

AGENDA PACKET

Part 1 of 3

JANUARY 19, 2021 MEETING

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TOWN OF LEWISBORO
Westchester County, New York



Planning Board
79 Bouton Road
South Salem, New York 10590

Tel: (914) 763-5592
Fax: (914) 875-9148
Email: planning@lewisborogov.com

AGENDA

Tuesday, January 19, 2021

Meeting will start at 7:30 p.m. and end at or before 11:00 p.m.

Via Zoom videoconferencing and live streaming to Lewisboro TV YouTube channel

Join Zoom Meeting at <https://zoom.us/j/93055289269?pwd=eDBTdktcEhsRXozRnJUd2JwazFRQT09>

Meeting ID: 930 5528 9269 Passcode 529058

You may call in to the Zoom meeting at 1-929-205-6099 when prompted, enter 930 5528 9269

<https://www.youtube.com/channel/UCNUNE5gXs5rnHcyR4l6dikA>

I. EXTENSION OF TIME

Cal# 8-14PB, Cal# 95-14WP, Cal# 20-14SW

Goldens Bridge Village Center, NYS Route 22, Goldens Bridge, NY 10526, Sheet 4, Block 11126, Lot 07 (Stephen Cipes, owner of record) - Request for Extension of Site Development Plan, Wetland and Stormwater Permit Approvals.

II. PUBLIC HEARING, CONTINUATION

Cal #03-20PB, Cal #37-20WP

Gossett Brothers Nursery, 1202 Route 35, South Salem, NY 10590, Sheet 31 Block 10805 Lot 46 (Thomas Gossett for T. Gossett Revocable Trust – owner of record) - Application for Site Development Plan Approval and Wetland Activity Permit Approval for an existing nursery.

III. SKETCH PLAN REVIEWS

Cal #01-18PB

Apex Personal Training, 20 North Salem Road, Cross River NY 10518, Sheet 17, Block 10533, Lot 89 (EK Cross River, owner of record) - Application for Change of Use/Waiver of Site Development Plan Procedures.

Cal #06-17PB

Wolf Conservation Center, Buck Run, South Salem, NY 10590, Sheet 21, Block 10803, Lots 3, 65, 67, 81, 82, 83, 86 & 88 (Wolf Conservation Center, owner of record) - Application for a Subdivision and Special Use Permit associated with a private nature preserve.

IV. WETLAND PERMIT REVIEW

Cal #57-20WP, Cal #09-20SW

Schwartz Residence, 0 Twin Lakes Road, South Salem, NY 10590, Sheet 34B, Block 11831 Lot 35 (Michael Schwartz, owner of record) - Application for the construction of a one-bedroom house/studio.

Cal#60-20WP

McGuinness Residence, 17 Schoolhouse Road, Waccabuc, NY 10597, Sheet 22, Block 10802, Lot 35 (Annette and Peter McGuinness, owners of record) - Application for the construction of a greenhouse, covered dining area, spa and extension of an existing patio.

V. WETLAND VIOLATIONS

Cal #02-19WV, Cal #60-19WP, Cal #14-19SW

Kullman Residence, 12 Red Coat Lane, Waccabuc, NY 10597, Sheet 26, Block 11155, Lot 92 (Michael and Susan Kullman, owners of record)

Cal #04-20WV

VI. DISCUSSION

Comprehensive Plan

VII. MINUTES OF December 15, 2020

VIII. NEXT MEETING DATE: February 23, 2021.

From: "Robert Lauria-National Realty Crop." <natlrc@aol.com>
Date: December 15, 2020 at 3:41:46 PM EST
To: jjohannessen@keles.com
Cc: Peter Helmes <pjh@thehelmesgroup.com>
Subject: Goldens Bridge Approvals
Reply-To: "Robert Lauria-National Realty Crop." <natlrc@aol.com>

Jon, it was good talking with you and expressing my concerns about our new building and approvals for same. We have been actively trying to find tenants while also trying to plug the holes in our existing center. The Metro North lot across the street is closed and the lot near the lumber yard almost empty. 1,200 people have vanished, working from home, due to Covid. I need to seek relief from the board as my approvals were for 3 years and I am supposed to pull a building permit this January or loose all. That is an insurmountable task and I respectfully ask that we reset the clock on our approvals, at least a year, while this new vaccine kicks in and Covid dissipates in 2021. I look for some direction.

Thank you and Merry Christmas to you and yours.

Robert

Robert J. Lauria
President

Lauria Realty Services, Inc.
Northcounty Center
Suite 201
Goldens Bridge, New York 10526
Phone: (914)-767-3380 NY
Phone: (203) 746-5782 CT
Cell: (914) 393-6440
Fax:: (914)-767-3383
E-mail: natlrc@aol.com

Affidavit of Publication

STATE OF NEW YORK }
County of Westchester } SS:

PAT DOMMERMUTH being duly sworn
says *(s)he is Principal Clerk of

The Bedford Pound Ridge
RECORD REVIEW

a newspaper published in the Town of Bedford, County of
Westchester, and State of New York, and that a notice, of which
the annexed printed notice is a copy, has been published
in The Record-Review one times, once each week
for one successive weeks, that such publication was
made in the issues of: 12-4-20

Pat Dommerruth

Principal Clerk

Sworn before me this 9 day
of DEC. 2020 }

Paula Thaler

Notary Public

PAULA THALER
Notary Public, State of New York
No. 01TH6302825
Qualified in Westchester County
Commission Expires May 5, 2022

*This affidavit must be made and executed by the Publisher,
Principal Clerk or Foreman of the composing room.

TOWN OF LEWISBORO NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that
the Planning Board of the Town of
Lewisboro, Westchester County, New
York will convene a Public Hearing
on Tuesday, December 15, 2020 at
7:30 p.m., or soon thereafter, using
the videoconferencing app Zoom,
regarding the following:

Cal #03-20PB, Cal #37-20WP

Application for Site Development
Plan Approval and Wetland Permit
to Gossett Brothers Nursery at 1202
Route 35, South Salem, NY 10590,
Sheet 31, Block 10805, Lot 46
(Thomas Gossett Revocable Trust,
owner of record) for an existing land-
scape nursery to formalize its existing
nursery use, establish a 30-seat acces-

sory winery, install a water treatment
system and wastewater holding tank
for the winery. The subject property
consists of approx. 5.5 acres and
is located in a Two-Acre Residential
(R-2A) Zoning District.

