-controlled (AWSC) intersections is determined by the computed or measured control delay using HCM Methodology. For motor vehicles, LOS is determined for each minor-street movement (or shared movement) as well as major-street left turns at TWSC intersections and for all movements at AWSC intersections. LOS is not defined for the intersection as a whole for TWSC intersections.

The LOS criteria for both TWSC and AWSC unsignalized intersections are summarized in **Table 7**.

**Table 7**  
**LOS Criteria for Unsignalized Intersections**

Control Delay Per Vehicle	Level-of-Service (LOS) <sup>(1)</sup>	
	v/c ratio ≤ 1.0	v/c ratio > 1.0
≤ 10.0 seconds	A	F
>10.0 and ≤ 15.0 seconds	B	F
>15.0 and ≤ 25.0 seconds	C	F
>25.0 and ≤ 35.0 seconds	D	F
>35.0 and ≤ 50.0 seconds	E	F
>50.0 seconds	F	F

**Note:** (1) For TWSC intersections, the LOS criteria apply to each lane on a given approach and to each approach on the minor street (for TWSC intersections). LOS is not calculated for major-street approaches or for the intersection as a whole.  
**Source:** Transportation Research Board. 2010 *Highway Capacity Manual*.

Note that the LOS criteria for unsignalized intersections are somewhat different from the criteria used in signalized intersections. At TWSC intersections, drivers on the stop-controlled approaches are required to select gaps in the major-street flow in order to execute crossing or turning maneuvers. In the presence of a queue, each driver on the controlled approach must also use some time to move into the front-of-queue position and prepare to evaluate gaps in the major-street flow. AWSC intersections require drivers on all approaches to stop before proceeding into the intersection.

- 3) Traffic conditions were evaluated at 25 intersections for the Weekday AM and PM peak hours. Under the 2023 With Action condition (MOD Development Plan), absent any additional new development in the study area beyond that specified for Evergreen Manor and Gyrodyne, there would be impacts at the following locations;
- i. Route 6 and Dayton Lane—the northbound left turn movements would deteriorate from LOS D to LOS E during the Weekday PM peak hour.
  - ii. Route 6 and Lexington Avenue—the eastbound through/right turn movement would deteriorate within LOS F during the Weekday PM peak hour.
  - iii. Route 202/35 and Lafayette Avenue/NYPH Driveway—the eastbound approach would deteriorate from LOS C to LOS F during the Weekday PM peak hour.
  - iv. Route 202/35 and Bear Mountain State Parkway—the eastbound approach would deteriorate within LOS F during the Weekday AM and PM peak hours.
  - v. Route 202/35 and Croton Avenue/Maple Row—the westbound left turn movement would deteriorate from LOS B to LOS E during the Weekday PM peak hour. The westbound through/right turn movement would deteriorate within LOS F during the Weekday PM peak hour. The northbound left turn movement would deteriorate within LOS F during the Weekday AM and PM peak hours.
  - vi. Route 202/35 and Lexington Avenue—the eastbound through/right turn movement would deteriorate within LOS F during the Weekday AM and PM peak hours. The westbound through movement would deteriorate within LOS F during the Weekday PM peak hour.
  - vii. Dayton Lane and Beach Shopping Center South Driveway—the westbound left turn/right turn movement would deteriorate within LOS F during the Weekday PM peak hour.
  - viii. Route 202/35 and Dayton Lane—the southbound approach would deteriorate within LOS F during the Weekday AM and PM peak hours.
  - ix. Route 202/35 and Tamarack Drive—the northbound approach would deteriorate from LOS C to LOS E during the Weekday PM peak hour.

- x. Route 202/35 and Shipley Drive—the northbound approach would deteriorate from LOS D to LOS F during the Weekday PM peak hour.
- xi. Route 202/35 and Locust Avenue—the southbound approach would deteriorate from LOS D to LOS F during the Weekday AM peak hour.
- xii. Bear Mountain Parkway and Arlo Lane—the northbound approach would deteriorate within LOS F during the Weekday PM peak hour.

The Applicants have proposed, as part of their development plans, a series of improvements to the traffic network. As the trip generation of the revised conceptual plans (“Mitigation Design”) is less than the traffic analyzed for the FEIS, the revised “Mitigation Design” would not result in any additional significant adverse impacts to traffic compared to the FEIS Proposed Action. As discussed below, the traffic mitigation measures identified for the FEIS are proposed as part of the revised Proposed Action.

The improvements proposed in the FEIS are still required to mitigate the Proposed Action’s impacts to the maximum extent practicable. While some improvements also serve to benefit the traffic network more generally and improve upon existing or expected conditions without the Proposed Action, the improvements proposed would not be required but for MOD Development Plans. Improvements required by this Findings Statement (see **Table 8**) shall be included as conditions of any site plan approval for the Proposed Action and shall also require the review and approval of all applicable permitting agencies.

**Table 8** presents the traffic mitigation measures included as part of the Proposed Action. With the implementation of these mitigation measures, the significant adverse traffic impacts identified above could be fully mitigated except for the signalized intersections of US Route 6 and Lexington Avenue (Weekday PM peak hour), Route 202/35 and Croton Avenue/Maple Row (Weekday AM and PM peak hours) and Route 202/35 and Lexington Avenue (Weekday PM peak hour). In addition, the unsignalized intersections of Dayton Lane and Beach Shopping Center south driveway (weekday PM peak hour), Route 202/35 and Shipley Drive/Diamond Avenue (Weekday PM peak hour), and Route 202/35 and Locust Avenue (Weekday AM peak hour) could not be fully mitigated.

Route 202/35 and Bear Mountain Parkway and Croton Avenue/Maple Row

- 4) The intersections of Route 202/35 and Bear Mountain Parkway and Route 202/35 and Croton Avenue/Maple Row are located approximately 1.2 miles from the MOD Development Plan, however under existing conditions are operating at or over capacity. The FEIS 2023 No Action Condition shows considerable deterioration to the Route 202/35 and Bear Mountain Parkway approaches without any proposed improvements to increase capacity. In addition, these locations are not currently included on the Statewide Transportation Improvements Plan (STIP), a comprehensive list of projects in New York State proposed to receive federal funding for improvements. As such, they represent an existing choke point along the corridor. Furthermore, as the two intersections are closely spaced and operate as a single traffic signal, signal retiming is not feasible unless coupled with increasing the roadway capacity. Increasing the roadway capacity for the critical eastbound approach is not feasible as sufficient right-of-way does not exist due to the NYCDEP aqueduct in the vicinity of the approach.
- 5) With signal retiming and increasing capacity being unfeasible mitigation measures, diverting trips away from the area of congestion would be the most cost effective and practical improvement to operating conditions. Approximately 27 and 30 vehicles currently make an eastbound left turn from Route 202/35 to the Bear Mountain Parkway during the Weekday AM and PM peak hours, respectively. However, the limited vehicles making a left turn have the potential to create substantial delay for the larger number of eastbound through vehicles as the eastbound approach of Route 202/35 is not wide enough to accommodate vehicles maneuvering

around waiting left turn vehicles. In addition, the eastbound left turn is a difficult maneuver due to the alignment of Route 202/35 with the Bear Mountain Parkway, a factor which may be contributing to the high crash rate at this location. In consultation with the Town of Cortlandt and NYSDOT, the eastbound left turn is proposed to be banned and the limited number of vehicles wishing to travel northbound on Bear Mountain Parkway from Route 202/35 be rerouted via wayfinding signage to Conklin Avenue where vehicles can turn right onto U.S. Route 6 and then turn right onto the Bear Mountain Parkway northbound ramp. This rerouting creates a safe, effective route for vehicles traveling to the Bear Mountain Parkway and greatly reduces eastbound congestion at the Route 202/35 and Bear Mountain Parkway intersection.

### Queuing

- 6) Queue lengths are a quantitative measure of traffic demand. In saturated conditions, as is the case on the Route 202/35 corridor, queue lengths represent the unmet demand where a building queue indicates a worsening of congestion. A review of the Synchro 95th Percentile queue data shows that under 2023 With Action conditions the majority of intersection approaches and turning lanes which under 2023 No Action conditions extend to or beyond the storage length would be improved or continue to exceed the storage length under 2023 With Action conditions. Locations where the 95th percentile queues would exceed the storage capacity only under the 2023 With Action Condition (as a result of the Proposed Project) and would be considered an impact are listed below.
  - i. The eastbound and westbound shared through/right turn lane at the intersection of Route 202/35 and Gyrodyne Driveway/NYPH Driveway
  - ii. The westbound through lane at the intersection of Route 202/35 and Lafayette Avenue/NYPH Driveway
  - iii. The eastbound approach at the intersection of Route 202/35 and Bear Mountain Parkway
  - iv. The westbound left turn lane at the intersection of Route 202/35 and Croton Avenue/Maple Row
  - v. The northbound approach at the intersection of Route 202/35 and Lexington Avenue
  - vi. The southbound approach at the intersection of Route 202/35 and Dayton Lane
  
- 7) With the improvement measures being provided as identified in **Table 8**, the majority of queues impacted under the FEIS 2023 With Action Condition would be mitigated. An assessment of the remaining impacted queues under the FEIS 2023 With Action Condition identified improvements which would increase the storage capacity for the impacted movements and mitigate the 95th Percentile queues with the Proposed Project for all approaches with the exception of the left turn lane at the intersection of Route 202/35 and Bear Mountain Parkway which is constricted by available right-of-way as discussed above. The additional improvement measures to be provided are listed below.
  - i. The westbound left turn lane at the intersection of Route 202/35 and Croton Avenue/Maple Row would be increased in length from 100 feet to 225 feet.

### Corridor Delay

- 8) The Town Board finds that the improvements proposed by the Applicants along Route 202/35 to mitigate Project impacts will improve the functioning of the Route 202/35 corridor. Specifically, the delay associated with the Proposed Action would be greatly reduced

however an increase in delay along the Route 202/35 corridor would still be experienced as compared to the 2023 No Action Condition. Therefore, additional mitigation measures listed below are provided to reduce travel time along the corridor with the Proposed Action.

- i. Route 202/35 and Lafayette Avenue/NY Presbyterian Hospital Driveway—signal phasing modifications to make the westbound left-turn a lagging phase.
  - ii. Route 202/35 from Dayton Lane to Conklin Avenue—Adjustments to the signal offsets to smooth traffic flow and progression between intersections.
- 9) With the implementation of these additional improvement measures, as well as the partial mitigation measures at the intersections of Route 202/35 and Bear Mountain Parkway and Route 202/35 and Lexington Avenue discussed above, additional storage capacity for turning vehicles would be provided and would improve the flow of through traffic along Route 202/35.
- 10) The Adaptive Traffic Control System (ATCS) which is also included as an improvement measure has the potential to further improve vehicle delay and number of stops along a congested arterial by approximately 10 percent (during the peak periods) when implemented correctly. In addition, as an ATCS adjusts traffic signal timing (offsets, cycle lengths and splits) based on real-time conditions it is better able to adapt to the variations in traffic volumes throughout the day, leading to a better driver experience through the corridor. Within the Town of Cortlandt, the U.S. Route 6 corridor from Jerome Drive to Lexington Avenue currently operates under the control of an ATCS and has shown improvements to travel times of approximately 10 percent during the peak periods, and greater improvements during the shoulder and weekend hours.

#### Traffic Safety Conditions

- 11) Based on the anticipated traffic generation, The Town Board finds that the reduced conceptual plans will not have a significant impact on the accident rates on the area roadways. Although the Proposed Project is not anticipated to exacerbate traffic safety conditions, the following improvements, included as mitigation measures above, would also be beneficial to traffic safety conditions:
- i. Route 202/35 and Dayton Lane— Installation of a new red/yellow/green signal (Crash Modification Factor (CMF) of 0.78 for all crashes and 0.75 for left turn crashes) and Installation of a left turn only lane for the southbound Dayton Lane approach (CMF of 0.75 for all crashes)
  - ii. Route 202/35 and Conklin Avenue—Installation of a left turn lane for westbound Route 202/35 approach and signal timing modifications to provide protected/permitted eastbound, westbound, northbound and southbound left turns (CMF of 0.62 for left turn crashes along Route 202/35)
  - iii. Route 202/35 and Bear Mountain Parkway—Installation of a left turn lane along the Route 202/35 eastbound approach (CMF of 0.88 for all crashes) In addition, for the left turn prohibition discussed above there would be a CMF of 0.40 for left turn crashes, and 0.77 for rear end crashes.
  - iv. Route 202/35 corridor from Dayton Lane to Conklin Avenue—Coordinate arterial signals (CMF of 0.79 for all crashes)

### Post Construction Traffic Monitoring Plan

- 12) The intersection analysis and associated mitigation measures are based on vehicle trip estimates anticipated to be generated by the Proposed Project. In order to ensure sufficient mitigation measures are identified and implemented, the Town of Cortlandt has determined the need for a post construction traffic monitoring plan to be conducted to determine if additional improvements beyond those identified above are needed. The improvement measures identified above will be implemented independent of the results of the post construction monitoring plan.
- 13) Twice a year for the first two years following full occupancy of the Proposed Project, Weekday AM and PM peak period driveway counts will be collected at each of the project site driveways. For each data collection period, traffic counts will be collected on a Tuesday, Wednesday, and Thursday to capture any fluctuations in traffic generated by the Proposed Project. Prior to data collection, a data collection protocol will be submitted to the Town for approval.
- 14) Following each data collection period, a memorandum will be submitted to the Town presenting a comparison of the driveway counts to the trip generation estimates presented in this study. If the driveway peak hour counts exceed the trip generation estimates, the Town may require additional traffic analyses to be conducted at the study intersections to determine if additional improvements should be implemented. Any future analysis will be coordinated and approved by the Town and could include collecting intersection peak hour traffic turning movement counts and conducting peak hour intersection operations analyses to identify additional improvements.

### Parking

- 15) The reduced conceptual plan for the Gyrodyne Project Site would provide 750 parking spaces (253 surface lot parking spaces and 497 structured parking spaces) which is 106 more spaces than the Proposed Project in the FEIS and in excess of the amount required by zoning and the Institute for Transportation Engineers (ITE) generic guidelines of parking demand. The reduced conceptual plan for the Evergreen Project Site would provide 363 parking spaces, a reduction in parking as compared to the Proposed Project analyzed in the FEIS. The proposed parking for the Evergreen Project Site is in excess of the amount required by zoning for the reduced conceptual plan and the Institute for Transportation Engineers (ITE) generic guidelines of parking demand. However, because the Evergreen Project Site provides distinct parking lots, the dedicated parking for the retail use may require additional parking to avoid a parking shortfall. The final parking layout and will be determined by the Planning Board during site plan review.

### Section 200 of the Town Law

- 16) One potential option for financing can be found under Section 200 of the Town Law. Financing under this provision could facilitate the installation of the traffic improvements subject to further review by the Town Board, and would not lead to a significant adverse environmental impact.

### Traffic Improvements Allocation

- 17) As part of the MOD, Gyrodyne and VS Construction will each be responsible for 50% of the total cost of the required traffic improvements. The necessary funding for all traffic

improvements from both Gyrodyne and VS Construction shall be required prior to any traffic improvements being made to the 202 Corridor. If either party fails to fund its allocation of traffic improvements at the time described in the preceding sentence, then its properties shall no longer be zoned as MOD, and they will revert back to their prior zoning classifications.

**Based on the forgoing, The Town Board finds that as to traffic and transportation the Proposed Action will not create any significant adverse impacts and will avoid or minimize adverse environmental impacts to the maximum extent practicable.**

**Table 8**  
**Intersection Mitigation Measures**

Mitigation Measures	
Intersection/Roadway Segment	Weekday AM Peak Hour
	<b>Weekday PM Peak Hour</b>
	<b>Signalized Intersections</b>
US Route 6 and Dayton Lane	No significant impact
US Route 6 and Lexington Avenue	No significant impact
Route 202/35 and Dayton Lane	1) Restripe the SB Dayton Lane approach from one lane to one left turn only lane and one right turn only lane 2) Signalize the intersection <sup>1</sup>
Route 202/35 and Lafayette Avenue / NY Presbyterian Driveway	1) Widen the NB Lafayette Avenue approach from one lane to one 100-foot left turn only lane and one through/right turn lane 2) Restripe the SB NY Presbyterian driveway approach from one left turn/through lane and one right turn lane to one left turn lane and one through/right turn lane 3) Signal phasing modifications to allow for protected/permitted NB/SB left turns <sup>6</sup>
Route 202/35 from Dayton Lane to Conklin Avenue	Coordinate the corridor with optimized offsets <sup>7</sup>
Route 202/35 and Bear Mountain Parkway	Ban the EB left turn, reroute to the intersection of Route 202/35 and Conklin Avenue via wayfinding signage
Route 202/35 and Croton Avenue/Maple Row	Unmitigated
Route 202/35 and Lexington Avenue	1) Restripe the SB Lexington Avenue approach from one left turn/through lane and one right turn lane to one left turn lane and one through/right turn lane 2) Signal Timing Modifications
	<b>Unsignalized Intersections</b>
Dayton Lane and South Shopping Center Driveway <sup>3</sup>	No significant impact
Route 202/35 and Shipley Drive <sup>3,4</sup>	No significant impact
Route 202/35 and Locust Avenue <sup>3,4</sup>	Unmitigated
	<b>Notes:</b> EB = Eastbound; WB = Westbound; NB = Northbound; SB = Southbound.
	(1) Traffic Signal is warranted with or without the Proposed Action.
	(2) Does not fully mitigate the intersection
	(3) Unsignalized intersection which does not meet signal warrant criteria under With Action Condition.
	(4) Not uncommon for unsignalized minor approaches/driveways on a state/city roadway to operate at LOS E and F
	(5) Mitigation not necessary for peak hour
	(6) Coordination and offsets synchronize traffic signals together in order to provide smooth flow of traffic along a segment with closely spaced intersections in order to reduce travel time, stops and delay.
	(7) The Proposed Action would only add six vehicles to eastbound through/right-turn movement, however, since this approach is already above capacity in the No Action condition, any additional vehicle would result in large increases in delay. It should be noted that the analysis does not reflect potential improvements from the implementation of an Adaptive Traffic Control System.

## 11. AIR QUALITY

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on Air Quality for the following reasons:

- 1) Air quality impacts can result from emissions generated by direct stationary sources, such as emissions from on-site fuel combustion for heat and hot water systems, or indirect sources, such as off-site emissions from on-road vehicle trips generated by the project or other changes to future traffic conditions due to the project. The Proposed Action would generate vehicle trips; therefore the potential for indirect mobile source impacts from the on-street vehicles generated by the Proposed Action, as well as mobile source impacts from the surface lot parking facilities on multiple parcels within the MOD, were evaluated. The MOD Development Plan would also include fossil fuel-fired heat and hot water systems. Therefore, stationary source impacts were evaluated as well. The Proposed Action would introduce relatively small stationary sources at sufficiently large distances from the nearest sensitive locations, and the traffic increments associated with the MOD Development Plan would not exceed screening levels. Therefore, the additional vehicle trips generated by the Proposed Action and the MOD Development Plan's stationary sources are not expected to cause any exceedance of ambient air quality standards.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to air quality are anticipated from the Project.**

## 12. NOISE

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on noise for the following reasons:

- 1) Noise associated with the Proposed Project would be in compliance with the Town of Cortlandt's code restrictions on noise. Additionally, the Proposed Project would not be expected to result in significant adverse noise impacts at residences or other receptors immediately adjacent to the project site according to the NYSDEC noise guidance document, and future noise levels at the buildings included in the Proposed Project would experience noise levels in the range considered acceptable for residential use according to the NYSDEC guidance document.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to noise are anticipated from the Project.**

## 13. ECONOMIC CONDITIONS

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS and the updated "Economic Conditions" analysis prepared by AKRF in February 2023, that the Proposed Action is not anticipated to result in any significant adverse economic or fiscal impacts and would have an overall positive fiscal effect on the Town for the following reasons:

- 1) The Proposed Project would support community economic goals and objectives in line with Envision Cortlandt, the Town's Comprehensive Plan adopted in 2016.
- 2) The Proposed Project would maximize the economic potential of the area by supporting new complementary medically-oriented commercial investment in proximity to New York Presbyterian Hospital (NYPH), and by providing expanded housing options, particularly in high demand segments that are in high demand.
- 3) The Proposed Project is projected to generate approximately \$3.6 million in annual property tax revenues, of which:
  - i. Westchester County would receive approximately \$359,000 per year, which includes general taxes to the county and the county refuse tax;
  - ii. The Town of Cortlandt (through its general fund and highway fund) would receive approximately \$362,000 annually; and
  - iii. Lakeland Central School District (LCSD) would receive approximately \$2.5 million annually.
- 5) The Proposed Project is not anticipated to result in any significant adverse economic or fiscal impacts.
- 6) The Proposed Project would result in new commercial uses, including professional offices, as well as new residential development that would attract and retain residents and consumer expenditure associated with those residents.
- 7) New residential uses could help to expand the tax base, similar to the Valeria development.
- 8) The projected annual property tax revenues generated for each affected taxing jurisdiction is expected to exceed the estimated costs to those jurisdictions, particularly for the LCSD.

The Proposed Project would therefore have overall net positive economic and fiscal effects, and no mitigation measures are required.

In addition, economic benefits from the construction activities associated with the Proposed Project comprise new jobs and new economic activity, including:

- 1) Total direct, indirect, and induced employment in Westchester County totaling nearly 1,000 person-years of employment;
- 2) Total direct, indirect, and induced labor income in Westchester County in the amount of \$91 million, and total economic activity generated within Westchester valued at \$179 million; and
- 3) Additional employment, employee compensation, and economic activity within the broader New York State and national economies.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to Economic Conditions are anticipated from the Project.**

#### **14. CULTURAL RESOURCES**

The Town of Cortlandt reviewed the information presented in the DGEIS/DEIS and FGEIS/FEIS in relation to cultural resources and makes the findings below:

- 1) A Phase 1A Literature and Sensitivity Assessment was prepared by Hudson Valley Cultural Resources Consultants (HVCRC) in compliance with the requirements and standards of the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) for the Evergreen Manor and Gyrodyne sites.
- 2) In correspondence dated December 20, 2018, the OPRHP stated that it had no further cultural resource concerns regarding the Gyrodyne project.
- 3) In a letter dated January 17, 2018 OPRHP indicated that it had no further archaeological concerns regarding the Evergreen Manor Project but a subsequent letter dated January 28, 2018 OPRHP indicated that OPRHP determined that the existing former Evergreen hotel building and barn are eligible to be listed on the State and National Register of Historic Places (S/NRHP)
- 4) On September 27, 2019 the Division of Historic Preservation of the Office of Parks, Recreation and Historic Preservation (OPRHP) determined that “there are no prudent and feasible alternatives to the demolition of the National Register eligible property on the site for the proposed medical oriented district. Although we agree the Manor is in an advanced state of deterioration, the removal of these buildings remains, in the OPRHP’s opinion, an Adverse Impact on historic resources.” A Letter of Resolution (LOR) was subsequently executed by VS Construction, OPRHP and the NYS Department of Environmental Conservation (DEC), which identified mitigation measures to mitigate the Adverse Impact. The following mitigation measures will be implemented as part of the Evergreen Manor site plan resolution to mitigate any potential impacts:
  - i. The preparation of a Structure Documentation report which was completed on March 2020 and submitted to OPRHP in May 2020.
  - ii. The installation of a kiosk and/or interpretive panel that will be developed in coordination with OPRHP and displayed in or outside one or more of the new buildings; and
  - iii. The incorporation of key architectural design elements from the former Evergreen Manor Hotel into the building architecture and/or as display artifacts.
- 5) Twenty-seven of the townhouses proposed in the FEIS and the revised conceptual plan will be constructed within the southern portion of the Evergreen Manor site, where no improvements were previously proposed under the Evergreen Manor Project DEIS plan reviewed by OPRHP. The southern portion of the site was also evaluated as part of the Phase 1A Literature Search and Sensitivity Assessment & Phase 1B Archaeological Field Reconnaissance Survey, Evergreen Manor dated 11/5/18 and included as part of the DGEIS/DEIS appendices. No historic or pre-historic resources were identified on the southern portion of the site.

**Based on the mitigation measures proposed, the Town Board finds that as to Cultural Resources the Proposed Action will not create any significant adverse impacts and will avoid or minimize adverse environmental impacts to the maximum extent practicable.**

## **15. VISUAL RESOURCES**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on visual resources for the following reasons:

- 1) The MOD Zoning would limit building heights to a maximum of 45 feet to maintain consistency in bulk and massing with existing neighborhood character.
- 2) The proposed MOD Zoning would require new developments to include amenities such as including lighting, streetscape, landscaping, and signage that are compatible and consistent with the architecture, streetscape, and signage of other properties located within the MOD.
- 3) MOD projects would be expected to replace the visual prominence of large parking lots with attractive streetscape, landscaping, sidewalks, public spaces, activity areas (such as outdoor seating) along Route 202/35 to encourage walkability, connectivity between MOD uses and to provide a more bicycle and pedestrian friendly commercial center with connections to adjacent residential neighborhoods.
- 4) The Evergreen Manor and Gyrodyne projects have been designed to provide a vibrant mixed-use development that is consistent with the goals of the MOD to encourage economic development, create a sense of place and provide complementary medical and residential uses proximate to the hospital. The proposed buildings have been designed to feature articulated façade elements and neutral color palettes with accent colors to provide complementary design and visual interest. Landscaping including evergreens, deciduous trees, and flowering trees and shrubs are proposed throughout the sites to provide both screening and visual interest from within and outside of the Property.
- 5) The Gyrodyne project includes a village green and wellness plaza as well as a prominent street frontage with the medical office building designed to promote a visual gateway, sense of place, and walkability. The foreground of the medical office building will also provide a feeling of entering a cultural hub with art sculptures and outdoor terraces.
- 6) A minimum area of non-disturbance shall be required between the closest part of a structure in a parcel designated as MOD and the nearest lot line of any existing residentially-zoned parcel. This provides significantly larger buffers than if the Evergreen site were to be developed as single-family homes. Within this area of non-disturbance, no trees or other vegetation shall be permitted to be removed with the exception of dead or diseased flora and invasive species. The Non-Disturbance areas shall be the areas between structures and lot lines in the MOD as follows:
  - i. No disturbance, except as otherwise allowed for in the enabling local law, shall be permitted within 100 feet from the nearest lot line of a parcel located on Cypress Lane, Nancy Lane, Ridge Road, and Tamarack Drive with an existing residential unit.
  - ii. No disturbance, except as otherwise allowed for in the enabling local law, shall be permitted within 30 feet from the nearest lot line of a parcel located on any other adjacent street with an existing residential unit.
- 7) Lighting will provide safety in evening hours and will be appropriately scaled and designed to have little visual impact on surrounding areas. Parking areas will utilize appropriately-scaled lights that will be selected to complement the architecture. These fixtures incorporate LED bulbs and optical systems to uniformly distribute light downward. The light distribution pattern will be directed downward towards proposed interior driveways, walkways and parking areas. Building mounted LED-lighting fixtures will be installed

adjacent to doorways to provide general lighting at the building entryways for safe ingress and egress to buildings. Where practicable, motion controls and dimmers may be utilized to reduce the amount of lighting in areas where full lighting may not be necessary all night.

- 8) The proposed assisted living building would be located on Crompond Road and over 100 feet from the nearest adjacent residential structure to the east and south. Existing wooded areas between the assisted living facility and the neighboring residential uses along Tamarack Avenue would be retained to buffer views into the site.
- 9) The proposed ninety-nine town-houses and stacked multiple dwellings at a height no larger than that permitted for the parcels in the neighboring residential zones would provide a transitional land use between the higher density medical uses and parking structures proposed on the Gyrodyne site and the single-family residential neighborhoods to the west and south. The town-houses would be limited to 2.5 stories or 35 feet above grade in height and would be located on a minimum of 100 feet from the nearest adjacent residential structure to the east and south.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to visual resources are anticipated from the Project.**

## **16. HAZARDOUS MATERIALS**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on hazardous materials for the following reasons:

- 1) Phase I Environmental Site Assessments (ESA) were prepared for the Evergreen Manor and Gyrodyne sites.
- 2) The ESA for the Evergreen Manor site identified two Recognized Environmental Conditions (RECs): 1) an inactive approximately 1,000-gallon heating oil aboveground storage tank (AST) adjacent to the former hotel structure; and 2) an existing dump area consisting of a car, car parts, appliances and other household materials existing within the southwest corner of the property near the wetland area. During the TEAM investigation, no leaks or degradation were observed in the proximity of the 1,000-gallon AST tank. A 275-gallon heating oil AST and furnace was also identified within the basement of the existing two-dwelling unit structure. No odors or visual evidence of surface stains were observed proximate to the AST or furnace at the time of the inspection. No exposed or friable asbestos containing materials (ACM) were observed during the inspection of the accessible interior building areas. Based on the age of the existing structures, the Applicant will perform a formal asbestos inspection and required abatement prior to the issuance of any demolition permits. The property was not identified within any Environmental Data Resources (EDR) environmental databased reviewed by TEAM. Two properties listed on the New York State Spills Database (Spills) and twenty-two New York Leaking Storage Tank (LUST) sites were identified within one-eighth to one-quarter mile of the property. Based on the databases, the Spills sites were both listed as "closed".
- 3) The Phase I ESAs conducted for the Gyrodyne Project Site did not identify any RECs on or near the property that would be expected to result in adverse impacts to the site. The reports indicated that all ASTs should be removed from the property when future development occurs. Suspect asbestos-containing material (ACM) floor tile was observed

throughout the existing medical buildings, and suspect ACM pipe insulation was observed in the basement of the residence located at 1987 Crompond Road. Due to the age of the building, it is possible that roofing and other building materials may contain asbestos. An asbestos survey will be performed to determine if there is any ACM present in the existing buildings that will be disturbed during demolition activities.

