

John Currie, *Chairman*
Paul W. Ciavardini
Vicky Gannon
Jack Mattes
Bruce Prince
Anthony Sutton
Christopher Zaberto

Town of Somers

WESTCHESTER COUNTY, N.Y.



TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589
TEL (914) 277-5366
FAX (914) 277-4093
EMAIL:
PLANNINGBOARD@SOMERSNY.GOV

SOMERS PLANNING BOARD AGENDA AUGUST 13, 2025 7:30 PM

MINUTES

Draft Minutes for consideration of approval: July 9, 2025.

PROJECT REVIEW

1. 240 MAHOPAC AVENUE – SCENIC RESOURCE CORRIDOR APPLICATION FOR SITE PLAN APPROVAL TM: 15.08-1-1

The Applicant is proposing to construct a 3300 square foot single family house. However, a Scenic Resource/Site Plan Application will be required for the construction of the driveway access in the Mahopac Scenic Corridor as per Somers Town Code 138-13(1)(a). The property is located in an R-40 Zoning District.

PLAN REVIEW FOR SITE WALK

2. NORTH EDGE REALTY TM: 4.19-2-2,3,4 and 4.19-2-1 Property located at 39, 43 & 45 Route 6

In preparation of the scheduled August 16, 2025 Site Walk, the Applicant has provided the most recent set of plans for review and discussion.

GENERAL DISCUSSION

Discuss changing the date of the December 10, 2025 Planning Board meeting to December 17, 2025.

MEETING ADJOURNMENT

**The next Planning Board Meeting is scheduled for
Wednesday, September 10, 2025 at 7:30pm.
Agenda Subject to Change**

PLANNING BOARD

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SOMERS PLANNING BOARD MINUTES

July 9, 2025
7:30PM

ROLL

MEMBERS PRESENT: Chairman John Currie, Paul Ciavardini, Vicky Gannon, Jack Mattes, Bruce Prince, Anthony Sutton, Christopher Zaberto

ALSO PRESENT: David Smith- Consulting Town Planner, Steven Robbins- Consulting Town Engineer, Nicole Montesano-Planning Board Secretary

ALSO PRESENT VIA ZOOM: Michael Towey-Planning Board Attorney

MEETING COMMENCEMENT

The meeting commenced at 7:30 p.m.

Chairman John Currie welcomed everyone to the meeting and then requested participants say the Pledge of Allegiance.

Planning Board Secretary, Ms. Nicole Montesano, called the Roll.

MINUTES

Chairman John Currie stated the first item on the agenda is the June 11, 2025, draft minutes for approval. Ms. Vicky Gannon noted two corrections to be made on page 5. Line 7 ends with while reference and should be referencing and on line 13 council should be counsel as it

1 is referring to the Applicant's attorney. Chairman Currie made a motion to approve the
2 minutes with the noted changes. Mr. Jack Mattes seconded. All in favor. Motion passes.
3
4

5 **TIME EXTENSION REQUEST**
6

7 **1. NYS POLICE HEADQUARTER - SOMERS FIRE DISTRICT**
8 **295 ROUTE 100 SUBDIVISION – RESOLUTION NO. 2024-05**
9 **TM: 17.18-1-1.2**
10

11 For the record, Chairman Currie stated this is a request from the Somers Fire District Board of
12 Commissioners for a 90-day time-extension from August 1, 2025 up to and including October 29,
13 2025 for approved Preliminary Plat signature by the Planning Board Chairman to meet the
14 conditions of approval, Resolution No. 2024-05 in accordance with Town Code Section 150-12.M.
15

16 Ms. Vicky Gannon asked if there was any update or information on this item. Consulting Town
17 Engineer, Mr. Steve Robbins stated that the process is moving forward with Veolia to obtain
18 updated will serve letters which the New York State Department of Conservation (DEC) has
19 finalized and Veolia has the information that they need to proceed with that. Mr. Robbins indicated
20 that he met with them last week, and that's in process, so hopefully this is the last extension that
21 they will need.
22

23 Chairman Currie made a motion to grant the 90-day time-extension. Mr. Christopher Zaberto
24 seconded. All in favor with the exception of Mr. Anthony Sutton who recused himself. Motion
25 passes.
26

27 **2. MELISSA HARNEY- PRELIMINARY SUBDIVISION APPROVAL AND**
28 **STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL**
29 **PERMIT**
30 **10 KEYREL LANE – RESOLUTION NO. 2025-01**
31 **TM: 16.07-1-3**
32

33 For the record Chairman stated the request from Melissa Harney of 10 Keyrel Lane is for a 90-day
34 time-extension from July 8, 2025 up to and including October 5, 2025, for Preliminary Subdivision
35 and Stormwater Management and Erosion and Sediment Control Permit, as per Resolution No.
36 2025-01 in accordance with Town Code Section 150-12.N.
37

38 Chairman Currie then asked if there were any comments or questions. The Applicant, Melissa
39 Harney came to the podium and stated that Mr. Timothy S. Allen, P.E. with Bibbo Associates
40 asked that she let the Planning Board know that they are currently working with the Health
41 Department to get the approval and will get back to the Board soon.
42

43 Mr. Christopher Zaberto made a motion to grant the 90-day time-extension. Ms. Vicky Gannon
44 seconded. All in favor. Motion passes.
45

PUBLIC HEARING**3. 3 CATHERINE PLACE****APPLICATION FOR WETLAND AND WATERCOURSE PROTECTION, AND
STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL
PERMIT****TM: 27.18-1-24**

For the record Chairman Currie stated that the project proposes an inground pool, patio and rain garden. The property is located at 3 Catherine Place and is located in an R-80 Zoning District. Chairman Currie asked Planning Board Secretary, Ms. Nicole Montesano about the publishing and the posting. Ms. Montesano indicated that the legal notice was published in the Journal News on Thursday, June 26, 2025 and the adjoining property owners were notified via mail on Thursday, June 19, 2025.

Mr. Andy Cheung, P.E. from AC Engineering LLP came to the podium and advised the Planning Board that he has addressed all of Consulting Town Engineer, Mr. Steve Robbins' comments in addition to addressing the Open Space Committee's (OSC) comments. The OSC had a concern with an open grate for a proposed catch basin for the stormwater collection system and in response it was replaced with a solid grate. There is approximately an 880 square foot inground pool and patio located within a 100-foot stream bank. Mr. Cheung stated that they have taken into account some additional plantings that the owner will do as part of the mitigation next to the pool and patio area. In addition, the stormwater collection for that area will be routed via a pipe down to a proposed rain garden at the lower elevation of the property. He also indicated there were some conversations about a shed being moved - it was moved further away from the watercourse and closer to the pool itself. Chairman Currie asked staff if they had any comments. Mr. Robbins responded that the Applicant has addressed our comments. Chairman Currie then asked if there was anyone here from the public that would like to comment on this. Mr. Derek Fay from 5 Catherine Place came to the podium. Mr. Fay indicated that he did not understand the language so he just wanted to see a visual. Planning Board Attorney, Mr. Michael Towey inquired as to whether or not Chairman Currie formally opened the Public Hearing. Chairman Currie made a motion to open the Public Hearing. Mr. Christopher Zaberto seconded the motion. All in favor. Motion passes.

Mr. Fay then asked Mr. Cheung to illustrate based on where his property sits. While referencing the plan, Mr. Cheung illustrated to Mr. Fay where 3 Catherine Place was. He pointed out the house, the front of the property, the driveway, the road and the backyard. While pointing to the backyard, he stated that the reason this is the only place that the pool can go is because of the septic system location. He also noted where the watercourse is, which he assumed Mr. Fay knew as he lives next door. Again, while pointing to the plan, Mr. Cheung said that based on the location of the watercourse, all work has to be done outside of the one-hundred-foot buffer for this watercourse. He added that technically, any construction that's being done within this 100-foot buffer requires Planning Board approval. Mr. Cheung pointed out the pool and small patio that circles around it and then asked what number house Mr. Fay lived in. Mr. Fay indicated where this house was located on the plan. Mr. Cheung responded that basically there is an existing shed

1 at the end of the driveway which is going to be oriented at 35 degrees and moved over a little bit
2 to accommodate the location of the pool and the patio. In addition, there's a stormwater portion of
3 this patio and the pool. While pointing to the plan Mr. Cheung showed where there will be a stone
4 wall and where it travels to – and stated that it is basically an underground pipe which travels to
5 the backyard, to the area where it's grass, before it becomes woods. He added that there is going
6 to be a rain garden and that basically a rain garden is a garden with mulch, and there's going to be
7 plantings in it. The purpose of that is to take the stormwater from the patio and route it to a rain
8 garden. It's decorative but also a functional stormwater mitigation device that we use for
9 stormwater management and also for water quality - whatever doesn't percolate through goes to
10 an underdrain pipe which takes that water and then routes it out to the stream that comes down. In
11 addition, there's also going to be proposed plantings. He noted that these types of plants are
12 wetland type plantings such as small shrubs, some ferns and things of that nature along the slope
13 to enhance that slope as well. So literally, what you will see is probably the shed and the plantings.
14 Mr. Fay indicated that he was not concerned after seeing where the water is being routed. Mr.
15 Cheung confirmed that all the water is routed down the hill in their backyard and it is going to go
16 into a little rain garden and that for small storms, everything will percolate through and for larger
17 storms water will get into the underdrain pipe which will take that water out. Mr. Fay thanked Mr.
18 Cheung and indicated that he understood. Chairman Currie asked if Mr. Fay was clear on his
19 questions and if they were answered sufficiently. Mr. Fay responded yes. Chairman Currie then
20 asked if there was anyone else from the public that wanted to speak. No one came forward.

21
22 Chairman Currie made a motion to close the Public Hearing. Mr. Zaberto seconded. All in favor.
23 Motion passes. Chairman Currie then asked how everyone felt about directing staff to prepare a
24 resolution. Various members indicated they were comfortable with that. Mr. Jack Mattes made a
25 motion to direct staff to prepare a resolution. Ms. Vicky Gannon seconded. All in favor. Motion
26 passes.

