In the Matter of the Application of:

90 Fairview Realty LLC

For amendments to Section 285-34 of the Zoning Code of the Town of Greenburgh generally affecting the PD Nonresidential Planned Development District of the Town, and potentially affecting real property known as 90 Fairview Park Drive, Elmsford, also designated on the Tax Assessment Map of the Town of Greenburgh as Parcel Identification No. 7.110-15-6.2.

90 Fairview Realty LLC (the “Petitioner”), by its attorneys, DelBello Donnellan Weingarten Wise & Wiederkehr, LLP, hereby petitions the Town Board of the Town of Greenburgh (the “Town Board”) pursuant to Section 285-64 of the Zoning Code of the Town of Greenburgh (the “Zoning Code”), as follows:

The Petitioner

1. Petitioner is a New York limited liability company duly organized and existing under the laws of the State of New York, having a principal place of business at 1250 Waters Place, PH1, Bronx, New York. The Petitioner is a related company of Simone Development Companies (“Simone”). Simone is a privately owned, full service real estate investment and development company specializing in the acquisition and development of commercial, healthcare, industrial, retail and residential properties in the tri-state area, including multi-building office parks, medical office buildings, industrial/flex space, and retail centers. The company’s extensive portfolio of more than one hundred commercial properties exceeds five million square feet of development space.
THE PROPERTY

2. Petitioner recently acquired the property located at 90 Fairview Park Drive, Elmsford, in the Town of Greenburgh, and known and designated on the tax assessment map of the Town as Property Identification No. 7.100-15-6.2 (the “Property”). The Property consists of approximately 2.04 acres. It is located in the PD Nonresidential Planned Development District of the Town (the “PD District”) and is part of the multi-building commercial center known as “Fairview Corporate Park.” Fairview Corporate Park is one of several PD District developments within the Town. The PD District was established to permit flexibility in the design and development of office, warehousing and industrial park developments, and to promote the economic and efficient use of land by permitting commercial uses within industrial park developments. According to the Town’s 2016 Comprehensive Plan, all property within the PD District has been developed.

3. The Property is currently improved with a commercial building containing approximately 34,665 square feet of floor area together with approximately forty (40) on-grade parking spaces and related infrastructure. The Property was formerly owned by J & D Jeraci LLC, and the building was formerly occupied by Jeraci Foods.

THE PROPOSED PROJECT

4. Tesla, Inc. ("Tesla") is an innovative manufacturer of luxury electric vehicles founded in 2003 by Elon Musk and a group of engineers who set out to prove that electric cars could be better in all respects than gasoline powered cars. Tesla’s three current models of electric vehicles are in a class of their own in terms of technology and performance. Tesla’s customer base in Westchester County continues to grow, and the company needs additional sales and service facilities to meet increasing demand, and to serve new and future owners.
5. Petitioner proposes to renovate the existing building at the Property for use and occupancy by Tesla and its affiliates as a “Service Plus Center” for vehicle sales and service. The renovated building will include an approximately 3,000 square foot indoor vehicle display area, service bays for approximately fourteen (14) vehicles, indoor automobile storage for approximately sixteen (16) vehicles, and associated parts, office and customer lounge areas.

6. The proposed modifications to the building are not extensive. In addition to the interior renovations, the building façade will be renovated, two (2) overhead doors will be installed, and certain minor modifications will be made to comply with current requirements of the Americans with Disabilities Act. A total of thirty-four (34) parking spaces are proposed on the Property. A conceptual site plan for the Property is attached hereto as Exhibit “A”.

7. Unlike traditional automobile sales and service centers which generate fluid wastes, the Service Plus Center will service only Tesla electric vehicles, and will therefore not generate traditional automobile service center waste products.

THE PROPOSED AMENDMENTS

8. Motor vehicle sales facilities are not currently permitted in the PD District. To permit the proposed facility to be established at the Property, the Petitioner respectfully requests that the Town amend the regulations of the PD District to add “motor vehicle sale uses and motor vehicle sales lots” as a new “Principal use.”