- 4) The removal of any active or inactive ASTs, ACM and other materials within the dump area and existing structures on the Evergreen Manor and Gyrodyne sites will be conducted in accordance with applicable, local, county and state regulations by licensed contractors, as required. Any required asbestos abatement will be conducted prior to demolition activities.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to hazardous materials are anticipated from the Project.**

## **17. CONSTRUCTION**

The Town Board finds, based on the evidence presented in the DGEIS/DEIS and FGEIS/FEIS that the Project is not anticipated to result in any significant adverse environmental impacts on construction for the following reasons:

- 1) Construction activities associated with the MOD Development Plans will be temporary in nature.
- 2) Construction of the Evergreen Manor and Gyrodyne projects have been designed to minimize and mitigate potential impacts to the extent practicable. Best management practices will be incorporated into the construction management plans to minimize potential impacts in accordance with all applicable laws and regulations.
- 3) The routes of trucks being used for construction activities will vary depending on the truck's point of origin and/or destination, but the roads that will be utilized by trucks will be US Route 202/35/Crompond Road, US Route 6, and US Route 9.
- 4) Maintenance and Protection of Traffic (MPT)/Work Zone Traffic Control (WZTC) plans will be implemented to ensure continued two-way vehicle and pedestrian access around the property. Typical MPT elements include wayfinding and advance lane/shoulder closure signage (e.g. "Shoulder Closed Ahead"), construction fencing, barricades (possibly with flashing beacons/temporary lighting), flaggers to help direct traffic, etc.
- 5) During construction of the MOD Development Plans, appropriate air quality measures, such as erosion and sediment controls, stabilized construction entrances, site watering during excavation (including truck wash stations) to avoid the re-suspension of dust, covering stockpiles of soil and gravel, will be implemented where necessary.
- 6) Although noise will be generated from construction equipment, all equipment will be properly maintained and muffled in compliance with the EPA's noise emission standards, and such noise impacts will be temporary and short-term. All construction will be conducted in compliance with Section 197-16 of the Town of Cortlandt Code, Town of Cortlandt Noise Control Law. If bedrock is encountered as the Project area is excavated and blasting is required all necessary permits for blasting will be obtained. Prior to any blasting a pre-blast survey of all structures that could potentially be impacted will be performed by experienced and licensed professionals and submitted to the Town for approval.

- 7) Soil erosion and sedimentation control measures will meet the New York State Department of Environmental Conservation (NYSDEC) New York State Standards and Specifications for Erosion and Sediment Control requirements and the Town of Cortlandt requirements. A Stormwater Pollution Prevention Plan (SWPPP) will be utilized to control erosion and minimize the transfer of site debris onto local roads. Erosion and Sediment Control elements may include silt fences, hay bales, a gravel or crushed-stone construction entrance/exit with a wash-down area, and/or sandbags to protect inlets.

**Accordingly, the Town Board finds that no significant adverse environmental impacts related to construction activities are anticipated from the Project.**

## **18. ALTERNATIVES**

The State Environmental Quality Review Act (SEQRA) and its implementing regulations require the consideration of project alternatives, which are formulated in response to potential impacts of the Proposed Action. The adopted Scope requires consideration of three alternatives for comparison to the Proposed Action. The alternatives are designated as either 1) “No Action” (i.e., what land use would occupy the site should the Proposed Action not be approved and developed); 2) “Development Under Existing Zoning,” which analyze impacts to the MOD Zoning Area without the adoption of the proposed MOD Zoning modifications and construction of the MOD Development Plan; 3) “Reduced Residential Alternative,” which analyzes a proposed maximum of 150 residential units in the MOD excluding the assisted living units. In addition, Gyrodyne included a fourth alternative “Gyrodyne project with an increased number of two-bedroom units” which analyzed the Gyrodyne multifamily proposal with an increased number of two-bedroom units. Alternatives 1 and 2, the “No Action” Alternative and the “Development Under Existing Zoning” Alternative would fail to achieve the applicant’s objectives as well as the Town’s objectives for the MOD as discussed in the 2016 Comprehensive Plan. Alternative 3, the “Reduced Residential Alternative” would likely result in adverse neighborhood character impacts to Tamarack Drive and its side streets due to the density, height, and massing of the residential building. Alternative 4 “Gyrodyne project with an increased number of two-bedroom units” would likely result in adverse neighborhood character impacts to the Buttonwood Avenue neighborhood due to the proximity, density, height, and massing of the residential building that would be constructed on the Gyrodyne site.

In response to comments received on the DGEIS/DEIS, this Proposed Action was modified and the alternatives analysis was supplemented in the FGEIS/FEIS to include a medical only alternative on the Gyrodyne site. To reduce the potential for neighborhood character impacts to the Buttonwood Avenue neighborhood, this alternative contemplated a medical office building only and elimination of all residential uses on the Gyrodyne site with assisted living and multifamily residential uses remaining on the Evergreen site. This alternative was determined to be consistent with the objectives of the MOD as outlined in *Envision Cortlandt* but the Town Board found that this proposal did not adequately address the public’s concerns related to the height, scale, density and massing of the medical office building and the resulting impacts to neighborhood character such as traffic, visual impacts, density, massing, and overall site disturbance. To address the public’s concerns, the Town Board modified the MOD zoning to increase required setbacks, reduce building height maximums, and implement areas of non-disturbance resulting in a preferred “Mitigation Design” with reduced medical office on the Gyrodyne site and assisted living and a reduced residential density on the Evergreen site. As noted above, the “Mitigation Design” reduces the maximum height of all MOD buildings to 45 feet, requires a minimum area of non-disturbance

between the closest part of a structure in a parcel designated as MOD and the nearest lot line of any existing residentially-zoned parcel, eliminates stand-alone restaurant/dining uses, and reduces the total number of residential units on the Evergreen Manor site to a maximum of ninety-nine (99). The Town Board finds that the "Mitigation Design" effectively mitigates, to the extent practicable, the concerns expressed regarding the massing and scale of the project, while still providing a feasible, development plan that meets the objectives of the MOD.

**The Town Board finds, the Proposed Action with the minimization and mitigation measures set forth above, is the most appropriate alternative. The Proposed Action has minimized and mitigated environmental impacts to the greatest extent practicable and the nature and economic benefits of the Proposed Action outweigh any remaining environmental impacts.**

## **19. UNAVOIDABLE ADVERSE IMPACTS**

The Town Board finds that the proposed Mitigation Design alternative has mitigated, to the maximum extent practicable, the potential environmental impacts outline above. As with any land development activity, some impacts are unavoidable, but most of these impacts are temporary and relatively minor (i.e., construction related noise and traffic) and the applicants have proposed measures to mitigate such impacts to the maximum extent practicable. Other impacts, such as the increases in density and traffic, are not significant either individually or cumulatively compared to existing conditions.

**The Town Board finds that with the implementation of these mitigation measures, the Proposed Action is expected to result in positive, long-term overall economic, fiscal and social impacts that will offset the adverse effects that cannot otherwise be avoided.**

## **20. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES**

Land development, whether residential commercial, or industrial, results in open lands being converted and built upon. Construction of impervious surfaces and the attendant human, mechanical, and industrial activities alter the landscape and the pre-development environment. Like any development, the Proposed Action will cause the short-term and long-term commitment of environmental resources. On the Evergreen Manor and Gyrodyne sites, areas of existing undeveloped land will be committed to the development of a Medical Oriented District with medical office buildings, parking garages, an assisted living facility, townhomes & multiple dwellings as well as surface parking areas, and landscaped areas. In the areas of proposed development, existing soils will be altered and replaced with paved surfaces. Consequently, in the areas of proposed development, existing forests, open fields, and other plant communities supporting wildlife habitat will be lost. Wetland areas will be impacted, although mitigation is proposed.

Construction of the Project would require the commitment of building materials such as sand, aggregate, concrete, wood, glass, asphalt and other building materials typically used in the construction of medical office buildings, assisted living facilities and townhomes. There would be an irretrievable commitment of energy resources such as gasoline and diesel fuel for the operation of construction equipment during the construction of the Proposed Action.

The long-term demand for water and energy resources at the site will increase when the proposed land uses are operational. The Proposed Action would result in the long-term commitment of these resources for the operation of the Proposed Action. However, the amounts of water and energy used in operation of the Proposed Action would be relatively small in relation to regional

consumption, and sufficient quantities of water and other resources are anticipated to be available locally and in the region to accommodate this demand.

**Based on the foregoing, the Proposed Action will not create any significant adverse environmental impacts as to this subject area, and will avoid or minimizes adverse environmental impacts to the maximum extent practicable.**

## **21. GROWTH INDUCING EFFECTS**

The Proposed Zoning Action, i.e., the adoption of MOD Zoning, is intended to stimulate growth within the MOD Zoning Area by creating a regulatory framework which favors development consistent with the goals of the MOD. It is a goal of the Town Board to provide for the type and quality of development in the MOD to improve social and economic conditions as set forth in the Town's 2016 Comprehensive Plan, *Envision Cortlandt*. The site-specific development that would result from the Proposed Action would have secondary effects. The intent of the Proposed Zoning Action is to provide incentives to attract appropriate and complementary uses to the area immediately surrounding the existing NYPH Campus, within walking distance of public transportation, and to provide opportunities for complementary and beneficial economic growth and investment in the MOD. The proposed MOD is anticipated to have growth inducing impacts, consistent with the goals of the Town's 2016 Comprehensive Plan. It is also anticipated that the Proposed Action would contribute to a growth in activity for local businesses from the larger customer base arising from an increase in the number of residents. New employment opportunities associated with the medical, office, assisted living and residential uses would be substantial, with associated beneficial economic and fiscal outcomes.

The proposed Evergreen Manor Project is projected to have a population of approximately 400 new residents. An increase of 400 residents will result in an approximately one percent increase in the Town's overall population of 42,967 (based on the 2017 US Census populations estimate), if all residents were new to the Town of Cortlandt. The Evergreen Manor Project is consistent with the Town's Comprehensive Plan to provide opportunities for housing, including a continuum of care for senior residents. It is anticipated that the proposed residential uses will expand the market for nearby existing local businesses and those proposed within the MOD and is not expected to create a significant demand for new commercial uses or services.

The proposed Gyrodyne Project is not envisioned as a significant catalyst for off-site growth. It is in response to the intentions of the proposed MOD, which will promote limited growth within the defined area of the MOD. The proposed medical office building will increase the number of medical service providers in the area. However, the uses created by this project are complementary to the hospital located across the street.

The proposed project will help to retain activity in the immediate area, rather than inducing growth off-site. This will help to reduce the impact generated by the increased need for additional sewer, water and other services. The Gyrodyne Project itself was designed in a way that provides orderly and well planned development at a scale and location that will make it feasible to construct a comprehensive package of supporting utilities, services and facilities throughout the MOD.

**Based on the foregoing, the Town Board finds that as to growth inducing aspects, the Project will not create any significant adverse environmental impacts and will avoid or minimizes adverse environmental impacts to the maximum extent practicable.**

## 22. IMPACTS ON THE USE AND CONSERVATION OF ENERGY

Energy consumption will occur during the construction and operation of the Proposed Action. During the construction phase, energy will be used to power equipment and various construction vehicles. Once construction is complete, the Proposed Action would require energy for heating, air conditioning and electricity. The primary source of energy for heating would be natural gas. In addition to heating, natural gas would be used to operate ventilation and HVAC systems. Electricity would be used to provide lighting and energy for medical and accessory office operations and the assisted living and residential uses. Electricity and natural gas will be provided by Con Edison.

It is acknowledged that energy consumption will increase from the Proposed Action. However, new building construction will help reduce energy consumption by complying with the New York State Energy Conservation Construction Code. This may also include the use of solar energy on the Evergreen Manor and Gyrodyne sites in the future as well as other sustainable measures which will be incorporated into the final designs of the proposed site and uses. These may include the following:

- Proximate to public transportation with Bee Line bus stops within walking distance
- Highly Insulated Building Envelopes
- High-efficiency heating and air conditioning systems
- Plumbing fixtures that meet or exceed water conservation criteria
- Kitchen and laundry appliances that meet or exceed energy conservation criteria
- Automated and variable controls on general building systems and infrastructure
- Energy recovery systems and equipment for systems that serve common areas
- Acoustically sensitive building and systems design
- High-efficiency LED lighting fixtures
- Bicycle storage to facilitate non-motorized, car-free transportation within residential use
- Potential car-sharing service for use by apartment residents
- Use of native plantings, which require little or no irrigation or fertilization and less overall maintenance activities
- Installation of a green roof
- Geothermal

**Based on the foregoing, the Town Board finds that the Proposed Action will not create any significant adverse environmental impacts as to energy use and will avoid or minimize adverse environmental impacts to the maximum extent practicable.**

## C. STATEMENT OF CERTIFICATION

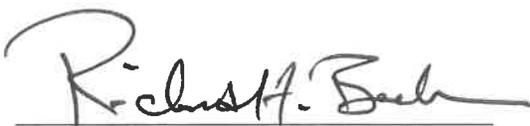
The Town Board of the Town of Cortlandt ("Town Board"), as Lead Agency, has reviewed the Draft Generic Environmental Impact Statement ("DGEIS") and the Draft Environmental Impact Statement ("DEIS") as well as the Final Generic Environmental Impact Statement ("FGEIS") and the Final Environmental Impact Statement ("FEIS") for the Medical Oriented District (MOD), that together constitute the complete Generic Environmental Impact Statement ("GEIS") and Environmental Impact Statement ("EIS"), and certified that:

- 1) It has considered the relevant environmental impacts, facts and conclusions disclosed in these documents;
- 2) It has weighed and balanced the relevant environmental impacts with social, economic and other considerations; and
- 3) It has considered and addressed all substantive public and agency comments on the DGEIS and DEIS as well as the FGEIS and FEIS;
- 4) The requirements of 6 NYCRR Part 617 have been met;
  - i. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the action described below is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable; and
  - ii. Adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures that were identified as practicable during the environmental review process.

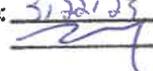
Based on the Town Board's review of the GEIS and EIS and consideration of comments received during the public review process, the Town Board concludes that the long-term benefits of the Proposed Action outweigh any of the potential adverse impacts. The Proposed Action is anticipated to have a beneficial impact on the Town of Cortlandt, minimizes adverse environmental impacts to the maximum extent practicable, and meets the objectives of the Town's long term planning efforts and vision as documented by *Envision Cortlandt*, the 2016 Town of Cortlandt Comprehensive Plan.

This Findings Statement reviews the proposed MOD Overlay Zone and the development proposals for Evergreen Manor and Gyrodyne. Future site-specific development applications that pursue development in accordance with the MOD Overlay Zone provisions will be subsequently reviewed in accordance with the regulations implementing SEQRA (6 NYCRR Part 617) in order to evaluate possible site specific impacts. During the site specific review of future projects, all identified significant adverse environmental impacts are required to be mitigated to the maximum extent feasible and practicable.

**Lead Agency: Cortlandt Town Board**



Signature of Responsible Official  
Dr. Richard Becker, Town Supervisor

APPROVED  
TOWN ATTORNEY  
Date: 5/22/23  


Address of Lead Agency:  
Town of Cortlandt  
1 Heady Street  
Cortlandt Manor, NY 10567

**§ 307-96.2. Medical-Oriented District. [Added 3-20-2023 by L.L. No. 2-2023]**

- A. Definitions. Unless otherwise defined herein, the general definitions in Chapter 307 shall apply.

**ASSISTED LIVING RESIDENCE** — A certified adult home or facility approved by New York State as an assisted living residence (ALR), which provides housing and personal care services and/or home care services (either directly or indirectly) in a home-like setting to five or more adult residents unrelated to the assisted living provider. ALRs must also provide daily food service, twenty-four-hour, on-site monitoring, case management services, and the development of an individualized service plan for each resident. ALRs shall provide each resident their own room, a small apartment, or a shared space with a suitable roommate. Residents share common areas, such as the dining room or living room, with other people who may also require assistance with meals, personal care and/or home care services. Assisted living residence facilities may also include memory care units and independent senior housing units with services.

**COVERAGE, LOT** — Percentage of the lot area covered by the combined area of all impervious surfaces on a lot, including buildings or structures, paved areas (including gravel and permeable pavement), at-grade decks, patios, and swimming pools, but not including architectural landscape features or at-grade landscape features provided above an underground parking deck.

**DWELLING** — A building that contains one or two dwelling units, used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

**DWELLING UNIT** —

- (1) One or more rooms in a dwelling designed and equipped for one family to occupy separately as a housekeeping residence, reserved exclusively for the occupants of such room or rooms, with provisions for living, sleeping, eating, cooking and sanitation and having no enclosed space (other than vestibules, entrance hallways or porches) or cooking or sanitary facilities in common with any other dwelling unit.
- (2) Every dwelling unit shall contain a minimum of 600 square feet of habitable space, and every room occupied for sleeping purposes shall contain a minimum of 80 square feet per occupant. Units in an assisted living, memory care, or independent living setting shall not be required to meet the minimum dimensional requirements stated in this subsection.

**INDEPENDENT SENIOR HOUSING WITH SERVICES** — Apartments that include one or more of the following supportive services: meals, housekeeping, some assistance with personal care, transportation, socialization activities, laundry, and/or a resident/service coordinator who helps residents access other services and programs from community-based agencies.

**MEDICAL-ORIENTED DISTRICT (MOD)** — A mapped, overlay district including the existing New York Presbyterian Hospital Center and the abutting

parcels to the west and the parcels located across from the hospital campus with frontage on Route 202/Crompond Road. The Medical-Oriented District is a zoning district where patients can access a range of health services (in partnerships between hospitals, private practices, commercial entities, and municipalities) and other complementary uses in one central area. The intent of the MOD is to create a healthy, mixed-use, neighborhood-scale district that benefits residents and employees who reside in the district as well as patients and families visiting the MOD.

**STUDIO** — A studio is a single residential unit in which the bedroom, living room and kitchen are all located in the same room. For purposes of bedroom count, a studio is a one-bedroom unit.

**B. Permitted uses.**

(1) The following uses shall be permitted in the MOD Zoning District:

- (a) Medical uses, including hospitals; specialty hospitals/clinics; rehabilitation centers; primary care facilities; walk-in/urgent care facilities; medical office space; hospice; alternative and complementary medicine; laboratories; research facilities; pharmacies; cafeterias in support of medical services; medical educational uses; birthing centers; ambulatory surgery; assisted living residences (ALR); independent senior living with services; skilled nursing facilities (SNF); memory care facilities or units as part of ALR or SNF.
- (b) Residential uses. Detached, semidetached or attached one-family dwellings and multiple dwellings. All dwelling units shall be built in either a townhouse, flat, or stacked style.
- (c) Dining uses (non-medical uses). Cafes, bakeries, and restaurants (except drive thru) and other food services in support of medical uses. All dining uses must be located in a building with other medical uses.

(2) Nonconforming uses and buildings.

- (a) Except as otherwise provided in this chapter, the lawful use of land existing at the time of adoption of this chapter or its predecessor may be continued although such use does not conform to the regulations specified by this chapter for the district in which such land is located; provided, however, that no such nonconforming use shall be extended to occupy a greater area of land than that occupied by such use at the time of the adoption of this chapter, nor shall any such nonconforming use be moved, in whole or in part, to any other portion of the lot or parcel of land occupied by such nonconforming use at the time of the adoption of this chapter or its predecessor; provided, further, that if any such nonconforming use of land ceases for any reason for any continuous period of one year or more, any subsequent use of such land shall be in conformity with the regulations specified by this chapter for the district

in which such land is located as set forth in Article XIII, Nonconforming Uses and Structures.

C. Development standards and controls.

(1) Height and bulk requirements.

(a) Dimensional requirements. Unless otherwise specified elsewhere in this section, uses permitted in the MOD Zoning District shall be required to conform to the following standards:

MOD Dimensional Requirements	
Minimum lot area	10,000 square feet
Minimum lot width	100 feet
Setbacks	
Front	30 feet <sup>1</sup>
Side	30 feet <sup>1</sup>
Rear	30 feet <sup>1</sup>
Maximum lot coverage	60%
Maximum building height	45 feet <sup>2</sup>

1. Structures may also be subject to a larger nondisturbance area as further outlined in the Code.
2. Unless otherwise noted.

(b) Townhouses. Any residential units styled as a townhouse may have a zero-foot side setback from other residential units styled as townhouses or clusters of multiple dwellings located on a MOD parcel. These dwelling units shall also not be required to meet the minimum lot area requirement or lot width requirement, but shall be no more than 2.5 stories or 35 feet above grade. Each townhouse shall be located on its own lot with common elements of a community owned by a Homeowners Association (HOA).

(c) Multiple dwellings. These units may be stacked upon each other. Clusters of multiple dwellings may have a zero-foot side setback from other clusters of multiple dwellings or townhouses located on a MOD parcel. These dwelling units shall not be required to meet the minimum lot area requirement or lot width requirement, but shall be no more than 2.5 stories or 35 feet above grade.

(d) Medical use floor area capacity. Any new building with medical uses shall not exceed 125,000 square feet of net leasable area, and 150,000 square feet in aggregate. For assisted living developments, net leasable

area shall include all areas used for sleeping, eating, and recreation.

(2) Affordable units.

- (a) No less than 10% of the base number of permitted residential units (excluding assisted living facilities) in a MOD project shall meet the Town of Cortlandt requirements for an affordable unit per § 307-4, Definitions. All affordable units shall be interspersed with market-rate units throughout any residential development. The facade of an affordable unit shall be indistinguishable from the facade of a market-rate unit.

(3) Parking.

- (a) Parking, structured above-grade. Above-grade parking structures shall be screened from view behind primary buildings, false facades or otherwise concealed in appearance through design measures as follows:

- [1] A minimum of 40% of the exterior surface area of the garage facades facing a public way or sidewalk shall be clad in materials such as brick, stone, green-wall (e.g., ivy), decorative metalwork, wood trim or other materials as approved by the Planning Board after receiving an advisory opinion from the Architectural Advisory Council (AAC) in lieu of bare structural concrete or masonry, to present an attractive appearance.
- [2] In addition to any other perimeter landscaping used or required, trees shall be planted at regular intervals to align with openings in the structures along facades facing a public street or highway.
- [3] All parking and security lighting shall be consistent with Town site lighting requirements and be provided with appropriately shielded, downward-facing lamps which direct the light only into the immediate parking areas as required for use.
- [4] Each applicant shall submit a parking management plan. If valet parking is proposed, the feasibility of valet parking must be evaluated and approved by the Planning Board.

- (b) Surface parking. When practicable, surface parking shall be located to the side and/or rear and not to the front of buildings facing Route 202. If valet parking is proposed, the feasibility of valet parking must be evaluated. The following parking standards will be applied in the MOD:

Use	Parking Requirement
Assisted living/independent senior living with services/skilled nursing	0.5 space per bed
Birthing center	1 space per bed plus 1 space for every employee
Hospital	1 per bed, plus 1 per employee in largest shift or as needed
Medical or dental laboratory	1 per 400 square feet of gross floor area
Residential uses	2 per dwelling unit
Nursing home	1 per 2.5 beds, plus 1 per employee on maximum shift
Office, medical	1 space for every 150 square feet
Pharmacy (not accessory to hospital)	1 per every 250 square feet
Restaurant/cafe/bakery	1 space per 50 square feet of dining area and such employee parking area as determined by the Planning Board to be appropriate
Specialty hospitals and clinics	4 per physician, plus 1 per employee
Walk-in urgent care	4 per physician, plus 1 per employee
An applicant may apply for reduced parking to the Planning Board under § 307-34.1 of the Town Code	
A minimum of 5% of all parking spaces shall be outfitted with electric charging stations	

- (4) Internal property subdivision.
- (a) The creation of internal property subdivisions within a mixed-use development is permitted to allow for multiple ownership of properties/uses. Any eligible site hereunder may, for purposes of dedication, the creation of rights-of-way, sale, lease, mortgage, or other disposition or financing, be subdivided or re-subdivided, converted to condominium or cooperative ownership, or otherwise divided into lots, parcels or tracts, which may be sold, leased, mortgaged, or otherwise alienated or encumbered, without regard to minimum lot area provided that at least one development from the original lot prior to subdivision is developed as a medical use.
- (b) If a site meets the eligibility requirements above, then all determinations

relating to lot coverage and building coverage for any lot or lots subject to internal property subdivision hereunder shall be made treating the entire site as a single unit; provided, however, that access and infrastructure shall be shared by any lot approved under this section. Reciprocal easements and/or agreements that address common access, shared parking, stormwater systems, and utilities shall be developed to ensure the future operation and maintenance of the infrastructure servicing any lot or lots approved hereunder.

- (c) No certificate of completion (CC), certificate of occupancy (CO), temporary certificate of completion (TCC), or temporary certificate of occupancy (TCO) shall be issued for a nonmedical structure before the medical structure use proposed for the original lot prior to subdivision receives a CO.
- (5) Screening and buffering.
- (a) A minimum area of nondisturbance shall be required between a parcel designated as MOD and the nearest lot line of any existing residentially zoned parcel. Within this area of nondisturbance, no trees or other vegetation shall be permitted to be removed with the exception of dead or diseased flora and invasive species, and no excavation shall occur in the area. The nondisturbance areas shall be as follows:
    - [1] No disturbance, except as otherwise allowed for in this section, shall be permitted within 100 feet from the nearest lot line of a parcel located on Cypress Lane, Nancy Lane, Ridge Road, and Tamarack Drive with an existing residential unit.
    - [2] No disturbance, except as otherwise allowed for in this section, shall be permitted within 30 feet from the nearest lot line of a parcel located on any other adjacent street with an existing residential unit.
  - (b) In reviewing the development plan, the Planning Board shall consider the setback and proposed screening of all parking, buildings, and active recreation areas. Buffer and screening areas shall be left in their natural state. The Planning Board may require additional landscaping or screening (e.g., fences) to conceal utility buildings, refuse-collection areas, cooling systems, equipment, and other similar installations and features. The nondisturbance area shall not be varied or modified by the Zoning Board of Appeals or the Planning Board.
- (6) Layout design considerations. The Planning Board shall consider walkability and connectivity within the MOD as well as streetscape and public space as integral elements of all MOD campus site plans.
- (7) Design guidelines.
- (a) Architectural design guidelines for buildings. Architectural design should be compatible in nature and type to other projects approved or

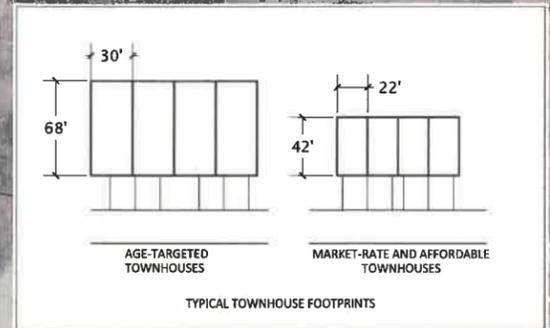
simultaneously under consideration for MOD campus designation and shall be subject to review by the Architectural Advisory Council.

- (b) Signs (including wayfinding signage). Signs shall be designed in harmony with the building and established development.
  - (c) Lighting shall be provided per Town-designated standards and shall be of a consistent design throughout the MOD. Lighting should be designed to avoid light spillover to neighboring properties and glare.
  - (d) Each applicant shall include in its site plan application all sustainable features of its proposed development such as geothermal, solar, and hydroelectrical technology. All roofs shall be designed to accommodate rooftop solar panels. The Planning Board may deny an application if it deems that the proposed development insufficiently utilizes sustainable design features.
- (8) Vehicular circulation system and traffic access. All streets and driveways within the MOD shall be designed to adequately accommodate fire and emergency apparatus as well as serve their intended traffic function and the anticipated volume of traffic from the proposed use. Drive-throughs are prohibited for any nonmedical use in the MOD.
- (9) Pedestrian circulation system. Within MOD designated sites, a pedestrian circulation system shall be designed and installed in addition to the vehicular circulation system, which is sufficient for the needs of MOD residents, workers and visitors. Such a system might be composed of paved and unpaved walkways, lighting, streetscape amenities, and bikeways of appropriate width, design and location to serve their intended function.
- (10) Add to the recreational inventory of the Town. MOD projects will be required to either propose new public recreation areas or pay a recreation fee as required under § 265-11 of the Subdivision Ordinance. The applicant may request a reduction in recreation fees from the Town Board for affordable units. The recreation fee shall not be reduced for any other units other than those specifically listed in the preceding sentence.
- (11) Utilities and services.
- (a) Underground lines. All power and communication lines shall be installed underground in the manner prescribed by the regulations of the government agency or utility company having jurisdiction. The applicant may request a waiver if it would cause unnecessary hardship and waiving such requirement will not have a detrimental effect on the public health, safety, or general welfare as determined by the Planning Board.
  - (b) Sewer and water. All buildings within the MOD shall be served by public central water and sewage treatment systems as approved by the appropriate government agency or agencies having jurisdiction thereof.