CONTINUED PUBLIC HEARINGS

4. 23 & 25 HILLTOP ROAD

31 **APPLICATION FOR STEEP SLOPE PROTECTION, WETLAND AND**
32 **WATERCOURSE PROTECTION, STORMWATER MANAGEMENT AND EROSION**
33 **AND SEDIMENT CONTROL AND TREE REMOVAL PERMITS**
34 **TM: 37.11-1-1.1&1.2**

35
36 For the record Chairman Currie stated that the project proposes the construction of two single-
37 family homes with septic and well and to extend the common driveway (portion previously
38 installed) as approved under Resolution No. 91-6 and related stormwater improvements and
39 remaining individual driveways. The properties are located at 23 and 25 Hilltop Road and are in
40 an R-80 Zoning District.

41
42 Chairman Currie asked the Applicant, Mr. Martin Parenti if he had any comments. Mr. Parenti
43 responded no. Chairman Currie then asked staff for comments. Consulting Town Engineer, Mr.
44 Steve Robbins responded that the Applicant and their engineer met with the Bureau of Fire
45 Prevention and that they modified the access drive accordingly which was consistent with what

1 they presented to this Board at the last meeting – so all of our technical comments have been
2 addressed at this time. Consulting Town Planner, Mr. David Smith had no comments.

3
4 Chairman Currie then asked if there was anyone from the public who wanted to speak as this a
5 continuation of the public hearing. No one came forward. Chairman Currie then made a motion
6 to close the public hearing. Mr. Christopher Zaberto seconded. All in favor. Motion passes.

7
8 Chairman Currie then asked if the Board had any comments or questions for the Applicant or
9 engineer. Mr. Zaberto responded no, everything was addressed, there are no additional public
10 comments and all of the proper notifications have been made. He then made a motion to direct
11 staff to prepare a resolution for the site. Ms. Vicky Gannon stated that we have two Resolutions
12 before us that we need to discuss. She indicated she had questions because as noted in the
13 resolution on line numbers 86 and 87 there is a reference to the June 6, 2025, Woodard and Curran
14 memo not being addressed – which she believes is related to the trail access. In addition she noted
15 that there are questions in the Conditions 8, 9 and 10. Item 8 also goes back to the trail, item 9 is
16 about possible additional bonding for the common driveway and item 10 is concerning the possible
17 requirement for additional stormwater practices for the individual lots. Ms. Gannon stated that she
18 thinks these items need to be fleshed out and noted the items seemed to be in parallel on both
19 Resolutions. Mr. Robbins stated that in terms of the Woodard and Curran items, that comment
20 has been addressed. We asked the question of the Applicant to provide some additional information
21 about whether there are any trail access easements. They have done the research. He also indicated
22 that he thought that the Planning Board's Counsel, Mr. Michael Towey conducted some research
23 on that, and we understand there are no formal easements for that and confirmed that they can be
24 struck from both Resolutions and that similarly item 8 can be struck as well. Ms. Gannon then
25 asked about Condition 9- the additional bonding for the common driveway on both resolutions.
26 Consulting Town Planner, Mr. David Smith stated that he thought Condition 9, which is reflected
27 in both resolutions is stating that it may be required by the Town's Engineering Technician if
28 applicable. Mr. Smith also said in conferring with Mr. Robbins he thinks that Condition 10 could
29 be struck. Ms. Gannon asked if that change would apply to both resolutions. Mr. Smith confirmed
30 that both documents would have the same changes. Chairman Currie asked Mr. Parenti if he was
31 okay with those changes. Mr. Parenti responded that he was. Ms. Gannon then noted that the
32 question mark should be removed from the end of line 82 and line 85. Chairman Currie and Mr.
33 Smith stated correct.

34
35 Chairman Currie asked Planning Board Attorney, Mr. Michael Towey if each of these resolutions
36 had to be voted on separately. Mr. Towey responded that the Board should vote on each one
37 separately. Chairman Currie then asked if there were any other changes. Ms. Gannon responded
38 those were the only ones that she saw.

39
40 Chairman Currie made a motion to approve Resolution No. 2025-11, which is Granting
41 Conditional Approval for Wetland and Watercourse Protection Permit, Steep Slope Protection
42 Permit, Stormwater Management and Erosion and Sediment Control Permit and Tree Removal
43 Permit to Martin Parenti, Hilltop Development LLC. Tax Map 37.11-1-1.1. Ms. Gannon
44 seconded. All in favor. Motion passes.

1 Chairman Currie made a motion to approve the next Resolution No. 2025-12, which is Granting
2 Conditional Approval for Wetland and Watercourse Protection Permit, Steep Slope Protection
3 Permit, Stormwater Management and Erosion and Sediment Control Permit and Tree Removal
4 Permit to Martin Parenti, Hilltop Development LLC. Tax Map 37.11-1-1.2. Ms. Gannon
5 seconded. All in favor. Motion passes.
6

7 Chairman Currie told Mr. Parenti that it has been a pleasure working with him. Mr. Parenti thanked
8 Chairman Currie and the Board and stated that it has been a pleasure and he is looking forward to
9 working with the Town.
10

11 5. 99 TOMAHAWK STREET

12 APPLICATION FOR WETLAND AND WATERCOURSE PROTECTION, AND 13 STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL 14 PERMIT

15 TM: 27.13-1-25.1
16

17 For the record Chairman Currie stated that the project proposes the removal of an existing bridge
18 and replacement with a new culvert and temporary access road to serve an existing house. The
19 property is located at 99 Tomahawk Street and is located in an R-40 Zoning District.
20

21 Mr. Matt Sorrell, P.E., with Sorrell Engineering came forward and stated that he is representing
22 the property owner, Mr. Robert Manners. Mr. Sorrell indicated that there is no real update to bring
23 to the Board this evening. They had their Public Hearing opened last month and they still have
24 not received any word from the New York State Department of Environmental Conservation
25 (DEC) regarding the jurisdictional determination. He stated that they are in a holding pattern right
26 now. He noted that they did receive the draft resolution via email earlier this morning, and they
27 are here to follow up and hopefully close out the Public Hearing portion of the Permit Application.
28 Chairman Currie asked staff if they had any comments. Consulting Town Engineer, Mr. Steve
29 Robbins stated the he had no technical comments. Chairman Currie asked if there was anyone
30 there from the public who wanted to speak. No one came forward. Chairman Currie made a
31 motion to close the Public Hearing. Ms. Vicky Gannon seconded. All in favor. Motion passes.
32

33 Chairman Currie then asked if the Board had any question and/or comments. Mr. Christopher
34 Zaberto asked if someone could refresh his memory as to why a jurisdictional determination from
35 the DEC was needed on this project. Mr. Robbins stated that effective in January of this year, the
36 DEC updated their regulations to expand the scope of watercourses that they wanted to be able to
37 review whether or not they have any jurisdiction over them. Mr. Zaberto then asked if Mr.
38 Robbins would know what determines their jurisdiction. Mr. Robbins responded that the DEC
39 reserves the right to review anything. Mr. Zaberto said anything - and say it's theirs? Mr. Robbins
40 responded within the guidelines of the regulations, but yes. This is an intermittent stream that is
41 well defined and it is up to the DEC to determine whether they have jurisdiction there or not. Mr.
42 Robbins stated that he thinks what was happening is there was mapping that the public was relying
43 on, and it was not always accurate in every case and so the DEC wanted some additional
44 parameters under which the watershed has to be of a certain size. So, if you are working in a
45 watershed that exceeds that size, then you have to go to the DEC and say I am working here, is

1 this something that is part of your jurisdiction. He added that it is unfortunate that the process has
2 resulted in delays for applicants, and that's what we've seen here. But in this case, he thinks the
3 Board has a conditional resolution ahead of it that allows for the Applicant to proceed when they
4 get a notice of non-determination and if that is not what is received, then they come back to the
5 Board. We can at least have an end point for this particular process. Mr. Zaberto asked what
6 happens if the DEC determines that this does fall under their jurisdiction. Mr. Robbins responded
7 that the Applicant would have to apply for a DEC permit and said to think of this in the same way
8 that more typical development applications come before this Board-where there is a condition to
9 receive approval from the Westchester County Health Department for a septic or a well; or a
10 Stormwater Pollution Prevention Plan (SWPPP) approval from the New York City Department of
11 Environmental Protection (DEP) as another example. He indicated that often the Board's approval
12 conditions are reliant on the Applicant obtaining those other additional known permit approvals.
13 Consulting Town Planner, Mr. David Smith then stated so if the condition is that the Applicant
14 gets their jurisdictional determination, and there's no substantive change to the Site Plan, they
15 could proceed with getting the Building Permit. Mr. Robbins responded yes. Mr. Smith then stated
16 but if, the DEC comes back and it requires a major modification to the Site Plan, they would have
17 to come back to your Board for that Site Plan Amendment. Mr. Zaberto asked for confirmation
18 that communication would occur between the DEC and the Applicant's Engineer. Mr. Smith
19 responded yes. Mr. Sorrell stated that they have submitted the request for jurisdictional
20 determination to the DEC, and they are awaiting their response. Ms. Vicky Gannon stated - just
21 to make sure she is clear, the concept of where the Applicant is being conditioned is on page three,
22 be it further resolved - item 1 on line 109 of the draft resolution. Mr. Smith responded yes. Ms.
23 Gannon responded, it doesn't say anything about jurisdictional determination, but everything else
24 about it is capturing it. Chairman Currie said to Mr. Zaberto, that it sounds like they are on the
25 same page and feel for this Applicant because his hands are tied and it could very well come
26 August and they may still not have received anything from them. Chairman Currie stated that in a
27 conversation with Mr. Robbins, it is also very possible the DEC could come back with a minor
28 change- which anyone else would call a field change. So, the Applicant would not have to go all
29 the way back to the Board- just make the change in the field. Mr. Robbins responded the threshold
30 we often apply for minor changes in the field is, does that change result in any modification to the
31 public process, and to the information available to the Board. It is often moving a catch basin three
32 feet from the left to the right - and not taking a catch basin and making it into a swimming pool.
33 You are not dramatically expanding the limits of disturbance. Ms. Gannon asked Mr. Robbins if
34 there is any provision for DEC's failure to respond in a certain amount of time resulting in a default
35 to the benefit of the Applicant- or does the Applicant just wait for a year. Mr. Robbins stated he
36 did not recall what the limits in the code are but, he believes so. Planning Board Attorney, Mr.
37 Michael Towey stated there is a time period within which the DEC must respond, but he did not
38 recall the exact time period - but there is one and he thinks it is a default approval if they fail to
39 respond. Chairman Currie asked if it was a default approval. Mr. Towey responded that he
40 believed if the DEC fails to respond within a grace period after the 90 days it is a default approval
41 or default non-determination.