9. The proposed regulations for “motor vehicle sales and service uses and motor vehicle sales lots” would permit the facilities in the PD District on lots greater than 40,000 square feet in area, and are set forth in Exhibit “B” attached hereto. The proposed regulations
are similar to the existing regulations for the same use in the CA Central Avenue Mixed-Use Impact District of the Town.

10. The Petitioner respectfully submits that the proposed facility is an appropriate use of the Property, and in the PD District of the Town. Furthermore, the Project and the proposed amendments to the Zoning Code are consistent with, and will advance the objectives and policies of the Town’s 2016 Comprehensive Plan, which include, among other things: a) fostering new economic development that preserves the Town’s natural assets and does not conflict with established residential neighborhoods (See 2016 Comprehensive Plan p.11-3; b) updating zoning districts and/or zoning criteria to appropriately plan for a range of uses (See 2016 Comprehensive Plan p.12-63); and c) facilitating initiatives to promote alternative vehicle technology. Adopting zoning text modifications permitting motor vehicle sales and service uses within the PD District will help the Town preserve its commercial tax base, as many of the more traditional uses such as office space have become less prevalent in a changing real estate market. Further, the proposed amendments will permit the adaptive reuse of a currently vacant and underutilized space in the Town. The proposed “magnet” use will serve to induce other beneficial uses, and will provide employment opportunities consistent with the goals of the 2016 Comprehensive Plan.

11. If the Town Board grants this Petition and adopts the proposed amendments, the project will require site plan approval from the Planning Board of the Town.

12. In addition, if the Town Board grants this Petition, and Tesla is able to establish its Service Plus Center at the Property, Tesla will also locate its Westchester County Customer Education and Vehicle Delivery Hub at the property located at 250 Tarrytown Road, which would be used as an orientation, learning and training center for new Tesla vehicle owners.
COMPLIANCE WITH THE STATE ENVIRONMENTAL QUALITY REVIEW ACT

13. Under the requirements of the State Environmental Quality Review Act ("SEQRA"), the actions directly and indirectly proposed by the Petition are classified as "Type I."

14. Accordingly, the Petitioner will comply with the requirements of SEQRA as regards a Type I action. A completed full environmental assessment form is attached hereto as Exhibit "C."

WHEREFORE, the Petitioner respectfully requests that the Town Board grant this Petition and amend the Zoning Code as set forth herein.

Dated: July 21, 2017
White Plains, New York

Respectfully submitted,

DELBELLO DONNELLAN WEINGARTEN
WISE & WIEDERKEHR, LLP
Attorneys for Petitioner
One North Lexington Avenue, 11th floor
White Plains, New York 10601
VERIFICATION

State of New York  )
County of Bronx    )ss:

Patricia Simone, an authorized signatory of 90 Fairview Realty LLC, being duly sworn states: I have read the annexed Petition, know the contents thereof, and the same are true to my knowledge, except those matters therein which are stated to be alleged on information and belief and as to those matters I believe them to be true.

[Signature]

Patricia Simone

Sworn to before me this 22nd day of July, 2017

[Signature]

Dina Tolia Gupta
Notary Public, State of New York
Notary Public, State of New York
No. 02GU6330707
Qualified in New York County
Commission Expires 09/21/2019
Exhibit B

1. Section 285-34 B.(2)(a) is hereby amended to add a new subsection as follows:

   [19] Motor vehicle sales uses and motor vehicle sales lots, subject to the following:

   [a] Minimum lot size shall be 40,000 square feet.

   [b] Maximum height shall be 2½ stories, not to exceed 30 feet.

   [c] Maximum floor area ratio shall be 0.40

   [d] Parking requirement: one parking space per 200 square feet of indoor retail sales area of the motor vehicle sales use, plus one parking space per service bay.

   [e] A motor vehicle sales use or motor vehicle sales lot shall be located no closer than 250 feet from an adjacent residential use and shall be suitably screened from adjoining residential districts with landscaping, including but not limited to planted evergreen buffers of appropriate height, type, spacing and arrangement, shrubs, bushes or fencing approved by the Planning Board.