- (c) Firematic protection. All buildings within the MOD shall provide adequate water for firematic protection in the form of on-site storage tanks as may be required by the Director of DOTS or their designee.
  - (d) Placement of utilities. Where possible, all utilities shall be placed within the right-of-way or utility easement. No building permit for land development activities (e.g., tree removal/clearing) shall be issued by the Department of Technical Services until all utility permits including but not limited to water, sewer, gas and electric have been approved by agencies having approval jurisdiction.
  - (e) Future utility needs. Where facilities are provided, they shall be planned in such a way as to anticipate future utility needs, and wherever reasonably feasible shall be sited to reduce the capital costs associated with any future central utility construction.
- (12) Refuse collection. All MOD parcels shall provide private carting with an adequate means of collecting and storing refuse, including the agreement to provide compactors and a centrally located refuse-collection site on the premises. Any outside storage and garbage shall be in centrally located containers designed to prevent rodent infestations and shall provide sufficient screening as determined by the Planning Board.
- (13) HVAC systems. HVAC systems shall be designed so as to minimize adverse aesthetic impact and noise.
- (14) Stormwater runoff. A stormwater pollution prevention plan is required in accordance with all federal, state, and local rules and regulations, and shall be provided for both water quality and water quantity controls.
- (15) Energy efficiency. The plan for development of any MOD site shall consider the design, construction, and arrangement of buildings in such a way as to promote energy efficiency and encourage the use of alternative energy sources, such as geothermal and active or passive solar systems. All applicants shall be required to complete an energy analysis that quantifies the estimated reduction in electric, gas, and water usage measured against a baseline scenario of standard consumption patterns that the proposed conservation measures are anticipated to achieve.
- (16) Application to other agencies. The Department of Technical Services shall not issue any certificates of occupancy, certificates of completion, temporary certificates of occupancy, or temporary certificates of completion for any above-grade structures until all off-site improvements, including, but not limited to, traffic, have been deemed complete by the agency with jurisdiction over the improvements. In addition, no permits shall be issued by the Department of Technical Services until satisfactory proof is provided that all necessary applications have been made to all agencies with jurisdiction over the off-site improvements.



Proposed Use	Units / GSF
<b>Townhouses</b>	
Age-Targeted Townhouses	38
Market Rate Townhouses	51
Affordable Townhouses	10
<b>Total Townhouses</b>	<b>99</b>
<b>Assisted &amp; Independent Living Residence</b>	
Assisted Living Units/Memory Care	85
Independent Living Units	35
<b>Total Units</b>	<b>120</b>
<b>Retail</b>	<b>10,000 SF</b>



**Table 8  
Intersection Mitigation Measures**

Intersection/Roadway Segment	Mitigation Measures	
	Weekday AM Peak Hour	Weekday PM Peak Hour
<b>Signalized Intersections</b>		
US Route 6 and Dayton Lane	No significant impact	1) Signal Timing Modifications
US Route 6 and Lexington Avenue	No significant impact	Unmitigated <sup>8</sup>
Route 202/35 and Dayton Lane	1) Restripe the SB Dayton Lane approach from one lane to one left turn only lane and one right turn only lane 2) Signalize the intersection <sup>1</sup>	1) Restripe the SB Dayton Lane approach from one lane to one left turn only lane and one right turn only lane 2) Signalize the intersection <sup>1</sup>
Route 202/35 and Lafayette Avenue / NY Presbyterian Driveway	1) Widen the NB Lafayette Avenue approach from one lane to one 100-foot left turn only lane and one through/right turn lane 2) Restripe the SB NY Presbyterian driveway approach from one left turn/through lane and one right turn lane to one left turn lane and one through/right turn lane 3) Signal phasing modifications to allow for protected/permitted NB/SB left turns <sup>6</sup>	1) Widen the NB Lafayette Avenue approach from one lane to one 100-foot left turn only lane and one through/right turn lane 2) Restripe the SB NY Presbyterian driveway approach from one left turn/through lane and one right turn lane to one left turn lane and one through/right turn lane 3) Signal phasing modifications to allow for protected/permitted NB/SB left turns
Route 202/35 from Dayton Lane to Conklin Avenue	Coordinate the corridor with optimized offsets <sup>7</sup>	Coordinate the corridor with optimized offsets <sup>7</sup>
Route 202/35 and Bear Mountain Parkway	Ban the EB left turn, reroute to the intersection of Route 202/35 and Conklin Avenue via wayfinding signage	Ban the EB left turn, reroute to the intersection of Route 202/35 and Conklin Avenue via wayfinding signage
Route 202/35 and Croton Avenue/Maple Row	Unmitigated	Unmitigated
Route 202/35 and Lexington Avenue	1) Restripe the SB Lexington Avenue approach from one left turn/through lane and one right turn lane to one left turn lane and one through/right turn lane 2) Signal Timing Modifications	1) Restripe the SB Lexington Avenue approach from one left turn/through lane and one right turn lane to one left turn lane and one through/right turn lane 2) Signal Timing Modifications <sup>2</sup>
<b>Unsignalized Intersections</b>		
Dayton Lane and South Shopping Center Driveway <sup>3</sup>	No significant impact	Unmitigated
Route 202/35 and Shipley Drive <sup>3,4</sup>	No significant impact	Unmitigated
Route 202/35 and Locust Avenue <sup>3,4</sup>	Unmitigated	No significant impact
<p><b>Notes:</b> EB = Eastbound; WB = Westbound; NB = Northbound; SB = Southbound.            (1) Traffic Signal is warranted with or without the Proposed Action.            (2) Does not fully mitigate the intersection            (3) Unsignalized Intersection which does not meet signal warrant criteria under With Action Condition.            (4) Not uncommon for unsignalized minor approaches/driveways on a state/city roadway to operate at LOS E and F            (6) Mitigation not necessary for peak hour            (7) Coordination and offsets synchronize traffic signals together in order to provide smooth flow of traffic along a segment with closely spaced intersections in order to reduce travel time, stops and delay.            (8) The Proposed Action would only add six vehicles to eastbound through/right-turn movement, however, since this approach is already above capacity in the No Action condition, any additional vehicle would result in large increases in delay. It should be noted that the analysis does not reflect potential improvements from the implementation of an Adaptive Traffic Control System.</p>		

**Planting Details**

Plant choices for the wetland expansion were made according to existing site conditions and locally common species. All planting will proceed by hand. Materials will be brought to the site in good condition (see below) and then planted. The materials will then be hand-carried to their planting locations and in turn, planted by hand. Only rounded, shallow planting shovels will be used in this effort.

Criteria for selecting plant material will include (1) the plant's ability to withstand the expected light and saturation conditions; (2) its demonstrated survival on this site and other nearby sites; (3) the plant must be native and non-invasive; and (4) whether the plant material is available at nurseries in the same region as the site. See Table 1 for complete plant species list. Seed nur was chosen based on the species' ability to survive in moist areas adjacent to the road with some sun.

Planting will be done in spring or early summer (between April 1 and July 1). Shrubs may also be planted in the late summer to early fall (September 1 to October 30). In all cases, a hole will be dug twice as deep as the root ball. The only shovels allowed are rounded, shallow spades. The hole will then be backfilled with a thin layer (two to four inches) of rich, organo peat, the plant placed inside, the hole backfilled to the top and then gently tamped down. Container-grown plant material delivered to the job site will be inspected to assure moist soil/moist masses. Any dry and light weight plants will not be accepted. If not planted immediately the container will be stored out of the sun and wind and kept moist (i.e., a means of watering will be provided and watering will occur daily).

When removed from the containers, the plants will be the size of the specified container. If in leaf, the plants will appear healthy with no spots, leaf damage, discoloration, insects or fungus. If not in leaf, the buds will be firm and free of damage, discoloration, insects or fungus. Containers will be a minimum of quart size for shrubs and gallon size for trees. Plants not having an abundance of well developed and healthy buds and branches will be rejected. The stems and branches of all plants will be turgid and the cambium healthy or the plants rejected. Seeding within wetland areas should not be completed when there is more than two inches of standing water, or in areas that are likely to be flooded. Seeds should be broadcast by hand or knapsack seeder using the broadcast rate (3 pounds per acre), and carefully proportioning seed for the entire area. Cover with a light layer of straw mulch following seeding.

**Plan Notes**

1. Prior to commencement of site work, all fence is to be placed at limit of disturbance.
2. Regrade area and spread topsoil four to six inches deep using existing stockpiles. Final grading is to be generally completed as shown on this plan. Some field adjustment to achieve desired flow paths is acceptable.
3. Trees to remain will be identified prior to the commencement of site grading. These trees will be flagged in the field prior to the commencement of any clearing or excavation. Leave smaller existing trees in assumed area of disturbance to the extent practicable. Field adjustments to the grading plan may be necessary in order to ensure minimal impacts to roots of trees to be saved. Hay and seed area of wetland expansion will have existing seeds Northeast Wetland Hummock Mix or equivalent. Comparison seed with annual ryegrass as per grower's recommendations.
5. Trees, shrubs and herbaceous materials will be planted within the proposed wetland creation area as specified on the plan and the table following planting, the planted area will be ringed with deer fencing as shown on the plan and detail.

**Monitoring and Maintenance**

At least one pre-construction meeting will occur between the chosen grading and/or planting contractor/subcontractor and the site environmental systems planner prior to beginning construction on site. The construction monitor will have experience in wetland construction and a Bachelor of Science degree in Natural and/or Physical Resources.

Monitoring and maintenance efforts for the mitigation plantings will take place over a five year period following construction. This will include bi-weekly visits for the first growing season, and then twice a year for the next two years, with additional inspections as required depending on conditions. The applicant's environmental monitor will conduct a survey of the site and site conditions will be noted and advised as necessary. An annual report will be provided to the Town of Cortlandt at the end of the growing season for each of the three years. These reports will include the following information:

1. All plant species, along with their estimated relative frequency and percent cover, shall be identified by using plots measuring 10 feet by 10 feet, with at least one representative plot located in each of the habitat types within the mitigation site. For this proposal, there are two plots identified on the plan view planting plan.
2. Vegetation cover maps, at a scale of one inch equals 100 or larger, shall be prepared for each growing season.
3. Photographs showing all representative areas of the mitigation site shall be taken at least once each year during the period between 1 June and 15 August.
4. Surface water and groundwater elevations in representative areas of the mitigation site shall be recorded twice a year during April through November of each year. The location of the monitoring wells are shown on the plan view grading plan.

Plantings will meet or exceed and 85 percent survival rate by the end of the second growing season. If this goal is not met, the site will be re-evaluated, and re-grading and/or replanting will be completed as necessary. Invasive species (i.e., *Lytium salicaria* and *Phragmites australis*) will not constitute more than 10 percent of the vegetative community. If this goal is exceeded, measures will be taken to eradicate the invasive species.

Throughout the monitoring period, the mitigation area will be subject to inspection by the Town Environmental Monitor, as will the submitted monitoring reports. The Town's costs associated with such monitoring will be funded by the inspection fees paid by the applicant, which will be paid by the applicant at the signing of this agreement.

1. An invasive species monitoring and control program will be implemented at the project site as part of the overall development plan. Species targeted for removal include the following:

<i>Tree-of-heaven (Ailanthus altissima)</i>	<i>Mulberry rose (Rosa multiflora)</i>
<i>Mugwort (Artemisia vulgaris)</i>	<i>Autumn olive (Elaeagnus umbellata)</i>
<i>Garlic mustard (Alliaria petiolata)</i>	<i>Purple loosestrife (Lythrum salicaria)</i>
<i>Common reed (Phragmites australis)</i>	<i>Common saltmarsh (Cotula arvensis)</i>
<i>Porcelainberry (Ampeposia brevipedunculata)</i>	<i>Japanese Barberry (Berberis thunbergii)</i>
<i>Japanese Stilt Grass (Microstegium vimineum)</i>	<i>Winged Euonymus (Euonymus alatus)</i>

2. The goal of this program is to reduce the presence of exotic/invasive species to a threshold of less than ten percent total cover. A qualified biologist/botanist will supervise the removal of invasive species. Invasive species can be removed in several ways, depending on the location and species of the plant:

1. If a shrub is isolated and does not have its root system entwined with other plants, it may be removed mechanically. As much of the root system as possible should be removed to prevent the possibility of the invasive plant sprouting from root pieces left behind.
2. If a shrub is growing amongst other native plants the plant will be most safely and effectively removed by chemical means, by first cutting back to a few stubs and stump, about twelve inches from the base. A concentrated solution of glyphosate (Round-up or equivalent) should be painted on the ends of the stumps. This technique is most effective in the early fall months but before the approaching dormant period. Proper notification must be made prior to the application of all restricted pesticides, and application made by a licensed applicator if required. No application will be made in areas of standing water without first reviewing a DEC permit for aquatic pesticide application.
3. Highly invasive groundcovers, such as Japanese honeysuckle, should be sprayed with glyphosate, using a very dense and targeted application during the active growing season. Repeated treatments may be necessary to remove the plant completely.
4. Several methods may be utilized in removing highly invasive annuals, such as garlic mustard. If the species is growing densely without other plants, the area may be sprayed with glyphosate during the active growing season, following the manufacturer's recommendations. Species may also be removed by hand. Both methods should be performed before plants set seed. Both methods also may need to be performed multiple times over a season and possibly over several seasons to completely eradicate the target species.

**Grading Details**

It is proposed to excavate the mitigation area in order to establish pools and flow paths as shown on the grading plan. These areas will be accepted for purposes of the wetland mitigation construction from the proposed road. If suitable topsoil removed from excavated area will be used within the new wetlands as replacement of organic material for surface preparation. Soil erosion and sediment control fencing will be installed at the outer and down slope limits of the proposed wetland expansion. The location of the proposed mitigation will be cleared as necessary, but with an erosion preventing any trees or shrubs adjacent to the work area; some may be removed and stockpiled for replanting after completion of grading.

Where available, the upper one foot of topsoil will be stripped from the site and set aside from other site grading materials. The temporary storage area will be an upland site either removed from wetlands by 100 feet or separated from same by a soil erosion and sediment control fence. All excavations will be to finished grade elevations as indicated in the mitigation construction drawings. For the above, topsoil will be stripped from the site and stockpiled for use in finishing grading. The stockpiled topsoil will be returned to the site to create a planting surface four to six inches deep for the wetland mitigation plantings as described above. Finished soils at the lowest of the mitigation sites will be of landscape quality. The finished surfaces of the planting area will be smooth within specified tolerances in uniform levels or slopes between points where elevations are indicated or between such points and existing grades. The accepted grading tolerance will be a smooth and even surface, free of voids, and within 0.25 feet of the specified elevation. Leaving the surface rough, creating mounds and ledges for a variable microtopography can be beneficial. During the course of excavation, inspections will be scheduled at a frequency to be determined by the engineer/environmental consultant but no less than weekly. Some changes to the grades may be appropriate to establish flow paths and preserve trees. These determinations will be made by the wetland specialist supervising the grading.



Site Plan 1" = 50'



Planting Plan 1" = 50'

Plant species election for wetland creation and expansion areas:

12 Highbush blueberry - <i>Vaccinium corymbosum</i> (VC)
14 Arrowwood - <i>Viburnum dentatum</i> (VD)
5 Blackberry - <i>Rubus occidentalis</i> (RC)
5 Possumhaw viburnum - <i>Viburnum possumillum</i> (VP)
23 Sumnerwaxwax - <i>Celtis occidentalis</i> (CA)
12 Shadbush - <i>Ilex verticillata</i> (IV)
8 Red maple - <i>Acer rubrum</i> (AR)
5 Black gum - <i>Nyssa sylvatica</i> (NS)
4 Green ash - <i>Fraxinus pennsylvanica</i> (FP)

Herbaceous plant species selection for wetland creation and expansion areas (2' plugs):

100 Tussock sedge - <i>Carex stricta</i>
100 Fringed sedge - <i>Carex crinita</i>
100 Soft rush - <i>Juncus effusus</i>
50 Cinnamon fern - <i>Cheilanthes cinnamomea</i>
50 Sensitive fern - <i>Cheilanthes sensitiva</i>
15 Burned - <i>Cladophora americana</i>
100 Rice cutgrass - <i>Luzula cylindrica</i>

Plant species selection for wetland buffer enhancement areas (locations and quantities of each species to be determined in the field based on existing tree locations):

<i>Viburnum</i> - <i>Hammamelis virginiana</i>
<i>Artemisia</i> - <i>Viburnum dentatum</i>
<i>Nannyberry</i> - <i>Viburnum acerifolium</i>
<i>Carex</i> - <i>Carex racemosa</i>
<i>Trichostema</i> - <i>Trichostema</i>
<i>Red maple</i> - <i>Acer rubrum</i>
<i>Pin oak</i> - <i>Quercus palustris</i>
<i>Sweetgum</i> - <i>Liquidambar styraciflua</i>

All shrubs to be in 3 to 5 gallon containers. All trees to be in 15 gallon containers.

**EVERGREEN MANOR**  
Town of CORTLANDT, New York

OWNER / APPLICANT  
V.S. CONSTRUCTION CORPORATION  
37 CROTON DAM ROAD  
OSSINGEN, NY, 10562

PLANNER, CIVIL ENGINEER, LANDSCAPE ARCHITECT  
**DINEY • TUNG • SCHWALBE**  
Intelligent Land Use

Architect (MASTER PLAN & PARCELS 1, 2, 4, 5)  
WARSHAUER MELLUSI WARSHAUER ARCHITECTS PC  
100 CLEARCROOK ROAD  
ELMSFORD, NY, 10523

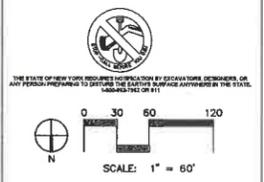
ARCHITECT (PARCEL 3)  
THE ARCHITECT TEAM  
50 COMMANDANT'S WAY AT ADMIRAL'S HILL  
CHELSEA, MA, 02150

ARCHITECT (PARCEL 4)  
MINVO WASKO  
90 LAMBERT LANE  
LAMBERTVILLE, NJ, 08530

LAND USE ATTORNEY  
ZARIN & STEINMETZ  
81 MAIN STREET  
WHITE PLAINS, NY, 10601

SURVEYOR  
DANIEL T. MERRITTS, PLS  
394 BEDFORD ROAD  
PLEASANTVILLE, NY, 10570

WETLANDS CONSULTANT  
TIM MILLER ASSOCIATES, INC.  
10 NORTH STREET  
COLD SPRINGS, NY, 10516



NOTE: ALL SITE DESIGN CONCEPTS AND INFORMATION INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND ARE THE PROPERTY OF DINEY TUNG SCHWALBE, LLP. THE DRAWING HAS BEEN CREATED AND PREPARED FOR THE USE OF THE APPLICANT AND SHALL NOT BE REPRODUCED OR DISCLOSED TO ANY PERSON OR ENTITY WITHOUT THE WRITTEN PERMISSION OF DINEY TUNG SCHWALBE, LLP.

IF ANY CHANGES OR MODIFICATIONS TO THIS DRAWING SHALL BE NECESSARY DURING THE COURSE OF CONSTRUCTION, THE CONTRACTOR SHALL NOTIFY AND BE RESPONSIBLE FOR NOTIFYING ANY VARIATIONS FROM DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS.

LEGAL NOTICE: IT IS A VIOLATION OF ARTICLE 146 OF THE NEW YORK STATE CONSTRUCTION LAW TO REPRODUCE OR DISCLOSE ANY PART OF THIS DOCUMENT IN ANY MANNER EXCEPT AS PROVIDED IN SECTION 146(3) OF ARTICLE 146, NEW YORK STATE CONSTRUCTION LAW.

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REVISIONS

NO.	DATE	DESCRIPTION
1	2/27/21	ISSUE SITE PLAN REVISION

**WETLAND CREATION AND EXPANSION PLAN**

DRIVING TITLE

DRWING NO. SAM/AKM	CHECKED BY SAM
PROJECT NO. 812	DATE 03/25/19
DRAWING NO.	

**SP-10.0**



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
JACOB K. JAVITS FEDERAL BUILDING  
26 FEDERAL PLAZA  
NEW YORK NEW YORK 10278-0090

Regulatory Branch

**October 19, 2022**

SUBJECT: Permit Application Number NAN-2018-00378  
by V.S. Construction

V.S. Construction  
ATTN: Valerio Santucci  
37 Croton Dam Road  
Ossining, NY 10562

Dear Mr. Santucci:

On November 13, 2019, the New York District of the U.S. Army Corps of Engineers received a request for Department of the Army authorization for the discharge of fill material into and/or the placement of structures in and over navigable waters of the United States for the placement of fill material in portions of two wetlands to facilitate the construction of a mixed-use development. The site is located in the Peekskill Hollow Creek Watershed, in the Town of Cortlandt, Westchester County, New York.

The submitted drawings entitled "Evergreen Manor: Wetland Disturbance Areas" dated October 25, 2019 and last revised July 27, 2021 indicate 8,986 cubic yards (CY) of fill will be placed within six wetland disturbance areas, covering 15,037 square feet (0.35 acres). A 57-inch by 38-inch metal arch culvert will be installed to maintain hydrologic connection between an existing farm pond and the larger wetland area. Unavoidable wetland impacts will be mitigated through the creation/expansion of a 35,944 square foot (0.83 acre) wetland, as detailed in the drawing entitled "Wetland Creation and Expansion Plan" by Divney Tung Schwalbe, LLP and dated March 25, 2019 and last revised July 27, 2021.

Based on the information submitted to this office, and accomplishment of notification in accordance with the applicable federal requirements, our review of the project indicates that an individual permit is not required. It appears that the activities within the jurisdiction of this office could be accomplished under Department of the Army Nationwide General Permit Number 39 COMMERCIAL AND INSTITUTIONAL DEVELOPMENTS. The nationwide permits are prescribed as a Reissuance of Nationwide Permits in the Federal Register dated January 13, 2021 (86 FR 2744). The work may be performed without further authorization from this office provided the activity complies with the permit conditions listed in Section B, No. 39, Section C, any applicable New York District regional conditions, the following special condition(s), and any applicable regional conditions added by the State of New York, copies enclosed.

**Special Conditions**

(A) The permittee shall comply with the terms and conditions of the enclosed “Memorandum of Agreement Among the United States Army Corps of Engineers, the New York State Historic Preservation Officer, and VS Construction Regarding the Evergreen Manor Project in the Town of Cortlandt, Westchester County, New York”, dated September 20, 2021.

(B) The permittee shall avoid tree clearing between April 1 and October 31 of any calendar year to protect the Federally-listed endangered Indiana bat (*Myotis sodalis*). Orange construction fencing shall be used to separate areas to be graded from areas not to be disturbed. No artificial dyes, coloring, insecticide, or algaecide such as copper sulfate shall be used in stormwater control structures. All outdoor lights shall be angled downward.

(C) The permittee shall accomplish compensatory mitigation through the successful establishment of 0.83-acres (35,944 square feet) of wetlands, as described in the attached drawing titled “Wetland Creation and Expansion Plan” by Divney Tung Schwalbe, LLP and dated December 10, 2018.

(D) All grading and planting in conjunction with the wetlands mitigation work shall be completed prior to the completion of fill authorized herein.

(E) The permittee shall ensure that all plantings in conjunction with the mitigation effort shall have an eighty-five percent (85%) survival rate and all established wetland areas in conjunction with the compensatory mitigation shall have an eighty-five percent (85%) coverage rate of hydrophytic plants (those with regional indicator status of FAC, FAC+, FAC+/-, or OBL in the report entitled “National List of Plant Species that Occur in Wetlands, Northeast [Region 1],” published by the U.S. Fish and Wildlife Service). The permittee shall also ensure that the vegetation in the newly established wetland does not consist of more than a total of five percent (5%) areal coverage of common reed (*Phragmites australis*), purple loosestrife (*Lythrum salicaria*), reed canary grass (*Phalaris arundinacea*), Japanese knotweed (*Polygonum cuspidatum*), Tartarian honeysuckle (*Lonicera tartarica*), Eurasian milfoil (*Myriophyllum spicata*), and/or other invasive species.

(F) The permittee shall provide to this office annual reports on the status of the compensatory mitigation activities, in each of the following five (5) years after initiation of the activities authorized by this permit. These reports shall be submitted no later than October 15 in each of these years. All data for the reports must be collected between the dates of April 15 and October 15 in the same year it is submitted. If this office determines that the success criteria outlined in

Regulatory Branch

SUBJECT: Permit Application Number NAN-2018-00378

by V.S. Construction

**Special Condition (D) above has not been met for at least three (3) consecutive years, this period will be extended and the permittee shall continue to submit monitoring reports every year until this office has determined that the success criteria has been met for at least three consecutive years. These reports shall include the following at a minimum:**

- i. A list of dominant plant species, along with their estimated frequency and percent areal cover in each vegetative strata (i.e. tree, shrub, and herbaceous) for each cover type within the mitigation site. All plant species shall be identified by using plots measuring 10-feet by 10-feet with at least one representative plot located in each of the habitat types within the mitigation site. The location of each plot shall be identified on the plan view engineering drawing;**
  - ii. Color photographs showing all representative areas of each cover type within the mitigation site, taken at least once each year during the period between June 1 and August 15;**
  - iii. A Corps of Engineers approved wetland delineation data sheet for each cover type within the mitigation site;**
  - iv. Vegetation coverage maps, at a scale of one inch equals 100-feet, or larger scale, outlining the extent (in acres) of each cover type within the mitigation site shall be prepared for each growing season;**
  - v. Well and gauge data showing water elevations within the mitigation site recorded twice a month during April through September of each year. The location of the monitoring well or gauge shall be shown on the plan view engineering drawing; and**
  - vi. A remedial plan, if necessary, outlining all practicable steps taken or proposed to be taken to ensure the success criteria outlined in Special Condition (D) above are met by the specified due date of the next monitoring report.**
- (G) The permittee shall ensure that no mowing of the mitigation area shall occur.**
- (H) The permittee shall secure a conservation easement or deed restriction on the wetland mitigation site to guarantee its preservation for wetland and wildlife resources. Copies of the instrument(s) effecting such easement shall be submitted to the New York District Corps of Engineers and the instrument(s) shall**

Regulatory Branch  
SUBJECT: Permit Application Number NAN-2018-00378  
by V.S. Construction

**be executed and recorded with the Westchester County Clerk's Office within one year following the initial plantings/seedings of the mitigation site.**

**(I) The permittee shall assume all liability for accomplishing the corrective work should the New York District determine that the compensatory mitigation has not been fully satisfactory. If the New York District does not find the mitigation satisfactory, an extension of monitoring time may be required to cover any necessary remedial work.**

**(J) The permittee shall undertake the authorized filling activities in a manner aimed at reducing impacts upon the general environment. In addition, the permittee shall not stockpile fill or other materials in a manner conducive to erosion, or in areas likely to cause high turbidity runoff during storm events. The permittee shall implement soil conservation and best management practices including, but not limited to, watering of dry disturbed soil to prevent movement of dust and particulates; the timely re-vegetation of exposed soils, and the used of silt fencing and anti-tracking pads to prevent erosion and sedimentation in onsite surface waters. Further, the permittee shall fence off all wetlands and other sensitive ecological areas during construction periods to prevent equipment and personnel from entering these areas.**

This determination covers only the work described in the submitted material. Any major changes in the project may require additional authorizations from the New York District.

Care should be taken so that construction materials, including debris, do not enter any waterway to become drift or pollution hazards. You are to contact the appropriate state and local government officials to ensure that the subject work is performed in compliance with their requirements.

Please note that this nationwide permit (NWP) verification is based on a preliminary jurisdictional determination (JD). A preliminary JD is not appealable. If you wish, prior to commencement of the authorized work you may request an approved JD, which may be appealed, by contacting the New York District, U.S. Army Corps of Engineers for further instruction. To assist you in this decision and address any questions you may have on the differences between preliminary and approved jurisdictional determinations, please review U.S. Army Corps of Engineers Regulatory Guidance Letter No. 16-01, which can be found at:  
<https://usace.contentdm.oclc.org/utills/getfile/collection/p16021coll9/id/1256>

This verification is valid until March 14, 2026, unless the nationwide permit is modified, reissued, or revoked. This verification will remain valid until March 14, 2026, if the activity complies with the terms of any subsequent modifications of the nationwide permit authorization. If the nationwide permits are suspended, revoked, or modified in

Regulatory Branch

SUBJECT: Permit Application Number NAN-2018-00378  
by V.S. Construction

such a way that the activity would no longer comply with the terms and conditions of a nationwide permit, and the proposed activity has commenced, or is under contract to commence, the permittee shall have 12 months from the date of such action to complete the activity.

**Within 30 days of the completion of the activity authorized by this permit and any mitigation required by this permit, you are to sign and submit the attached compliance certification form to this office.**

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

If any questions should arise concerning this matter, please contact Alexandra Ryan, of my staff, at (917) 790-8518.