42
43 Chairman Currie stated that he thinks what they are saying is that they feel for the Applicant, but
44 it is out of the Board's hands. But what they can do if the Board so chooses is vote on the draft
45 resolution that was prepared with the earlier noted condition.
46

1 Mr. Zaberto made a motion to accept the draft resolution. Mr. Jack Mattes seconded. All in favor.
2 Motion passes. For the record Chairman Currie stated it is Resolution No. 2025-10 Granting
3 Conditional Approval for Wetland and Watercourse Protection Permit and Stormwater Management
4 and Erosion and Sediment Control Permit to Robert Manners (owner)/Sorrell Engineering, PLLC
5 (applicant). Tax Map 27.13-1-25.1
6

7 **PROJECT REVIEW**

9 **6. NEW CINGULAR WIRELESS – AT&T APPLICATION FOR AMENDED SPECIAL** 10 **USE PERMIT WIRELESS TELECOMMUNICATIONS FACILITY** 11 **2580 ROUTE 35** 12 **TM: 37.13-2-3**

13
14 The project consists of modifications to the existing wireless telecommunications facility
15 comprising of equipment, antennas and associated cables. The property is located at 2580 Route
16 35 and is located in an R-80 Residence District.
17

18 Mr. Marty McGee came to the podium and stated he was with Aerosmith Development out of
19 Saratoga Springs representing New Cingular Wireless – more commonly known as AT&T. He
20 greeted Chairman Currie, members of the Board and Consulting Town Planner, Mr. David Smith
21 and thanked them for hearing their application tonight. Mr. McGee stated that he would briefly
22 go over the application as it is fairly simple. They have an existing cell site and simply, what they
23 are doing is an equipment swap. They currently have a set number of antennas on a mono pine
24 (tree pole). They are going to keep six of those antennas and three of them are going to be swapped
25 out with new antennas that are a little bit smaller than the existing ones. These are stealth and
26 behind branches so he does not think that anyone would notice. They also have something called
27 Remote Radio Heads (RRHs), which sit behind the antennas, which also wouldn't be seen. He
28 indicated they currently have 15 RRHs, but they are going to have 9 – so they are actually dropping
29 some equipment and will have less than they did before. He added that as far as the cabinets on
30 the ground, they will just be retrofitting them and not adding additional cabinets- they are allowed
31 up to four and they will still have four cabinets within their lease space on the ground.
32

33 Mr. McGee then stated that there were some comments from staff and asked if he could address
34 those. Consulting Town Engineer, Mr. Steve Robbins responded yes. He stated that they did
35 receive a letter yesterday afternoon with some requests for Certificates of Authorization (COAs)
36 for the engineers. He indicated that he could certainly get those and thought he got a few to Mr.
37 Robbins today with a few to come. He added that there was one thing that he wanted to point out
38 about the in-person structural. Mr. Robbins responded, please. Mr. McGee stated that they went
39 over the code, and that does apply, but it applies for a special permit renewal, which this is not.
40 This is an amendment to a special permit use application, it's not a renewal. Mr. McGee indicated
41 they could certainly get all the COAs for all the engineers as they have their license numbers –
42 both New York or a license to operate in New York State. He added that their license numbers are
43 on all the plans, and that they could certainly get new COAs on top of that, but just the on-site
44 inspection wouldn't apply for this. It would apply for a special permit renewal which is not the
45 case here, because it is not a special permit renewal - just an amendment to it. He then asked Mr.

1 Robbins if that makes sense. Mr. Robbins stated he can address that, but would wait for the Board.
2 Chairman Currie then asked if the Board had any questions and/or comments. Mr. Anthony Sutton
3 wanted to confirm there would not be an increase to the weight load on the tower or an increase to
4 the wind resistance of the tower. Mr. McGee responded correct, and that they submitted a
5 structural by a licensed New York state engineer, which states that and proves that out. Mr. Sutton
6 asked if they are switching out cabling as well. Mr. McGee responded, yes, they are switching old
7 cables for new cables and are not adding additional cables. He indicated that it is something that
8 AT&T is doing throughout their entire network of 27,000 sites. They're switching from one brand
9 antenna to another and this is part of it. This is why you will keep seeing this for any site in Somers.
10 Mr. Sutton then asked if all of the debris and old equipment will be removed. Mr. McGee
11 responded, of course, everything will be clean and subject to inspection. He added that they just
12 wanted to be able to get the building permit and proceed with it and that they can certainly get staff
13 the items that were just requested yesterday afternoon as a conditional approval, if the Board
14 would accept that in the interest of time and in the interest of getting the antennas changed.
15 Chairman Currie asked Mr. Robbins if he had any comments. Mr. Robbins responded yes and
16 that he has not had a chance to review the additional COAs that were submitted. Mr. Robbins
17 advised that the Town relies on the Applicants' engineers to perform pretty sophisticated analysis
18 both for Radio Frequency (RF) and structural and oftentimes on these projects the carriers have
19 firms that they are used to working with, which may or may not have a COA to do work in New
20 York State, regardless of whether they have an individual who has a New York State license - that
21 being the distinction just for the record. We do a quick search on the online database, and if it does
22 not pop up right away, we ask for it. Mr. McGee responded absolutely, we will provide those, we
23 just got is yesterday. Mr. Sutton asked how far out is the application renewal on this site. Mr.
24 McGee responded that he did not have the data on it, but does know that it's not up for renewal
25 currently, but when it is, they will be back for that and there will be different standards and
26 requirements and that certainly they will meet all those when the time comes. Mr. Robbins stated
27 in regards to the modification to the special permit to adjust the approval of the equipment that is
28 being installed - the reason why we apply the requirement for visual inspection to that is because
29 of the change in equipment. The mounting locations may be different; the weights may be
30 different. Sometimes it's more, sometimes it's less. Our Building Inspector is not equipped to climb
31 the tower to perform an inspection himself, nor would we expect that from the Town. So again,
32 the Town is relying on an engineering analysis which makes sense by both the computer model
33 and by the calculations and when it's done in a box by an engineer who has no information to rely
34 on as to the actual condition of the tower and the mounting brackets and the equipment - it is all
35 based on the theoretical capacity. It might be fine, and we certainly hope it's fine, and we don't
36 expect anything to fall down. But that is the reason that the provision is in the code. He continued
37 and stated that he could bring this up with the Planning Board's Counsel as to the wording of this
38 type of renewal versus what is being applied there. But that is why, for this, we generally ask that
39 a visual inspection be included as part of the structural analysis, so that we know the structural
40 engineer has done their due diligence. That said, there are ways that we can discuss
41 accommodating that. He indicated that on these towers, there are obviously multiple carriers, and
42 he does not recall who the owner is. Mr. McGee responded he believes American Tower
43 Corporation (ATC) and they are required, depending on the type of structure, within a certain
44 number of years (could be 3, 5 or 7) to do that and a visual inspection. Mr. Robbins responded if
45 that is provided to the engineer, and that engineer says, I've reviewed that visual inspection, and
46 that is relatively current and it is not four years ago, we have accepted that. He also stated that we

1 have also accepted it being done as a condition of the approval before the equipment is mounted,
2 or in conjunction with the equipment being mounted - that the structural engineer provides
3 verification of the conditions that it is consistent with the modeling that they've done when it is
4 able to be inspected. He added that those are the two ways that we've dealt with it, but that's the
5 reason why we apply that condition. He also stated that again, these structures and the mounting
6 positions are 100 feet up in the air, and it's hard to see from the ground, and the wind is strong up
7 there and some things fall out and that we make sure that the calculations all make sense on paper.
8 Chairman Currie responded, it is great reasoning. Mr. Anthony Sutton stated that visual
9 inspections to sight cracks or broken and weak wells and those kind of things get picked up when
10 you are right face to face with it, but you don't really get the view from the ground. Mr. Robbins
11 responded, the computer doesn't account for it. He added that those are the two ways that the
12 Town has dealt with similar conditions as either making sure that the engineer has been provided
13 a copy of a recent visual inspection and certifies it's consistent with their assumptions, or that that
14 inspection is done and the engineer verifies it as part of doing the work. Mr. McGee asked what
15 Mr. Robbins would consider recent. Mr. Robbins responded ideally, the last two years. Mr.
16 McGee stated okay we can also work towards a getting you the visual inspection. He added that
17 his point was it is not part of this application as a requirement. If it was a renewal permit, it would
18 be, but it's not. Mr. Robbins responded, he thinks the code doesn't contemplate the change out of
19 equipment within that period, and he believes that's something that the Town's looking at updating.
20 Mr. McGee responded that his point is the code is the code written as it is written. Mr. Robbins
21 stated that the Town would certainly like to have improved cell service and have the benefit of the
22 new equipment and that we appreciate their cooperation. Mr. McGee responded, certainly, and
23 that they would get to the other COAs. Chairman Currie stated that he is assuming that would be
24 a condition in the resolution. Mr. Robbins responded that he thought that would be reasonable.
25

