

**WESTCHESTER**

**COUNTY**

**PLANNING**

**BOARD**

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**County Planning Board Referrals:**

Letters dated April 16, 2016 through May 15, 2016

Meeting Date:

June 2, 2016

# Greenburgh

**GRB 16-004 Granite Construction Corp.**

**316-360 Tarrytown Road**

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

Proposed demolition of three existing commercial buildings and the construction of one new, two-story 15,000 square feet retail building and related site improvements. The proposed improvements will also include the consolidation of driveway curb cuts along Tarrytown Road, the construction of additional parking and the creation of a dedicated left turn lane into the site.

**Letter date:** Monday, May 09, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**

**Impacts to County facilities and services:**

**Additional comments:**

- We recommend exploring if a shared parking scheme can be used so that less paved area is required. This extra space could then be dedicated for stormwater management purposes
- We encourage the applicant to include as much green building technology as possible into the proposed development as well as bicycle parking.
- Because Tarrytown Road (NYS Route 119) is a State highway, the Town should forward a copy of the application to NYS DOT

# Mount Vernon

## MTV 16-006 MX-1 Commercial Corridor Zone - DGEIS

## E 3rd St between Fulton Av & Columb

Site Plan  
  Special Permit  
  Subdivision  
  Zoning Text Amend  
  Zoning Map Amend  
  Area Variance  
  Use Variance  
  Moratorium  
  Comp Plan

Draft GEIS for a proposal to create a new MX-1 Commercial Corridor District in the City Zoning Ordinance and to rezone 66 tax parcels totaling 16.68 acres along East 3rd Street between Fulton Avenue and Columbus Avenue to this new zoning designation.

The intended purpose of the MX-1 Commercial Corridor District is to encourage mixed use residential and commercial uses to activate the street-level environment and promote the development of a vibrant and pedestrian-oriented commercial corridor. A wide range of uses are proposed to be permitted under the MX-1 District including, but not limited to, multifamily dwellings, offices, business incubator space, stores and shops, medical office space, restaurants, day-care facilities and schools and banks. Additional uses such as bars and nightclubs, theaters, motor vehicle dealerships and universities, colleges and private schools would be allowed as special permit uses.

The draft GEIS describes the proposed MX-1 District as a form-based code that will regulate many aspects of the form, mass, scale and style of the buildings based on a set of standards and could result in buildings as high as 15 stories in height if certain density bonus provisions are applied for. The draft GEIS estimates that a full build-out of the area to be rezoned could ultimately result in the construction of 2,642 new residential units, 424,600 square feet of office, retail or other commercial space, and would require a maximum of 2,669 parking spaces. This represents a “highest possible” scenario in which all development parcels are developed to the maximum extent possible under the proposed zoning.

**Letter date:** Monday, April 25, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**

- The proposed MX-1 Commercial Corridor District is consistent with Westchester 2025 by embracing a form-based code that will help to create a vibrant, pedestrian friendly, transit accessible environment.  
 - We are also supportive of a number of specific regulations contained within the new district, such as lower parking ratios and the potential to use shared parking requirements amongst mixed uses.

**Impacts to County facilities and services:**

- While the draft GEIS correctly notes WCDEF’s policy of requiring I&I mitigation for increases in sewage flows, the final GEIS should include a broader discussion of this mitigation, providing more specific details on how implementation of improvements is to be accomplished.

**Additional comments:**

- We commend the City for including a brief discussion of the role that bus transit and non-motorized transportation could play in mitigating traffic impacts.  
 - We recommend that the new zoning regulations be expanded to include required minimum bicycle parking provisions.  
 - We commend the City for including regulations in the new zoning that would require new buildings to incorporate green building technology

# New Castle

## NWC 16-004B Costa Subdivision, Lots 1 & 2

## 324 Saw Mill River Road

Site Plan    Special Permit    Subdivision    Zoning Text Amend    Zoning Map Amend    Area Variance    Use Variance    Moratorium    Comp Plan

Lead Agency notification for the site plan review for the reconfiguration of a proposed shared driveway into two separate driveways, as well as the construction of new houses and SSDS areas for the two lots in an already approved 2-lot subdivision.

We have no objection to the New Castle Planning Board assuming Lead Agency status for this review.