   [f] All repair work must be done within a totally enclosed building.

   [g] The outdoor storage of motor vehicles is limited to vehicles to be serviced, new motor vehicles for sale on the premises and used motor vehicles acquired as trade- ins or purchases in connection with the sale of new motor vehicles.

   [h] The accessory motor vehicle repair shop and motor vehicle storage shall continue so long as the sale of new motor vehicles continues and both are conducted under the same ownership as one enterprise.

   [i] Off-site storage of motor vehicles may be allowed if such use is permitted in the off-site underlying zoning district and shall be subject to the applicable approval process.

   [j] Any application for site plan approval for a motor vehicle sales and service use or motor vehicle sale lot must include an offloading/loading plan detailing how inventory will be delivered to and picked up from the lot in a manner that will be in conformity with the New York State Vehicle and Traffic Law and will not obstruct traffic on adjacent streets or sidewalks.

   [k] In the event of any inconsistencies between the standards contained in this Section 285-34(B)(2)(a)(19) and any other provisions of this chapter, the provisions of this Section 285-34(B)(2)(a)(19) shall control and shall supersede such inconsistent provisions.
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, 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 project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Sponsor Information.

<table>
<thead>
<tr>
<th>Name of Action or Project:</th>
<th>Tesla Sales &amp; Service Center</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Location (describe, and attach a general location map):</td>
<td>90 Fairview Park Drive, Greenburgh NY 10523</td>
</tr>
<tr>
<td>Brief Description of Proposed Action (include purpose or need):</td>
<td>Application for a Zoning Text Amendment to permit the establishment of a motor vehicle sales and service facility in the existing building on the property to be operated by Tesla, Inc. as an electric vehicle “Service Plus” center for Tesla vehicles. The ±34,865 square foot building which is intended to remain will have its interior refitted to accommodate the proposed change of use. The existing site conditions will remain unchanged except for the removal of 7 parking spaces to accommodate entry to the building at two proposed overhead doors and ADA improvements, resulting in 34 parking spaces to remain.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name of Applicant/Sponsor:</th>
<th>Telephone: (718) 215-3000</th>
</tr>
</thead>
<tbody>
<tr>
<td>90 Fairview Realty LLC</td>
<td>E-Mail:</td>
</tr>
<tr>
<td>Address:</td>
<td>1250 Waters Place, PH</td>
</tr>
<tr>
<td>City/PO:</td>
<td>Bronx</td>
</tr>
<tr>
<td>State:</td>
<td>NY</td>
</tr>
<tr>
<td>Zip Code:</td>
<td>10461</td>
</tr>
</tbody>
</table>

| Project Contact (if not same as sponsor; give name and title/role): | Telephone: (718) 215-3000 |
| Mr. James MacDonald | E-Mail: |
| Address: | 1250 Waters Place, PH |
| City/PO: | Bronx |
| State: | NY |
| Zip Code: | 10461 |

| Property Owner (if not same as sponsor): | Telephone: |
| Same as above. | 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.)

<table>
<thead>
<tr>
<th>Government Entity</th>
<th>If Yes: Identify Agency and Approval(s) Required</th>
<th>Application Date (Actual or projected)</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. City Council, Town Board, or Village Board of Trustees</td>
<td>Yes ☑ No</td>
<td>Zoning Text Amendment</td>
</tr>
<tr>
<td>b. City, Town or Village Planning Board or Commission</td>
<td>Yes ☑ No</td>
<td>Recommendation from Planning Board Site Plan Approval</td>
</tr>
<tr>
<td>c. City Council, Town or Village Zoning Board of Appeals</td>
<td>Yes ☑ No</td>
<td></td>
</tr>
<tr>
<td>d. Other local agencies Building Department</td>
<td>Yes ☑ No</td>
<td>Building Permit</td>
</tr>
<tr>
<td>e. County agencies County Planning Board</td>
<td>Yes ☑ No</td>
<td>General Municipal Law Referral</td>
</tr>
<tr>
<td>f. Regional agencies</td>
<td>Yes ☑ No</td>
<td></td>
</tr>
<tr>
<td>g. State agencies</td>
<td>Yes ☑ No</td>
<td></td>
</tr>
<tr>
<td>h. Federal agencies</td>
<td>Yes ☑ No</td>
<td></td>
</tr>
<tr>
<td>i. Coastal Resources.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?</td>
<td>Yes ☑ No</td>
<td></td>
</tr>
<tr>
<td>ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?</td>
<td>Yes ☑ No</td>
<td></td>
</tr>
<tr>
<td>iii. Is the project site within a Coastal Erosion Hazard Area?</td>
<td>Yes ☑ No</td>
<td></td>
</tr>
</tbody>
</table>