26 Chairman Currie asked if there were any other Board member questions and/or comments. There
27 were none. Mr. McGee stated that he is just seeking approval conditioned on getting so the final
28 COAs. Chairman Currie asked Planning Board Attorney, Mr. Michael Towey if he had any
29 comments. Mr. Towey responded that he skimmed all of the documents earlier and much of it had
30 to do with Mr. Smith and Mr. Robbins so he just kind of reviewed it. He indicated that if he needed
31 to get involved and do an interpretation, whether or not a visual inspection is required that he
32 would be happy to do that and just asked that Mr. Robbins let him know. Chairman Currie then
33 asked the Board if they were okay with waiving the Site Walk and Public Hearing as they have
34 done this on this many times in the past. Various member responded yes. He then made a motion
35 to the same. Mr. Sutton asked if there is any use of drones for visual inspection. Mr. McGee was
36 not sure and said he would have to find out if they use drones for visual inspection. He stated he
37 would imagine so and if they are already up there and you are not doing it on the ground you would
38 have to use a drone - these days, it would be a much more economical way to do it, and you would
39 have video footage. So as a suggestion that would be a good way to go.
40

41 Chairman Currie made a motion to waive the Site Walk and the Public Hearing. Ms. Gannon
42 seconded. All in favor. Motion passes. Chairman Currie then made a motion to direct staff to
43 prepare the draft resolution as discussed. Ms. Gannon seconded. All in favor. Motion passes.
44
45
46

1 **7. NEW CINGULAR WIRELESS – AT&T APPLICATION FOR AMENDED SPECIAL**
2 **USE PERMIT WIRELESS TELECOMMUNICATIONS FACILITY**
3 **247 ROUTE 100**
4 **TM: 28.10-1-6.10**
5

6 The project consists of modifications to the existing wireless telecommunications facility
7 comprising of equipment, antennas and associated cables. The property is located at 247 Route
8 100 and is located in an OLI (Office and Light Industry) Zoning District.
9

10 Mr. Marty McGee came to the podium and stated he was with Aerosmith Development out of
11 Saratoga Springs representing New Cingular Wireless – more commonly known as AT&T. He
12 thanked Chairman Currie and stated that this application is blander than the first application as the
13 antennas are inside a concealment pole, so no one is going to see them. He indicated that basically
14 they have six antennas in there with two arrays and they will be swapping them out, putting new
15 antennas within a pole. Mr. McGee added that there really is no visual impact in any way, shape
16 or form. He indicated that the Town has asked for basically the same items under this application
17 as the last one and that they will certainly be happy to get that information to the Town as well as
18 the visual inspection. He reiterated that this application was basically the same as the last
19 application. Consulting Town Planner, Mr. David Smith asked Mr. McGee if he had a copy of the
20 application itself. Mr. McGee responded he did not have one with him, but he knows he provided
21 one to the Planning and Engineering Department. Ms. Vicky Gannon gave her copy to Mr. McGee.
22 Mr. Smith stated that on the application, it lists the property owner as a fire district out on the east
23 end of Long Island. Mr. McGee replied really. Mr. Smith responded that is what he said, and
24 indicated that he had reached out to Alexis Engelhardt from Aerosmith and did not get an adequate
25 response so he was a little confused. Mr. McGee stated that while it is possible, it seems very
26 unlikely. Mr. Smith stated, yes, he was very confused as to why a fire district would have
27 ownership of the property, particularly because that Applicant has been before this Board recently,
28 and there was no fire district. In fact, the owner of 247 Route 100 indicated that there was a
29 perpetual easement for this site, but he still owned the property. Mr. Smith asked Mr. McGee to
30 clarify that as part of the record. Mr. McGee asked if Mr. Smith would like the application
31 amended and returned. Mr. Smith responded no, he just needed to clarify it as part of the record.
32 Mr. Smith then advised Chairman Currie that other than that it is the same conditions, and you
33 could, if you and the Board so chooses direct staff to prepare a confirmatory resolution. Chairman
34 Currie stated just for the record it is Town Map 28.10-1-6.10. Mr. McGee stated Crown Castle
35 would have a perpetual easement.
36

37 Chairman Currie asked the Board if there were any questions and/or comments. There were none.
38 He then made a motion to waive the Site Walk and the Public Hearing. Ms. Gannon seconded.
39 All in favor. Motion passes. Chairman Currie then made a motion to direct staff to prepare the
40 draft resolution with the one item of the actual owner being clarified and with the same conditions
41 as we discussed with the prior application. Ms. Gannon seconded. All in favor. Motion passes.
42
43
44
45

REQUEST TO SCHEDULE A SITE WALK**8. NORTH EDGE REALTY****TM: 4.19-2-2,3,4 AND 4.19-2-1****PROPERTY LOCATED AT 39,43 & 45 ROUTE 6**

For the record Chairman Currie stated that last item is a request from North Edge Realty to schedule a Site Walk. Mr. Jared Boniello representing Boniello Development came to the podium and stated he was here to request a Site Walk of their proposed 73 townhouse subdivision up off of Route 6, in Baldwin Place. He stated that they do have some trails that are walkable and any weekend that the Board could coordinate to come out and walk would be appreciated as they would really like the Board to get eyes on the project. Chairman Currie asked Consulting Town Engineer, Mr. Steve Robbins if staff and the Board needed some things staked out prior to the Site Walk. Mr. Robbins responded that with this particular application, the matter is before the Town Board right now. He indicated that he does not know that this Board has been provided with the latest Site Plan, but certainly has substantially similar Site Plans for informational purposes. Once the Town Board process is completed, the Applicant will be back here for Site Plan approval and Environmental Permits. He added that with as many units as are proposed, he did not think that staking out building corners was feasible. But he did think it would be helpful for the Applicant to be able to mark the locations of site entrances and major site features – it could be a stormwater basin area, not to survey grade, but for an informational purpose. Mr. Boniello asked about the center line of the road and if that is problematic. Mr. Robbins responded maybe – to the extent that might shift or change. Consulting Town Planner, Mr. David Smith responded that it provides a frame of reference for the Board. Chairman Currie asked if there was going to be certain egress and ingress. Mr. Boniello responded yes. Mr. Robbins added that often some applicants have staked every 50 feet along the roadway. He then asked Mr. Boniello about the state of sight cover in terms of whether or not you could see 100- feet ahead of you and whether there is a lot of undergrowth or if it is fairly open. Mr. Boniello responded that the road is generally where their trail is right now. It was a deer or hiking trail that they kind of utilized and kept cleared. He added that they can certainly give the Board an idea of where the road is going to be coming along. You have buildings flanking either side of the road. This is not like the woods behind his house. There is not barberry inundating the site. It is pretty open- we are going to have a good visual. Mr. Boniello added that he would put something up the road so that you have an idea of what we are looking at and he will make sure it is visibly understood. Mr. Robbins stated based on some lessons learned from other applications involving Site Walks he thought it would be helpful if there are 3 to 6 key points along the site where it would be helpful for the Board to stop and pause and know where those are specifically on a plan. Almost like here's point A, B C and D on the plan and those are staked out in the field, then the Board can stand there and say okay I am looking at the plan and I know I am looking at a building or this or that. It would serve as a means to provide some of the context without needing to stake out in a lot of detail. He asked Mr. Boniello if that made sense. Mr. Boniello stated yes. Mr. Robbins stated that he thought it was a reasonable starting point and that normally he would feel like it is a bit premature because the Board hasn't seen the latest Site Plan but knowing that it's likely coming if the Board so sees fit and is able to schedule a Site Walk in August we can do so. Otherwise, it is certainly up to the Board if they would prefer to wait to have the full Site Plan. Chairman Currie asked for confirmation that they were still

1 waiting for the zoning change from the Town Board. Mr. Robbins responded, correct and that he
2 thought the Applicant was trying to keep things moving. Chairman Currie stated that he would
3 listen to Board member comments. Mr. Jack Mattes asked the Applicant if he could mark clearly
4 where the exit road to Route 6 would be created. Mr. Boniello responded yes, we should be able
5 to see that from the property. Mr. Mattes then stated that he knows that is a point of contention
6 that came before the Town Board at a prior Public Hearing and the concern of the public was that
7 exit road and the entry road through the church driveway and then asked if the church entry road
8 would also be marked. Mr. Boniello responded that he can certainly mark the entry for Route 6
9 and where we will be coming out of the church. He added that the road is already existing and
10 that they are actually jumping on to the churches egress. Mr. Mattes responded right that is two-
11 way. Mr. Boniello stated it is easy to figure out where that is coming in. Mr. Mattes asked Mr.
12 Boniello to confirm that would be visible to the Board when we visit the site. Mr. Boniello
13 responded yes and stated he wanted to double back really quick, just give the Board a little more
14 of an idea of what is going on. He indicated the Town Board is still in the process of reviewing
15 the zoning change and he feels it is imminent, and it's coming up soon. They are in a bit of a
16 holding pattern with them, but that should be coming to a close shortly. There is an updated set of
17 documents, which have not yet been shared with this Board – they were just finalized. Mr. Boniello
18 indicated they have every intention of getting those plans into this Board's hands before they come
19 in for a formal review. He added that he could certainly get that out before the Site Walk, so the
20 Planning Board has eyes on the layout. As previously noted, the layout has not changed. The Town
21 Board has picked apart certain details, which they've been addressing. It is a pretty substantial set
22 of documents at this point, so there is a lot of meat in there for you to review. Mr. Mattes wanted
23 to make sure Mr. Boniello understood that the Board is aware of what the Town is questioning and
24 that it is important. Mr. Boniello said understood. Mr. Anthony Sutton said he had a question for
25 staff and asked if it was likely that there could be substantive changes that would prompt us to do
26 a second visit to see new stuff. He indicated that he thought this does seem a bit premature, that
27 there's a lot of things still in motion here. Mr. Robbins responded that he thought that is always
28 possible and he does not want to speak for the Board and its review. He indicated that he did not
29 believe that this is a matter before the Town Board this week, but would be before the Town Board
30 in August. He stated he thought to the extent that is helpful to this Board to see the site and begin
31 thinking about and formulating questions as it relates to the site plan review, then you can kind of
32 adjust in your head and understand the context of the site before you start seeing the plans. But it
33 is certainly possible that this Board has changes that it may want to go out and see again, and there
34 is no reason you cannot schedule a second site visit. Ms. Vicky Gannon stated that thinking about
35 it, realistically, we have a meeting August 13, 2025 and that one of her priorities was that Mr.
36 Robbins be at the Site Walk – she did not want to go if he could not be there. Mr. Robbins
37 indicated he would not be available at the end of August. Ms. Gannon stated that she did not see
38 a reason to go before the Planning Board's August meeting and would think if we waited until
39 then, they would have more time for the Town Board to hold forth. If the Applicant wanted to
40 give us a preview here, and there was time you could always do that before we go in the field on
41 Saturday, if enough people were available on the August 16, 2025. Ms. Gannon added it is kind
42 of a nice setup, because we meet and then four days after we could go. Chairman Currie added he
43 would think that the Town Board should have made their decision by then. Mr. Robbins responded
44 which would be on August 14, 2025. Chairman Currie stated everything falls into place. Ms.
45 Gannon responded or not. Mr. Robbins responded and then on August 13, 2025 you could always