Sincerely,

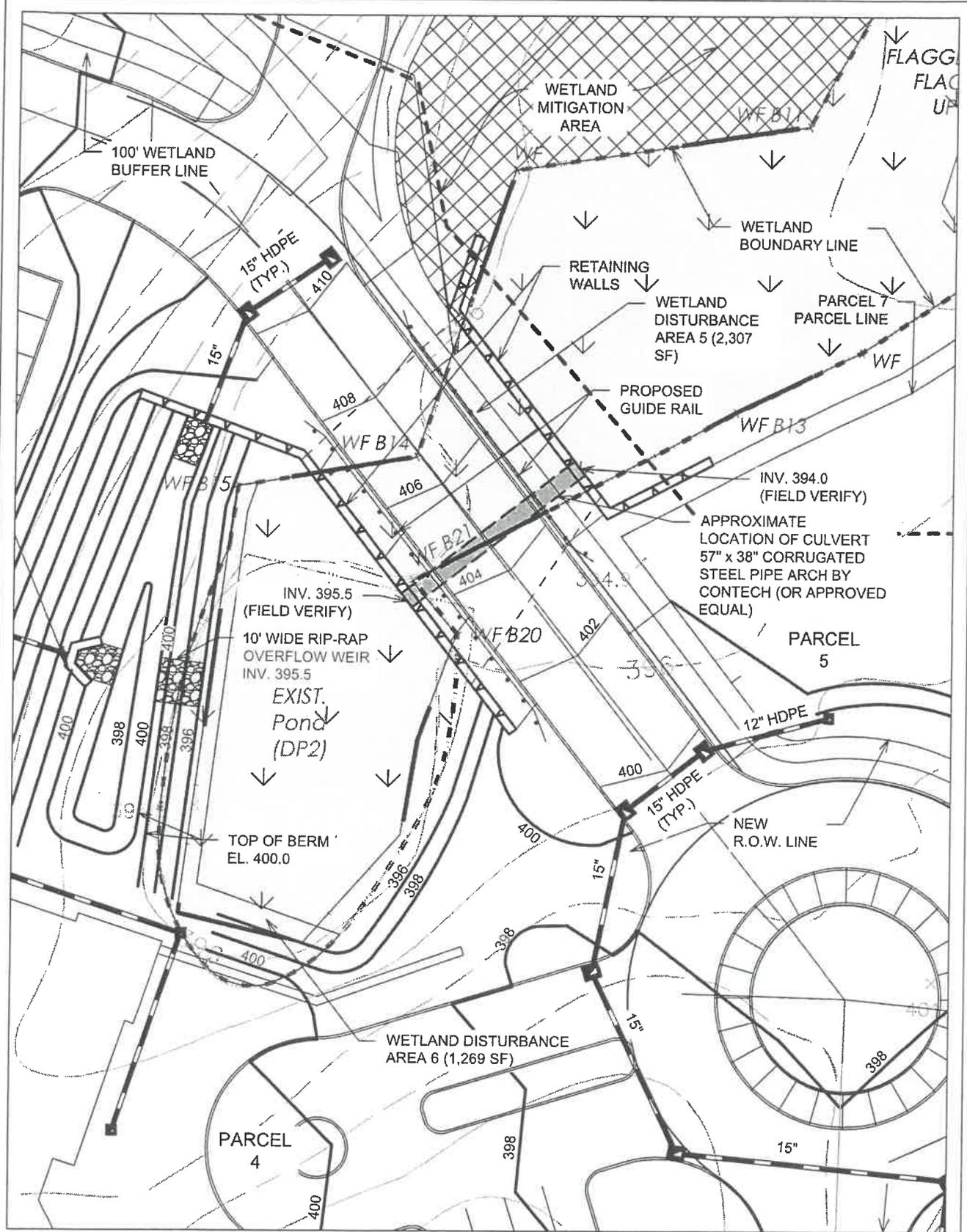
 Date: 2022.10.19  
16:18:34 -04'00'

Rosita Miranda  
Chief, Western Section

Enclosures

cc: NYSDEC - Region 3  
Town of Cortlandt  
USFWS



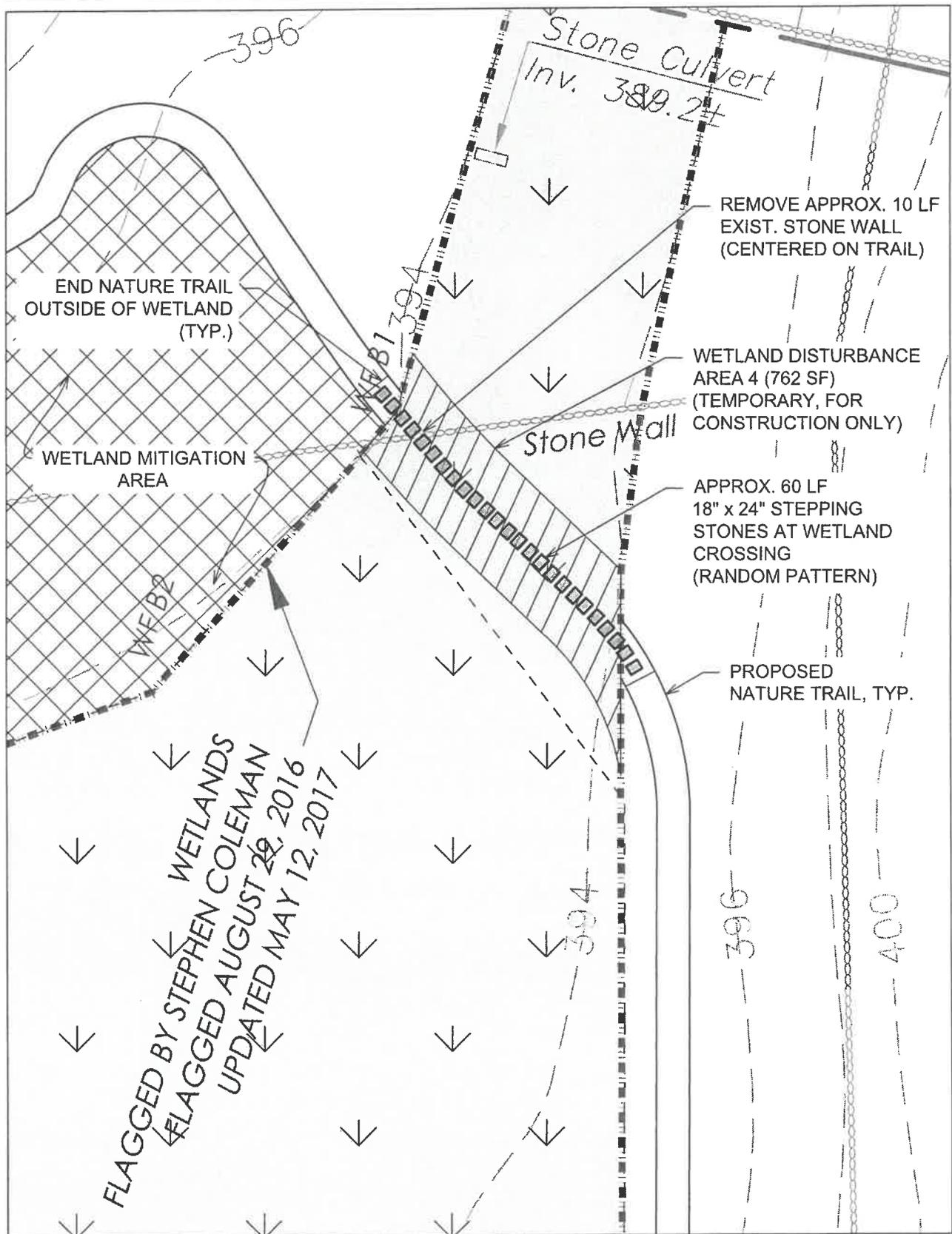


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Intelligent Land Use

**WETLAND DISTURBANCE AREA 5 AND 6  
PARCEL 4 / PROPOSED DRIVEWAY CULVERT**

EVERGREEN MANOR  
TOWN OF CORTLANDT, NEW YORK

FIGURE NO.2  
7/27/21



0 10 20  
SCALE: 1" = 20'

DIVNEY • TUNG • SCHWALBE  
Intelligent Land Use

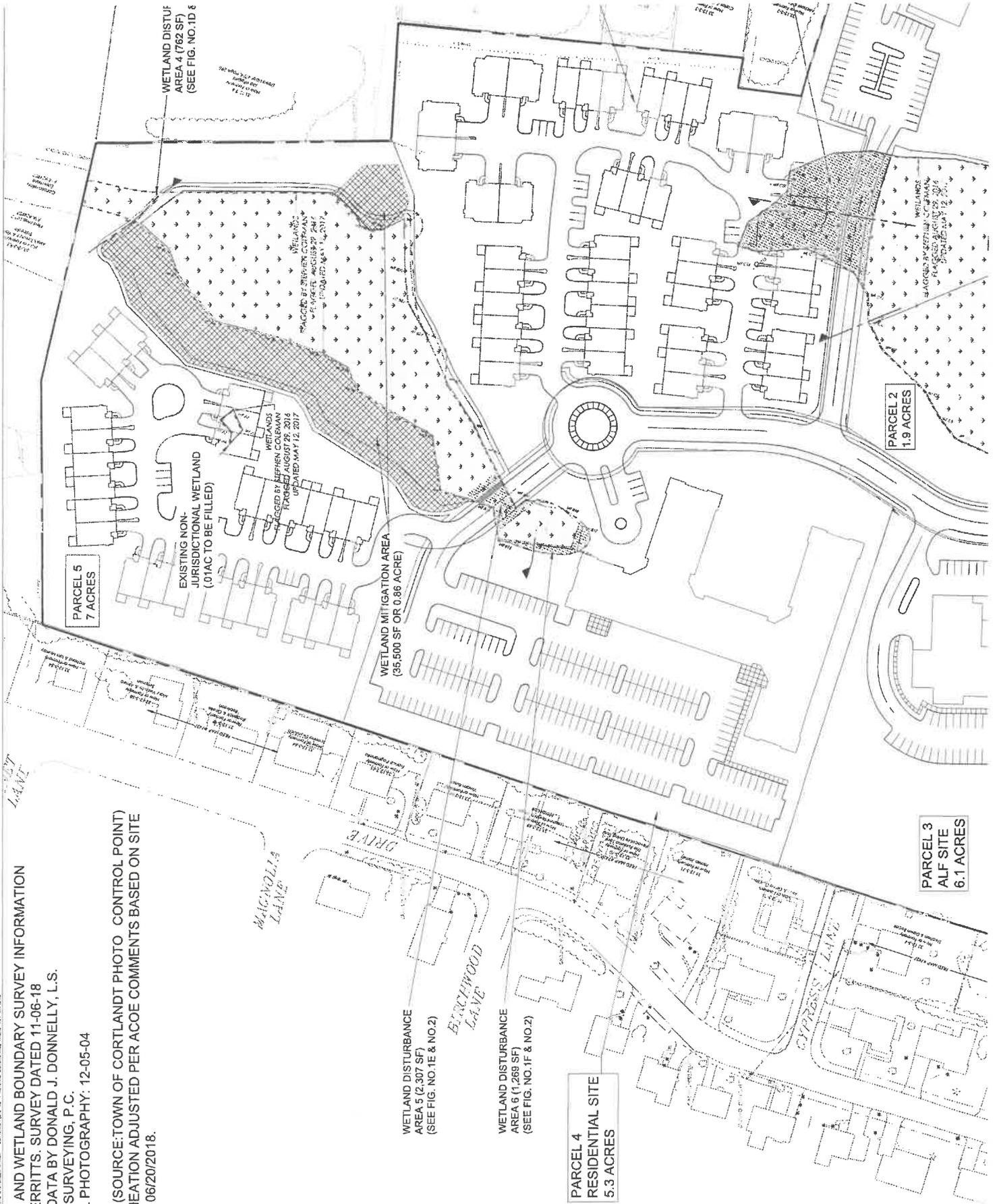
### WETLAND DISTURBANCE AREA 4 PARCEL 7 / WETLAND CROSSING

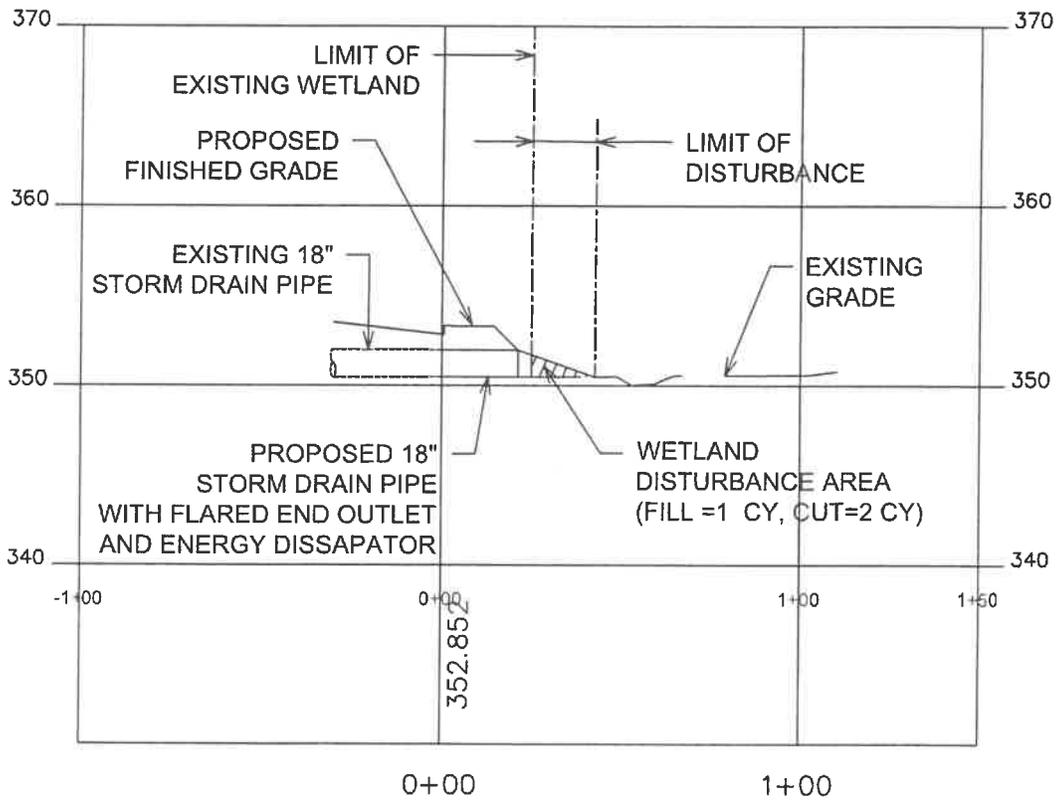
EVERGREEN MANOR  
TOWN OF CORTLANDT, NEW YORK

FIGURE NO.3  
10/25/19

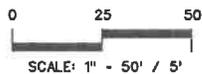
**SOURCE:** PROPERTY LINE AND WETLAND BOUNDARY SURVEY INFORMATION  
BY DANIEL T. MERRITTS. SURVEY DATED 11-06-18  
TOPOGRAPHIC DATA BY DONALD J. DONNELLY, L.S.  
DONNELLY AND SURVEYING, P.C.  
DATE OF AERIAL PHOTOGRAPHY: 12-05-04  
SCALE: 1"=50'

**NOTE:** DATUM: NGVD29 (SOURCE: TOWN OF CORTLANDT PHOTO CONTROL POINT)  
WETLAND DELINEATION ADJUSTED PER ACEE COMMENTS BASED ON SITE  
INSPECTION ON 06/20/2018.





SECTION: AREA 1 - PARCEL 6

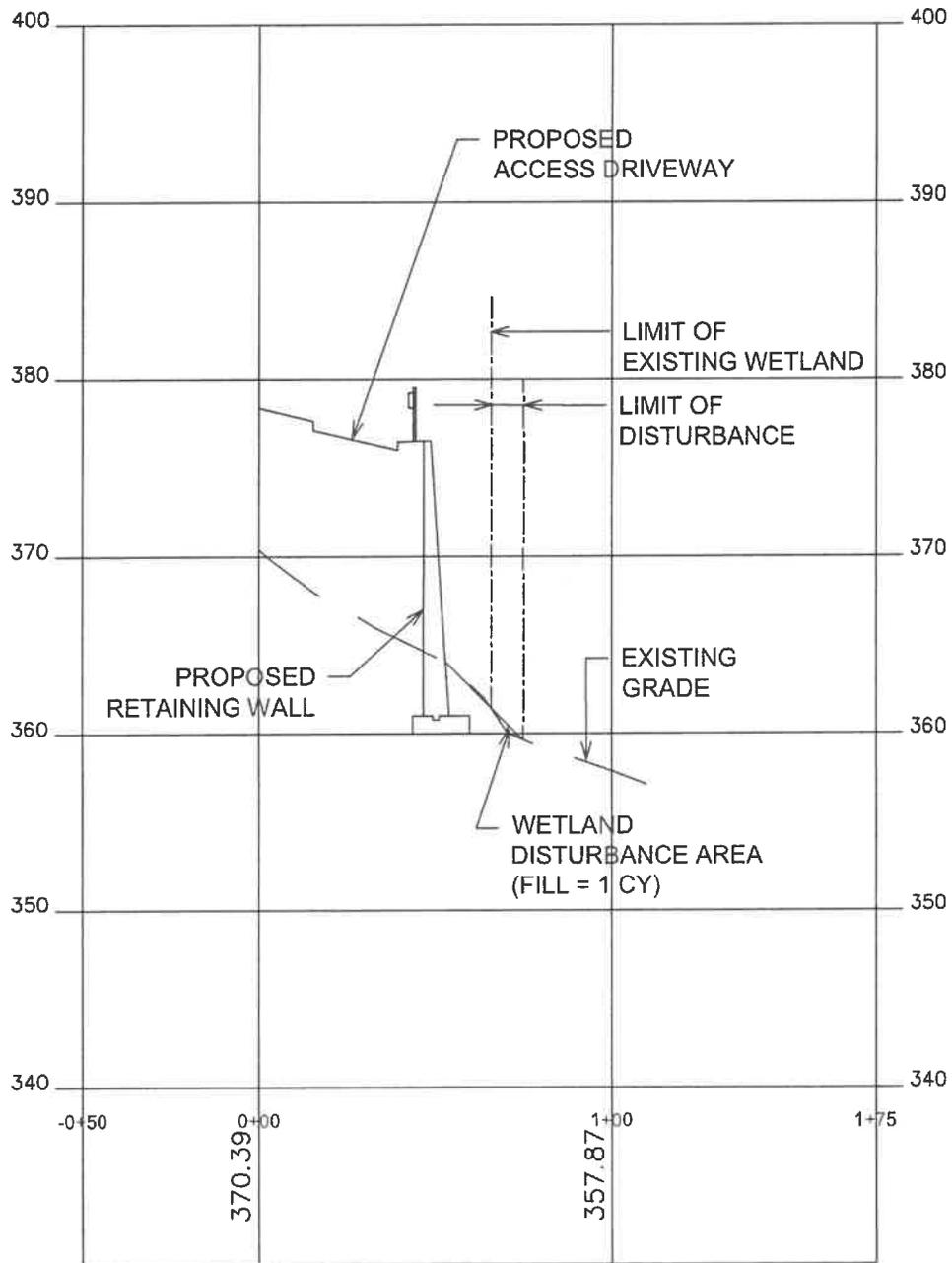


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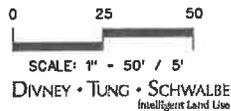
WETLAND DISTURBANCE AREA 1  
PARCEL 6 / DRAINAGE OUTLET

EVERGREEN MANOR  
TOWN OF CORTLANDT, NEW YORK

FIGURE NO.1A  
10/25/19



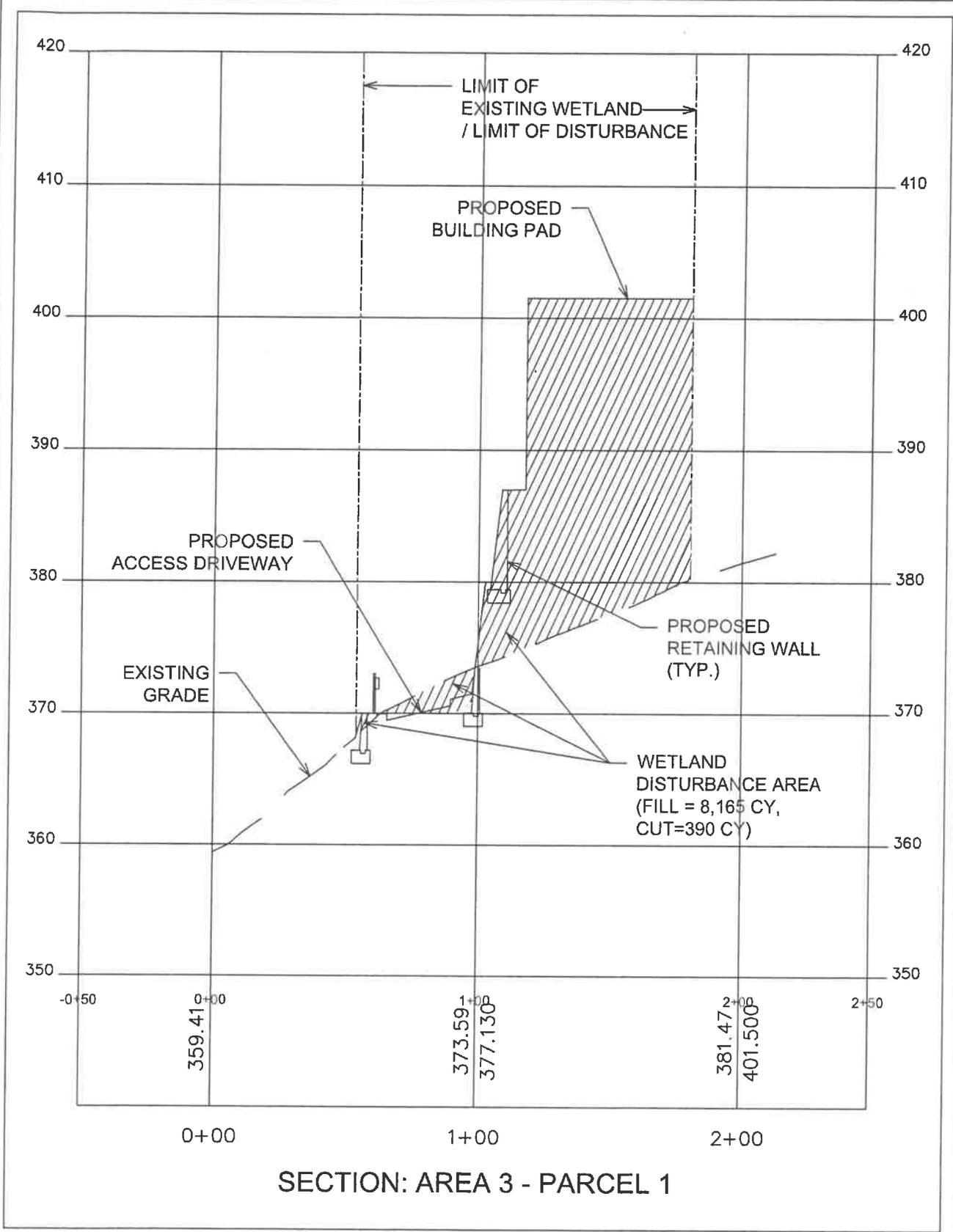
SECTION: AREA 2 - PARCEL 6



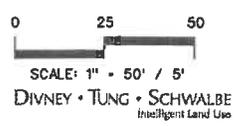
WETLAND DISTURBANCE AREA 2  
PARCEL 6 / EMBANKMENT FILL PLACEMENT

EVERGREEN MANOR  
TOWN OF CORTLANDT, NEW YORK

FIGURE NO.1B  
10/25/19



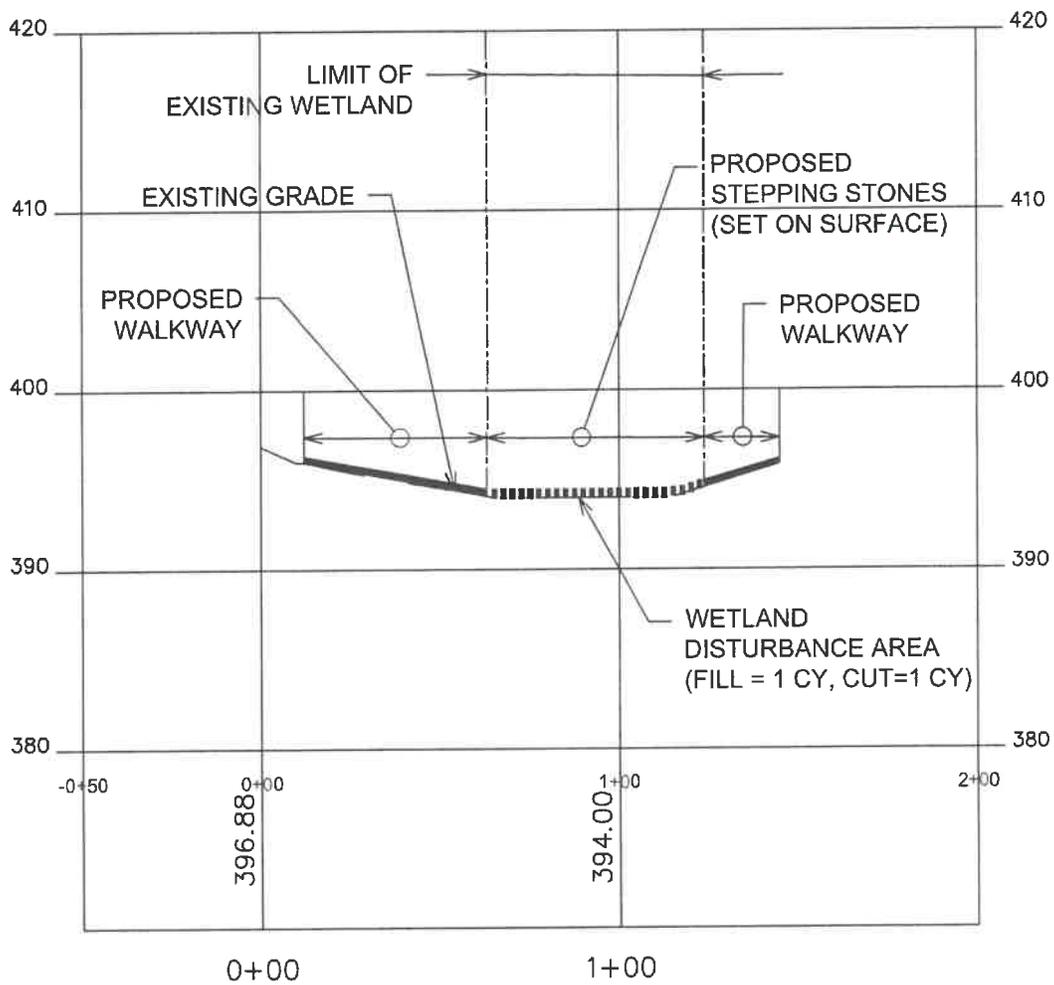
SECTION: AREA 3 - PARCEL 1



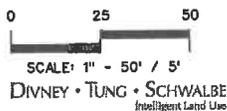
WETLAND DISTURBANCE AREA 3  
PARCEL 1 FILL SECTION

EVERGREEN MANOR  
TOWN OF CORTLANDT, NEW YORK

FIGURE NO.1C  
10/25/19



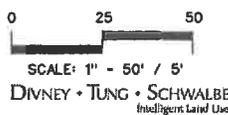
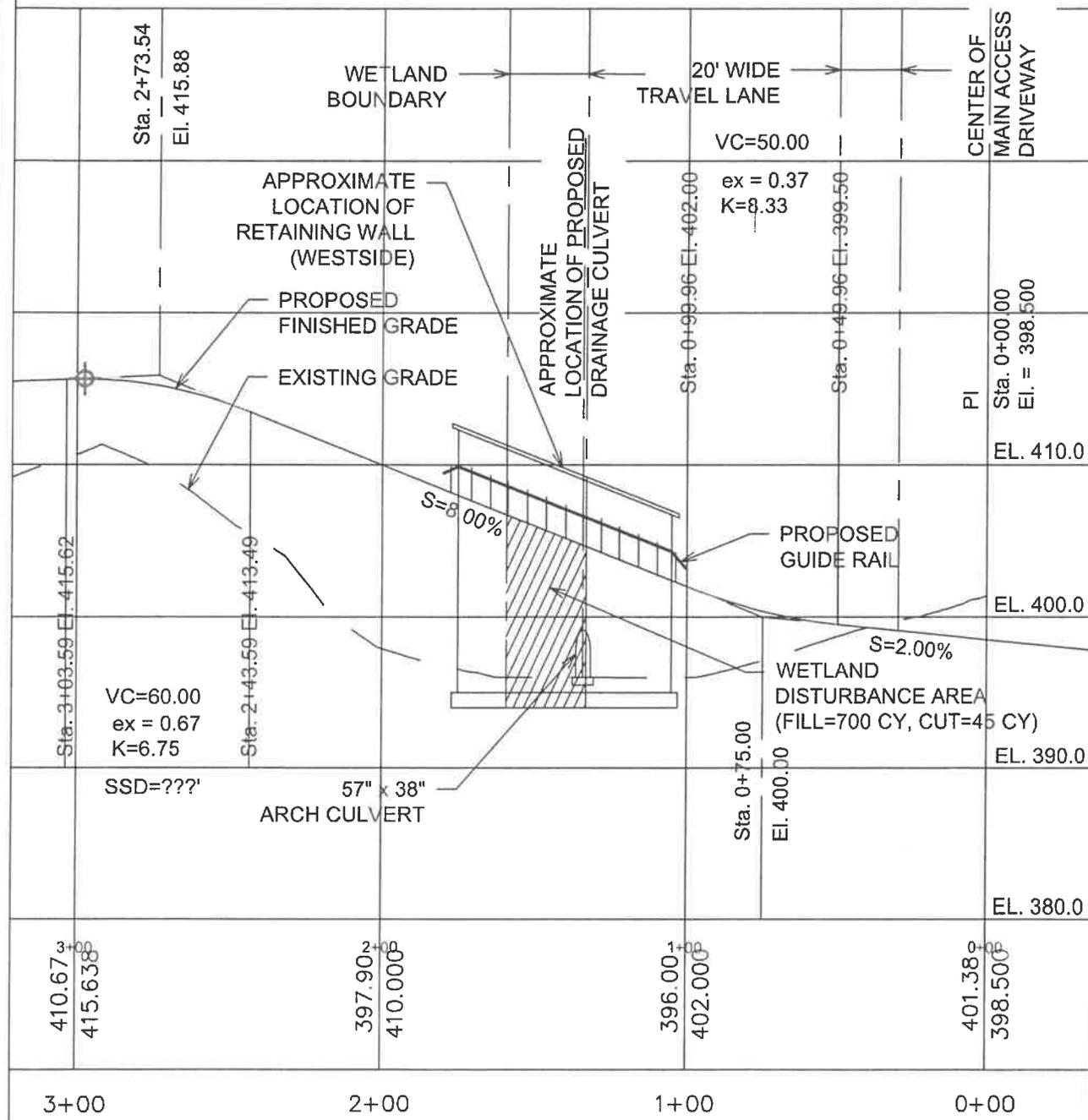
SECTION: AREA 4 - PARCEL 7