**Letter date:** Monday, May 02, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**   **Impacts to County facilities and services:**   **Additional comments:**

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## NWC 16-005 Sunshine Children's Home

## 15 Spring Valley Road

Site Plan    Special Permit    Subdivision    Zoning Text Amend    Zoning Map Amend    Area Variance    Use Variance    Moratorium    Comp Plan

A proposal to expand the Sunshine Children's Home and Rehabilitation Center, which currently operates as a 54-bed licensed nursing facility specializing in the care and treatment of children with medically complex challenges who require post-acute rehabilitative care. The applicant proposes to construct a two-story addition with 128,451 square feet to the existing building, add 45 parking spaces, make improvements to the driveway, install a new stormwater system and make other site improvements. The addition will provide for 68 patient beds, which will bring the total number to 122 patient beds.

The property consists of 33.28 acres located on the west side of Spring Valley Road north of Cedar Lane Park. The site is within the R-2A One Family Residence District, which allows this type of use by special permit issued by the Zoning Board of Appeals. This application requires the amendment of this special permit and Town Planning Board approvals related to permits for steep slopes, tree removal, stormwater and wetlands.

We previously reviewed this matter and we responded to the Town in a letter dated June 15, 2015. We offer the following comments again for the Town's continued consideration:

**Letter date:** Monday, April 25, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**   **Impacts to County facilities and services:**   **Additional comments:**

- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

- We encourage the applicant to consider incorporating as much green building technology as possible into the proposed development. We also recommend that the applicant consider providing bicycle parking for employees.

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**NWC 16-006 Chappaqua Crossing Zoning Amendment for Fitness Use**

**480 Bedford Road**

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

A proposed amendment to the text of the Town Zoning Ordinance. The amendment proposes technical changes to the already approved OPROD Office Park Retail Overlay District associated with the Chappaqua Crossing development. Specifically, the amendments would allow the approved 40,000 square foot fitness facility to sublease to up to three non-fitness-related tenants should its fitness facility not be economically sustainable after the first three years of operation. These tenant spaces would be between 1,000 and 1,500 square feet in size. In addition, additional zoning amendments are sought to expand the hours of operation so that the fitness center and coffee shop tenant can open for business at 5:00 a.m. rather than at 6:00 a.m. as the current zoning requires.

The County Planning Board previously commented on the proposed development in letters dated May 26 and October 3, 2006; September 14, 2007; January 4, 2008; June 23, 2009; November 23, 2010; April 11, 2011; May 17, 2013; January 14, June 16, July 22, August 5, November 17 and December 8, 2014; February 23, August 5, August 17, October 5, and October 6, November 13, and December 8, 2015.

We have reviewed the proposed zoning text amendment and we find it to be a matter for local determination.

**Letter date:** Monday, May 02, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**    **Impacts to County facilities and services:**    **Additional comments:**

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## New Rochelle

**NRO 16-008 ZoningText Amendment: Revisions to NB District Regulations**

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

A proposed local law to amend the text of the City's Zoning Code. The proposed amendment would add a provision to the NB Neighborhood Business District regulations restricting retail stores within 150 feet of a residential district or use to a maximum size of 3,000 square feet unless the current parking requirements are met on-site.

We have no objection to the New Rochelle City Council assuming Lead Agency for this review.

**Letter date:** Monday, April 18, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**    **Impacts to County facilities and services:**    **Additional comments:**

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# North Castle

## NOC 16-002B 37 & 41 Maple Avenue

## 39 Maple Avenue

Site Plan  Special Permit  Subdivision  Zoning Text Amend  Zoning Map Amend  Area Variance  Use Variance  Moratorium  Comp Plan

An application to merge two tax lots totaling 0.3 acres at 37 and 41 Maple Avenue in downtown Armonk for the purpose of constructing a new retail space and six residential apartments. As proposed, the existing building at 41 Maple Avenue would be demolished and the construction of additions to 37 Maple Avenue would occur to provide three two-bedroom and four one-bedroom apartments along with 831 square feet of retail space.

We have previously reviewed this matter and responded to the Town in letters dated September 22, 2015 and March 22, 2016. We offer the following comments again for the Town’s consideration:

**Letter date:** Monday, April 25, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**

- The proposed development is generally consistent with Westchester 2025 because it would direct additional residential density towards an already developed downtown center where shopping, services and bus transit are within walking distance. The project would also provide street level retail that is directly along the sidewalk with parking in the rear.  
- We encourage the Town to work with the applicant and the County to set aside at least one unit in the proposed development as an affordable AFFH unit.

**Impacts to County facilities and services:**

- Because the site is located within close proximity to the Wampus River, we encourage the applicant to take steps towards the goal of treating and retaining as much stormwater on-site as possible.  
- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

**Additional comments:**

- We encourage the applicant to incorporate green or sustainable building methods and technologies into this project as well as bicycle parking.