1 cancel. Ms. Gannon replied absolutely, yes. Chairman Currie asked for feedback on Saturday
2 August 16, 2025 as a tentative date. Mr. Christopher Zaberto asked if the feedback was on the
3 premise of a Site Walk or the date. Chairman Currie replied both. Mr. Zaberto indicated that he
4 was on the fence about doing a Site Walk so soon without the possibility of knowing that there are
5 changes that would be made that may have been prompted by the Town Board. But then he thought
6 about the size and scope of this project and the work that Boniello Development has done in this
7 Town previously and then thought that we should do a Site Walk sooner rather than later. And
8 then should it be required, if there are substantial changes to how the Applicant presented it to us
9 initially that we just do another Site Walk as he thinks we would owe it to the Applicant and to the
10 Town given the size of this. Mr. Zaberto added if this was a single-family thing and we were
11 going back and forth; we might want to wait. But the Applicant is proposing a large number of
12 units and he thinks we should do the Site Walk on August 16, 2025 and then, if need be, we do it
13 again, if there's any changes to that. Chairman Currie stated theoretically, the Town Board may
14 have made their decision on the 14th, and we'll have the most recent set of plans in our hands on
15 the 13th. Mr. Boniello stated that would be his intention. Mr. Mattes asked if it would be for 9:00
16 a.m. Various Board members stated that worked. Ms. Gannon stated the last time we discussed
17 this we were told to park at the Yorktown Assembly of God parking lot and asked if that is still
18 going to be the plan. Mr. Boniello responded yes. Mr. Sutton noted there was a huge lot behind
19 the church. Mr. Zaberto added it is 253 Mahopac Avenue in case anybody wanted the exact
20 address of the Yorktown Assembly of God Church.

21
22 Chairman Currie made a motion to schedule a Site Walk for August 16, 2025 at 9:00 a.m. Ms.
23 Gannon seconded. All in favor. Motion passes.

24 MEETING ADJOURNMENT

25
26
27 There being no further business, on motion by Chairman Currie, seconded by Mr. Christopher
28 Zaberto, and unanimously carried, the meeting adjourned at 8:25 p.m.

29
30 Chairman Currie announced that the next Planning Board meeting will be held on Wednesday,
31 August 13, 2025, at 7:30 p.m. at the Somers Town House.

32
33 Respectfully submitted,

34
35
36 _____
37 Nicole Montesano
Planning Board Secretary

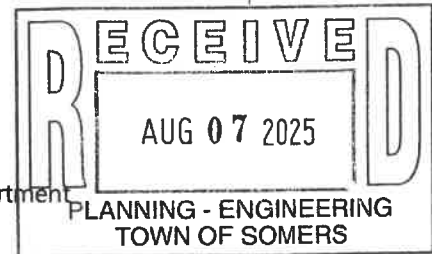
Woodard & Curran Engineering
and Geological Services P.A. P.C.
800 Westchester Avenue | Suite N507
Rye Brook, New York 10573
www.woodardcurran.com

T 800.426.4262
T 914.448.2266
F 914.448.0147



MEMORANDUM

TO: Town of Somers Planning Board
CC: Town of Somers Planning and Engineering Department
FROM: Steve Robbins; P.E., LEED AP
DATE: August 7, 2025
RE: 240 Mahopac Avenue Proposed Single Family Residence
Review of Site Plan Application
TM: 15.08-1-1, R-40 District



GENERAL

The purpose of this letter is to provide a summary of our comments related to our review of the Site Plan Application that was submitted for the 240 Mahopac Avenue Proposed Single Family Residence Project, in the Town of Somers, New York.

The Applicant is proposing the construction of a 3,300 square foot single family residence along Mahopac Avenue, with a total site disturbance of 22,480 SF. The project exceeds 5,000 SF of disturbance and is located within the East of Hudson Watershed.

This review focused on the engineering design and the associated Town Code requirements in accordance with the following:

- Town of Somers Code, Chapter 93: Stormwater Management and Erosion and Sediment Control, and other sections, as applicable.

DOCUMENTS REVIEWED

- Application for Site Plan Approval, prepared by Michael Festo, dated June 25, 2025, revised July 17, 2025.
- EAF Short Form, prepared by Michael Festo, dated June 25, 2025.
- EAF Long Form, prepared by Michael Festo, dated June 25, 2025.
- Drawings prepared by JMER Engineering, P.C., including:

| Sheet Number | Sheet Name | Dated | Revised |
|--------------|---|--------------|---------------|
| C-1 | Existing Site/Removals Plan & Zoning | June 3, 2025 | July 17, 2025 |
| C-2 | Proposed Site Layout, Details & Zoning | June 3, 2025 | July 17, 2025 |
| C-3 | Site Grading, Drainage, Erosion Control Plans & Details, Steep Slopes & Excavation Analysis | June 3, 2025 | July 17, 2025 |
| C-4 | OWTS Layout Plan & Notes | June 3, 2025 | NA |



| | | | |
|-----|---|--------------|----|
| C-5 | OWTS Details | June 3, 2025 | NA |
| S-1 | Foundation Plan, Details & Notes | June 2, 2025 | NA |
| A-1 | 1 st & 2 nd Floor Layout Plans, Details & Notes | June 2, 2025 | NA |
| A-2 | Roof Plan, Window & Door Schedules | June 2, 2025 | NA |
| A-3 | Elevations | June 2, 2025 | NA |

PERMITS AND APPROVALS REQUIRED

- Site Plan
- Steep Slopes
- Stormwater Pollution Prevention Plan (SWPPP)

DISCUSSION

The following is a summary of our preliminary comments based on our technical review of the latest submittal. Previously issued comments are noted in *italics* and the corresponding current status and response is shown in **bold** it should be noted that further comments will be provided upon review of additional information.

1. Since site plan approval is required, submit a Stormwater Pollution Prevention Plan in accordance with Town Code Section 93.15
2. Respond to site plan and EAF input from the Open Space Committee.

Please feel free to contact our office with any questions. Please provide a response memo identifying where responses to these comments can be located on revised submittals.

OPEN SPACE COMMITTEE

Telephone
(914) 277-5582
Fax
(914) 277-3790

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 202
SOMERS, NY 10589

MICHAEL BARNHART
CHAIRMAN

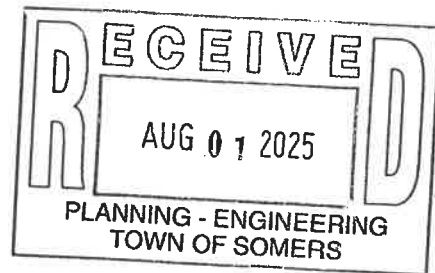


MEMO TO: Planning Board

FROM: Open Space Committee

RE: 240 Mahopac Avenue

DATE: August 1, 2025



The Committee reviewed and discussed the submission, received from the Planning Board, for 240 Mahopac Avenue on July 30, 2025. The Committee had the following concerns.

The short EAF appears to contain some errors, notably question 13 concerning wetlands that fall under local regulation. The survey and site plans plainly show a large area of standing water at the back of the property and note a wetland buffer. The form checks 'no' to this question, but it should read 'yes', at least to part a, if the survey is correct. Question 9 appears to be missing an explanation as to how the project exceeds state energy code requirements. Finally, question 11 also lacks the required explanation as 'no' is checked regarding wastewater treatment onsite.

The storm water system shows a grated inlet but doesn't specify the size of the grating. Especially as amphibians and reptiles may be present on the site given the proximity of wetlands, the concern is always that if the openings in the grating are spaced too widely, such animals are vulnerable to falling in without being able to escape and thus drown. We recommend gratings that forestall that possibility.

There should be a tree removal plans and list. There appear to be trees designated on the survey that would have to be removed for the project, but removals aren't specified, and there is no indication as to species.

It is recommended that rain gardens be used. The engineering slopes and soils would work fine with rain gardens and can be an alternative to the hard infrastructure that can trap amphibians.

**TOWN OF SOMERS
PLANNING BOARD
APPLICATION FOR SITE PLAN APPROVAL**

Application Processing Affidavit must also be completed. Click here for form.