Due to public health and safety
concerns related to the COVID-19
virus, the Planning Board will not
be meeting in person. Per Governor
Cuomo's Executive Order No. 202.1,
this meeting will be held via Zoom
and a transcript will be provided at
a later date. The public will have the
opportunity to review digital copies
of materials and proposed site docu-
ments at <https://www.lewisborogov.com/planningboard>

Interested members of the public
are encouraged to provide written
comments prior to and during the
virtual public hearing by emailing
Ciordsan Conran, Planning Board
Administrator, at planning@lewisborogov.com. Please check the meet-
ing agenda posted on the Board's web
page for additional instructions and
updates.

The public may view or par-
ticipate through the Zoom app at
<https://zoom.us/j/98541138858?pwd=Y1VidHA1dXJjaXBTR0Rtd-FjJcUjFdz09>

by clicking "Join a Meeting," and
entering Meeting ID: 985 4113 8858
Passcode: 515716. You may call in
to the Zoom meeting at 1-929-205-
6099 when prompted, enter Meeting

ID: 985 4113 8858 Passcode:
515716.

Persons wishing to object to the
application should file a notice of
objection with the Planning Board
together with a statement of the
grounds of objection prior to the
closing of the Public Hearing. All
interested parties are encouraged to
view the Public Hearing and all will
be provided an opportunity to be
heard.

PLANNING BOARD
TOWN OF LEWISBORO
By: Janet Andersen
Chair

Dated: November 23, 2020

The Town of Lewisboro is com-
mitted to equal access for all citi-
zens. Anyone needing accommoda-
tions to view or participate in this
meeting is encouraged to notify the
Administrator to the Planning Board
in advance.

RR366-20

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

Agency Use Only [If applicable]

Project : _____

Date : _____

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

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

Tips for completing Part 2:

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

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

2. Impact on Geological Features

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

☒ NO☐ YES

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

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

3. Impacts on Surface Water

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

☐ NO☒ YES

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

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

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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4. Impact on groundwater The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If “Yes”, answer questions a - h. If “No”, move on to Section 5.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

5. Impact on Flooding The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If “Yes”, answer questions a - g. If “No”, move on to Section 6.</i>			
		<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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6. Impacts on Air The proposed action may include a state regulated air emission source. <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO ₂) ii. More than 3.5 tons/year of nitrous oxide (N ₂ O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF ₆) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

7. Impact on Plants and Animals The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

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

9. Impact on Aesthetic Resources The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>				<input checked="" type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>		
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>		
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>		
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

10. Impact on Historic and Archeological Resources The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>				<input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on the National or State Register of Historical 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.	E3e	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input checked="" type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input checked="" type="checkbox"/>	<input type="checkbox"/>		

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

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

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

13. Impact on Transportation

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

☒ NO

☐ YES

(See Part 1. D.2.j)

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

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

14. Impact on Energy

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

☒ NO

☐ YES

(See Part 1. D.2.k)

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

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

15. Impact on Noise, Odor, and Light

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

☐ NO

☒ YES

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

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

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

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

16. Impact on Human Health

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

☒ NO

☐ YES

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

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

17. Consistency with Community Plans

The proposed action is not consistent with adopted land use plans.
(See Part 1. C.1, C.2. and C.3.)

☒ NO☐ YES

If "Yes", answer questions a - h. If "No", go to Section 18.

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

18. Consistency with Community Character

The proposed project is inconsistent with the existing community character.
(See Part 1. C.2, C.3, D.2, E.3)

☒ NO☐ YES

If "Yes", answer questions a - g. If "No", proceed to Part 3.

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



THE HELMES GROUP, LLP

ARCHITECTURE • ENGINEERING
PROJECT MANAGEMENT

Via E-Mail & Hand Delivered

December 14, 2020

Chair Andersen & Members of the Planning Board
Town of Lewisboro
79 Bouton Road
South Salem, NY 10590

Project: Expansion of Existing Fitness Facility - "Change of Use"
APEX Personal Training, LLC., Existing Tenant
Cross River Shopping Center – Lower Level
Cross River, NY 10518 – Town of Lewisboro

Subject: Waiver of Site Development Plan Approval

Dear Chair Andersen & Members of the Planning Board:

On behalf of our client, Shkelzen Gecaj & John Swertfager, APEX Personal Training, LLC., Tenant and as directed by Joseph Angiello, Building Inspector and Jan Johannessen, Town Planner, we are making this submission in order to obtain 'Waiver of Site Development Plan Approval' to permit the "Change of Use" for converting portion of the vacant tenant space of existing Cross River Shopping Center - Lower Level into expanding APEX Fitness, as indicated on drawings.

Please note, this is a permitted use in the RB Retail Business Zone District and there will be no exterior changes made to existing shopping center building including storefronts, sidewalks, parking, exterior lighting and signage, etc., on site.

With respect to parking on site, there is ample free parking spaces on site - lower level (west spaces) to serve expanded APEX Facility. According to the Zoning for Off-Street Parking (1 space for each 200 square feet of gross floor area plus 1 additional space for each employee on the largest work shift.) Please refer to floor area chart and parking calculations on drawings indicating required and provided parking spaces. *As a result of the Change of Use, five additional parking spaces are required.*

With respect to water usage, please refer to chart on drawings indicating existing water usage verses proposed water usage, which was calculated based upon square foot of tenant space, occupant load per 2020 IBC International Building Code and usage/flow rates per New York State Department of Environmental Conservation.