C. Planning and Zoning

C.1. Planning and zoning actions.

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

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

C.2. Adopted land use plans.

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

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

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

C. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? Yes ☑ No
If Yes, identify the plan(s):

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________
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?
   PD "Nonresidential Planned Development" District

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
   i. What is the proposed new zoning for the site? Zoning Text Amendment to permit the proposed use in the PD District.

C.4. Existing community services.

a. In what school district is the project site located? Pocantico Hills Union Free School District

b. What police or other public protection forces serve the project site? Town of Greenburgh Police Department

c. Which fire protection and emergency medical services serve the project site? Elmsford Fire Department and EMS

d. What parks serve the project site? Massaro Park; Pocantico Park

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)?
   Commercial

b. a. Total acreage of the site of the proposed action? ±2.04 acres
   b. Total acreage to be physically disturbed? ±0.06 acres
   c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? ±2.04 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)

   ii. Is a cluster/conservation layout proposed? □ Yes ☑ No
   iii. Number of lots proposed? _______
   iv. Minimum and maximum proposed lot sizes? Minimum _______ Maximum _______

e. Will proposed action be constructed in multiple phases? □ Yes ☑ No
   i. If No, anticipated period of construction: 6-8 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:

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f. Does the project include new residential uses? □ Yes □ No
   If Yes, show numbers of units proposed.
<table>
<thead>
<tr>
<th>One Family</th>
<th>Two Family</th>
<th>Three Family</th>
<th>Multiple Family (four or more)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Phase</td>
<td>At completion of all phases</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

   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: ________ height; ________ length

   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):

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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):

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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:

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iii. Will proposed action cause or result in disturbance to bottom sediments? □ Yes □ No
If Yes, describe:

iv. Will proposed action cause or result in the destruction or removal of aquatic vegetation? □ Yes □ No
If Yes:
- acres of aquatic vegetation proposed to be removed:
- expected acreage of aquatic vegetation remaining after project completion:
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access):
- proposed method of plant removal:
- if chemical/herbicide treatment will be used, specify product(s):

v. Describe any proposed reclamation/mitigation following disturbance:

---

c. Will the proposed action use, or create a new demand for water? □ Yes □ No
If Yes:

i. Total anticipated water usage/demand per day: ±300 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: Consolidated Water District No. 1
- 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: N/A

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

d. Will the proposed action generate liquid wastes? □ Yes □ No
If Yes:

i. Total anticipated liquid waste generation per day: ±300 gallons/day

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

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iii. Will the proposed action use any existing public wastewater treatment facilities? □ Yes □ No
If Yes:
- Name of wastewater treatment plant to be used: Yonkers Joint WWTP
- Name of district: Saw Mill Sewer District
- Does the existing wastewater treatment plant have capacity to serve the project? □ Yes □ No
- Is the project site in the existing district? □ Yes □ No
- Is expansion of the district needed? □ Yes □ No
- Do existing sewer lines serve the project site? □ Yes □ No
- Will 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:

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):
  N/A

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: None

<table>
<thead>
<tr>
<th>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</th>
</tr>
</thead>
</table>
| 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: |

  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)? |

  - If to surface waters, identify receiving water bodies or wetlands: |

  - Will stormwater runoff flow to adjacent properties? □ Yes □ No

<table>
<thead>
<tr>
<th>f. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? □ Yes □ No</th>
</tr>
</thead>
</table>
| 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) |