I. IDENTIFICATION OF APPLICANT:

A. Owner: Michael Russo Applicant: Michael J Festo
Address: 34 Hathaway Rd. Rosville NY Address: 2 Elizabeth Ct. Katonah NY 10536
Tele #: 914-391-9683 Tele #: (914)450-1542
B. Architect: Same Engineer: SMER Engineering P.C.
Address: Same Address: 55 Park Ave. Ossining NY 10562
Tele #: Same Tele #: (914)255-5780
C. Surveyor: Support Land Surveying Tele #: (914)629-7258
Address: 31 Drake Lane, White Plains NY 10607

II. IDENTIFICATION OF PROPERTY:

A. Identifying Title: 340 Mahopac Ave
B. Tax Map Design: Sheet: 15.08 Block: 1 Lot(s): 1
C. Zoning District: R-40
D. Street which property abuts: Mahopac Ave
E. Does property connect directly into State or County highway? No
F. Is site within 300 feet of Town Boundary? No
G. Total area of site: 2 Acre Area of site activity: 22,480 SF
H. Site coverage: 5.6 % Building coverage: 3.7 %
I. Affected Wetland Area: N/A Wetland Buffer Area: N/A
J. Affected Steep Slope Area: 15%-25% 740 SF Over 25%
K. Existing building size: N/A New/additional building size: 3300 SF
L. Existing parking spaces: N/A New parking spaces:

III. APPLICATION FEE:

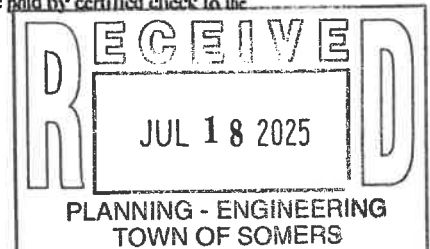
\$500 base fee plus \$50 per 1,000 sq.ft. or part thereof plus \$25 per parking space to be paid by certified check to the Town of Somers.

Wetland Permit Fee: \$200 min. fee + \$100 per 5,000 sq. ft. of regulated area or proposed area to be disturbed.

Steep Slope Fee: \$150 min. fee + \$75 per 10,000 sq. ft. of regulated area or proposed area to be disturbed.

Total Fee: \$1925

Date Paid: 7/17/2025



IV. DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:

Submit 14 copies of all correspondence and plans to the Planning Board.

- 14 copies of Site Plan with north arrow and location map drawn to scale of 1" = 1,000'.
- Survey Map defining precise boundaries of property.
- Copies of all existing and proposed deed restrictions or covenants applying to the property, including covenants and agreements restricting use, and establishing future ownership and maintenance responsibilities for all private roads, recreation and open space areas.
- Preliminary Architectural Drawings to be submitted to Planning Board prior to public hearing for referral to Building Inspector and Architectural Advisory Review Board.
- Environmental Assessment Form.
- Proof that taxes have been paid.

It is the responsibility of the applicant to be knowledgeable of the law. The following are available at the Town Clerk's Office: Master Plan, Zoning Ordinance, Site Plan Regulations, State Environmental Quality Review (SEQR) and Environmental Quality Review, Wetland and Steep Slope Ordinances of the Town of Somers.

All revised plans shall be accompanied by a letter indicating what changes were made. All costs incurred by the Town for professional services and SEQR review will be paid by the applicant.

By submission of this application, the property owner agrees to permit Town Officials and their designated representatives to conduct on-site inspections in connection with the review of the proposal. The property shall be identified on site as being proposed for site plan approval.

Michael Festo
Signature of Applicant
Michael Russo
Signature of Owner
Michael Russo

Date: 6/25/2025
Date: 4/15/2025

OFFICE OF THE TAX RECEIVER

Town of Somers

WESTCHESTER COUNTY, N.Y.

Telephone
(914) 277.3610

Fax
(914) 277.8932

Michele A. McKearney

Receiver of Taxes
mmckearney@somersny.com



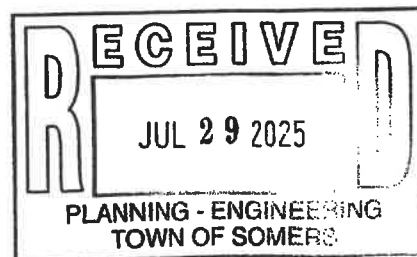
335 Route 202
Town House
Somers, NY 10589

Christine Rossiter

Deputy Receiver of Taxes
crossiter@somersny.com

July 18, 2025

RE: Russo, Michael A. (III)
240 Mahopac Avenue
Yorktown Heights, NY 10598
Parcel # 15.08-1-1



To Whom It May Concern,

All taxes have been paid in full on the above referenced parcel. There are no outstanding liens or taxes due as of the date of this letter.

If you have any questions or need additional information, please do not hesitate to contact me.

Sincerely,

Christine Rossiter
Deputy Receiver of Taxes

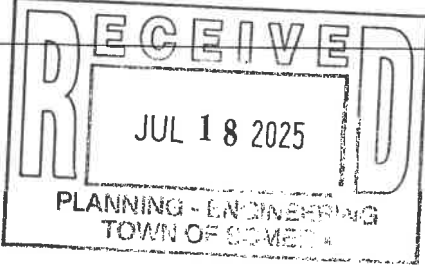
Short Environmental Assessment Form

Part 1 - Project Information

Instructions for Completing

Part 1 – Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

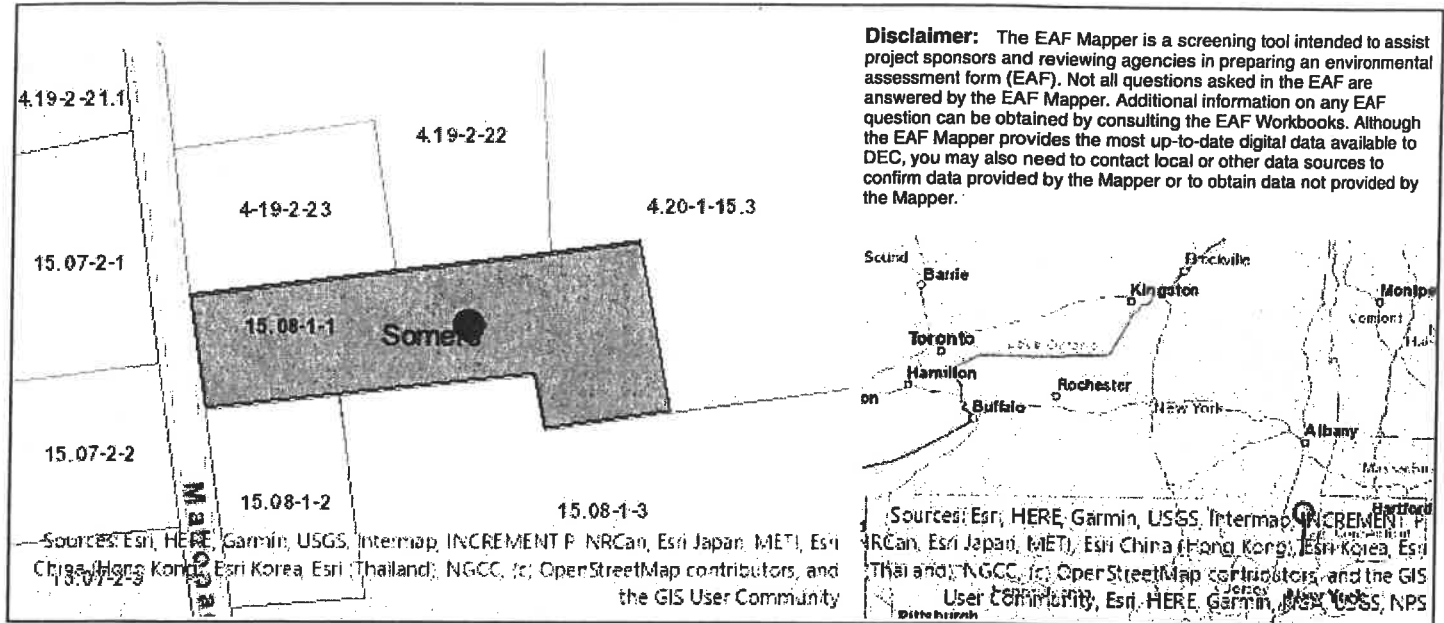
| Part 1 – Project and Sponsor Information | | | |
|---|--|-------------------------------|-------------------------------------|
| 240 Mahopac Ave Michael J Festo | | | |
| Name of Action or Project: | | | |
| 240 Mahopac Ave | | | |
| Project Location (describe, and attach a location map): | | | |
| 240 Mahopac Ave Yorktown Heights NY 10598 | | | |
| Brief Description of Proposed Action: | | | |
| Construct a 3300 Square foot single family house. | | | |
|  | | | |
| Name of Applicant or Sponsor: | | Telephone: (914) 450-1542 | |
| Michael J Festo | | E-Mail: mikefesto15@gmail.com | |
| Address: | | | |
| 2 Elizabeth Ct | | | |
| City/PO: | | State: | Zip Code: |
| Katonah | | New York | 10536 |
| 1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? | | | NO |
| If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2. | | | YES |
| | | | <input checked="" type="checkbox"/> |
| 2. Does the proposed action require a permit, approval or funding from any other government Agency? | | | NO |
| If Yes, list agency(s) name and permit or approval: Westchester County Department of Health | | | YES |
| | | | <input type="checkbox"/> |
| 3. a. Total acreage of the site of the proposed action? | | | 2.00 acres |
| b. Total acreage to be physically disturbed? | | | 0.51 acres |
| c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? | | | 2.00 acres |
| 4. Check all land uses that occur on, are adjoining or near the proposed action: | | | |
| 5. <input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) | | | |
| <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other(Specify): | | | |
| <input type="checkbox"/> Parkland | | | |