The Shopping Center Complex has existing service connections to Facilities for handling the Water and Wastewater. The Health Department has no objection to the "Change of Use" request for this Application on file, as long as the Water and Wastewater Facilities can handle the additional flow. Please refer to letters from Scalzo Property Management hereto attached for reference. There are no additional plumbing fixtures proposed nor required by code for this expansion. The existing bathroom / locker room facilities will remain as-is.

Basically, due to COVID-19 restrictions and guidelines for social distancing, etc., APEX Fitness is looking to create more floor area space between equipment for their members to use the facility safely.

Accordingly, enclosed herewith please find the following attachments:

- Waiver of Site Development Plan Approval- (1 original & 3 copies)
- Check #1781 in the amount of \$205 covering the Application Fee made payable to the Town of Lewisboro - (4 copies)
- Check #1782 in the amount of \$1,936.25 covering the Escrow Fee made payable to the Town of Lewisboro - (4 copies)
- Architectural Drawings #1 & 2 including Satellite Photograph, Tax Map, Existing Part Site Plan, Floor Plan, Proposed Floor Plan, Water Usage & Parking Charts & Reference Photographs – dated 12/14/20, as prepared by The Helmes Group, LLP – Architects - (4 copies)
- Authorization Letter dated 12/10/20 on file, allowing The Helmes Group, LLP to act as Tenant Architect & Agent - (4 copies)
- Letters from Scalzo Property Management dated 12/10/20 to Westchester County Health Department and EK Cross River, LLC., regarding Request for Additional Discharge from Proposed Apex Personal Training, LLC Expansion at Cross River Shopping Center Town of Lewisboro, NY to Meadows Waste Treatment Plant (WWTP) - (4 copies)

It is my understanding that we will be scheduled to appear before the Planning Board via Zoom, on **Tuesday, January 19, 2021 at 7:30 p.m.** and look forward to presenting this application in order to obtain the required Waiver of Site Plan Approval for this project.

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

Very truly yours,

THE HELMES GROUP, LLP


Steven C. Helmes, AIA
Architect

SCH:KA Encl.

cc: APEX Personal Training, LLC – Shkelzen & John Swertfager

APEX PERSONAL TRAINING, LLC

Shkelzen Gecaj & John Swertfager

924 Route 35

Cross River, NY 10518

(917) 657-4933

(917) 774-9324

skazg72@gmail.com

johns@aiaps.com



December 10, 2020

Town of Lewisboro Building Department
Attn: Ciorsdan Conran, Planning Board Administrator
79 Bouton Road
South Salem, NY 10590

Project: APEX Personal Training, LLC
Cross River Shopping Center – Lower Level
Cross River, NY 10518 – Town of Lewisboro

Subject: ‘Authorization Letter’

Dear Ciorsdan:

We, Skaz Gecaj & John Swertfager, Applicant, of the above-subject project, hereby authorize Steven C. Helmes, AIA, of The Helmes Group, Architects, to act as Owner's agent for filing all applications as required, for obtaining Planning Board Approval for “Change of Use” - Converting Vacant Tenant Space, (formerly Town Offices) into additional fitness floor area for serving existing APEX Facility, which is a Permitted Use in this RB District and a Building Permit from the Town of Lewisboro Building Department.

Very truly yours,

Skaz Gecaj & John Swertfager
Tenant

TOWN OF LEWISBORO PLANNING BOARD

79 Bouton Road, South Salem, NY 10590 Tel: (914) 763-5592 Email: planning@lewisborogov.com

Site Development Plan/Subdivision Plat Application - Check all that apply:

Waiver of Site Development Plan Procedures ☒

Site Development Plan Approval

Special Use Permit Approval

Subdivision Plat Approval



Step I

☐

Step II

☐

Step I

☐

Step II

☐

Step I

☐

Step II

☐

Step III

☐

Project Information

Project Name: APEX PERSONAL TRAINING, LLC

Project Address: CROSS RIVER SHOPPING CENTER - LOWER LEVEL

Gross Parcel Area: 5.41 ACRES Zoning District: RB Sheet(s): 17 Block(s): 10533 Lot(s): 89
235,224 SF

Project Description: EXPANSION OF EXISTING APEX FITNESS FACILITY
"CHANGE OF USE" APPLICATION UTILIZING PORTION OF TENANT B
SPACE - FORMER TOWN OFFICES AS INDICATED ON DRAWINGS

Is the site located within 500 feet of any Town boundary?

YES

☐

NO

☒

Is the site located within the New York City Watershed?

YES

☒

NO

☐

Is the site located on a State or County Highway?

YES

☐

NO

☒

Does the proposed action require any other permits/approvals from other agencies/departments?

Town Board

☐

ZBA

☐

Building Dept.

☒

Town Highway

☐

ACARC

☐

NYSDEC

☐

NYCDEP

☐

WCDH

☒

NYSDOT

☐

Town Wetland

☐

Town Stormwater

☐

Other

Owner's Information

ADMIRAL REAL ESTATE SERVICE CORP
JOAN SIMON

Name: EK CROSS RIVER, LLC

Email: JSIMON@ADMIRALREALESTATE.COM

Address: ORCHARD SQUARE - CROSS RIVER PLAZA

Phone: 914-656-5855

Applicant's Information (if different)

Name: APEX FITNESS SHKELZEN GECAT & JOHN SWERTFAGER Email: SKAZG729@GMAIL.COM
JOHNS@AIA.PS.COM

Address: 924 ROUTE 35, CROSS RIVER, N.Y. 10518

Phone: 917-657-4933
917-774-9324

Authorized Agent's Information

Name: THE HELMES GROUP, LLP.
STEVEN C. HELMES, AIA

Email: SCH@THEHELMESGROUP.COM

Address: 184 KATONAH AVENUE
KATONAH, N.Y. 10536

Phone: 914-232-4633

THE APPLICANT understands that any application is considered complete only when all information and documents required have been submitted and received by the Planning Board. The applicant further understands that the applicant is responsible for the payment of all application and review fees incurred by the Planning Board.

THE UNDERSIGNED WARRANTS the truth of all statements contained herein and in all supporting documents according to the best of his/her knowledge and belief, and authorizes visitation and inspection of the subject property by the Town of Lewisboro and its agents.