WETLAND DISTURBANCE AREA 4  
PARCEL 7 / WETLAND CROSSING

EVERGREEN MANOR  
TOWN OF CORTLANDT, NEW YORK

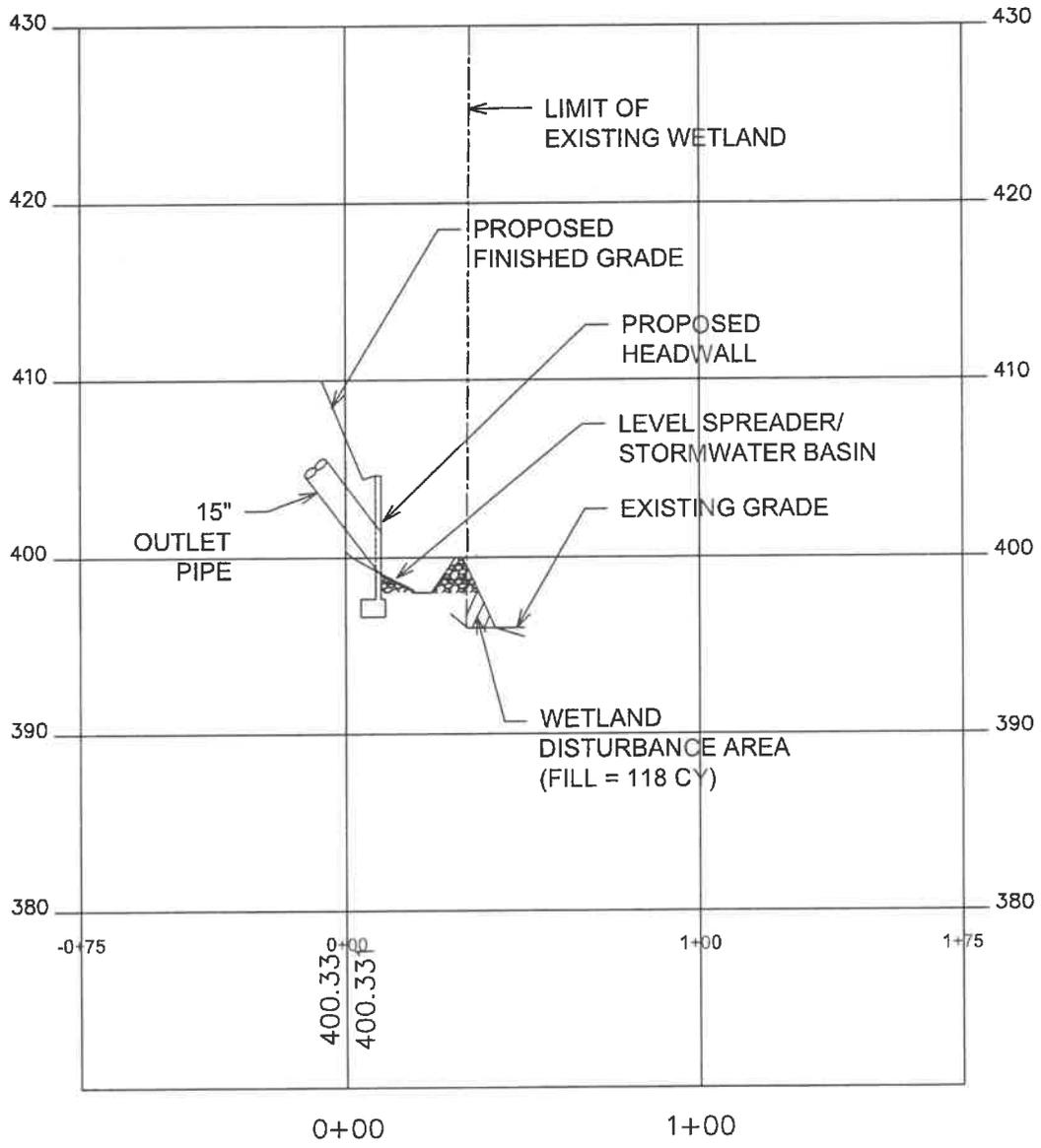
FIGURE NO.1D  
10/25/19



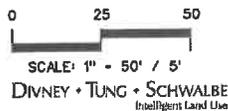
**WETLAND DISTURBANCE AREA 5  
PARCEL 4 / DRIVEWAY PROFILE**

EVERGREEN MANOR  
TOWN OF CORTLANDT, NEW YORK

FIGURE NO.1E  
10/25/19



SECTION: AREA 6 - PARCEL 4



WETLAND DISTURBANCE AREA 6  
PARCEL 4 / DRAINAGE IMPROVEMENT

EVERGREEN MANOR  
TOWN OF CORTLANDT, NEW YORK

FIGURE NO.1F  
10/25/19





DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT  
JACOB K. JAVITS FEDERAL BUILDING  
26 FEDERAL PLAZA  
NEW YORK NY 10278-0090

CENAN-OP-RW

**NATIONWIDE PERMIT COMPLIANCE CERTIFICATION AND REPORT FORM**

Permittee: V.S. Construction

Permit No.: NAN-2018-00378

Date Permit Issued: 10/19/22

Location: Town of Cortlandt, Westchester County, New York

Within 30 days of the **COMPLETION** of the activity authorized by this permit and any mitigation required by the permit, sign this certification and return it to the address at the bottom of this form.

Please note that your permitted activity is subject to a compliance inspection by a U.S. Army Corps of Engineers representative. If you fail to comply with this permit you are subject to permit suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit has been completed in accordance with the terms and conditions of said permit, and required mitigation was completed in accordance with the permit conditions.

\_\_\_\_\_  
Signature of Permittee

\_\_\_\_\_  
Date

Fold this form into thirds, with the bottom third facing outward. Tape it together and mail to the address below or FAX to (212) 264-4260.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Place Stamp Here

Department of the Army  
New York District Corps of Engineers  
Jacob K. Javits Federal Building  
26 Federal Plaza, Room 16-406  
ATTN: CENAN-OP-RW  
New York, New York 10278-0090

**MEMORANDUM OF AGREEMENT AMONG THE UNITED STATES ARMY CORPS OF ENGINEERS, THE NEW YORK STATE HISTORIC PRESERVATION OFFICER, AND VS CONSTRUCTION REGARDING THE EVERGREEN MANOR PROJECT IN THE TOWN OF CORTLANDT, WESTCHESTER COUNTY, NEW YORK**

**USACE PERMIT APPLICATION NUMBER NAN-2018-00378  
NEW YORK STATE HISTORIC PRESERVATION OFFICE PROJECT 18PR08018**

**WHEREAS**, the VS Construction proposes to construct a new mixed-use facility at 2003 Crompond Road, Town of Cortlandt, Westchester County, New York (“the Project”); and

**WHEREAS**, pursuant to Section 404 of the Clean Water Act (33 U.S.C. § 1344), USACE has been requested to issue a permit authorizing discharge of approximately 8,986 cubic yards of fill material within wetland disturbance areas, which total 15,037 sf (0.35 acres) required to provide access to a newly created parcel and to create a building pad within the northern portion of the Evergreen Manor Project Site; and

**WHEREAS**, the VS Construction's proposal to construct rental apartments, age-restricted condominiums, independent and assisted living residences, and commercial retail space consistent with the Town of Cortlandt's proposed Medical Oriented Zoning District (MOD) by VS Construction is identified as the “Undertaking”; and

**WHEREAS**, USACE has defined the Permit Area for the Undertaking, as defined at 33 CFR Part 325, Appendix C, as shown on Attachment WE-1 titled “Wetland Disturbance Areas”; and

**WHEREAS**, USACE has determined that the Permit Area for the Undertaking is within the Area of Potential Effect (APE). The Permit Area includes onsite wetlands under the jurisdiction of Section 404 of the Clean Water Act where approximately 0.35 acres of wetland will be filled. The permit area also includes the mitigation area which will expand the wetland by 0.81 acres. The APE is the geographic area of the property site, which includes the historic Evergreen Manor and barn structures. The Project will involve the demolition of the historic Evergreen Manor and barn structures, and the involved agencies determined that there are no prudent and feasible alternatives to the proposed plan that would allow for the historic buildings to be adapted for the new use. However, the demolition of the historic Evergreen Manor and barn was determined to constitute an Adverse Effect to historic resources under Section 106 of the National Historic Preservation Act. The structures to be demolished are not located within the proposed wetland disturbance areas; however, the historic structures are integrally related, directly associated, and would not occur but for the authorization of work to occur within waters of the United States; and

**WHEREAS**, USACE has determined that the undertaking will have an adverse effect on the Evergreen Manor structure, which is eligible for listing in the National Register of Historic Places; and

**WHEREAS**, USACE has consulted with the New York State Historic Preservation Officer (SHPO) pursuant to Section 106 of the National Historic Preservation Act (54 U.S.C. § 306108); Advisory Council of Historic Preservation (ACHP) implementing regulations at 36 CFR Part 800; USACE implementing regulations at 33 CFR Part 325, Appendix C, and subsequent interim guidance dated April 25, 2005 and January 31, 2007; and

**WHEREAS**, in accordance with 36 CFR § 800.6(a)(1), USACE has notified the Advisory Council on Historic Preservation (ACHP) of its adverse effects determination with specified documentation, and the ACHP has chosen not to participate in the consultation pursuant to 36 CFR § 800.6(a)(1)(iii); and

**NOW, THEREFORE**, USACE, SHPO, and VS Construction agree that the undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the undertaking on historic properties.

## **STIPULATIONS**

### **I. USACE Authorization.**

USACE shall condition any authorization it may issue regarding the Undertaking to ensure implementation of the terms of this MOA, in a timely manner and with adequate resources, in compliance with the National Historic Preservation Act.

### **II. Structures Documentation**

The former hotel and barn buildings will be fully documented prior to demolition using the following standards.

#### Photographs

Photographs submitted as documentation need to provide an accurate visual representation, and depict the current conditions and significant features, of the property, both exterior and interior (where safely accessible).

Digital photographs should be taken using a ten (10) mega pixel, or greater, digital SLR camera. Images should be saved in Tag Image File (TIFF) format. This allows for the best image resolution. RGB color digital TIFFs are preferred.

Several historic images depicting the facility should be included in the documentation. Each photograph will be titled/numbered to correspond to the photograph number on a photo log or key. For simplicity, the name of the

photographer, photo date, etc. will be listed once on the photograph log.

#### Historic Narrative

A brief narrative history pertaining to development and construction of Evergreen Manor shall be provided. Historic period documentation shall also be included.

#### Plans/Drawings

Copies of construction plans should be reproduced and included in the documentation package.

#### Report

The final report (including images and a PDF version of the Historic Narrative) should be saved on digital media (CD, DVD, or USB thumb drive). One copy will be submitted to the USACE and two copies will be submitted to the New York State Historic Preservation Officer at the Office of Parks, Recreation and Historic Preservation (OPRHP).

Two copies of the report will be printed and bound. One copy of the report will be submitted to the Agency Preservation Officer at the Division for Historic Preservation for forwarding to the NY State Archives and one copy of the report will be forwarded by VS Construction to a local public library or historical society.

#### Timing

The documentation package must be prepared and submitted no later than 6-months after demolition of the resource.

### **A. Memorial**

A kiosk and/or interpretive panels detailing the history of the former hotel will be developed in consultation with OPRHP and will be displayed in, or outside, one or more of the new buildings.

These interpretive materials will be installed no later than 90 days after construction work is completed at the new facility. Photos of the installed materials will be submitted to OPRHP.

### **B. Historic Building Architectural Salvage**

VS Construction will incorporate some of the key architectural design elements from the former Evergreen Manor Hotel into the building architecture and/or as display artifacts into one or more of the new buildings that will be accessible by the public. Elements to be considered include, but are not limited to: porch column sections, porch capitals and bases, fireplace surrounds, period lights or other original details.

A list of the material to be salvaged will be submitted to OPRHP no later than 30-days prior to the commencement of building demolition. The plan for incorporating those salvaged materials shall be submitted to OPRHP for review

and approval no later than one-year from the date of building demolition. Images of the installed salvage materials, per the agreed upon plan, will be submitted to OPRHP no later than 90 days after construction is completed on the facility.

If it is determined that due to condition, the salvage of architectural elements cannot be undertaken, such elements will be documented in-situ. These images and a brief assessment of condition will be submitted to OPRHP explaining why the materials cannot be reasonably removed and adapted for reuse/display.

**III. DURATION**

This MOA will expire if its terms are not carried out within five (5) years from the date of its execution. Prior to such time, USACE may consult with the other signatories to reconsider the terms of the MOA and amend it in accordance with Stipulation VI.

**IV. MONITORING AND REPORTING**

Each year following the execution of this MOA until it expires or is terminated, USACE shall provide all parties to this MOA a summary report detailing work undertaken pursuant to its terms. Such report shall include any scheduling changes proposed, any problems encountered, and any disputes and objections received in USACE's efforts to carry out the terms of this MOA.

**V. DISPUTE RESOLUTION**

Should any signatory to this MOA object at any time to any actions proposed or the manner in which the terms of this MOA are implemented, USACE shall consult with such party to resolve the objection. If USACE determines that such objection cannot be resolved, USACE will:

A. Forward all documentation relevant to the dispute, including USACE's proposed resolution, to the ACHP. The ACHP shall provide USACE with its advice on the resolution of the objection within thirty (30) days of receiving adequate documentation. Prior to reaching a final decision on the dispute, USACE shall prepare a written response that takes into account any timely advice or comments regarding the dispute from the ACHP, signatories and concurring parties, and provide them with a copy of this written response. USACE will then proceed according to its final decision.

B. If the ACHP does not provide its advice regarding the dispute within the thirty (30)-day time period, USACE may make a final decision on the dispute and proceed accordingly. Prior to reaching such a final decision, USACE shall prepare a written response that takes into account any timely comments regarding the dispute from the signatories and concurring parties to the MOA, and provide them and the ACHP with a copy of such response.

C. USACE's responsibility to carry out all other actions subject to the terms of this MOA that are not the subject of the dispute remain unchanged.

**VI. AMENDMENTS**

This MOA may be amended when such an amendment is agreed to in writing by all signatories. The amendment will be effective on the date a copy signed by all the signatories is filed with the ACHP.

**VII. TERMINATION**

If any signatory to this MOA determines that its terms will not or cannot be carried out, that party shall immediately consult with the other signatories to attempt to develop an amendment per Stipulation VII, above. If within thirty (30) days (or another time period agreed to by all signatories) an amendment cannot be reached, any signatory may terminate the MOA upon written notification to the other signatories.

Once the MOA is terminated, and prior to work continuing on the Undertaking, USACE must either (a) execute an MOA pursuant to 36 CFR § 800.6 or (b) request, take into account, and respond to the comments of the ACHP under 36 CFR § 800.7. USACE shall notify the signatories as to the course of action it will pursue.

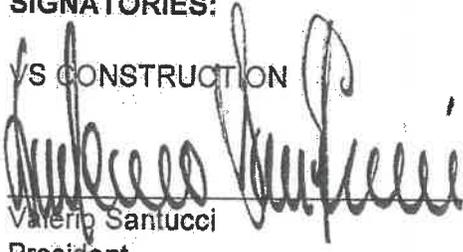
**VIII.** Execution of this MOA by USACE, SHPO, and VS Construction and implementation of its terms evidence that USACE has taken into account the effects of this undertaking on historic properties and afforded the ACHP an opportunity to comment.

**Attachments:**

A. Sheet WE-1 titled, "Wetland Disturbance Areas," prepared by Divney Tung Schwalbe, LLC, dated October 25, 2019 and last revised July 27, 2021.

**SIGNATORIES:**

VS CONSTRUCTION

  
Valerio Santucci  
President

Date: 6/23/21

NEW YORK STATE HISTORIC PRESERVATION OFFICER

R. Daniel Mackay

Date: 9/1/2021

R. Daniel Mackay  
Deputy Commissioner for Historic Preservation/SHPO

---

U.S. ARMY CORPS OF ENGINEERS, NEW YORK DISTRICT

A handwritten signature in black ink, appearing to read "Stephan A. Ryba", is written over a horizontal line.

Date: September 20, 2021

Stephan A. Ryba  
Chief, Regulatory Branch



# TOWN OF CORTLANDT PLANNING BOARD

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Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
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Fax #: 914-788-0294

Planning Staff email:  
chrisk@townofcortlandt.com

**Town Supervisor**  
Richard H. Becker, MD

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert Mayes  
Joyce White

## TOWN OF CORTLANDT PLANNING BOARD GUIDELINES For PRESENTATION OF WETLAND & STEEP SLOPES

After numerous reviews of site plan and subdivision applications, the Planning Board has concluded that a better visual presentation of wetlands and steep slopes is required. The following guidelines will allow the Board to determine faster and more accurately the extent of environmental impacts.

1. Wetlands as defined by the Town of Cortlandt code will be depicted in light blue; wetland buffers will be shown in yellow.
2. Steep slopes will be depicted as follows:  
  
Slopes 15-30% - Tan  
Slopes greater than 30% - Brown
3. Those areas that encompass both wetlands and steep slopes will be depicted in orange (or for buffer areas and slopes, pink)
4. Provide (2) 11' by 17' hard copies of the wetlands/slope layout to Planning staff and upload to the project's OpenGov portal page. Should the environmental impacts be extensive a full-size plan may be required.
5. This format will be required of all applications where it has been determined that wetlands and steep slopes exist.
6. The Planning Board may waive these requirements should they believe wetlands and/or steep slopes are negligible.
7. The layout will be required as soon as practical once the wetlands have been mapped and slopes determined. Minor revisions (those for example, proposed by the Town's environmental consultants) can be accepted without alteration to the layout. However, any significant changes will require a new submittal.

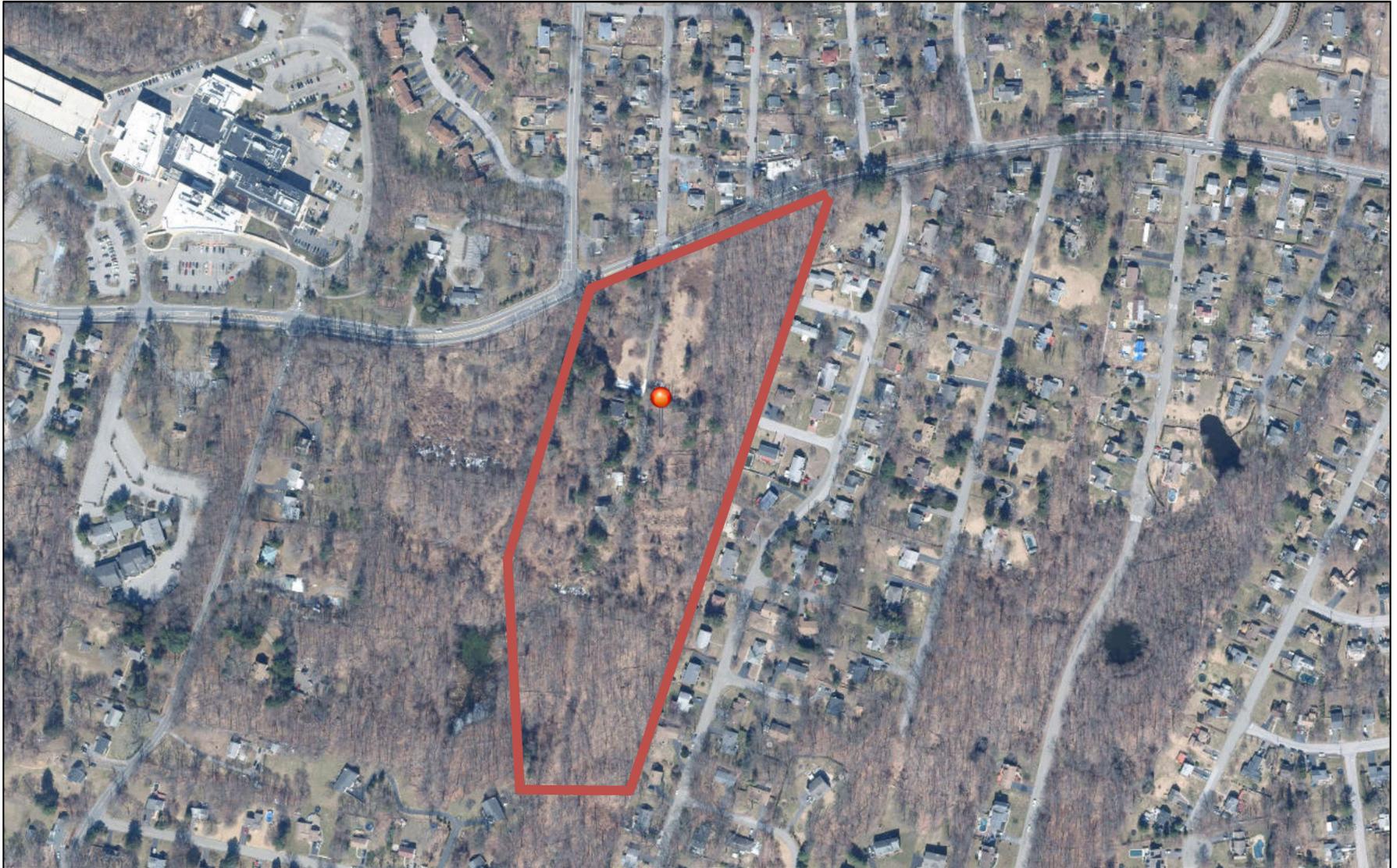
May 18, 1993

Rev. December 15, 2000

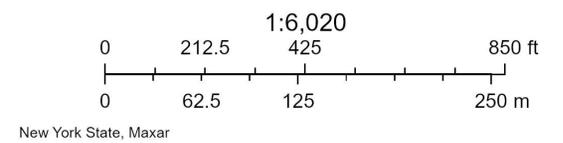
April 5, 2005

December 12, 2024

# Cortlandt



2/21/2025, 10:41:57 AM





**TOWN OF CORTLANDT**  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Chris Kehoe, AICP – Director

Planning Staff: Heather  
LaVarnway, CNU-A, AICP  
Michelle Robbins, AICP  
Rosemary B. Lasher

Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1080

**Town Supervisor**  
Richard H. Becker, MD

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert Mayes Joyce  
C. White

**MEMORANDUM**

TO: Planning Board Members

FROM: Chris Kehoe, AICP, Director of Planning *CK*  
Department of Planning & Community Development

Heather LaVarnway, CNU-A, AICP, Planner *HL*  
Department of Planning & Community Development

SUBJECT: **PB 2025-3** Application of 77 Montrose Station, LLC for Preliminary Plat approval and for Tree Removal and Steep Slope Permits for a proposed 3-lot major subdivision of an approximately 9.7-acre parcel of property located at 77 Montrose Station Road. and designated on the Town of Cortlandt Tax Maps as Section 44.17, Block 1, Lot 11.

DATE: February 20, 2025

1. The Planning Division conducted a review of the subject application consisting of a 5-page set of drawings entitled “Subdivision & Site Development Plan for 77 Montrose Station Rd., LLC” prepared by Cronin Engineering, P.E., P.C. dated January 22, 2025.
2. The applicant is requesting preliminary subdivision approval for a 3-lot major subdivision of an approximately 9.77-acre parcel of property. The parcel contains an existing single-family home that is currently being renovated. The existing house is located on proposed Lot 1 which is 245,821 sq. ft. and is accessed by an approximately 900-foot-long driveway. The existing driveway is currently partially located on Lot 6 which is also owned by the applicant. Lot 6 is proposed to be merged with Lot 11. The house on proposed lot 1 is served by public water and an on-site septic system. Proposed lot 2 is 80,891 sq. ft., and will be served by public water and an on-site septic system with a proposed shared driveway access to Montrose Station Rd. Proposed lot 3 is 97,001 sq. ft. and also served by public water and an on-site septic system. The subject property is zoned R-80, single-family residential which requires a minimum lot size of 80,000 sq. ft.
3. The subject drawing shows the driveway from Montrose Station Road to the subject parcel, for the existing residence, being located within a 50 ft. r-o-w with a deed reference of Liber 2120 Page 12. Access through this r-o-w is also provided to an additional parcel in the back, tax lot 44.17-1-9 & 10, n/f owned by the Thomas & Marcia Hintze Irrevocable Trust. The applicant shall provide proof to the Board and staff of legal access in this r-o-w. In addition, the applicant shall provide proof that access to the Hintze parcel is not precluded.

4. An easement will need to be filed to the satisfaction of the Town Legal Department to provide access to proposed lot 3 over proposed lot 2.
5. A tree inventory on the subject parcel was completed by Town Arborist Sav-A-Tree dated October 3, 2024. According to the inventory a total of 565 trees were found within the proposed limits of disturbance. According to the arborist 104 trees should be considered for removal based upon their condition, i.e. dead, critical condition or poor. The arborist report states that 353 healthy trees, native trees may need to be removed based on the proposed layout. The applicant is stating that 247 trees need to be removed. The proposed improvements shall be overlaid on top of the tree inventory, and all trees that are required to be removed for the construction of the houses and all the site work shall be clearly marked with an “x” to give the Planning Board a clear visual representation of the required removals. The applicant shall clearly differentiate the proposed tree removals between trees that the Town Arborist determined to be dead, dying or in poor condition versus healthy trees.

The applicant is proposing 12 trees be planted. The total amount of required tree re-planting has been determined by Town staff to be 1 tree to be planted for every 1,000 sq. ft. of disturbance. According to the applicant, to be confirmed by the Town as the project progresses, 137,525 sq. ft. of disturbance is required for the proposed improvements. At this time, subject to further plan revisions, a total of 138 trees are required to be re-planted. The applicant shall provide the required responses to Section 283-7, (Trees) *Standards for approval* for the Board to consider.

6. The applicant shall provide a colored map as per the attached guidelines depicting the impacts of the proposed site plan and all associated site improvements to wetlands, wetland buffers and areas of steep slope. As per the guidelines the regulated buffer shall be colored yellow, wetlands colored light blue and areas of steep slope colored tan and/or brown. The proposed subdivision improvement shall be overlaid on top of the environmental constraints map.
7. The subject subdivision will impact regulated steep slopes. The applicant shall provide the Board the total amount of proposed steep slope disturbance for slopes 15-30% and for slopes greater than 30%. The applicant shall provide the required responses to Chapter 259-6 (Trees) *Standards for approval* for the Board to consider.
8. The applicant shall provide a written response to the concerns raised by the neighbors in letters dated February 14 and February 18, 2025. (attached)
9. The applicant shall respond to all comments raised by the Planning Board Engineer in his memo dated February 13, 2025.
10. **The applicant is required to have a follow-up meeting with Town staff, after they have completed their revisions to the drawings as per the review memos, prior to being placed back on a Planning Board agenda.**
11. The subject application is classified as an unlisted action pursuant to the New York State Environmental Quality Review Regulations. The applicant submitted Part One of the Full Environmental Assessment Form (see attached) for the Board to use together with all information submitted with this application to evaluate what, if any, significant environmental impacts may result from the proposed project by completing parts two and three thereof, as applicable.

12. Also attached herewith for the Planning Board's information is an aerial image showing the character of the area of this application. The subject drawing was transmitted to the members of the Planning Board at the time the application was submitted.
13. Referrals of this application include the Code Administration and Enforcement Division and the Town Fire Inspector, the Conservation Advisory Council and the Parks & Recreation Advisory Council.