**NOC 16-003 Park Place at Westchester Airport - DSEIS**

**11 New King Street**

Site Plan  Special Permit  Subdivision  Zoning Text Amend  Zoning Map Amend  Area Variance  Use Variance  Moratorium  Comp Plan

A draft supplemental environmental impact statement (SEIS) for the construction of a privately-owned automated parking garage on a 3.3-acre site located at 11 New King Street, to the north of the Westchester County Airport. The site contains one tax lot (2.47 acres) and a 0.87-acre portion of an adjacent lot that will be used for the construction of stormwater management infrastructure by way of a drainage easement. The site currently contains a 9,700 square foot office building which would be demolished. The site is encumbered with a significant amount of wetlands, as well as a watercourse which drains to the Kensico Reservoir (Rye Lake) through the rear (west side) of the site.

While the project was initially proposed as a 1,450 space automated parking garage with a car wash, the project has been revised further to reduce the building footprint so as to not encroach on any of the on-site wetlands. As a result, the car wash is no longer proposed and the garage has been reduced to 980 spaces. Building height has also been reduced from to 53 feet from 56 feet initially proposed. Some initially proposed green building elements, such as a rooftop solar array, are no longer proposed.

The applicant is petitioning the Town for an amendment to the text of the Zoning Ordinance to allow parking structures in the Industrial AA (IND-AA) zoning district as a special permit use. The petition also proposes raising the maximum allowable building height in the IND-AA district to 60 feet, where 30 feet is the current maximum. If the zoning amendments are approved, the applicant would then proceed with site plan and special permit applications.

**Letter date:** Monday, April 18, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**

**Impacts to County facilities and services:**

**Additional comments:**

The location of the proposed parking garage is within the runway protection zone (RPZ) for runway 16 at the County Airport. , The FAA has recommended that the County take action to the extent reasonable to discourage development within the RPZ. The letter references comments submitted to the Town from the County's Airport Manager.

While the draft SEIS responds to a number of our concerns with respect to wetland, stormwater and water quality issues, the stormwater management plan continues to show extensive site disturbance within wetland buffer areas. The Town must take a hard look at the impacts to water quality before issuing approvals for the proposed plans.

**NOC 16-004 Swiss Re Solar Panels**

**175 King Street**

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

The applicant is proposing the installation of an approximately 9,000 panel photovoltaic (PV) array on the site owned by Swiss Re at 175 King Street, which will supply electricity to the Swiss Re headquarters campus. The project will take place within a 9.6 acre area located on the southeast portion of the site. The panels will cover approximately four acres. An additional 0.4 acres will be disturbed to install underground electrical conduits from the solar array to the office building. The panels will be surrounded by a chain link fence enclosure and will be accessible via existing access roads on site. Several trees will need to be removed around the perimeter of the array in order to provide a clear line of sight to the sun.

While we find this to be a matter for local determination, we commend Swiss Re for the use of solar panels as an environmentally responsible building practice.

**Letter date:** Monday, April 25, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**    **Impacts to County facilities and services:**    **Additional comments:**

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**NOC 16-005 Westfield Day School**

**7 North Greenwich Road**

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

Proposed conversion of an existing medical office building into a school for up to 40 students and 15 staff members.

**Letter date:** Monday, May 09, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**    **Impacts to County facilities and services:**    **Additional comments:**

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## Ossining (village)

**OSV 16-002 J & J Ossining Realty Corporation**

**165 Croton Avenue**

Site Plan  Special Permit  Subdivision  Zoning Text Amend  Zoning Map Amend  Area Variance  Use Variance  Moratorium  Comp Plan

The proposed redevelopment of a 0.371-acre site located on the northwest corner of Croton Avenue (NYS Route 133) and Sherman Place with a new gas station containing both a convenience store and two one-bedroom apartments above the store. In addition to site plan and conditional use approvals, the application will also require six area variances for: gas station canopy building height; maximum front yard setback; minimum rear yard; hours of operation; maximum driveway curb cut width; and minimum driveway distance from adjoining properties.

**Letter date:** Monday, April 18, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**

- Although we support mixed use developments within already developed areas, the number of the variances requested by the applicant may indicate a proposed level of operation of the commercial uses that may be incompatible with nearby residential uses.

**Impacts to County facilities and services:**

- The applicant should verify that sufficient space is available to accommodate the storage of recyclables.

**Additional comments:**

- The applicant is proposing to provide new plantings and to formalize landscaped areas at the front, side and rear of the site. The applicant should be encouraged to investigate if these landscaped areas can be used for on-site stormwater infiltration.  
- We encourage the applicant to consider incorporating as much green building technology as possible into the proposed development. We also recommend that the applicant consider providing bicycle parking.