APPLICANT'S SIGNATURE

STEVEN C. HELMES AIA - ARCHITECT

DATE

12-10-2020

OWNER'S SIGNATURE

APEX FITNESS - SHKELZEN GECAT
REFER TO AUTHORIZATION LETTER JOHN SWERTFAGER

DATE

12-10-2020

TOWN OF LEWISBORO PLANNING BOARD

79 Bouton Road, South Salem, NY 10590

Email: planning@lewisborogov.com

Tel: (914) 763-5592

Fax: (914) 875-9148

Affidavit of Ownership

State of: NEW YORK

County of: WESTCHESTER

STEVEN C. HELMES, AIA, being duly sworn, deposes and says that he/she

resides at 184 KATONAH AVENUE, KATONAH, N.Y. 10536

in the County of WESTCHESTER, State of NEW YORK

and that he/she is (check one) ☐ the owner, or ☐ the ARCHITECT'S REPRESENTATIVE
Title

of THE HELMES GROUP, LLP

Name of corporation, partnership, or other legal entity

which is the owner, in fee of all that certain lot, piece or parcel of land situated, lying and being in the
Town of Lewisboro, New York, aforesaid and known and designated on the Tax Map in the Town of
Lewisboro as:

Block 10533, Lot 89, on Sheet 17


Owner's Signature

STEVEN C. HELMES, AIA
THE HELMES GROUP, LLP

Sworn to before me this

15 day of December, 2020

JANET KISSLING BARRETO
NOTARY PUBLIC-STATE OF NEW YORK

No. 01K16393096

Qualified in Westchester County

My Commission Expires 06-10-2023

Notary Public - affix stamp



TOWN OF LEWISBORO PLANNING BOARD

79 Bouton Road, South Salem, NY 10590
Email: planning@lewisborogov.com
Tel: (914) 763-5592 Fax: (914) 875-9148

Tax Payment Affidavit Requirement

This form must accompany all applications to the Planning Board.

Under regulations adopted by the Town of Lewisboro, the Planning Board may not accept any application unless an affidavit from the Town of Lewisboro Receiver of Taxes is on file in the Planning Board office. The affidavit must show that all amounts due to the Town of Lewisboro as real estate taxes and special assessments on the total area encompassed by the application, together with all penalties and interest thereon, have been paid.

Under New York State law, the Westchester County Clerk may not accept any subdivision map for filing unless the same type of affidavit from the Town of Lewisboro Receiver of Taxes is submitted by the applicant at the time of filing.

This form must be completed by the applicant and must accompany all applications to the Planning Board. Upon receipt, the Planning Board Secretary will send the form to the Receiver of Taxes for signature and notarization. If preferred, the applicant may directly obtain the signature of the Receiver of Taxes and notarization prior to submission.

THE HELMES GROUP LLP To Be Completed by Applicant
STEVEN C. HELMES, ALA (Please type or print)
ARCHITECT / OWNERS AGENT

APEX FITNESS

Name of Applicant

Project Name

Property Description

Property Assessed to:

Tax Block(s): 10533

E.K. CROSS RIVER, LLC

Tax Lot(s): 89

Name
3 WEST 57TH STREET - 7TH FLOOR

Tax Sheet(s): 17

Address
NEW YORK NY 10019
City State Zip

The undersigned, being duly sworn deposes and says that a search of the tax records in the office of the Receiver of Taxes, Town of Lewisboro, reveals that all amounts due to the Town of Lewisboro as real estate taxes and special assessments, together with all penalties and interest thereon, affecting the premises described below, have been paid.

Signature - Receiver of Taxes: *Dore Crocker*

12/14/20
Date

Sworn to before me this

14 day of December, 2020

Janet L. Donohue
Signature - Notary Public (affix stamp)

JANET L. DONOHUE
NOTARY PUBLIC, STATE OF NEW YORK
No. 01DO6259627
Qualified in Westchester County
Commission Expires April 16, 2020

SCALZO

PROPERTY MANAGEMENT



December 10, 2020

Westchester County Health Department
145 Huguenot Street
New Rochelle, New York 10801

Re: Request for additional discharge from proposed Apex Personal Training LLC Expansion at Cross River Shopping Center Town of Lewisboro, New York to Meadows Waste Treatment Plant (WWTP)

Dear Westchester County Health Department:

On behalf of Meadows at Cross River Sewage Works Corporation, I am writing to approve the request to increase by an estimated flow of 898 gallons per day to 1896 (average 26,940 gallons per month to 56880 per month) with the understanding there are no additional fixtures being added as proposed by the Architecture/ Engineering firm of The Holmes Group, LLP (copy attached) for the tenant, Apex Personal Training, to the Meadows Waste Treatment Plant ("WWTP").

Meadows at Cross River Sewage Works Corporation would like the WCHD to be aware that paragraphs 6 and 8 of the September 15, 1989 Amendment clearly limit El Kam's discharge to " a maximum of 26,000 gallons per day to the WWTP, 27,000 on an intermittent basis."

Meadows is working closely with the Operator of the Meadows WWTP to ensure that the proposed additional effluent will not cause El Kam (Shopping Center owner) to exceed its discharge limit and/or adversely affect the operation of the WWTP, however, will notify WCHD should the usage begin to approach this limit.

Please let me know if you have any questions at this time.

Regards,

A handwritten signature in black ink, appearing to read "Andrea Scalzo".