| | | | |
|---|---|---|---|
| 5. Is the proposed action, a. A permitted use under the zoning regulations? b. Consistent with the adopted comprehensive plan? | NO <input type="checkbox"/> <input type="checkbox"/> | YES <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> <input type="checkbox"/> |
| 6. Is the proposed action consistent with the predominant character of the existing built or natural landscape? | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> | |
| 7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____ | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> | |
| 8. a. Will the proposed action result in a substantial increase in traffic above present levels? b. Are public transportation services available at or near the site of the proposed action? c. Are any pedestrian accommodations or bicycle routes available on or near the site of the proposed action? | NO <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> | YES <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | |
| 9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____ _____ | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> | |
| 10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____ | NO <input type="checkbox"/> | YES <input checked="" type="checkbox"/> | |
| 11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____ | NO <input checked="" type="checkbox"/> | YES <input type="checkbox"/> | |
| 12. a. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? b. 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? | NO <input checked="" type="checkbox"/> <input type="checkbox"/> | YES <input type="checkbox"/> <input checked="" type="checkbox"/> | |
| 13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____ _____ _____ | NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> | YES <input type="checkbox"/> <input type="checkbox"/> | |

| | | |
|---|--|-------------------------------------|
| 14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban | | |
| 15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered? | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Is the project site located in the 100-year flood plan? | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, <div style="margin-left: 40px;"> a. Will storm water discharges flow to adjacent properties? b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? </div> If Yes, briefly describe: | NO | YES |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | They will be directed into an on site infiltration system. | |
| 18. Does the proposed action include construction or other activities that would result in the impoundment of water or other liquids (e.g., retention pond, waste lagoon, dam)? If Yes, explain the purpose and size of the impoundment: | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: | NO | YES |
| | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: | NO | YES |
| | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| It was not on this property and on an adjoining property. | | |
| I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor/name: <u>Michael Festo</u> Date: <u>6/25/2025</u> Signature: <u><i>Michael Festo</i></u> Title: <u>Contract Vendee</u> | | |

EAF Mapper Summary Report

Wednesday, June 25, 2025 11:27 AM



| | |
|---|--|
| Part 1 / Question 7 [Critical Environmental Area] | No |
| Part 1 / Question 12a [National or State Register of Historic Places or State Eligible Sites] | No |
| Part 1 / Question 12b [Archeological Sites] | Yes |
| Part 1 / Question 13a [Wetlands or Other Regulated Waterbodies] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| Part 1 / Question 15 [Threatened or Endangered Animal] | No |
| Part 1 / Question 16 [100 Year Flood Plain] | No |
| Part 1 / Question 20 [Remediation Site] | Yes |

Full Environmental Assessment Form
Part 1 - Project and Setting

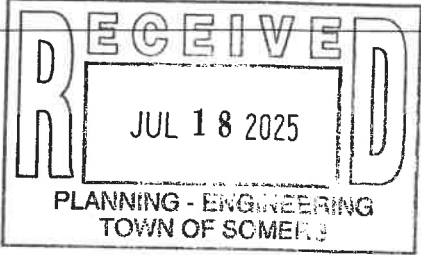
Instructions for Completing Part 1

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

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

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

A. Project and Applicant/Sponsor Information.

| | | |
|---|------------------------|-------------------------------------|
| Name of Action or Project: 240 Mahopac Ave Michael J Festo | | |
| Project Location (describe, and attach a general location map): 240 Mahopac Ave Yorktown Heights NY 10598 | | |
| Brief Description of Proposed Action (include purpose or need): Construct a 3300 Square foot single family house. | | |
|  | | |
| Name of Applicant/Sponsor: Michael J Festo | | Telephone: (914) 450-1542 |
| | | E-Mail: mikefest15@gmail.com |
| Address: 2 Elizabeth Ct | | |
| City/PO: Katonah | State: New York | Zip Code: 10536 |
| Project Contact (if not same as sponsor; give name and title/role): | | Telephone: |
| | | E-Mail: |
| Address: | | |
| City/PO: | | State: |
| | | Zip Code: |
| Property Owner (if not same as sponsor): Michael Russo | | Telephone: (914) 391-9683 |
| | | E-Mail: |
| Address: 34 Hathaway Rd | | |
| City/PO: Bronxville | State: New York | Zip Code: 10708 |

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

| Government Entity | If Yes: Identify Agency and Approval(s) Required | Application Date (Actual or projected) |
|---|---|---|
| a. City Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees | Town of Somers Building Department & Planning Board | July 28, 2025 |
| b. City, Town or Village <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Planning Board or Commission | Town of Somers Planning Board | July 28, 2025 |
| c. City, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals | | |
| d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| e. County agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | Westchester County Health Department | June 4, 2025 |
| f. Regional agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| g. State agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | |
| i. Coastal Resources. | | |
| i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| iii. Is the project site within a Coastal Erosion Hazard Area? | | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

C. Planning and Zoning**C.1. Planning and zoning actions.**

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

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

C.2. Adopted land use plans.

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

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

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

If Yes, identify the plan(s):

NYC Watershed Boundary

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?

R-40

- b. Is the use permitted or allowed by a special or conditional use permit? ☒ Yes ☐ No

- c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

- i. What is the proposed new zoning for the site? _____

C.4. Existing community services.

- a. In what school district is the project site located? Somers Central School District

- b. What police or other public protection forces serve the project site?

Somers Police Department

- c. Which fire protection and emergency medical services serve the project site?

Fire Protection: Somers Fire Department (Amawalk Fire House) & EMS: Somers Fire Department (Lincolndale Fire House)

- d. What parks serve the project site?

Baldwin Meadows 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)?

- b. a. Total acreage of the site of the proposed action? _____ acres
b. Total acreage to be physically disturbed? _____ acres
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? _____ 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 the proposed action be constructed in multiple phases? ☐ Yes ☐ No

- i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated _____
- Anticipated commencement date of phase 1 (including demolition) _____ month _____ year
- Anticipated completion date of final phase _____ month _____ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

| | | | | |
|--|-------------------|-------------------|---------------------|---------------------------------------|
| f. Does the project include new residential uses? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, show numbers of units proposed. | | | | |
| | <u>One Family</u> | <u>Two Family</u> | <u>Three Family</u> | <u>Multiple Family (four or more)</u> |
| Initial Phase | _____ | _____ | _____ | _____ |
| At completion | _____ | _____ | _____ | _____ |
| of all phases | _____ | _____ | _____ | _____ |

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

| | |
|---|--|
| h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, | |
| i. Purpose of the impoundment: _____ | |
| ii. If a water impoundment, the principal source of the water: <input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify: _____ | |
| iii. If other than water, identify the type of impounded/contained liquids and their source. _____ | |
| iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres | |
| v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length | |
| vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____ | |

D.2. Project Operations

| | |
|---|--|
| a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes: | |
| i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ | |

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

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

☐ Yes ☐ No

If Yes, describe:

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

☐ Yes ☐ No

If Yes:

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

v. Describe any proposed reclamation/mitigation following disturbance: _____

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

☐ Yes ☐ No

If Yes:

i. Total anticipated water usage/demand per day: _____ 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: _____
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

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

☐ Yes ☐ No

If Yes:

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

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

☐ Yes ☐ No

If Yes:

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

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

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes?

☐ Yes ☐ No

If Yes:

i. Total anticipated liquid waste generation per day: _____ 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): _____

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

☐ Yes ☐ No

If Yes:

- Name of wastewater treatment plant to be used: _____
- Name of district: _____
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

- Do existing sewer lines serve the project site? ☐ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☐ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____

- iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☐ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

- v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

- vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

- e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☐ Yes ☐ No

If Yes:

- i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or _____ acres (impervious surface)

_____ Square feet or _____ acres (parcel size)

- ii. Describe types of new point sources. _____

- 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

- iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☐ No

- f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☐ Yes ☐ No

If Yes, identify:

- i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)

- ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

- iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)

- g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☐ Yes ☐ No

If Yes:

- i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☐ No

- ii. In addition to emissions as calculated in the application, the project will generate:

- _____ Tons/year (short tons) of Carbon Dioxide (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)

| | | | |
|--|---|--|---|
| <p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p> | | | |
| <p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p> | | | |
| <p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | | | |
| <p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade, to an existing substation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | | | |
| <p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ </td> </tr> </table> | | <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ |
| <p>i. During Construction:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | <p>ii. During Operations:</p> <ul style="list-style-type: none"> • Monday - Friday: _____ • Saturday: _____ • Sunday: _____ • Holidays: _____ | | |

| | |
|---|--|
| <p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> | |
| <p>ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> | |
| <p>n. Will the proposed action have outdoor lighting? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> | |
| <p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Describe: _____</p> | |
| <p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures:</p> <p>_____</p> | |
| <p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally, describe the proposed storage facilities: _____</p> | |
| <p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> | |
| <p>ii. Will the proposed action use Integrated Pest Management Practices? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> | |
| <p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> • Construction: _____ tons per _____ (unit of time) • Operation : _____ tons per _____ (unit of time) <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> • Construction: _____ • Operation: _____ | |

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

If Yes:

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

ii. Anticipated rate of disposal/processing:

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

iii. If landfill, anticipated site life: _____ years

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

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

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

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

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

If Yes: provide name and location of facility: _____

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

E. Site and Setting of Proposed Action

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

a. Existing land uses.

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

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

☐ Forest ☐ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe: _____

b. Land uses and covertypes on the project site.