CRK/crk  
attachments

cc: Richard H. Becker, Town Supervisor  
James Creighton, Town Board Liaison  
Michael Cunningham, Esq. Deputy Town Attorney  
Chris Lapine, P.E., Labella  
Wendy Talio, CAC  
Mark Giordano  
Cronin Engineering, P.E., P.C



# TOWN OF CORTLANDT PLANNING BOARD

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Planning Staff email:  
chrisk@townofcortlandt.com

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## TOWN OF CORTLANDT PLANNING BOARD GUIDELINES

### For PRESENTATION OF WETLAND & STEEP SLOPES

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May 18, 1993

Rev. December 15, 2000

April 5, 2005

December 12, 2024

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

**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.

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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Applicant/Sponsor Information.**

Name of Action or Project: Residential Subdivision for 77 Montrose Station LLC		
Project Location (describe, and attach a general location map): 77 Montrose Station Road, Montrose, NY 10548		
Brief Description of Proposed Action (include purpose or need): Project involves a three lot, residential subdivision of a 9.7 acre parcel of land that contains an existing residence and detached garage into three lots, creating two new building lots.  Project meets all bulk zoning requirements and the lots gain access onto Montrose Station Road. The lots are served by municipal water and individual septic systems.		
Name of Applicant/Sponsor: 77 Montrose Station, LLC		Telephone: 914-403-6551 E-Mail: keith@croninengineering.net
Address: 1340 Baptist Church Road		
City/PO: Yorktown Heights	State: NY	Zip Code: 10598
Project Contact (if not same as sponsor; give name and title/role): Cronin Engineering, PE, PC		Telephone: 914-736-3664 E-Mail: keith@croninengineering.net
Address: 39 Arlo Lane		
City/PO: Cortlandt Manor	State: NY	Zip Code: 10567
Property Owner (if not same as sponsor): Same as Applicant		Telephone: 914-736-3664 E-Mail:
Address:		
City/PO:	State:	Zip Code:

**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 Counsel, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Planning	
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	WCDH-Realty	
f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	NYSDEC-Stormwater	
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 checked="" type="checkbox"/> Yes <input 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? YesNo

- 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? YesNo

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? YesNo

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?) YesNo

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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? YesNo

If Yes, identify the plan(s):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**C.3. Zoning**

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance.  Yes  No  
If Yes, what is the zoning classification(s) including any applicable overlay district?  
Zoning District R-80

b. Is the use permitted or allowed by a special or conditional use permit?  Yes  No

c. Is a zoning change requested as part of the proposed action?  Yes  No  
If Yes,  
i. What is the proposed new zoning for the site? \_\_\_\_\_

**C.4. Existing community services.**

a. In what school district is the project site located? Hendrick Hudson School District

b. What police or other public protection forces serve the project site?  
NYS Police, Westchester County Sheriff

c. Which fire protection and emergency medical services serve the project site?  
Montrose FD

d. What parks serve the project site?  
Blue Mountain Reservation

**D. Project Details**

**D.1. Proposed and Potential Development**

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Residential

b. a. Total acreage of the site of the proposed action? 9.7 acres  
b. Total acreage to be physically disturbed? 3.0 acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 9.7 acres

c. Is the proposed action an expansion of an existing project or use?  Yes  No  
i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision?  Yes  No  
If Yes,  
i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)  
Residential

ii. Is a cluster/conservation layout proposed?  Yes  No  
iii. Number of lots proposed? 3  
iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will the proposed action be constructed in multiple phases?  Yes  No  
i. If No, anticipated period of construction: 24 months  
ii. If Yes:  
• Total number of phases anticipated \_\_\_\_\_  
• Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year  
• Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year  
• Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

f. Does the project include new residential uses?  Yes  No  
 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	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>
At completion of all phases	<u>3</u>	<u>0</u>	<u>0</u>	<u>0</u>

g. Does the proposed action include new non-residential construction (including expansions)?  Yes  No  
 If Yes,  
 i. Total number of structures \_\_\_\_\_  
 ii. Dimensions (in feet) of largest proposed structure: \_\_\_\_\_ height; \_\_\_\_\_ width; and \_\_\_\_\_ length  
 iii. Approximate extent of building space to be heated or cooled: \_\_\_\_\_ 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?  Yes  No  
 If Yes,  
 i. Purpose of the impoundment: \_\_\_\_\_  
 ii. If a water impoundment, the principal source of the water:  Ground water  Surface water streams  Other specify: \_\_\_\_\_  
 iii. If other than water, identify the type of impounded/contained liquids and their source. \_\_\_\_\_  
 iv. Approximate size of the proposed impoundment. Volume: \_\_\_\_\_ million gallons; surface area: \_\_\_\_\_ acres  
 v. Dimensions of the proposed dam or impounding structure: \_\_\_\_\_ height; \_\_\_\_\_ length  
 vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): \_\_\_\_\_

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both?  Yes  No  
 (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?  Yes  No  
 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?  Yes  No  
 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?  Yes  No  
 If Yes:  
 i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): \_\_\_\_\_  
 \_\_\_\_\_

ii. Describe how the proposed action would 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 additions in square feet or acres:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

iii. Will the proposed action cause or result in disturbance to bottom sediments?  Yes  No

If Yes, describe: \_\_\_\_\_

iv. Will the 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: 400 gpd per lot 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: Cortlandt Consolidated Water District

- 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), what is the 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: 400 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): Domestic Waste

iii. Will the proposed action use any existing public wastewater treatment facilities?  Yes  No

If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_

- Name of 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

• Do existing sewer lines serve the project site?  Yes  No  
 • Will a line extension within an existing district be necessary to serve the project?  Yes  No  
 If Yes:
 

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_

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iv. Will a new wastewater (sewage) treatment district be formed to serve the project site?  Yes  No  
 If Yes:
 

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- What is the receiving water for the wastewater discharge? \_\_\_\_\_

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):  
 \_\_\_\_\_  
 \_\_\_\_\_

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: \_\_\_\_\_  
 \_\_\_\_\_

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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?  Yes  No  
 If Yes:
 

- i. How much impervious surface will the project create in relation to total size of project parcel?  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (impervious surface)  
 \_\_\_\_\_ Square feet or \_\_\_\_\_ acres (parcel size)
- ii. Describe types of new point sources. Leaders and overflow piping
- 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)?  
On-site stormwater management facilities
- If to surface waters, identify receiving water bodies or wetlands: \_\_\_\_\_
- Will stormwater runoff flow to adjacent properties?  Yes  No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater?  Yes  No

---

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?  Yes  No  
 If Yes, identify:
 

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

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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?  Yes  No  
 If Yes:
 

- 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)  Yes  No
- ii. In addition to emissions as calculated in the application, the project will generate:
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)
  - \_\_\_\_\_ Tons/year (short tons) of Perfluorocarbons (PFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)
  - \_\_\_\_\_ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
  - \_\_\_\_\_ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

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 truck trips/day and type (e.g., semi trailers and dump trucks): \_\_\_\_\_

iii. Parking spaces: Existing \_\_\_\_\_ Proposed \_\_\_\_\_ Net increase/decrease \_\_\_\_\_

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: \_\_\_\_\_

vi. Are public/private transportation service(s) or facilities available within 1/2 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

---

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: \_\_\_\_\_

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

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.

<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 8:00 - 4:00</li> <li>• Saturday: _____ 8:00 - 4:00</li> <li>• Sunday: _____ 0</li> <li>• Holidays: _____ 0</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____ 3 residences</li> <li>• Saturday: _____ 3 residences</li> <li>• Sunday: _____ 3 residences</li> <li>• Holidays: _____ 3 residences</li> </ul>
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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 the 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: \_\_\_\_\_  
 \_\_\_\_\_  
 ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month  
 iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_  
 \_\_\_\_\_  
 v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility?  Yes  No  
 If Yes: provide name and location of facility: \_\_\_\_\_  
 \_\_\_\_\_  
 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	0.5	1.5	+1.0
• Forested	7.5	6.0	-1.5
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.0	0.5	-0.5
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	0.0
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.0	0.0	0.0
• Wetlands (freshwater or tidal)	0.0	0.0	0.0
• Non-vegetated (bare rock, earth or fill)	0.2	0.2	0.0
• Other Describe: <u>Lawns</u>	0.5	1.5	+1.0

c. Is the project site presently used by members of the community for public recreation?  Yes  No  
i. If Yes: explain: \_\_\_\_\_

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:  
\_\_\_\_\_ Hendrick Hudson High School \_\_\_\_\_  
\_\_\_\_\_

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): \_\_\_\_\_  
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):  
\_\_\_\_\_  
\_\_\_\_\_

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? \_\_\_\_\_ 0 to >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? \_\_\_\_\_ 2 %

c. Predominant soil type(s) present on project site: Charlton \_\_\_\_\_ 9 %  
Chatfield \_\_\_\_\_ %  
 \_\_\_\_\_ %

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: \_\_\_\_\_ 90 % of site  
 Moderately Well Drained: \_\_\_\_\_ 9 % of site  
 Poorly Drained \_\_\_\_\_ 1 % of site

f. Approximate proportion of proposed action site with slopes:  0-10%: \_\_\_\_\_ 44 % of site  
 10-15%: \_\_\_\_\_ 42 % of site  
 15% or greater: \_\_\_\_\_ 14 % of site

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

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 \_\_\_\_\_ Classification \_\_\_\_\_
- 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: \_\_\_\_\_  
 \_\_\_\_\_

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: \_\_\_\_\_

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p style="margin-left: 20px;"><u>deer, rabbits, other small mammals</u> _____</p> <p style="margin-left: 20px;"><u>typical fauna and flora, birds, reptiles</u> _____</p>	
<p>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></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>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></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p>	
<p>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></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Species and listing: _____</p> <p>_____</p>	
<p>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></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<b>E.3. Designated Public Resources On or Near Project Site</b>	
<p>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></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>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></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>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></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: <u>County &amp; State Park Lands</u></p> <p style="margin-left: 20px;">ii. Basis for designation: <u>Exceptional or unique character</u></p> <p style="margin-left: 20px;">iii. Designating agency and date: <u>Agency: Westchester County, Date: 1-31-90</u></p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> Historic Building or District	
<i>ii.</i> Name: _____	
<i>iii.</i> Brief description of attributes on which listing is based: _____	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site?	
If Yes:	
<i>i.</i> Describe possible resource(s): _____	
<i>ii.</i> Basis for identification: _____	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify resource: _____	
<i>ii.</i> Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____	
<i>iii.</i> Distance between project and resource: _____ miles.	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If Yes:	
<i>i.</i> Identify the name of the river and its designation: _____	
<i>ii.</i> Is the activity consistent with development restrictions contained in 6NYCRR Part 666?	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

**F. Additional Information**

Attach any additional information which may be needed to clarify your project.

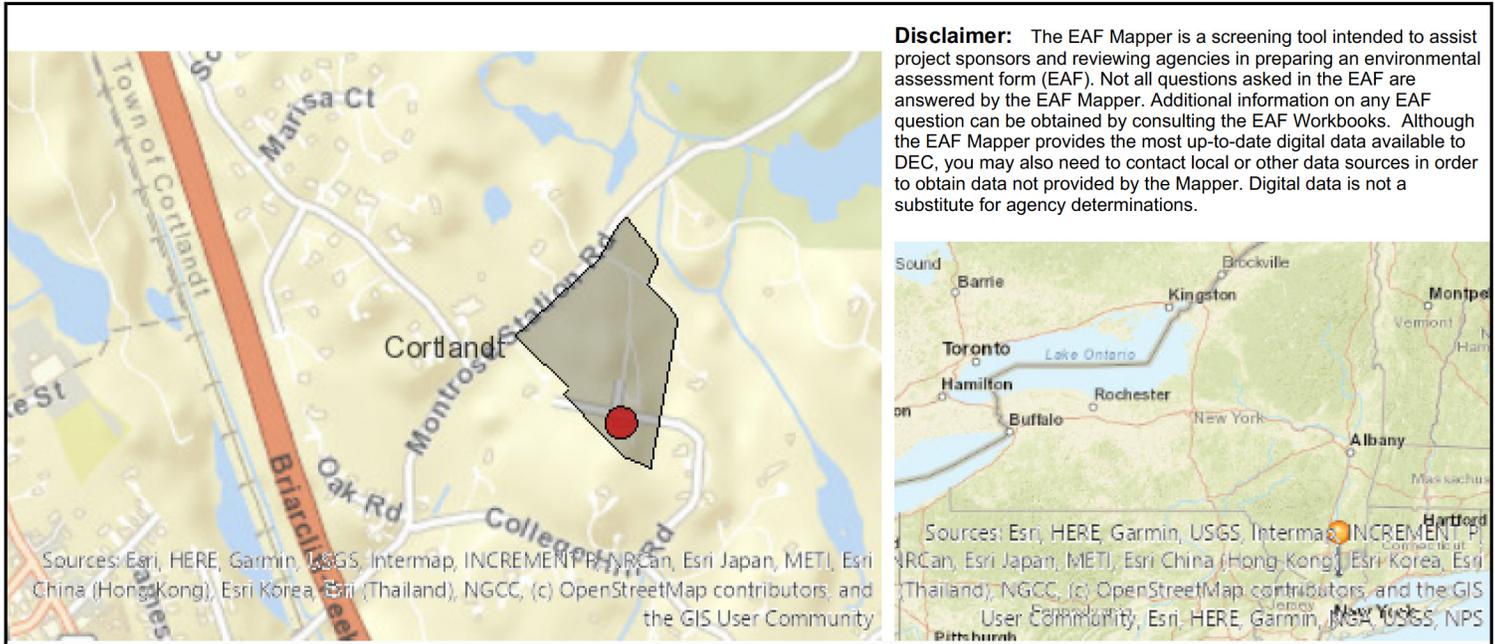
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

**G. Verification**

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Cronin Engineering / Keith Staudohar Date 01-23-2025

Signature  Title Project Manager



**Disclaimer:** The EAF Mapper is a screening tool intended to assist project sponsors and reviewing agencies in preparing an environmental assessment form (EAF). Not all questions asked in the EAF are answered by the EAF Mapper. Additional information on any EAF question can be obtained by consulting the EAF Workbooks. Although the EAF Mapper provides the most up-to-date digital data available to DEC, you may also need to contact local or other data sources in order to obtain data not provided by the Mapper. Digital data is not a substitute for agency determinations.

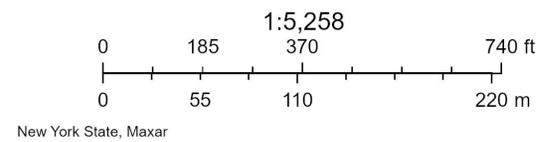
B.i.i [Coastal or Waterfront Area]	Yes
B.i.ii [Local Waterfront Revitalization Area]	No
C.2.b. [Special Planning District]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h [DEC Spills or Remediation Site - Potential Contamination History]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Listed]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.i [DEC Spills or Remediation Site - Environmental Site Remediation Database]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.1.h.iii [Within 2,000' of DEC Remediation Site]	No
E.2.g [Unique Geologic Features]	No
E.2.h.i [Surface Water Features]	No
E.2.h.ii [Surface Water Features]	Yes
E.2.h.iii [Surface Water Features]	Yes - Digital mapping information on local and federal wetlands and waterbodies is known to be incomplete. Refer to EAF Workbook.
E.2.h.v [Impaired Water Bodies]	No
E.2.i. [Floodway]	No
E.2.j. [100 Year Floodplain]	No
E.2.k. [500 Year Floodplain]	No
E.2.l. [Aquifers]	No
E.2.n. [Natural Communities]	No
E.2.o. [Endangered or Threatened Species]	No
E.2.p. [Rare Plants or Animals]	No

E.3.a. [Agricultural District]	No
E.3.c. [National Natural Landmark]	No
E.3.d [Critical Environmental Area]	Yes
E.3.d [Critical Environmental Area - Name]	County & State Park Lands
E.3.d.ii [Critical Environmental Area - Reason]	Exceptional or unique character
E.3.d.iii [Critical Environmental Area – Date and Agency]	Agency:Westchester County, Date:1-31-90
E.3.e. [National or State Register of Historic Places or State Eligible Sites]	Digital mapping data are not available or are incomplete. Refer to EAF Workbook.
E.3.f. [Archeological Sites]	No
E.3.i. [Designated River Corridor]	No

# Cortlandt



2/20/2025, 9:14:05 AM



Nearby Property Owners  
Montrose NY.

February 14, 2025

Town of Cortlandt Planning Board  
1 Heady Street  
Cortlandt Manor, NY 10579

RE: 77 Montrose Station LLC Subdivision submission

Dear Members of the Board,

A number of property owners had a neighborhood meeting to discuss the subdivision application of 77 Montrose Station LLC. We recognize economic development is desirable and the rights of owners to enjoy the benefits of their property, however we have great interest to make sure it is done in a manner that protects safety, preserves aesthetics, maintains adjacent property rights and complies with local regulations and ordinances. With modification to the site plan we believe all objectives can be achieved.

The primary issue raised at our neighborhood meeting was the number of trees being removed and that this will change the character of Montrose Station Road and the community. A second issue was the weakening of safety by adding another driveway on what is a well quickly travel curved road, as well as the fact the creation of a second driveway greatly contributes to the removal of trees..

To address these two major issues we request access to the property remain with the existing driveway behind the houses and the house on plot 3 is moved back away from the road. There were also a number of other critical questions and concerns all of which are detailed in the attached list and exhibits.

Although there were only 9 families at the meeting, given the volume of traffic/people using Montrose Station Road daily that will have exposure to any changes, it was assumed it would not be difficult to raise more public interest and support. Some at the meeting said it is unfortunate the sale was not more public as counter offers would be considered in order to avoid any development.

We appreciate your time and consideration of our suggestions.

Sincerely the families of

Dalton

Fabian

Milcetic

Straus

Delfino

Gonzales

Pandolfino

Sumers

Gearhart

Johnson

Schumm

## 5 Issues

### **Item 1 Scope of application and exclusion of 5 of the total 9 acres**

A total of three separate lots are part of this 9 acre subdivision request yet the application only contains on two of these three lot. Extensive work and land alterations have been ongoing on the primary lot 1 to the extend it caused complaints of neighbors regarding cutting trees and jackhammering without approval.

Town Tax records indicate that the sale from Gorman to Giordano Builders and the subsequent Giordano Builders to 77 Montrose Station LLC, were butts non-arms length transactions (**Exhibit 1**). Additionally the Deed mentions Gorman is unable to use the funds (held in trust) until cost of improvements are paid in full by Gorman (Exhibit 2). The lack of an arms length including withholding of the purchase amount until some project completion indicates a complexity perhaps warranting full consideration of the entire property (all 3 lots) included within the subdivision.

We would also suggest the Board perform a site visit to better evaluate the application, property layout and work performed (**Exhibit 3**).

### **Item 2 Extensive Tree Removal**

Included in the application is a study performed by Sava Tree Consulting group which identified 565 trees that have a minimum of 4 inches in diameter. It stated 353 healthy native trees may need to be removed as part of project and an additional 135 non-native Norway Maple trees should also be considered for removal. That would be 64.5% up to 86.4% respectively.

The subdivision application has different numbers (**Exhibit 6**). About 243 are being cut out of 565 or 43%.with only 12 replacement plantings. This tree survey/application does not include any inventory or want may have already been cut on lot 1. The submission also states on page nine of the Full Environmental Assessment Form that forested lands are 7.5 acres at the beginning of the project and will be 6 acres after completion (**Exhibit 4**). That appears to be questionable given the survey and identified tree removals

### **Item 3 New Driveway on Montrose Station Road**

Application proposes a new driveway with direct access to Montrose Station road. Concerns and questions include:

Survey indicates the lot does not abut Montrose Station Road where the new driveway is proposed. There appears to be a 10+ foot distance across a parcel of unknown ownership that needs to be crossed (**Exhibit 5 note 1**). Also 3 trees on this same un-owned strip are slated to be removed for the driveway (**Exhibit 6 note 1**). Who, how and why does this easement seem to be assumed?

The height of the lot at the location the new driveway is an estimated 8 to 12 ft higher than the road access. It is likely composed of rock causing either a sloped driveway directly dropping onto Montrose Station Road (possible skidding into traffic) or the need for extensive excavation. (**See Submitted Erosion Control and Tree Plan survey in original application for elevations**).

The access point of the new driveway and resulting individual drive to the new homes is causing the requirement to remove about 1/3 of the trees (**Exhibit 6 yellow bracket**).

#### **Item 4 Differences in Deed and Survey**

There are instances noted on site plans regarding 4 distances and 2 angles where the deed and survey are inconsistent (**Exhibit 5**). The one distance is minor in Note D1, however Note D2 extends the property by reducing an incursion into the property by 8.77 feet and another D3 effectively extends the other side of the boundary by 8.38 feet. Note D4 just mentions “Properties not Continuous, Overlap Exists” with no mention of measurements or where. Should these discrepancies be remedied with adjacent property owners prior to approval?

#### **Item 5 A Prior Owner Statement to Friends.**

An acquaintance of the late Joel Gorman (prior property owner) was reported to have said he wanted to subdivide but could not because of extensive rock formations. This would impact both new home construction as well as septic systems. His assumption may have been in error, but we request the appropriate Government agency makes sure and validates compliance with all codes and ordinances.

#### **The Suggested Change**

Montrose Station Road is in a scenic area that has a pleasing woodland feel. Our suggestions are made with the goal to both allow development while still preserving the overall forest like aesthetics. Key to this is maintaining deep natural visual barrier provided by the existing trees, brush and stone outcroppings along the road.

The critical change to enable this preservation is avoiding the creation of a second, problematic driveway. A simple alternative is to use the existing driveway to service all lots. The two new houses on plot 2 and 3

can have access behind the house or be rotated 180 degrees making the septic areas front lawns. Since plot 3 has a deeper profile, repositioning the house 175 to 250 feet (south east) further away from the road by taking advantage of the depth of the lot. This also moves house 3 away from the adjacent property owner at 60 Montrose Station Road and provides opportunity for more natural barriers (**Exhibit 7**).

In total it is roughly estimated this change could save between 120 and 140 trees. Additional benefits is all access remains in a familiar safe pre-existing access point. It may also provide simpler access for electrical and water utilities (no or reduced impact of connecting to the MID 16" water main under Montrose Station Road).

Regarding traffic volume on the driveway, College Hill Road has 16 homes on what is a gravel driveway. The 50 foot right of way at 77 Montrose Station Road should make any modifications to the existing driveway less complicated to accommodate 4 homes.

# Exhibit 1



F Links Assessment Info

Help Contact Us Log In

Municipality of Town of Cortlandt		Tax ID:	44.17-1-11
<b>Ownership Information</b>			
Name	Secondary Name	Address	
77 Montrose Station LLC		1340 Baptist Church Rd Yorktown Heights NY 10598	
<b>Sale Information</b>			
Sale Date	Price	Property Class	Sale Type
9/16/2024	\$1	210 - 1 Family Res	Land & Building
	Value Usable	Arms Length	Deed Book
	No	No	64215
Additional Parcels Involved in Sale 44.17-1-6 in Town of Cortlandt			
Sale Date	Price	Property Class	Sale Type
7/30/2024	\$800,000	210 - 1 Family Res	Land & Building
	Value Usable	Arms Length	Deed Book
	No	No	64208
Additional Parcels Involved in Sale 44.17-1-6 in Town of Cortlandt			

**Photographs**

(Click on photo to enlarge it.)

07/03/2024 - No View

Pictometry Connect

- Documents**
- Property Record Card
  - Old Property Record Card

**Maps**

[View in Google Maps](#)

[View in Bing Maps](#)

Map Disclaimer

**Exhibit 2**

**Weschester County Deed Recording Control # 642083060**

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:



SUSAN L. GORMAN

\_\_\_\_\_

# Exhibit 4

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	0.5	1.5	+1.0	
• Forested	7.5	6.0	-1.5	
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	1.0	0.5	-0.5	
• Agricultural (includes active orchards, field, greenhouse etc.)	0.0	0.0	0.0	
• Surface water features (lakes, ponds, streams, rivers, etc.)	0.0	0.0	0.0	
• Wetlands (freshwater or tidal)	0.0	0.0	0.0	
• Non-vegetated (bare rock, earth or fill)	0.2	0.2	0.0	
• Other Describe: _____	0.5	1.5	+1.0	

**Exhibit 3**

Google maps 5/2020



Google Maps 10/2024



# SUBDIVISION & SITE DEVELOPMENT PLAN 77 MONTROSE STATION, LLC

TOWN OF CORTLANDT  
WESTCHESTER COUNTY, NEW YORK

### GENERAL NOTES

1. PARCEL TAX MAP DESIGNATION: SECTION 44.17, BLOCK 1, LOTS 8 & 11
2. TOTAL AREA OF EXISTING LOTS: 433,713 SQ. FT. (9.73 ACRES)  
EXISTING LOT 8: 42,288 (SUF ACRES)  
EXISTING LOT 11: 391,425 SQ. FT. (8.79 ACRES)
3. SURVEY INFORMATION SHOWN HEREON IS BASED ON A SURVEY PREPARED BY TC HERPITTS LAND SURVEYORS, INC. ENTITLED "PRELIMINARY MAP PREPARED FOR STEVE GIORDANO BUILDERS, INC." DATED JULY 12, 2024, LAST REVISED AUGUST 28, 2024.
4. TOPOGRAPHY SHOWN HEREON IS BASED ON DATA DOWNLOADED FROM THE WESTCHESTER COUNTY GIS WEBSITE.
5. PARCEL IS LOCATED IN THE TOWN OF CORTLANDT R-80 (SINGLE-FAMILY RESIDENTIAL) ZONING DISTRICT.
6. PARCEL IS LOCATED IN THE HUDSON RIVER WATERSHED.

### ENGINEER'S NOTES

1. THERE SHALL BE NO MODIFICATION TO ANY ASPECT OF THIS PLAN WITHOUT CONTACTING THE DESIGN ENGINEER.
2. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH APPLICABLE FEDERAL, STATE, COUNTY AND LOCAL CODES, RULES & REGULATIONS.
3. IT IS THE OWNERS RESPONSIBILITY TO INSURE THAT ALL IMPROVEMENTS ARE PLACED ON MATERIAL WITH A SUITABLE BEARING CAPACITY.
4. CONTRACTOR TO VERIFY DEPTH & LOCATION OF ALL UTILITIES INCLUDING WATER, SEWER, DRAINAGE, GAS, TELEPHONE, ELECTRIC & CABLE PRIOR TO START OF WORK.

### SPECIAL NOTES

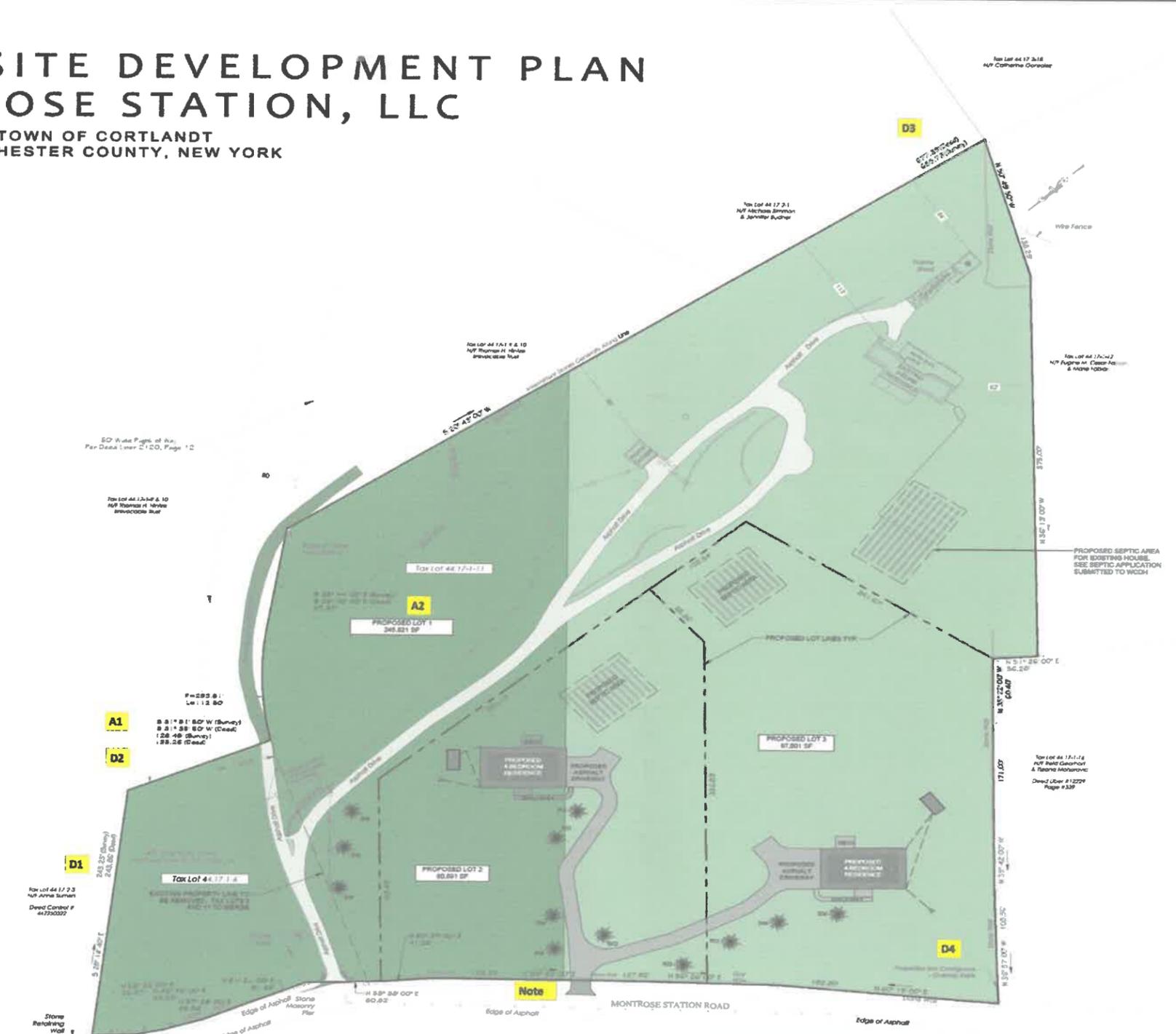
1. THE DESIGN ENGINEER ASSUMES NO RESPONSIBILITY FOR THE MEANS AND METHODS NEEDED TO PERFORM THE CONSTRUCTION/OPERATIONAL ET AL OPERATIONS SHOWN HEREON. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROVIDE A SAFE WORKING ENVIRONMENT AND PROVIDE THE MEANS AND METHODS TO PERFORM THE NECESSARY TASKS. NOTHING ON THESE PLANS SHALL OBLIGATE THE DESIGN ENGINEER AS TO THE MEANS AND METHODS TO PERFORM THE TASKS ASSOCIATED WITH THE APPROVED DESIGN PLANS. THOSE OBLIGATIONS AT ALL TIMES REMAIN WITH THE CONTRACTOR(S).
2. THESE DRAWINGS MAY OR MAY NOT TRULY REFLECT EXISTING CONDITIONS AND THAT SUCH INFORMATION IS INCLUDED ON THE ASSUMPTION THAT IT MAY BE OF INTEREST TO THE CONTRACTOR, BUT THE ENGINEER, OWNER AND THEIR CONSULTANTS DO NOT ASSUME RESPONSIBILITY FOR ITS ACCURACY OR COMPLETENESS. THE CONTRACTOR HAS AN OBLIGATION TO DETERMINE FOR ITSELF THE TRUE NATURE OF EXISTING CONDITIONS.