Andrea Scalzo
Managing Agent, Meadows at Cross River Sewage Works Corporation

Cc:

Adam Brodsky, EK Cross River LLC, c/o Adam Brodsky, 3 West 57th Street, 7th Floor, New York, NY 10017 (via email)
The Helmes Group LLP (via email)
Board of Managers, Meadows at Cross River Sewage Works Corporation

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CAN.0000841

SCALZO

PROPERTY MANAGEMENT



December 10, 2020

EK Cross River LLC
c/o Adam Brodsky
3 West 57th Street
7th Floor
New York, NY 10017

Re: Request for additional discharge from proposed Apex Personal Training LLC Expansion at Cross River Shopping Center Town of Lewisboro, New York to Meadows Waste Treatment Plant (WWTP)

Dear Mr Brodsky,

As you know, I am sending the letter to the Westchester County Health Department on behalf of Meadows at Cross River Sewage Works Corporation approving your recent request to increase your estimated flow discharge by 898 gallons per day to 1896 (average 26,940 gallons per month to 56880 per month) with the understanding there are no additional fixtures being added as proposed by the Architecture/Engineering firm of The Helmes Group, LLP for the tenant, Apex Personal Training LLC, to the Meadows Waste Treatment Plant ("WWTP").

Meadows at Cross River Sewage Works Corporation would like to once again reiterate that per the two parties agreement, specifically, paragraphs 6 and 8 of the September 15, 1989 Amendment, El Kam's discharge is clearly limited to " a maximum of 26,000 gallons per day to the WWTP, 27,000 on an intermittent basis."

As you know, Meadows is tracking the flows on a monthly basis and Meadows appreciates your operator remitting to our operator (Allied) at the end of each month the Centers water usage figures in order to facilitate the tracking and ensure that the effluent being discharged will not cause El Kam to exceed its discharge limit and/or adversely affect the operation of the WWTP.

We appreciate your cooperation in this matter.

Please let me know if you have any questions at this time.

Regards,

Andrea Scalzo
Managing Agent, Meadows at Cross River Sewage Works Corporation

Cc: Board of Managers, Meadows at Cross River Sewage Works Corporation

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CAS1000008-11

EXPANSION FOR: APEX FITNESS

CROSS RIVER SHOPPING CENTER - LOWER LEVEL CROSS RIVER, NY 10518

PREVIOUSLY APPROVED PARKING REQUIREMENTS:
TAKEN FROM: DWG A-01- AMENDED SITE PLAN APPROVAL PLAN
PREPARED BY: DESIGN DEVELOPMENT, PLLC - RONALD A. HOINA, ARCHITECT
DATED: FEBRUARY 14, 2012

SQUARE FOOTAGE/ PARKING				
SPACE IDEN	TENANT	USE	SQUARE FEET	P.S. REQUIRED*
A-1	CHASE BANK	BANK	4,000	27
B-1	CROSS RIVER PHARMACY	RETAIL	4,900	25
B-2	CROSS RIVER EYE	RETAIL	900	5
B-3	CROSS RIVER CLEANERS	RETAIL	1,400	7
B-4	VISION SALON	BEAUTY SALON	1,160	12
B-5	VILLARINAS	RESTAURANT	1,000	10
B-6	CROSS RIVER WINE/LIQUOR	RETAIL	1,400	7
B-7	CROSS RIVER POST OFFICE	RETAIL	1,050	6
B-8	LEWISBORO HARDWARE	RETAIL	1,150	6
C-1	SALEM NAIL	BEAUTY SALON	1,700	17
C-2	LA FAMILIA PIZZERIA	RESTAURANT	1,280	13
C-3	CROSS RIVER FLORIST	RETAIL	1,170	6
C-4	BAGEL	RESTAURANT	1,200	12
D-1	HOIKU	RESTAURANT	4,400	44
DLL-1	VACANT	N/A	1,630	-
DLL-2	VACANT	STORAGE	720	-
DLL-3	VACANT	N/A	1,080	-
DLL-4	VACANT	METER ROOM	70	-
E-1	D'AGOSTINOS	GROCERY	20,473	164
ELL-1	TENANT 3	RESTAURANT	1,000	10
ELL-2	TENANT 2	RETAIL	5,918	30
ELL-3	TENANT 1	OFFICE	6,347	26
ELL-4	D'AGOSTINOS	STORAGE	5,420	-
ELL-5	COMMON AREA	-	735	-
TOTAL			70,103	427

*AS PER CURRENT LEWISBORO ZONING ORDINANCE

- NOTES:
- PARKING ORIGINALLY DESIGNED AND APPROVE WITH ZONING REGULATION IN EFFECT AT THAT TIME.
 - CURRENT ZONING REQUIRES PARKING SPACES TO BE 9'-0" X 18'-0" MIN. ACTUAL SPACES ARE 8'-6" X 18'-0" WHICH WAS IN ACCORDANCE WITH ZONING REGULATION IN EFFECT AT THE TIME OF APPROVALS.