## Pelham Manor

**PMR 16-001 Zoning Text Amendment: Fast Food**

Site Plan  Special Permit  Subdivision  Zoning Text Amend  Zoning Map Amend  Area Variance  Use Variance  Moratorium  Comp Plan

A proposed Local Law which would make technical changes to the regulations for the Business 2 (B2) zoning district in the Village Zoning Ordinance. The changes would result in allowing up to two fast-food, drive-in, or carry-out restaurants within the B2 district, where the current regulations allow only one.

**Letter date:** Monday, May 02, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**

**Impacts to County facilities and services:**

**Additional comments:**

# Pleasantville

**PLV 16-001 200 Marble Avenue**

**200 Marble Avenue**

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

Site plan application to construct a new two story mixed-use building containing two dwelling units and office space on the ground level. The subject site is a 5,000 square foot lot located on the northwest corner of Marble Avenue and St. George Street. In addition to site plan approval, this application also requires three area variances for lot area, lot depth and rear yard setback. We note that the area variances are not required to be referred to the County Planning Board.

**Letter date:** Monday, April 18, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**

- The proposed development is consistent with Westchester 2025 because it will provide new residences in an already developed area where residents can easily walk to shopping and services. The apartments will also expand the range of housing types within Pleasantville.

- We encourage the Village to work with the developer to consider the feasibility of designating the units as affordable AFFH.

**Impacts to County facilities and services:**

**Additional comments:**

- We encourage the applicant to consider incorporating as much green building technology as possible into the proposed development.

**PLV 16-002 Toll Brothers**

**458-501 Washington Avenue**

Site Plan    Special Permit    Subdivision    Zoning Text Amend    Zoning Map Amend    Area Variance    Use Variance    Moratorium    Comp Plan

Revised plans for the previously approved application to subdivide an 18.261-acre site and to construct a 68-unit townhouse development on fee-simple lots. The Village zoning regulations require that 10% of the townhouses be affordable affirmatively furthering fair housing (AFFH) units. The site currently contains a vacant campus office development. Two additional lots would be created to contain the open space surrounding the proposed townhouses and the proposed private road which would connect all 68 units to Washington Avenue (County Road 4) via a new curb cut.

The applicants are seeking amendments to the existing site plan and subdivision so as to reduce the size of the seven proposed affordable AFFH units from 2,704 square feet each to 1,629 square feet. According to the submitted materials, the affordable AFFH units will continue to contain the same mix of unit types as the market-rate units.

We find the proposed changes to be minor in nature and we do not believe they will impact the quality of the affordable AFFH units. At 1,629 square feet in floor area, the units will continue to be well above the minimum gross floor area requirements as specified by the Model Ordinance Provisions which range from a minimum of 450 square feet for an efficiency unit to 1,200 square feet for a 4-bedroom unit.

**Letter date:** Monday, May 02, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**   **Impacts to County facilities and services:**   **Additional comments:**

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**Scarsdale**

**SCD 16-001 Scarsdale UFSD School Bus Parking Lot Expansion**

**110 Secor Road**

Site Plan    Special Permit    Subdivision    Zoning Text Amend    Zoning Map Amend    Area Variance    Use Variance    Moratorium    Comp Plan

Proposed expansion of an existing school bus depot and vehicle storage area located at the Village-owned Recycling Center at 110 Secor Road. The Village and the School District have a cooperation agreement dating from 1991 for shared services in this area. The proposal would expand the school bus depot area and provide for new paving, minor re-grading, fencing and landscaping. Vehicular access will continue to be from Secor Road. The rear of the site abuts Heathcote Bypass (County Road 143).

**Letter date:** Monday, April 25, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**   **Impacts to County facilities and services:**   **Additional comments:**

Because the site abuts Heathcote Bypass (CR 143), approval from WCDPWT is required.

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## Somers

### SOM 16-004B Somers Crossing - Revised Final EIS

### Route 100 and Route 202

Site Plan    Special Permit    Subdivision    Zoning Text Amend    Zoning Map Amend    Area Variance    Use Variance    Moratorium    Comp Plan

A revised final environmental impact statement (EIS) for the proposed "Somers Crossing." The applicants are petitioning the Town Board to establish a new Multifamily Residence Downtown Hamlet (MFR-DH) floating zone district in the Town Zoning Ordinance and to apply this new district to a 26.68-acre site within the Somers hamlet. The site surrounds the existing Somers Towne Centre shopping center and has frontage on both Somerstown Turnpike (NYS Route 100) and Somers Road (US Route 202). The site is currently zoned R-40 and R-80, for single-family development, and is within the Groundwater Protection Overlay district.