### SITE CAPACITY ANALYSIS

ZONING DISTRICT	R-80
LOT #	SEC. 44.17, BLOCK 1, LOT 8 + 11
TOTAL APPROXIMATE GPA IN ZONE	433,713 SF / 9.73 AC
WETLAND (SWW)	8 SF / 0 AC
50% OF 100' WETLAND BUFFER AREA	0 SF / 0 AC
SLOPES > 20% (SS)	148,888 SF / 3.23 AC
HYDROIC WETLAND (PW)	0 SF / 0 AC
100 YEAR FLOODPLAIN (FD)	0 SF / 0 AC
TOTAL CONSTRAINED AREA	0 SF / 0 AC
PARCEL AREA AFTER CONSTRAINTS	283,629 SF / 6.51 AC
10% OF PARCEL AREA AFTER CONSTRAINTS	N/A / N/A
NET PARCEL AREA (NPA)	283,629 SF / 6.51 AC
R-80 RESIDENTIAL DENSITY PERMITTED (50,000 SF / LOT MIN. REQUIRED)	3.56 LOTS = 3 LOTS MAX

### Legend

- Town Line
- Village Boundaries
- Water
- Wetlands
- Zone District
- R-80
- R-20
- R-10
- R-5
- R-1
- R-0
- R-100
- R-200
- R-300
- R-400
- R-500
- R-600
- R-700
- R-800
- R-900
- R-1000
- R-1100
- R-1200
- R-1300
- R-1400
- R-1500
- R-1600
- R-1700
- R-1800
- R-1900
- R-2000
- R-2100
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- R-2300
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- R-2800
- R-2900
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- R-3100
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- R-9200
- R-9300
- R-9400
- R-9500
- R-9600
- R-9700
- R-9800
- R-9900
- R-10000



Call 811 before you dig

50 0 25 50  
SCALE: 1" = 50 FT.

OWNER/APPLICANT  
77 MONTROSE STATION, LLC  
1340 BAPTIST CHURCH ROAD  
YORKTOWN HEIGHTS, NY 10598

UNDER NEW YORK STATE EDUCATIONAL LAW ARTICLE 148, SECTION 7209 (2), IT IS UNLAWFUL FOR ANY PERSON TO ALTER ANY ITEM ON THIS DRAWING, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. IF ANY ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION. COPYRIGHT © 2024 BY CRONIN ENGINEERING, P.E., P.C. ALL RIGHTS RESERVED.

### REVISIONS

#	REASON	DATE

MUNICIPAL TAX IDENTIFICATION:  
SECTION: 44.17  
BLOCK: 1  
LOT: 8 & 11  
SUBLOT: ---  
DRAWN BY: AD  
CHECKED: KSP/MS  
PROJECT: 77 MONTROSE STATION RD  
DATE: JANUARY 22, 2028  
JOB #: 240881

STATE OF NEW YORK  
PATRICK M. BELL, P.E.  
LICENSED PROFESSIONAL ENGINEER  
LICENSE: 8087679

**CRONIN ENGINEERING**  
PROFESSIONAL ENGINEERING & CONSULTING  
(914) 736-3664

39 Arlo Lane  
Cortlandt Manor, New York 10567

COVERSHEET  
SUBDIVISION & SITE DEVELOPMENT PLAN FOR 77 MONTROSE STATION, LLC

LOCATION:  
77 MONTROSE STATION ROAD  
TOWN OF CORTLANDT, NEW YORK

SHEET 1 OF 5 CS-1.1

### LIST OF DRAWINGS

SHEET TITLE	SHEET NUMBER	TITLE	ISSUE DATE	LAST REVISED
CS-1.1	1 OF 5	COVERSHEET	10/30/25	-
ED-2.1	2 OF 5	EXISTING CONDITIONS / TREE REMOVAL PLAN	10/30/25	-
PP-3.1	3 OF 5	UTILITY & GRADING PLAN / INTEGRATED PLOT PLAN	10/30/25	-
ESC-4.1	4 OF 5	EROSION CONTROL & TREE PLAN / CONSTRUCTION DETAILS	10/30/25	-
CD-5.1	5 OF 5	CONSTRUCTION DETAILS	10/30/25	-

**EROSION AND SEDIMENT CONTROL NOTES**

- CONTRACTOR SHALL BE RESPONSIBLE FOR COMPLIANCE WITH ALL SEDIMENT AND EROSION CONTROL PRACTICES. THE SEDIMENT AND EROSION CONTROL PRACTICES ARE TO BE INSTALLED PRIOR TO ANY MAJOR SOIL DISTURBANCES, AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED.
- TIMELY MAINTENANCE OF SEDIMENT CONTROL STRUCTURES IS THE RESPONSIBILITY OF THE CONTRACTOR. ALL STRUCTURES SHALL BE MAINTAINED IN GOOD WORKING ORDER AT ALL TIMES. THE SEDIMENT LEVELS IN ALL SEDIMENT TRAPS SHALL BE CLOSELY MONITORED AND SEDIMENT REMOVED PROMPTLY WHEN MAXIMUM LEVELS ARE REACHED OR AS ORDERED BY THE ENGINEER. ALL SEDIMENT CONTROL STRUCTURES SHALL BE INSPECTED WEEKLY, PRIOR TO EXPECTED RAIN EVENTS, AND AFTER EACH HEAVY RAIN TO INSURE PROPER OPERATION AS DESIGNED. AN INSPECTION SCHEDULE SHALL BE SET FORTH PRIOR TO THE START OF CONSTRUCTION.
- THE LOCATIONS AND THE INSTALLATION TIMES OF THE SEDIMENT CAPTURING STANDARDS SHALL BE AS ORDERED BY THE ENGINEER, AND IN ACCORDANCE WITH ACCEPTED STANDARDS.
- ALL TOPSOIL NOT TO BE USED FOR FINAL GRADINGS SHALL BE REMOVED FROM THE SITE IMMEDIATELY AND PLACED IN A STABILIZED STOCKPILE OR FILL AREA. ALL TOPSOIL REQUIRED FOR FINAL GRADINGS AND STORED ON SITE SHALL BE LIMED, FERTILIZED, TEMPORARILY SEEDED AND MULCHED WITHIN 14 DAYS.
- ANY DISTURBED AREAS THAT WILL BE LEFT EXPOSED MORE THAN 21 DAYS AND NOT SUBJECT TO CONSTRUCTION TRAFFIC, SHALL IMMEDIATELY RECEIVE TEMPORARY SEEDING. MULCH SHALL BE USED IF THE SEASON PREVENTS THE ESTABLISHMENT OF A TEMPORARY COVER. DISTURBED AREAS SHALL BE LIMED AND FERTILIZED PRIOR TO TEMPORARY SEEDING.
- ALL DISTURBED AREAS WITHIN 500 FEET OF AN INHABITED DWELLING SHALL BE WETTED AS NECESSARY TO PROVIDE DUST CONTROL.
- THE CONTRACTOR SHALL KEEP THE ROADWAYS WITHIN THE PROJECT AREA CLEAR OF SOIL AND DEBRIS AND IS RESPONSIBLE FOR ANY STREET CLEANING NECESSARY DURING THE COURSE OF THE PROJECT.
- SEDIMENT AND EROSION CONTROL STRUCTURES SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE DRAINAGE AREA HAS BEEN PROPERLY STABILIZED BY PERMANENT MEASURES.
- SOIL SEEDING AND FERTILIZER AMENDMENTS SHALL BE PERFORMED IN ACCORDANCE WITH THE CURRENT EDITION OF "NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL".
- ALL SEDIMENT AND EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE CURRENT EDITION OF "NEW YORK GUIDELINES FOR URBAN EROSION AND SEDIMENT CONTROL".

**TREE REMOVAL AND PROTECTION NOTES**

- ALL REMOVAL OF TREES ON PROPERTY ARE TO BE MINIMIZED AND SHOULD BE TAGGED BY THE APPLICANT AND INSPECTED BY THE TOWN OF CORTLANDT PRIOR TO CUTTING. TREES SHALL BE CONSTRUCTED AROUND ALL TREES THAT COULD BE IMPACTED AS A RESULT OF CUTTING AND FELLING.
- ALL TREES DESIGNATED FOR PRESERVATION SHALL BE CLEARLY MARKED WITH A BRIGHT COLORED RIBBON OR OTHER EASILY OBSERVABLE METHOD.
- TREES TO BE PROTECTED SHALL BE PROVIDED WITH FIBRONS OR TRUNK ARMOR AS DETAILED ON THIS PLAN. ALL TREE PROTECTION METHODS SHALL CONFORM TO CHAPTER 1610 OF THE WESTCHESTER COUNTY "BEST MANAGEMENT PRACTICES MANUAL SERIES FOR EROSION AND SEDIMENT CONTROL", 1991. THESE GUIDELINES SHALL BE IMPLEMENTED FOR ALL TREES DESIGNATED FOR PROTECTION.
- ALL TREES WITHIN SEPTIC AREA SHALL BE REMOVED AS REQUIRED BY THE W.C.D.H.
- ALL TREE STUMPS SHALL BE REMOVED FROM THE SITE IN A LAWFUL MANNER OR GRINDED ON SITE AND USED FOR LANDSCAPING PURPOSES ONLY.
- WOOD CHIPS SHALL BE STOCKPILED ONLY FOR USE IN LANDSCAPING AND DECORATIVE PURPOSES. WOOD CHIPS NOT FOR THESE PURPOSES SHALL BE REMOVED FROM THE SITE IN A LAWFUL MANNER.
- WOOD CHIPS AND STUMP CHIPS SHALL NOT BE USED FOR ANY FILLING OR BACKFILLING OPERATION.
- ALL CUT LOGS SHALL BE REMOVED FROM THE SITE IN A LAWFUL MANNER OR USED FOR DECORATIVE PURPOSES ONLY. CUT LOGS SHALL NOT BE STOCKPILED FOR MORE THAN 30 DAYS NOR USED FOR FILLING OR BACKFILLING PURPOSES.

**SUBDIVISION CONSTRUCTION SCHEDULE**

- FILE ANY PERTINENT DOCUMENTS WITH THE TOWN BUILDING DEPARTMENT, TOWN HIGHWAY DEPARTMENT AND ANY OTHER INVOLVED AGENCY, OBTAIN A SEWAGE DISPOSAL SYSTEM PERMIT FROM THE WCDH.
- OBTAIN REQUIRED BUILDING PERMIT, ROAD OPENING PERMIT, EXCAVATION PERMIT OR ANY OTHER PERMIT REQUIRED FOR THE CONSTRUCTION OF THE RESIDENCE.
- CONTACT THE UNDERGROUND LINE LOCATION SERVICE (CODE 53) AT 800-348-2628. INSTALL THE LIMITS OF DISTURBANCE FENCING (ORANGE CONSTRUCTION FENCING).
- THE HOUSE AND DRIVEWAY LOCATIONS SHALL BE STAKED OUT, WITH OFFSETS, BY A LICENSED LAND SURVEYOR.
- TREES TO BE PRESERVED ARE TO BE CLEARLY MARKED AND PROTECTED FROM CONSTRUCTION.
- INSTALL ALL REQUIRED EROSION CONTROL STRUCTURES PER THE PLANS.
- CLEAR AND GRUB AREAS PROPOSED FOR CONSTRUCTION, INCLUDING THE HOME SITE, DRIVEWAY, AND SEPTIC AREA. CHIP BRANCHES AND LOGS AS PRACTICABLE AND REMOVE STUMPS AND UNWEED LOGS AND OTHER DEBRIS FROM THE SITE IN A LAWFUL MANNER.
- BEGIN SITE EXCAVATIONS AND FILLING OPERATIONS FOR THE ROUGH GRADING OF THE LOTS.
- CONSTRUCT FOOTING FORMS AND HAVE SAME APPROVED BY THE BUILDING DEPARTMENT. CONSTRUCT FOUNDATION WALLS AND HAVE SAME INSPECTED AND APPROVED. PROCEED WITH CONSTRUCTION OF HOUSE IN ACCORDANCE WITH ALL BUILDING DEPARTMENT REQUIREMENTS.
- INSTALL SEWAGE DISPOSAL SYSTEMS PER SEWAGE DISPOSAL PLAN APPROVED BY THE WCDH. SAME SHALL BE INSPECTED AND APPROVED BY THE WCDH PRIOR TO BACKFILL. ALL SEWAGE DISPOSAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH THE APPROVED PLANS AND ALL WCDH REQUIREMENTS.
- INSTALL ROOF LEADER LINES AND FOOTING DRAIN LINES PER THE APPROVED PLANS.
- COORDINATE WITH UTILITY COMPANIES FOR THE INSTALLATION OF THE UNDERGROUND UTILITIES. UPON COMPLETION OF THE SEWAGE DISPOSAL SYSTEM AND HOUSE, LOT TO BE FINAL GRADED. TOPSOIL TO BE PLACED WHERE NECESSARY AND SEEDED AND MULCHED.
- CONTINUAL INSPECTION AND MAINTENANCE OF THE EROSION CONTROL DEVICES IS REQUIRED. DISTURBANCE OUTSIDE OF THE LIMITS OF DISTURBANCE FENCE IS NOT PERMITTED.
- COMPLETE THE DRIVEWAY PER THE PLAN SPECIFICATIONS.
- PROVIDE THE NECESSARY PLANTINGS AND GENERAL CLEAN UP OF THE LOT OBTAIN A CERTIFICATE OF OCCUPANCY.

SLOPE ANALYSIS		AREA (SF)
0 - 15%		241,834
15% - 30%		131,063
> 30%		80,885

SOILS TABLE		
SOIL SYMBOL	SOIL NAME	PERCENT OF LOT
CrC	CHARLTON-CHATFIELD COMPLEX, 0 TO 15% SLOPES, VERY ROCKY	53%
CuD	CHATFIELD-HOLLIS-ROCK OUTCROP COMPLEX, 15 TO 35 PERCENT SLOPES	22%
CC	CHATFIELD-HOLLIS-ROCK OUTCROP COMPLEX, 0 TO 15 PERCENT SLOPES	6%
Sh	SUN LOAM	8%

TREE REMOVAL TABLE	
TREES TO BE REMOVED:	247
TREES TO BE PLANTED:	12

**TREE NOTE**  
REFERENCE IS MADE TO THE TREE REPORT PREPARED BY BARTLEY TREE EXPERTS DATED SEPTEMBER 16, 2024.

50' Wide Right of Way  
Per Deed Liber 2120, Page 112

Tax Lot 44.17-1-9 & 10  
N/T Thomas H. Hentze  
Irrevocable Trust

R=295.51'  
L=112.50'

50' Wide Right of Way  
Per Deed Liber 2120, Page 112

Tax Lot 44.17-2-3  
N/T Anne Sumers  
Deed Control #  
442250372

Stone Retaining Wall

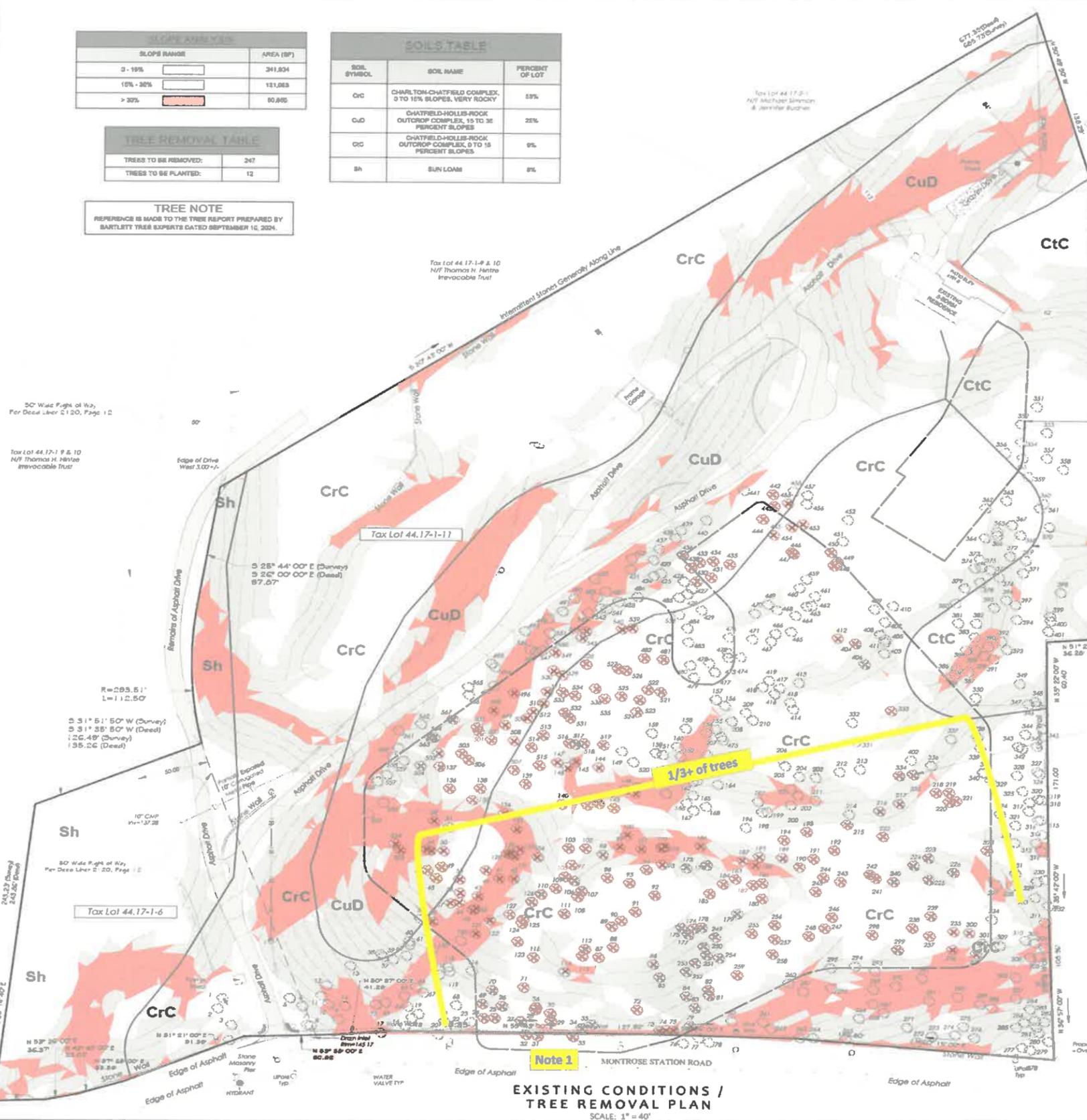
Water Valve TYP

Edge of Asphalt

Edge of Asphalt

Edge of Asphalt

Edge of Asphalt



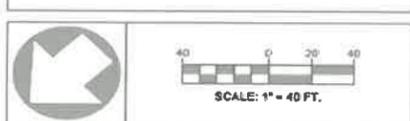
**EXISTING CONDITIONS / TREE REMOVAL PLAN**  
SCALE: 1" = 40'



**OWNER/APPLICANT**

77 MONTROSE STATION, LLC  
1340 BAPTIST CHURCH ROAD  
YORKTOWN HEIGHTS, NY 10598

**Call 811**  
before you dig



**OWNER/APPLICANT**

77 MONTROSE STATION, LLC  
1340 BAPTIST CHURCH ROAD  
YORKTOWN HEIGHTS, NY 10598

UNDER NEW YORK STATE EDUCATIONAL LAW ARTICLE 145, SECTION 7209 (3), IT IS UNLAWFUL FOR ANY PERSON TO ALTER ANY ITEM ON THIS DRAWING, UNLESS ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER. IF ANY ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION AND A SPECIFIC DESCRIPTION OF THE ALTERATION. COPYRIGHT 2023 BY CRONIN ENGINEERING, P.E., P.C. ALL RIGHTS RESERVED.

REVISIONS		
#	REASON	DATE

**STATE OF NEW YORK**  
PATRICK M. BELL, P.E.  
LICENSED PROFESSIONAL ENGINEER  
087679

MUNICIPAL TAX IDENTIFICATION:  
SECTION: 44.17  
BLOCK: 1  
LOT: 6 & 11  
SUBLOT: ---  
DRAWN BY: AD  
CHECKED: KSP/MS  
PROJECT: 77 MONTROSE STATION RD  
DATE: JANUARY 22, 2025  
JOB #: 240801

**CRONIN ENGINEERING**  
PROFESSIONAL ENGINEERING & CONSULTING  
(914) 736-3664

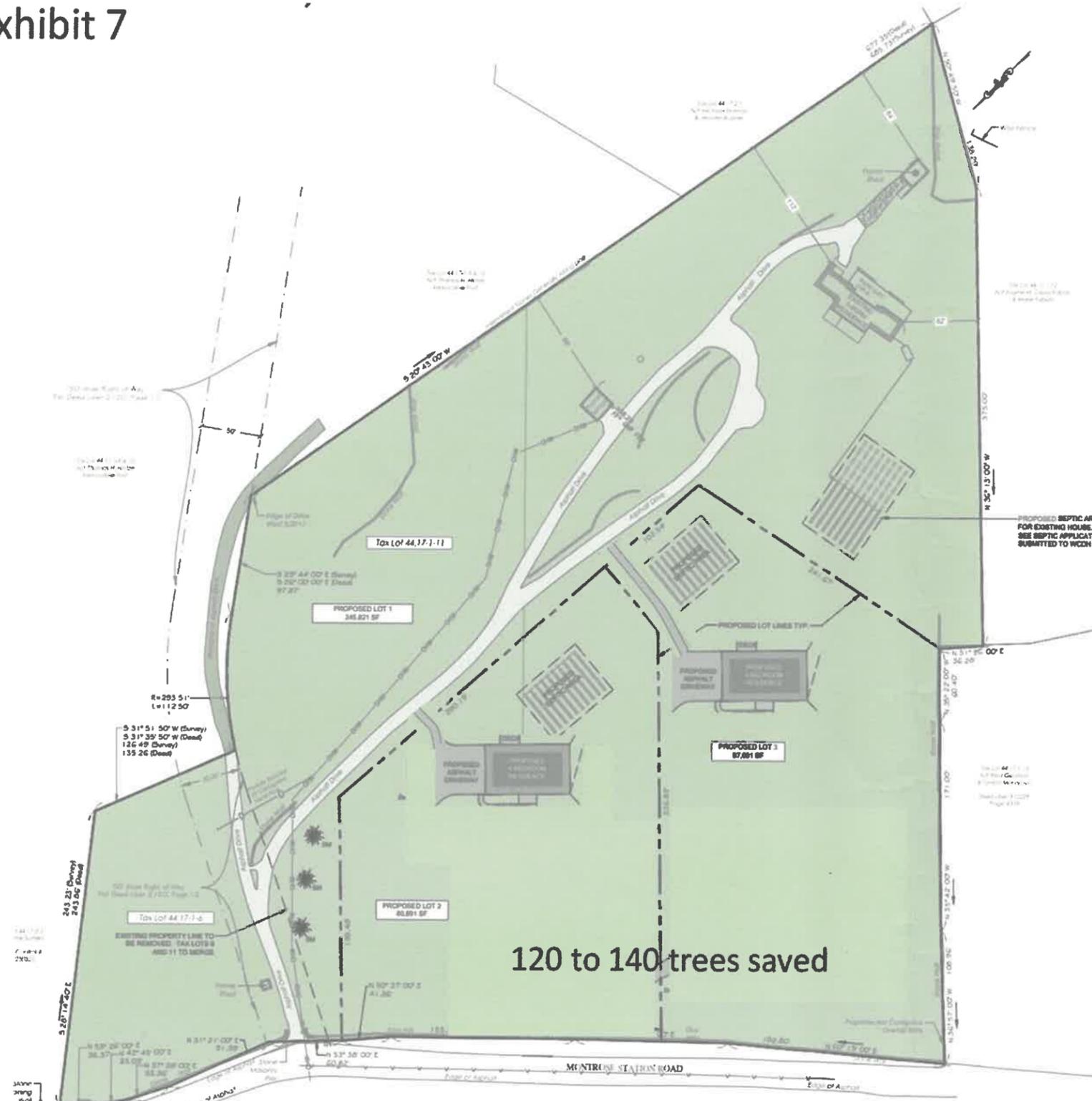
39 Arlo Lane  
Cortlandt Manor, New York 10567

**EXISTING CONDITIONS / TREE REMOVAL PLAN**

**SUBDIVISION & SITE DEVELOPMENT PLAN FOR 77 MONTROSE STATION, LLC**

LOCATION:  
77 MONTROSE STATION ROAD  
TOWN OF CORTLANDT, NEW YORK

# Exhibit 7



Adjusted Subdivision Layout

February 18, 2025

**To: Chris Kehoe, AICP, Director of Planning and Community Development**  
Town of Cortlandt  
Town Hall Office #4  
1 Heady Street  
Cortlandt Manor, NY 10567

**From: Tiziana Mohorovic and Reid Gearhart**  
69 Montrose Station Road  
Montrose, NY 10548

**Re: Concerns regarding the application of 77 Montrose Station LLC**  
for "Preliminary Plot Approval" et al.

Director Kehoe:

My wife Tiziana Mohorovic and I attended the Planning Board meeting on February 4, 2025, which included discussions relating to plans submitted by 77 Montrose Station LLC for the Proposed 3-Lot Subdivision Project at this address. Thank you for providing us with the opportunity to offer our thoughts and concerns regarding this proposal.

My wife and I have resided at 69 Montrose Station Road for 26 years. Our property abuts Proposed Lot 3's 340.46' border along the southeast side of that property.

Before focusing on our specific concerns, we would like to express our sadness and disappointment regarding this project. Giordano Builders intends to shoehorn two new homes into adjacent and minimally legal-sized plots, which is inconsistent with the neighborhood's existing character. In addition, proposed tree work suggests the creation of extensive open space. In short, these properties will not share the local community's desired aesthetic for forested landscapes, privacy and separation from neighbors. Montrose Station Road—from College Hill Road to Washington Street—is a truly unique residential area, one made even more unique by its adjacency to the College Hill community. This wholly profit-driven development project by Giordano Builders will create two adjacent and cramped plots that neither look right, nor fit into, this unique community. It's all about money—and it's a shame given its potential negative impact.

That said, with respect to the proposed project, my wife and I want to highlight five specific concerns.