<table>
<thead>
<tr>
<th>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</th>
</tr>
</thead>
<tbody>
<tr>
<td>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</td>
</tr>
</tbody>
</table>

ii. In addition to emissions as calculated in the application, the project will generate:
  - Tons/year (short tons) of Carbon Dioxide (CO2)
  - Tons/year (short tons) of Nitrous Oxide (N2O)
  - Tons/year (short tons) of Perfluorocarbons (PFCs)
  - Tons/year (short tons) of Sulfur Hexafluoride (SF6)
  - Tons/year (short tons) of Carbon Dioxide equivalent of Hydrofluorocarbons (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):

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):

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? □ Yes □ No
   If Yes:
   i. When is the peak traffic expected (Check all that apply): □ Morning □ Evening □ Weekend
      □ Randomly between hours of _________ to _________
   ii. For commercial activities only, projected number of semi-trailer truck trips/day:
   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 ¼ 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: TBD
   ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
      Local utility
   iii. Will the proposed action require a new, or an upgrade to, an existing substation? □ Yes □ No

l. Hours of operation. Answer all items which apply.
   i. During Construction:
      - Monday - Friday: _______ 7am - 8pm
      - Saturday: _______ 9am - 6pm
      - Sunday: ______________________
      - Holidays: ______________________
   ii. During Operations:
      - Monday - Friday: _______ 8am - 8pm
      - Saturday: _______ 8am - 5pm
      - Sunday: ______________________
      - Holidays: ______________________
m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both?  
   Yes □ No □

If yes:
   i. Provide details including sources, time of day and duration:
   Minor change to parking lot configuration during permitted construction hours.

   ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen?  
       Yes □ No □
       Describe:

   n. Will the proposed action have outdoor lighting?  
      Yes □ No □

      If yes:
      i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
         Existing lighting to remain.

      ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen?  
          Yes □ No □
          Describe:

   o. Does the proposed action have the potential to produce odors for more than one hour per day?  
      Yes □ No □

      If yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:

   p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage?  
      Yes □ No □

      If yes:
      i. Product(s) to be stored

      ii. Volume(s) ______ per unit time __________ (e.g., month, year)

      iii. Generally describe proposed storage facilities:

   q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation?  
      Yes □ No □

      If yes:
      i. Describe proposed treatment(s):

      ii. Will the proposed action use Integrated Pest Management Practices?  
          Yes □ No □

   r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)?  
      Yes □ No □

      If yes:
      i. Describe any solid waste(s) to be generated during construction or operation of the facility:
         - Construction: __________________ tons per _______ (unit of time)
         - Operation: __________________ tons per _______ month (unit of time)

      ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
         - Construction:

         - Operation: Recycling

      iii. Proposed disposal methods/facilities for solid waste generated on-site:
         - Construction:

         - Operation: Private carter to licensed disposal site.
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

i. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? □ Yes □ No
If Yes:
   i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility:

   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): Recreation
   
   ii. If mix of uses, generally describe:

b. Land uses and covertypes on the project site.

<table>
<thead>
<tr>
<th>Land use or Covertype</th>
<th>Current Acreage</th>
<th>Acreage After Project Completion</th>
<th>Change (Acres +/-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roads, buildings, and other paved or impervious surfaces</td>
<td>1.76</td>
<td>1.76</td>
<td>0</td>
</tr>
<tr>
<td>Forested</td>
<td>0.02</td>
<td>0.02</td>
<td>0</td>
</tr>
<tr>
<td>Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Agricultural (includes active orchards, field, greenhouse etc.)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Surface water features (lakes, ponds, streams, rivers, etc.)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Wetlands (freshwater or tidal)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Non-vegetated (bare rock, earth or fill)</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Describe: Landscaping</td>
<td>0.26</td>
<td>0.26</td>
<td>0</td>
</tr>
</tbody>
</table>
c. Is the project site presently used by members of the community for public recreation? 
☐ Yes ☐ No

i. If Yes: explain: 

The project site is currently used by the community for public recreation purposes. 