If the zoning petition is approved by the Town Board, the applicant intends to seek site plan approval to develop the site with 65 condominium residential units and a 19,000 square foot grocery store with 422 total parking spaces.

The County Planning Board previously reviewed the final EIS and we responded to the Town in a letter dated March 22, 2016. Since it is our understanding that the revised final EIS has only been revised by the addition of one draft EIS comment letter which was not included and responded to in the original final EIS, we have no additional comments.

**Letter date:** Monday, April 18, 2016

**Response type:** No Comments

**Consistency with Westchester 2025:**   **Impacts to County facilities and services:**   **Additional comments:**

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## White Plains

### WHP 16-005 Heritage White Plains - Approval Extension

### 120 Bloomingdale Road

Site Plan    Special Permit    Subdivision    Zoning Text Amend    Zoning Map Amend    Area Variance    Use Variance    Moratorium    Comp Plan

One-year extension of existing site plan and special permit approvals.

**Letter date:** Monday, April 18, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**   **Impacts to County facilities and services:**   **Additional comments:**

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**WHP 16-006 LCOR 55 Bank Street - Approval Extension**

**55 Bank Street**

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

One-year extension of existing site plan approval.

**Letter date:** Monday, April 18, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**    **Impacts to County facilities and services:**    **Additional comments:**

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**Yonkers**

**YON 16-004 Official Map Amendment: Loehr Place and Whetstone Ave**

**Loehr Place and Whetstone Ave**

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

Petition to dedicate Loehr Place and Whetstone Avenue as public streets.

**Letter date:** Monday, May 09, 2016

**Response type:** Local Determination

**Consistency with Westchester 2025:**    **Impacts to County facilities and services:**    **Additional comments:**

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**YON 16-005 Stagg Group**

**705 Bronx River Road**

Site Plan    Special Permit    Subdivision    Zoning Text Amend    Zoning Map Amend    Area Variance    Use Variance    Moratorium    Comp Plan

The applicant is petitioning the City to rezone a 1.033-acre site located at 705 Bronx River Road from BR and MG to A. The site comprises an entire city block, with Bronx River Road as the western boundary, Springer Avenue to the north, Crescent Place to the east and Reyer Avenue to the south.

If successfully rezoned, the applicant intends to demolish all of the structures on the site and construct a multi-family apartment complex containing 216 dwelling units, of which 22 would be restricted as affordable. Thirty-four of the proposed units would be set up as townhouses fronting on Crescent Place. The remaining units would be located in a 12-story apartment building above a 324-space parking garage. Vehicular access to and from the garage would be provided from Springer Avenue and Reyer Avenue. As part of the development, the applicant is also proposing the construction of improvements to James Scotti Park on the opposite side of Bronx River Road.

It is our understanding that site plan approval from the Yonkers Planning Board would be required for this construction and that area variances for floor area ratio, building coverage, front yard setback, rear yard setback and side yard setbacks would also be required from the Yonkers Zoning Board of Appeals.

We find the zoning map amendment to be a matter for local determination in accordance with the City's planning and zoning policies. We will reserve our comments on the proposed site plan for the site plan review that will occur if the rezoning is approved. We note that the proposed area variances are not subject to referral to the County Planning Board.

**Letter date:** Monday, May 09, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**   **Impacts to County facilities and services:**   **Additional comments:**

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# Yorktown

## YTN 16-001 Affordable Housing Local Law

- Site Plan
- Special Permit
- Subdivision
- Zoning Text Amend
- Zoning Map Amend
- Area Variance
- Use Variance
- Moratorium
- Comp Plan

A notice of public hearing was received by the County Attorney and forwarded to the County Planning Board with respect to the proposed repealing of Chapter 102 "Affordable Housing" of the Town of Yorktown Code. This proposed Local Law was not referred to the County Planning Board as may be required.

Chapter 102 includes provisions that are consistent with the recommendations of Westchester County's Affordable Affirmatively Furthering Fair Housing Model Ordinance Provisions. The County Planning Board considers these provisions of great importance as one component in a comprehensive effort to affirmatively further fair housing and to increase the range of housing opportunities in Yorktown and throughout Westchester County.

The County Planning Board recommends that the Yorktown Town Board retain Chapter 102 "Affordable Housing" and to continue the Town's supportive role in the development of affordable affirmatively furthering fair housing.

**Letter date:** Tuesday, May 03, 2016

**Response type:** Comment

**Consistency with Westchester 2025:**    **Impacts to County facilities and services:**    **Additional comments:**

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