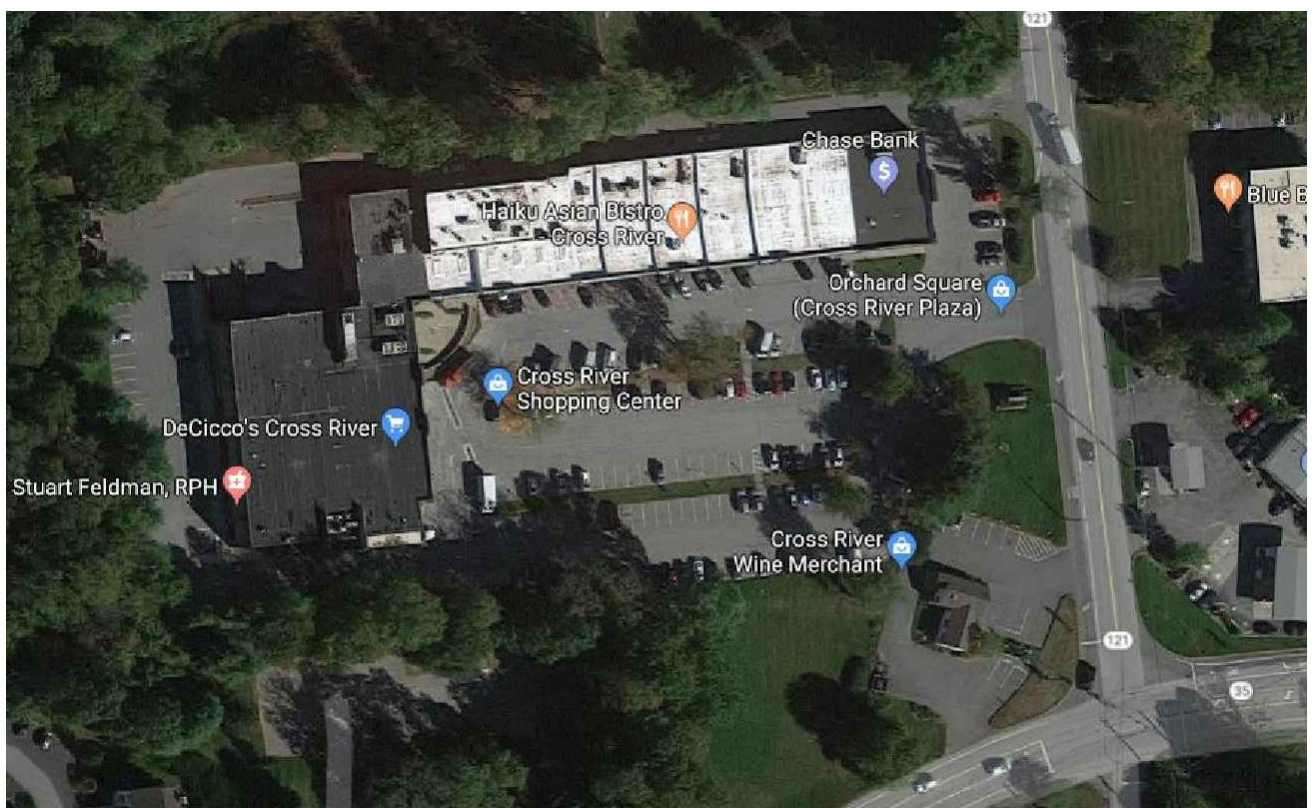
TOTAL PARKING SPACES AS OF LAST SPA	254 P.S. INCLUDING 10 ACCESSIBLE SPACES
TOTAL PARKING ADJUSTED FOR NEW LAYOUT*	238 P.S. INCLUDING 11 ACCESSIBLE SPACES
*REFER TO A-02 FOR CALCULATIONS	

PROPOSED SQUARE FOOTAGE / PARKING ANALYSIS			
USE	P.S. REQUIRED	EXISTING SQUARE FOOTAGE	REQUIRED PARKING SPACES
TENANT A : STORAGE DECICCO'S CROSS RIVER	N/A	N/A	0
TENANT B: OFFICE FOR BUSINESS OR PROFESSIONAL USE: (FORMER TOWN OFFICES)	1/250	1,895/250	8
TENANT B: RECREATION APEX EXPANSION (FORMER TOWN OFFICES)	1/200	4,452/200	23
TENANT C: OFFICE FOR BUSINESS OR PROFESSIONAL USE: FORMER POLICE STATION	1/250	1,400/250	6
TENANT D: RETAIL OR SERVICE BUSINESS - KEMPO ACADEMY	1/200	1,400/200	7
TENANT E: RECREATION FACILITY - APEX FITNESS	1/200	3,920/200 + (1) FOR EACH EMPLOYEE: (3) EMPLOYEES	23
EXISTING REQUIRED			67
EXISTING PROVIDED			-56
DEFICIENCY			11



TAX MAP

AS TAKEN FROM: WESTCHESTER G.I.S.