---

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

If Yes, 

i. Identify Facilities: 

---

e. Does the project site contain an existing dam? 
☐ Yes ☐ No

If Yes: 

i. Dimensions of the dam and impoundment: 

- Dam height: __________ feet
- Dam length: __________ feet
- Surface area: __________ acres
- Volume impounded: __________ gallons OR acre-feet

ii. Dam's existing hazard classification: 

---

iii. Provide date and summarize results of last inspection: 

---

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? 
☐ Yes ☐ No

If Yes: 

i. Has the facility been formally closed? 
"Yes ☐ No

- If yes, cite sources/documentation: 

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: 

---

iii. Describe any development constraints due to the prior solid waste activities: 

---

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? 
☐ Yes ☐ No

If Yes: 

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: 

---

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? 
☐ Yes ☐ No

If Yes: 

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: 
☐ Yes – 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): V00261, V00262

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): 

---

Environmental remediation has been completed to the satisfaction of the NYSDEC.
v. Is the project site subject to an institutional control limiting property uses?  
   - 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

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site?  
   - 6.5+ feet

b. Are there bedrock outcroppings on the project site?  
   - Yes  
   - No

   If Yes, what proportion of the site is comprised of bedrock outcroppings?  
   - %

c. Predominant soil type(s) present on project site:
   - Uf Urban land: 72 %
   - CaD Chatfield - Chilton complex: 20 %
   - GhB Chilton - fine sandy loam: 8 %

d. What is the average depth to the water table on the project site? Average:  
   - 6.5+ feet

e. Drainage status of project site soils:
   - Well Drained: 100 % of site
   - Moderately Well Drained: % of site
   - Poorly Drained: % of site

f. Approximate proportion of proposed action site with slopes:
   - 0-10%: 77 % of site
   - 10-15%: 4 % of site
   - 15% or greater: 19 % 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

   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: Principal Aquifer
m. Identify the predominant wildlife species that occupy or use the project site:

| Typical suburban species | | |
|--------------------------|------------------|

n. Does the project site contain a designated significant natural community?  □ Yes □ No

If Yes:

i. Describe the habitat/community (composition, function, and basis for designation):

ii. Source(s) of description or evaluation:

iii. Extent of community/habitat:
   - Currently: _________ acres
   - Following completion of project as proposed: _________ acres
   - Gain or loss (indicate + or -): _________ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species?  □ Yes □ No

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?  □ Yes □ No

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing?  □ Yes □ No

If yes, give a brief description of how the proposed action may affect that use:

---

E.3. Designated Public Resources On or Near Project Site

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?  □ Yes □ No

If Yes, provide county plus district name/number:

b. Are agricultural lands consisting of highly productive soils present?
   □ Yes □ No

   i. If Yes: acreage(s) on project site?
   ii. Source(s) of soil rating(s):

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark?  □ Yes □ No

   i. Nature of the natural landmark: □ Biological Community □ Geological Feature
   ii. Provide brief description of landmark, including values behind designation and approximate size/extent:

---

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area?  □ Yes □ No

If Yes:

   i. CEA name: Floodplains
   ii. Basis for designation: Protect water & natural area
   iii. Designating agency and date: Agency:Greenburgh, Town of, Date:1-30-79
e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places? □ Yes □ No
   i. Nature of historic/archaeological resource: □ Archaeological Site □ Historic Building or District
   ii. Name:
   iii. 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? □ Yes □ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? □ Yes □ No
   i. Describe possible resource(s):
   ii. 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? □ Yes □ No
   i. Identify resource: Saw Mill River Parkway
   ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Scenic byway
   iii. Distance between project and resource: ±0.5 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? □ Yes □ No
   i. Identify the name of the river and its designation:
   ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? □ Yes □ 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: JMC Planning Engineering Landscape Architecture & Land Surveying, PLLC

Signature: □

Title: Project Manager

Date: 6/29/2017