## Summary Overview of Key Concerns

1. **Concern 1: Project Timeline** – Work on Lots 2 and 3 is estimated by the owner to take two years to complete, which is excessive by current measures. This will justifiably result in a vehement response from local neighbors. **No one** wants to live near an active construction site for two years.
2. **Concern 2: Tree Removal** – The stated plans regarding the number of trees to be removed by this project are inconsistent and conflicting, though it seems clear that cuttings will be extensive. Environmental and aesthetic considerations demand that these plans be clearly articulated before further actions are taken.
3. **Concern 3: Stormwater Runoff** – Claims with respect to stormwater runoff in the project’s *Environmental Assessment Form* are incorrect, at least with respect to stormwater flows to our property. Runoff from the proposed new driveways must also be considered, especially given the drainage problems that have long plagued sections of Montrose Station Road—problems that are well known to the town and existing residents.
4. **Concern 4: Details Regarding Lot 1** – The plans for the “Proposed 3-Lot Subdivision Project” at 77 Montrose Station Road provide insufficient information regarding work already completed or underway at Lot 1, making the total impact of the proposed project impossible to assess. This additional information must be provided and shared before the submitted plan is approved.
5. **Concern 5: Small Lot, Big House on Lot 3** - The proposed shoehorning of the new home into Lot 3 will place that residence close to our property border. The visibility and proximity of that house, along with planned cutting of trees, will result in reduced privacy for us, while also being at odds with the unique and desirable characteristics and layout of the neighborhood.

### Issue 1: Project Timeline

As noted on page 3 of the *Environmental Assessment Form*, construction work on Lots 2 and 3 is expected to take two years to complete. By almost any measure, this estimate is excessive and unacceptable because (1) the estimate exceeds average local projections, and (2) because noise caused by bedrock drilling and construction will result in aggressive complaints from neighbors.

Regarding construction completion times:

*“Data from the US Census, Characteristics of New Housing, shows the average time from permitting/authorization to completion differs by region across the United States. The Northeast had the longest time at 10.2 months, followed by the Midwest at 8.3 months, and the West at 8.0 months. The South had the fastest authorization to completion time in the country at 7.1 months in 2018.”*

### Average Months from Permit to Completion



Source: US Census, Characteristics of New Housing, 2018

In addition, since these worksites are adjacent, it would seem logical that work would be performed simultaneously on both lots, further reducing estimated completion times.

The work related to Lot 1 of 77 Montrose Station Road is also cause for concern. Work on that property—a renovation, not new construction—started in August, 2024 and remains incomplete after approximately six months. That work generated extensive local community complaints and anger, due to the noise generated by rock drilling and other construction work (hammering, chain sawing, excavation, etc.). In addition, work was conducted before and after permitted regulated hours, fueling further complaints. Neighbors were also angered by the cutting of trees, which substantially increased the visibility of the house to certain neighbors—this in a neighborhood where privacy and quiet are highly valued. Beyond that, members of this local community value the forests here for environmental reasons as well. Hence, the cutting of trees is not taken lightly by most residents.

Bottomline, the estimate of 24 months to complete two ground-up home construction projects on adjacent Lots 2 and 3 at 77 Montrose Station Road is excessive.

Neighbors must also question if these two new-home-construction projects will be pursued with a sense of dedicated urgency by 77 Montrose Station LLC, which was created in July 2024 and is owned by Mark Giordano, President of Steve Giordano Builders. The point is, this proposed project is not client driven. Hence, in the event of conflicts regarding, for example, resource allocation, one can only assume that Giordano Builders will put commitments to their commercial projects ahead of this work, resulting in project delays.

No one wants to live near an active construction site for two years. Giordano Builders must provide an accelerated project schedule that includes concrete details regarding how exactly this project will be executed and when, as well as their determination and commitment to getting the work done. This information must be provided and shared with neighbors before this project is approved.

Personally, I believe a vehement local uproar is all but assured from neighbors on both Montrose Station Road and College Hill Road, regarding construction noise alone from these projects.

## Issue 2: Tree Removal

Approximately how many trees are expected to be removed as part of the proposed plans for Lots 2 and 3? That figure is currently unclear, based on conflicting information in the report submitted by James Annicchiarico of Cronin Engineering.

According to the tree survey by SavATree (included in Cronin's report), the following numbers of trees will be removed:

- 104 dead or dying trees
- 44 diseased beech trees
- 353 healthy trees, which consultant SavATree estimates will likely need to be removed as part of the project

In other words, a total of 501 out of 565 trees surveyed, or 87% of the trees on the lots, will be removed.

In contrast, the tree removal map shows 247 trees targeted for removal, or 44%, numbers that are still high.

It should also be noted that on page 9 of the *Environmental Assessment Form* provided by Keith Staudohar of Cronin Engineering, it states that the Forested Acreage on Lots 1, 2 and 3 currently consists of 7.5 forested acres, which will decrease to 6.0 forested acres upon completion of the project. That is only a 20% decrease, which conflicts dramatically with the tree removal plans noted above.

In short, the information provided in the *Environmental Assessment Form* must be revised so that intentions regarding tree removal are explicitly clear and shared publicly before this project is approved.

Furthermore, in order to fully understand the environmental impact being made here, it is essential that the number of trees already removed from Lot 1 also be included in the proposed plan, so that a total picture of tree removals for all three lots at 77 Montrose Station Road can be ascertained.

This is important (1) so that the environmental impact of this project can be fully grasped, as this is not made clear in the *Environmental Assessment Form* itself, and (2) so that the tree removals do not degrade the existing woodland feel of Montrose Station Road, or the natural barriers for privacy that the trees provide for neighboring residents.

## Issue 3: Stormwater Runoff

Item "e iii" on Page 6 of the *Environmental Assessment Form* says "No" in reply to the question, "Will stormwater runoff flow to adjacent properties?" This is false. At present, stormwater from 77 Montrose Station Road routinely flows southwest across the property line to our driveway at 69 Montrose Station Road (roughly 60 feet up from the bottom), where it then flows downhill to the road. The question that must be addressed is, what impact will construction of the new home next door, as well as changes to the adjacent landscape, have on stormwater flows to our property and possibly elsewhere?

There is also the issue of runoff from the proposed new driveways. Montrose Station Road has long had drainage issues. A professional from the town needs to be brought in to review the proposed plans.

#### **Issue 4: Details Regarding Work on Lot 1**

The "Proposed 3-Lot Subdivision Project" for 77 Montrose Station Road submitted to the Town of Cortlandt Planning Board by Cronin Engineering is incomplete. The application almost exclusively focuses on details relating to Lots 2 and 3 of the property. For Lot 1, however, since work on property began in August 2024, little has been disclosed. We request that a comprehensive list of actions taken to date on Lot 1, along with any future plans, including a completion date, be added to the current subdivision proposal so that a complete picture is provided of work done/to be done on all three of the lots that comprise the proposed project.

#### **Issue 5: Small Lot, Big House on Lot 3**

To reiterate, the Proposed 3-Lot Subdivision Project submitted by 77 Montrose Station LLC is a profit-driven effort that disregards the neighborhood's existing aesthetics and character. At a minimum, the current planned placement of the house on Lot 3 is too close to the border of our property, and that is a negative for us as neighbors. We would like to see an adjusted plan that recognizes this failing and presents an option for addressing it.

Once again, thank you for providing the opportunity for us to voice our concerns. As noted earlier, we find this proposed project to be highly disappointing, a view that is widely shared with others in the neighborhood. We look forward to hearing the Planning Board's feedback before further steps are taken.

Sincerely,

**Tiziana Mohorovic & Reid Gearhart**  
69 Montrose Station Road  
Montrose, NY 10548  
914-788-6792



**TOWN OF CORTLANDT**  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Chris Kehoe, AICP – Director

Planning Staff:  
Heather LaVarnway, CNU-A, AICP  
Michelle Robbins, AICP  
Rosemary B. Lasher

Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1080

**Town Supervisor**  
Richard H. Becker, MD

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert Mayes  
Joyce C. White

**MEMORANDUM**

**TO:** Wendy Talio, Chairperson  
Conservation Advisory Council

**FROM:** Chris Kehoe, AICP *CK*  
Director of Planning & Community Development

**RE:** PB 2025-3 Request for recommendation to accept land or money in lieu of land to satisfy the recreation requirements of law for the major subdivision as stated herein.

**DATE:** February 21, 2025

Pursuant to Chapter 77.17 (Referrals) of the Town of Cortlandt Code please find a copy of the drawings and cover letter for the following application submitted to the Town of Cortlandt Planning Board for Preliminary Subdivision Approval:

**PB 2025-3** Application of 77 Montrose Station, LLC for Preliminary Plat approval and for Tree Removal and Steep Slope Permits for a proposed 3-lot major subdivision of an approximately 9.7-acre parcel of property located at 77 Montrose Station Road. Drawings dated January 22, 2025.

In accordance with Chapter 77.17 the above-mentioned application is being referred to the Conservation Advisory Council for a recommendation with respect to whether or not the Planning Board should accept land or money in lieu of land to satisfy the recreation requirements of law. As required, please submit written comments to the Planning Board within 30 days of this referral.

CRK/crk  
enclosures

cc: Dr. Richard H. Becker, Town Supervisor  
James Creighton, Town Board Liaison  
Members of the Planning Board



**TOWN OF CORTLANDT**  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Chris Kehoe, AICP – Director

Planning Staff:  
Heather LaVarnway, CNU-A, AICP  
Michelle Robbins, AICP  
Rosemary B. Lasher

Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1080

**Town Supervisor**  
Richard H. Becker, MD

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert Mayes  
Joyce C. White

**MEMORANDUM**

**TO:** Tino Martin, Chairman  
Parks & Recreation Advisory Council

**FROM:** Chris Kehoe, AICP *CK*  
Director of Planning & Community Development

**RE:** PB 2025-3 Request for recommendation to accept land or money in lieu of land to satisfy the recreation requirements of law for the major subdivision as stated herein.

**DATE:** February 21, 2025

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In accordance with Chapter 77.17 the above-mentioned application is being referred to the Parks & Recreation Advisory Council for a recommendation with respect to whether or not the Planning Board should accept land or money in lieu of land to satisfy the recreation requirements of law. As required, please submit written comments to the Planning Board within 30 days of this referral.

CRK/crk  
enclosures

cc: Dr. Richard H. Becker, Town Supervisor  
James Creighton, Town Board Liaison  
Members of the Planning Board



**TOWN OF CORTLANDT**  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Chris Kehoe, AICP – Director

Planning Staff:  
Heather LaVarnway, CNU-A, AICP  
Michelle Robbins, AICP  
Rosemary B. Lasher

Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1080

**Town Supervisor**  
Richard H. Becker, MD

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert Mayes  
Joyce C. White

**MEMORANDUM**

TO: Planning Board Members

FROM: Chris Kehoe, AICP, Director *CK*  
Department of Planning & Community Development

SUBJECT: **PB 2023-6** Application of Heike Schneider, R.A. on behalf of 3120 Lexington, LLC for Amended Site Plan approval and a Wetland Permit for a proposed outdoor storage area at the existing Ace Hardware Store located at 3120 Lexington Avenue. Drawings latest revised June 26, 2024.

DATE: February 14, 2025

1. The Planning Division conducted a review of the subject application consisting of a drawing entitled: “Amended Site Plan” prepared by Joe Riina, P.E. latest revision dated June 26, 2024.
2. The Planning Board approved the conversion of the existing structure to an Ace Hardware Store by Resolution 31-18 (PB Case 2018-5). This amended site plan request, originally for a 2,700 sq. ft. building addition, was submitted to the Planning Board on September 5, 2023. The addition was proposed on the north side of the building immediately adjacent to a NYSDEC and Town regulated wetland area. The area is currently an approximately 12 ft. wide gravel pad accessed from inside the store via a garage door. The entire site is located within the 100’ regulated wetland buffer to a Town and NYSDEC regulated wetland. Paul Jaehnig originally delineated the wetland on behalf of the Town and has completed annual wetland monitoring reports since the hardware store opened.
3. As part of the review of the proposed site plan amendment the Planning Board conducted a site inspection on February 4, 2024 at which time it was discovered that a new business, a lawn mower and power equipment sales and service business, had been introduced to the site both inside the building and outside of the building. Several mowers had been stored on the gravel area in the wetland buffer. The property owner was issued a violation and he removed the mowers. The applicant has not appeared before the Planning Board since the February 6, 2024 Planning Board meeting.
4. As discussed at the February 4, 2025 Planning Board meeting the next steps with this case can, up to the discretion of the Planning Board, proceed in two phases. In phase 1 the Planning Board

could consider approving the revisions, by Planning Board Resolution, as shown on the subject site plan moving the outdoor mower storage to the four (4) land banked parking spaces originally shown on the approved Ace Hardware Site Plan prepared by Hudson Engineering & Consulting, P.C. latest revision dated 9/17/18. In order for this first phase approval to move forward the applicant shall address all comments as contained in the February 12, 2025 memo from the Director of Technical Services (attached). Additionally, the subject drawing shall be modified as follows:

- a) It appears that existing landscaping will be removed to construct the storage area in the land banked parking spaces. New landscaping shall be shown on the subject drawing.
- b) The subject drawing shall be revised to show a fence, and/or landscaping, to block the view of the outdoor storage area from Lexington Ave. A Landscape Plan prepared by Sherwood & Truitt, LLC dated October 25, 2023 was previously submitted as part of this application. That plan shall be revised based on the current plan.
- c) Revise the note on the subject plan to state “*Remove previously stored materials from mitigation area*”
- d) The proposed mower storage area is still to be located with the 100’ regulated wetland buffer. The applicant shall provide a written justification seeking a wetland permit as per Chapter 179-6 (Wetlands) of the Town of Cortlandt Code.

- 5. The second phase of the approval requires additional review. The applicant has revised their request for the outdoor storage area on the north side of the building adjacent to the wetland. They are no longer proposing a building addition. Instead they are proposing the paving and enlargement of the existing gravel area and the installation of a rack system on the side of the building. The racks will store materials including “non-commissioned” mowers and power equipment that do not have any fuel or oils. Currently the gravel area is 12 feet wide. The applicant has stated they will need to enlarge that area, possibly to 20 feet wide, so a forklift can maneuver. No drainage improvements are currently shown in this area. The applicant shall submit revised plans detailing the proposed improvements in this area for the Planning Board to consider as part of a potential phase 2 approval.
- 6. The applicant shall clarify for the Board their understanding of the status of the outside storage area. The Planning Board at their October 3, 2023 meeting stated they had no objection to the applicant proceeding to the ZBA to apply for a variance for a temporary tent to be located in the front yard. The applicant did receive a Decision & Order via case 2023-19 (attached) for a temporary tent in the front yard. However, the ZBA denied the applicant’s request to permit the tent to remain up until the proposed building addition was approved. The tent was only permitted to remain on the site for 180 days from the date of the Decision & Order, January 18, 2024. Therefore, the temporary tent is no longer permitted in the front yard. The applicant shall clarify for the Board if they believe they have approval for any other outdoor storage in the front yard. The original approved site plan from 2018 does not indicate any approved areas for outdoor storage as per Section 307.65-8 of the Town Zoning Code.

7. A NYSDEC permit is also required for the proposed impacts to the wetland/wetland buffer. The NYSDEC has submitted two (2) memos with respect to this application dated September 29, 2023 and February 1, 2024 (attached). The applicant is advised that as the phase 2 application proceeds they are required to submit the revised drawings to the NYSDEC for their review and comment. Town wetland consultant Paul Jaehnig will also be retained to review and comment on the proposed improvements.
8. The applicant is advised that a staff level meeting must take place to address these comments prior to the application being placed back on a Planning Board agenda.

CRK/crk  
attachments

cc: Dr. Richard H. Becker, Town Supervisor  
James Creighton, Town Board Liaison  
Michael Cunningham, Esq., Deputy Town Attorney  
Chris Lapine, P.E., Planning Board Engineer  
Michael Preziosi, P.E., Town Engineer  
Martin Rogers, P.E., Director of Code Enforcement  
Heike Schneider, R.A.  
Jo Riina, P.E.



# TOWN OF CORTLANDT

## DEPARTMENT OF TECHNICAL SERVICES

Michael Preziosi, P.E.  
*Director – D.O.T.S.*

Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1060

**Town Supervisor**  
Richard H. Becker, M.D.

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert E. Mayes  
Joyce White

### Memorandum

To: Planning Board Chair Kessler  
Town of Cortlandt Planning Board

Cc: Chris Kehoe, AICP – Director, Dept. of Community Development and Planning  
Michael Cunningham – Deputy Town Attorney

From: Michael Preziosi, P.E. – Director, DOTS

RE: PB 2023-06 3120 Lexington LLC “Ace Hardware”

Date: February 12, 2025

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My understanding is that the Applicant at the January 2025 Planning Board meeting requested the Planning Board review an amended site plan to allow for outdoor storage of motor equipment at the subject premises.

The Applicant had expanded use on the property to include small engine repair (lawn mowers and similar equipment) without obtaining site plan approval or building permits from the Town of Cortlandt. Furthermore, it was noted upon multiple inspections, that staging of goods and materials were occurring within the regulated wetland and its buffer.

The Department of Technical Services (DOTS) issued multiple violations which required the Applicant to remove all encroachment into the regulated wetlands, to limit outdoor storage of materials as previously approved, and to apply to the Planning Board once the violations were lifted. The Planning Board could then evaluate an amended site plan for limited outdoor storage of power equipment.

Application A-24-1078 was applied for on Nov. 6, 2024 including a revised site plan and architectural drawings to meet the requirements of the Town’s Zoning Ordinance and NYS Uniform Code. This Application is still open pending revisions to the “Amended Site Plan Prepared for Ace Hardware, 3120 Lexington Avenue” dated last revised 6/24/2024 as prepared by Site Design Consultants.

The following comments which I had forwarded to the Applicant, their Architect and Engineer are reproduced as follows:

1. Add the following notes to the site plan:
  - a. There shall be no storage of any outdoor equipment containing any fuel behind the or downstream of the oil/water separator.

- b. All small motor equipment repair shall occur inside the building.
  - c. There shall be no storage of any landscaping equipment, materials, aggregate, palettes, etc... beyond the existing curbing. No encroachment into the wetland or its buffer is authorized or permitted as part of this approval.
  - d. No material or equipment storage is permitted on permeable pavement areas. Said areas shall be kept clear of debris and sedimentation.
2. Provide detail (paving, signage, etc...) for proposed spaces.
  3. Provide details for any fencing.
  4. Provide a trench drain across garage entrance that will direct runoff to the oil / water separator with details of the same.
  5. Verify that the oil / water separator as designed is capable of servicing the intended area. Said certification shall be signed and sealed by professional engineer.
  6. Controls and best management practices shall be installed to provide pre-treatment of parking area to remove total suspended solids from the parking lot.
    - a. The oil / water separator assists with the treatment and separation of potential hydrocarbons.
    - b. Pre-treatment to remove sedimentation that may arise from outdoor storage of landscape material is required.
  7. Photo document existing site conditions and provide written certification that all materials and goods have been removed from the wetlands. Document all sides of the buildings.

Upon the above revisions being made DOTS will rescind the open violations and allow for the remaining interior and exterior improvements to be constructed.

The property itself is heavily constrained by NYSDEC regulated wetlands and discharges to Mohegan Lake which is a NYSDEC impaired waterbody with the primary pollutant of concern being phosphorus. NYSDEC has also recently revised their rules and regulations pertaining to Article 24 – Freshwater Wetlands Regulatory Permit. If the Applicant is proposing any additional onsite development it is strongly recommended that they apply for a jurisdictional determination with NYSDEC to determine if a minor or major project review will be required.

Furthermore, all aspects of Town Code Ch. 179 – Freshwater Wetlands, Waterbodies and Watercourses and Ch. 262 – Stormwater Management and Erosion and Sedimentation Control shall be followed. I recommend that any application or jurisdictional determination made to the NYSDEC by the Applicant be coordinated with the Town of Cortlandt.

In conclusion, there is no objection for the limited storage of small engine storage in an approved outdoor location as specified above with all repair occurring interior to the building.

Z O N I N G   B O A R D   O F   A P P E A L S

Town of Cortlandt  
Westchester County, New York

D E C I S I O N   &   O R D E R

Petitioner: **Heike Schneider** Case No. **2023-19**  
Address: **3120 Lexington Avenue**  
Owner: **3120 Lexington Ave., LLC**  
Location of Property: **Same**  
Tax Map Designation:      **Section 24.15**      **Block:1**      **Lot: 8**  
Present Zoning:      **CC, Community Commercial**  
Nature of Petition:  
 Use Variance       Area Variance       Interpretation  
 Special Permit

Describe Specific Request: **An area variance for an accessory structure, a temporary tent, in the front yard and for the temporary tent to remain beyond the permitted 180 days as per the building code.**

Board Members

Present:      **Michael Fleming**      Absent:  
                 **Wai Man Chin**  
                 **Frank Franco**  
                 **Benito Martinez**  
                 **Tom Walsh**  
                 **Chris Beloff**  
                 **Michelle Piccolo Hill**

The above-referred to Petition, having been duly advertised in The Croton Gazette, the official newspaper of the Town of Cortlandt in the weekly issue published on 1/4/24 - 1/10/24, Town Board Resolution No. 153-88 having been complied with and the matter having duly come to be heard before a duly convened meeting of the Board on the following date, 1/18/24 held at Town Hall and all of the facts, matters and evidence produced by the Petitioner, by the administrative official and by interested parties having been duly heard, received and considered, and due deliberation having been had, the following Decision and Order is hereby made:

The Zoning Board of Appeals has taken into consideration the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the Board makes the following findings:

1. No undesirable change will be produced in the character of the neighborhood and no detriment to nearby properties will be created by the placement of a temporary tent in the defined front yard of the existing Ace Hardware Store on Lexington Avenue. While the tent will be located 9 ft. from the property line it will be over 30 ft. from the edge of pavement of Lexington Ave. The front yard of the Ace Hardware store is also at a slightly lower elevation than Lexington Avenue which will help to lessen the visibility of the tent to the road.
2. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance. The property has a wetland located to the north and east and an existing parking area to the south. Possible locations for the tent are further limited by the existing septic system.
3. While the requested area variance of 70% and 21 ft. appears to be fairly substantial the tent will be a temporary structure and is located over 30 ft. from the edge of pavement of Lexington Avenue.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. While the alleged difficulty was self-created it is the opinion of the Zoning Board that the other 4 factors outweigh the issue of the difficulty being self-created.

Applicant is hereby GRANTED an Area Variance from 30 ft. to 9 ft., a variance of 21 ft., for an accessory structure, a temporary tent, to be located in the front yard. Further, the owner is required to obtain all required permits from the Office of Code Administration and Enforcement.

The applicant is denied the request for the tent to remain up until a proposed building addition, currently pending before the Planning Board is approved. The tent, as per the building code, is only permitted to remain on the site for 180 days from the date of the filing of this Decision & Order.

This is a Type II application under SEQRA. Therefore, no further compliance is required.

NOW THEREFORE, Petition is granted and it is further ordered that in all other respects Petitioner comply with all of the rules, regulations and ordinances of the Town of Cortlandt and all other agencies having jurisdiction.

Adopted: January 18, 2024  
Cortlandt Manor, New York  
Date filed: January 22, 2024



---

Chris Kehoe, AICP  
Clerk, Zoning Board



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Michael Fleming  
Chairman, Zoning Board



**TOWN OF CORTLANDT**  
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

Chris Kehoe, AICP – Director

Planning Staff:  
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Town Hall, 1 Heady Street  
Cortlandt Manor, NY 10567  
Main #: 914-734-1080

**Town Supervisor**  
Richard H. Becker, MD

**Town Board**  
James F. Creighton  
Cristin Jacoby  
Robert Mayes  
Joyce C. White

**MEMORANDUM**

**TO:** Holly Haight, Fire Inspector

**FROM:** Chris Kehoe, AICP *CK*  
Director of Planning & Community Development

**RE:** Referral of Planning Board Items for Review by Fire Departments

**DATE:** February 6, 2025

Please review the subject site plans with the Fire Advisory Board and provide a written response for the Planning Board.

- PB 2024-1** Application of KPB Properties LLC for Site Development Plan approval for a proposed 4-story, 75,000 sq. ft. self-storage facility located at 3 Locust Avenue as shown on an 11-page set of drawings entitled “Site Plan” prepared by Marc Pilotta, P.E. latest revision dated December 26, 2024
- PB 2025-3** Application of 77 Montrose Station, LLC for Preliminary Plat approval and for Tree Removal and Steep Slope Permits for a proposed 3-lot major subdivision of an approximately 9.7-acre parcel of property located at 77 Montrose Station Road as shown on a 5-page set of drawings entitled “Subdivision and Site Development Plan for 77 Montrose Station Road, LLC” prepared by Patrick Bell, P.E. dated January 22, 2025.
- PB 2025-4** Application of Luke Butler, P.E. on behalf of Kitzbuehel Realty, LLC for Amended Site Plan approval to convert the former ShopRite store to a Floor & Décor store for property located at 2094 E. Main Street as shown on a 14-page drawing set entitled “Preliminary and Final Site Plan prepared for Floor & Décor” prepared by Joshua M. Sewald, P.E. dated January 23, 2025.
- PB 2025-5** Application of VS Construction Corp. for Site Plan approval and for Tree, Wetland and Steep Slope permits for a proposed 97,700 sq. ft. Assisted Living Facility located in the Medical Oriented District (MOD) at 2003 Crompond Road as shown on an 18-page set of drawings entitled “2003 Crompond Road Site Plan Application – Parcel 1” prepared by Gerhard M. Schwalbe, P.E. latest revision dated January 23, 2025.

cc: Michael Preziosi, P.E., Director of Technical Services  
Martin Rogers, P.E., Director of Code Enforcement  
Chris Lapine, P.E., Planning Board Engineer  
Planning Board Members

January 8, 2025

Chris Dehoe, AICP, Planning Director  
Cortlandt Town Hall  
1 Heady Street  
Cortlandt Manor, NY 10567-1254

**County Planning Board Referral File # PD 20-00 – AM Self-Storage  
2019 Albany Post Road  
Site Plan Approval**

Dear Mr. Dehoe:

The Westchester County Planning Board has received a site plan (dated November 20, 2024) and related materials for an application to construct a new two-story self-storage building on a 3.2-acre site located on 2059 Albany Post Road (SBLs 55.13-2-19 & 20), in the HC/9A – Highway Commercial/Multi-Family Zone. The site currently consists of two properties, which are to be merged. A stream runs near the southern side of the site, and the edges of the property are wooded. The site hosts a single-family residence, which would be demolished, and is connected to Boston Post Road via a driveway running along a paper street known as Ferris Lane.

The proposed self-storage building would contain 68,000 square feet of gross floor area, served by a six-space parking lot to the north of the building. The existing gravel driveway from Albany Post Road would be paved and extended to provide access to the parking area and the rear of the building. A stormwater management area is proposed, as well as wetland mitigation plantings.

We have no objection to the Cortlandt Planning Board assuming Lead Agency status for this review.

We have reviewed this application under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code and we offer the following comments:

**Construction within a regulated stream/wetland.**

The proposed development involves the disturbance of 200 square feet of wetland area, and 6,275 square feet of wetland buffer area. The County Planning Board consistently recommends that construction and alteration of land within regulated wetlands and stream/wetland buffers should be avoided. This recommendation extends to the siting of stormwater management facilities. However, we note that the wetland area disturbance is due to the replacement of an existing culvert, and that the site plans locate the building and parking lot away from the wetlands. We also note that the applicant is proposing 15,500 square feet of wetland mitigation plantings. We recommend that the Town and the applicant work to ensure that these measures are sufficient to mitigate the disturbance to the wetlands and buffer. We also note the regulations for wetland permitting through the NYS DEC have recently been updated. The Town should forward a copy of the application to NYS DEC to identify any required permits for the proposed project.

**2. NYS DOT review.**

Albany Post Road (NYS Route 9A) is a State highway. The Town should forward a copy of the application to NYS DOT to identify any required permits for the proposed project and to evaluate potential traffic impacts to Route 9A.

**3. Recycling**

The Town should require the applicant to verify that there is sufficient space to accommodate the storage needs for recyclables under the County’s recycling program. County regulations for recycling may be found at: <https://environment.westchestergov.com/recycling>.

**4. Stormwater Management.**

We appreciate that the applicant has included stormwater planters, providing at-grade stormwater treatment measures. As the proposed site plan also includes subsurface stormwater quality and retention infrastructure, we point out that subsurface methods of stormwater management can be of diminishing effectiveness over time if not properly cleaned and maintained. We note that a stormwater facilities maintenance schedule is included in the site plans. The Town should ensure the continued operability of this stormwater management system into the future to prevent the system from being clogged with sediment, and in turn force a higher amount of stormwater runoff off-site.

**5. Green Building Technology.**

While we appreciate the green infrastructure included as part of the stormwater management plan, we note that no indication has been provided towards the utilization of the building rooftop. We recommend that the applicant considers incorporating a solar array or a green roof in order to provide further environmental remediation within the site. In addition, the Town and the applicant should give consideration towards the provision of electric vehicle parking capabilities within the proposed parking area.

**6. Tree Removal Remediation.**

As the application indicates that approximately 30 trees are to be removed, the applicant should specify how the development will abide by the Town’s tree preservation requirements. While a landscaping plan was included in the application, no new trees were indicated. Locations of new trees to be planted should be included in the landscaping plan, or if to be provided offsite, in an explanation in the narrative.

Please inform us of the Town’s decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,  
WESTCHESTER COUNTY PLANNING BOARD



Bernard Thombs  
Vice Chair, Westchester County Planning Board

BT/mv

cc: Blanca Lopez, Commissioner, Westchester County Department of Planning  
Anne Darelus, NYS Department of Transportation, Region 8  
Christopher Lee, NYS Department of Transportation, Region 8