SATELLITE PHOTOGRAPH

AS TAKEN FROM: GOOGLE MAPS

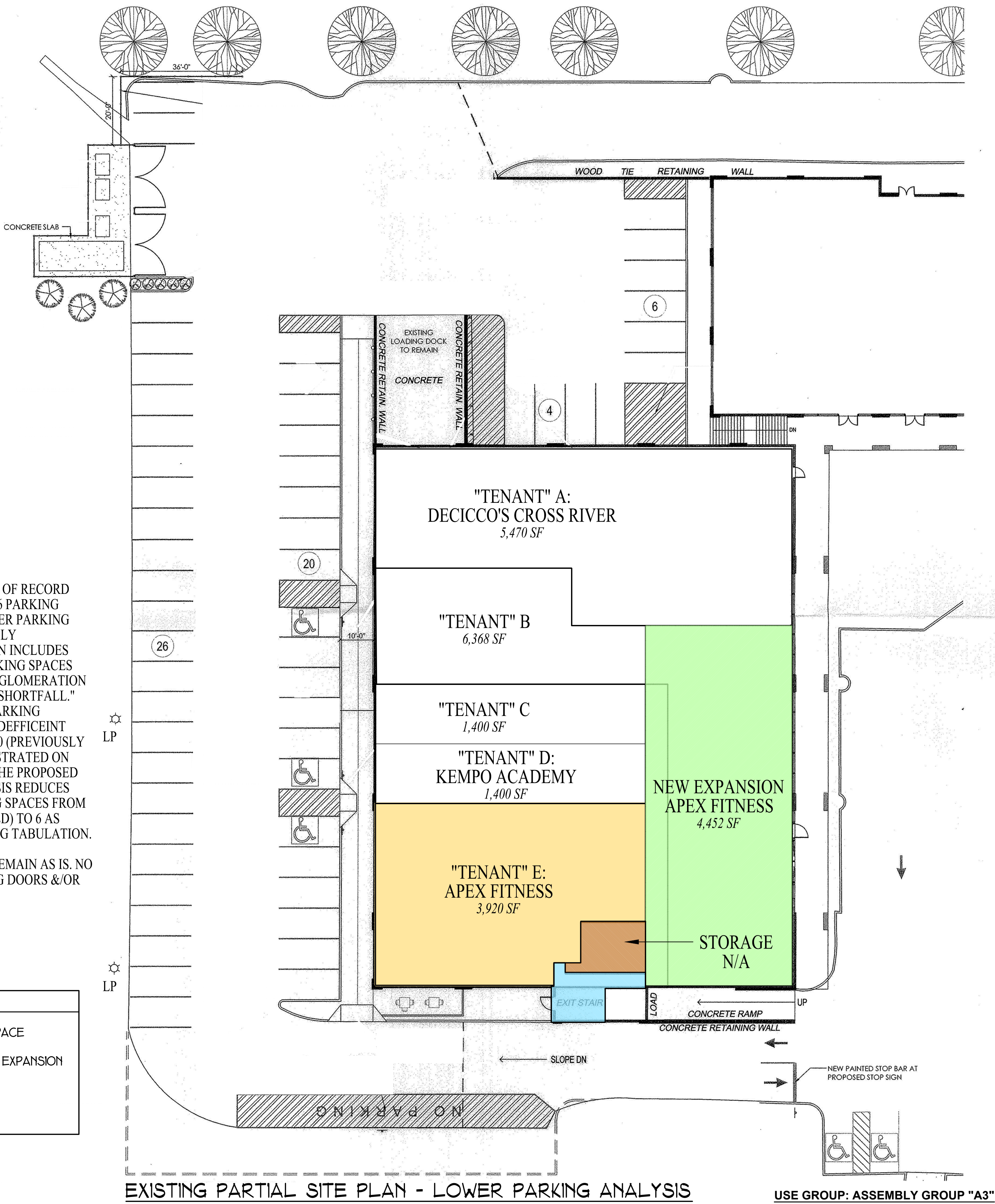


REFERENCE PHOTOGRAPH (FRONT ENTRANCE)

- NOTES:
- "THE EXISTING SITE PLAN OF RECORD IDENTIFIES A TOTAL OF 56 PARKING STALLS WITHIN THE LOWER PARKING AREA AND THE PREVIOUSLY REFERENCED RESOLUTION INCLUDES THE JOINT USE OF 10 PARKING SPACES BECAUSE THE PRIOR CONGLOMERATION RESULTED IN A 10 SPACE SHORTFALL." THE PROPOSED LOWER PARKING ANALYSIS REDUCES THE DEFICIENT PARKING SPACES FROM 10 (PREVIOUSLY APPROVED) TO 5 AS ILLUSTRATED ON PARKING TABULATION. THE PROPOSED LOWER PARKING ANALYSIS REDUCES THE DEFICIENT PARKING SPACES FROM 10 (PREVIOUSLY APPROVED) TO 6 AS ILLUSTRATED ON PARKING TABULATION.
 - THE STOREFRONT IS TO REMAIN AS IS. NO ALTERATION TO EXISTING DOORS &/OR WINDOWS IS PROPOSED.

LEGEND

- EXISTING TENANT SPACE
- PROPOSED TENANT EXPANSION
- EGRESS CORRIDOR
- STORAGE




EXISTING PARTIAL SITE PLAN - LOWER PARKING ANALYSIS

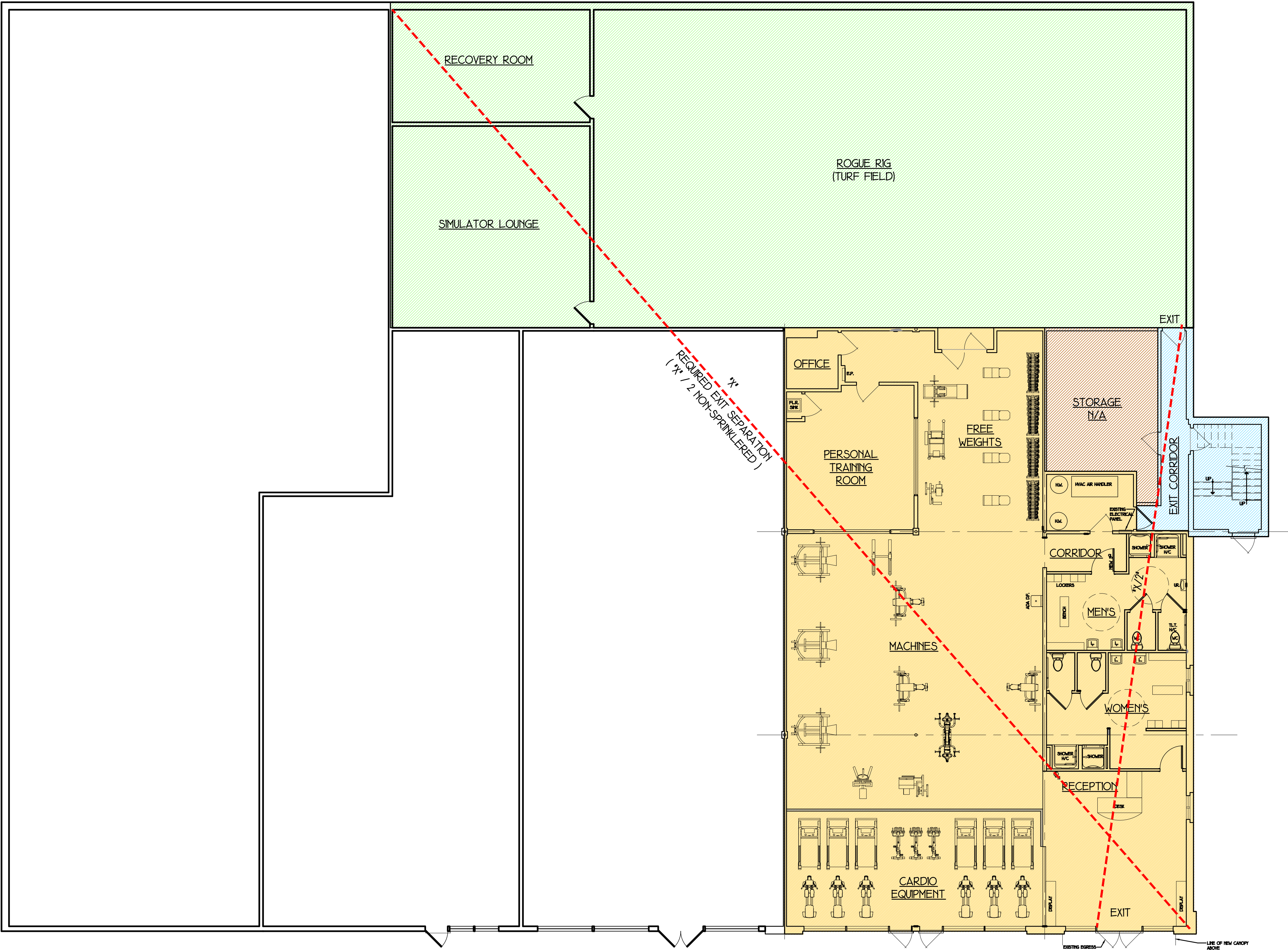
SCALE: 1" = 20'-0"

USE GROUP: ASSEMBLY GROUP "A3"



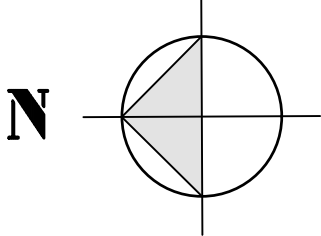
EXTERIOR REFERENCE PHOTOGRAPHS

ISSUE DATES:	<div>EXPANSION FOR: APEX PERSONAL TRAINING, LLC CROSS RIVER SHOPPING CENTER - LOWER LEVEL CROSS RIVER, NY 10518</div>		
	<div>SITE PLAN, TAX MAP, PARKING CALCULATIONS AND REFERENCE PHOTOGRAPHS SCALE: AS NOTED</div>	DRAWN BY:	GNA
		CHECKED BY:	SCH
		DRAWING NO.:	
		<div><div></div><div><div>THE HELMES GROUP, LLP</div><div>ARCHITECTURE • ENGINEERING PROJECT MANAGEMENT</div><div>184 KATONAH AVENUE, KATONAH, NY 10536</div><div>TEL: (914) 232-4633 FAX: (914) 232-0768</div><div>EMAIL: thg@thelmesgroup.com</div></div></div>	
1/14/20 FOR PLANNING BOARD		<div>1 OF 2</div>	



LOWER LEVEL PLAN
SCALE: 1/8" = 1'-0"

LEGEND	
	EXISTING TENANT SPACE
	PROPOSED TENANT EXPANSION
	EGRESS CORRIDOR
	STORAGE



INTERIOR REFERENCE PHOTOGRAPHS

EXISTING WATER USAGE CALCULATION				
SPACE / USE	OCCUPANCY		REQUIRED	USAGE
B2 / BUSINESS	1 PER 100 SF	1400 / 100 = 14 PEOPLE	15 GAL / PERSON	210
C1 / BUSINESS	1 PER 100 SF	1400 / 100 = 14 PEOPLE	15 GAL / PERSON	210
C2 / FAST FOOD	1 PER SEAT	10 SEATS = 10 PEOPLE	25 GAL / PERSON	250
670 GALLONS/DAY				

PROPOSED WATER USAGE CALCULATION				
SPACE / USE	OCCUPANCY		REQUIRED	USAGE
APEX GYM: B2/C1/C2	1 PER 50 SF	3920 / 50 = 78.4 PEOPLE	20 GAL / PERSON	1,568
1,568 GALLONS/DAY				

NOTE: AS A RESULT OF THE "CHANGE OF USE" THE WATER USAGE WILL INCREASE FROM 670 GALLONS/DAY TO 1,568 GALLONS / DAY (PER 2018 APPLICATION)

NOTE: REFER TO ATTACHED LETTER FROM SCALZO PROPERTY MANAGEMENT DATED DECEMBER 10, 2020 REGARDING WATER USAGE INCREASE.

SCALZO
PROPERTY MANAGEMENT

RECEIVED
DEC 11 2020
THE HELMES GROUP

December 10, 2020

Westchester County Health Department
145 Huguenot Street
New Rochelle, New York 10801

Re: Request for additional discharge from proposed Apex Personal Training LLC Expansion at Cross River Shopping Center Town of Lewisboro, New York to Meadows Waste Treatment Plant (WWTP)

Dear Westchester County Health Department:

On behalf of Meadows at Cross River Sewage Works Corporation, I am writing to approve the request to increase by an estimated flow of 898 gallons per day to 1896 (average 26,940 gallons per month to 56880 per month) with the understanding there are no additional fixtures being added as proposed by the Architecture/ Engineering firm of The Holmes Group, LLP (copy attached) for the tenant, Apex Personal Training, to the Meadows Waste Treatment Plant ("WWTP").

Meadows at Cross River Sewage Works Corporation would like the WCHD to be aware that paragraphs 6 and 8 of the September 15, 1989 Amendment clearly limit El Kam's discharge to " a maximum of 26,000 gallons per day to the WWTP, 27,000 on an intermittent basis."

Meadows is working closely with the Operator of the Meadows WWTP to ensure that the proposed additional effluent will not cause El Kam (Shopping Center owner) to exceed its discharge limit and/or adversely affect the operation of the WWTP, however, will notify WCHD should the usage begin to approach this limit.

Please let me know if you have any questions at this time.


Regards,

Andrea Scalzo
Managing Agent, Meadows at Cross River Sewage Works Corporation

Cc:
Adam Brodsky, EK Cross River LLC, c/o Adam Brodsky, 3 West 57th Street, 7th Floor, New York, NY 10017 (via email)
The Helmes Group LLP (via email)
Board of Managers, Meadows at Cross River Sewage Works Corporation

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ISSUE DATES:		EXPANSION FOR: APEX PERSONAL TRAINING, LLC CROSS RIVER SHOPPING CENTER - LOWER LEVEL CROSS RIVER, NY 10518	
		<u>FLOOR PLANS & WATER USAGE CHART</u> SCALE: AS NOTED	DRAWN BY: GNA CHECKED BY: SCH
		 THE HELMES GROUP, LLP ARCHITECTURE • ENGINEERING PROJECT MANAGEMENT 184 KATONAH AVENUE, KATONAH, NY 10536 TEL: (914) 232-4633 FAX: (914) 232-0768 EMAIL: thg@thehelmesgroup.com	DRAWING NO.:
12/14/20 FOR PLANNING BOARD			2 OF 2