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

| | |
|--|--|
| <p>c. Is the project site presently used by members of the community for public recreation? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: explain: _____</p> | |
| <p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes,</p> <p>i. Identify Facilities: _____</p> <p>_____</p> | |
| <p>e. Does the project site contain an existing dam? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Dimensions of the dam and impoundment:</p> <ul style="list-style-type: none"> • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <p>ii. Dam's existing hazard classification: _____</p> <p>iii. Provide date and summarize results of last inspection: _____</p> <p>_____</p> | |
| <p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Has the facility been formally closed? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <ul style="list-style-type: none"> • If yes, cite sources/documentation: _____ <p>ii. Describe the location of the project site relative to the boundaries of the solid waste management facility: _____</p> <p>_____</p> <p>iii. Describe any development constraints due to the prior solid waste activities: _____</p> <p>_____</p> | |
| <p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____</p> <p>_____</p> | |
| <p>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? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p><input type="checkbox"/> Yes – Spills Incidents database</p> <p><input type="checkbox"/> Yes – Environmental Site Remediation database</p> <p><input type="checkbox"/> Neither database</p> </div> <div style="width: 45%;"> <p>Provide DEC ID number(s): _____</p> <p>Provide DEC ID number(s): _____</p> </div> </div> <p>ii. If site has been subject of RCRA corrective activities, describe control measures: _____</p> <p>_____</p> <p>iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, provide DEC ID number(s): 360023 _____</p> <p>iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____</p> <p>_____</p> | |

| | |
|---|--|
| v. Is the project site subject to an institutional control limiting property uses? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| <ul style="list-style-type: none"> • 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? <input type="checkbox"/> Yes <input type="checkbox"/> No • Explain: _____ | |
| E.2. Natural Resources On or Near Project Site | |
| a. What is the average depth to bedrock on the project site? _____ feet | |
| b. Are there bedrock outcroppings on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ % | |
| c. Predominant soil type(s) present on project site: _____ % _____ % _____ % | |
| d. What is the average depth to the water table on the project site? Average: _____ feet | |
| e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site | |
| f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site | |
| g. Are there any unique geologic features on the project site? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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)? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| ii. Do any wetlands or other waterbodies adjoin the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes to either <i>i</i> or <i>ii</i> , 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? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| iv. For each identified regulated wetland and waterbody on the project site, provide the following information: | |
| <ul style="list-style-type: none"> • Streams: Name _____ Classification _____ • Lakes or Ponds: Name _____ Classification _____ • Wetlands: Name _____ Approximate Size _____ • Wetland No. (if regulated by DEC) _____ | |
| v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If yes, name of impaired water body/bodies and basis for listing as impaired: _____ | |
| i. Is the project site in a designated Floodway? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| j. Is the project site in the 100-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| k. Is the project site in the 500-year Floodplain? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: | |
| i. Name of aquifer: Principal Aquifer _____ | |

| | |
|--|--|
| <p>m. Identify the predominant wildlife species that occupy or use the project site:</p> <p>_____</p> <p>_____</p> <p>_____</p> | |
| <p>n. Does the project site contain a designated significant natural community? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p>ii. Source(s) of description or evaluation: _____</p> <p>iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> • Currently: _____ acres • Following completion of project as proposed: _____ acres • Gain or loss (indicate + or -): _____ acres | |
| <p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing (endangered or threatened): _____</p> <p>_____</p> <p>_____</p> | |
| <p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Species and listing: _____</p> <p>_____</p> <p>_____</p> | |
| <p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p> <p>_____</p> | |
| <p>E.3. Designated Public Resources On or Near Project Site</p> | |
| <p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes, provide county plus district name/number: _____</p> | |
| <p>b. Are agricultural lands consisting of highly productive soils present? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>i. If Yes: acreage(s) on project site? _____</p> <p>ii. Source(s) of soil rating(s): _____</p> | |
| <p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p>ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p> | |
| <p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>If Yes:</p> <p>i. CEA name: _____</p> <p>ii. Basis for designation: _____</p> <p>iii. Designating agency and date: _____</p> | |

| | |
|--|--|
| e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: <ul style="list-style-type: none"> i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site <input type="checkbox"/> 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? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | |
| g. Have additional archaeological or historic site(s) or resources been identified on the project site? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: <ul style="list-style-type: none"> 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? <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| If Yes: <ul style="list-style-type: none"> i. Identify resource: _____ ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____ iii. Distance between project and resource: _____ miles. | |
| i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| If Yes: <ul style="list-style-type: none"> i. Identify the name of the river and its designation: _____ ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <input type="checkbox"/> Yes <input type="checkbox"/> No | |

F. Additional Information

Attach any additional information which may be needed to clarify your project.

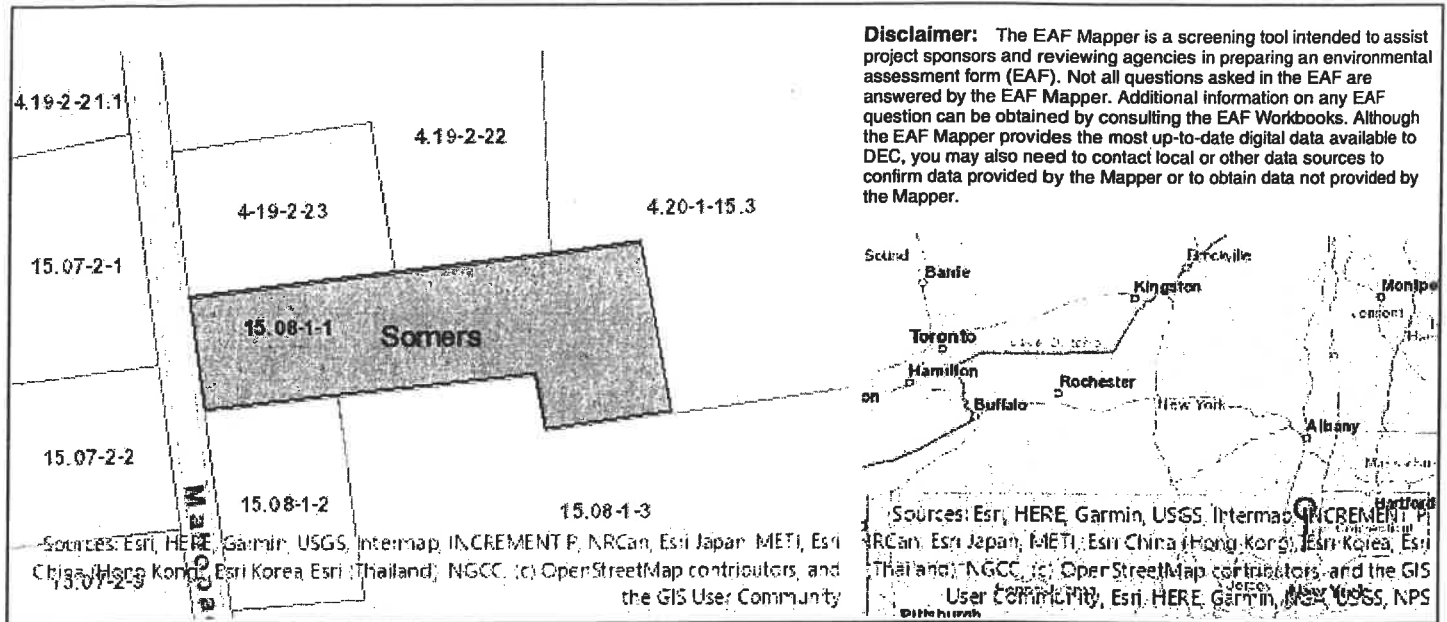
If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Michael Festo Date 6/25/2025

Signature  Title Contract Vendee



| | |
|---|---|
| B.1.i [Coastal or Waterfront Area] | No |
| B.1.ii [Local Waterfront Revitalization Area] | No |
| C.2.b. [Special Planning District] | Yes - Digital mapping data are not available for all Special Planning Districts. Refer to EAF Workbook. |
| C.2.b. [Special Planning District - Name] | NYC Watershed Boundary |
| E.1.h [DEC Spills or Remediation Site - Potential Contamination History] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.i [DEC Spills or Remediation Site - Listed] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.ii [DEC Spills or Remediation Site - Environmental Site Remediation Database] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.1.h.iii [Within 2,000' of DEC Remediation Site] | Yes |
| E.1.h.iii [Within 2,000' of DEC Remediation Site - DEC ID] | 360023 |
| E.2.g [Unique Geologic Features] | No |
| E.2.h.i [Surface Water Features] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.2.h.ii [Surface Water Features] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.2.h.iii [Surface Water Features] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.2.h.v [Impaired Water Bodies] | No |
| E.2.i. [Floodway] | No |
| E.2.j. [100 Year Floodplain] | No |
| E.2.k. [500 Year Floodplain] | No |
| E.2.l. [Aquifers] | Yes |

| | |
|--|--|
| E.2.l. [Aquifer Names] | Principal Aquifer |
| E.2.n. [Natural Communities] | No |
| E.2.o. [Endangered or Threatened Species] | No |
| E.2.p. [Rare Plants or Animals] | No |
| E.3.a. [Agricultural District] | No |
| E.3.c. [National Natural Landmark] | No |
| E.3.d [Critical Environmental Area] | No |
| E.3.e. [National or State Register of Historic Places or State Eligible Sites] | Digital mapping data are not available or are incomplete. Refer to EAF Workbook. |
| E.3.f. [Archeological Sites] | Yes |
| E.3.i. [Designated River Corridor] | No |

PLANNING AND ENGINEERING DEPARTMENTS

Telephone
(914) 277-5866
Fax
(914) 277-4098

Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
335 ROUTE 902
SOMERS, NY 10589
www.somersny.com

Steven Woelfle
Principal Engineering Technician
swoelfle@somersny.com

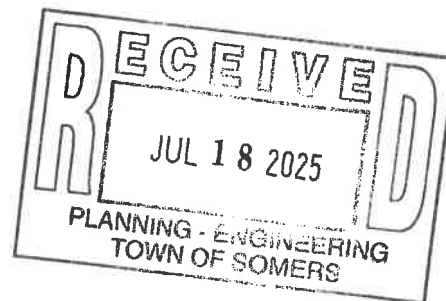


David B. Smith
Town Planner
directorofplanning@somersny.com

July 8, 2025

Michael J. Festo
2 Elizabeth Court
Katonah, NY 10536

RE: Environmental Determination
240 Mahopac Avenue
TM: 15.08-1-1



Dear Mr. Festo:

A brief review of the material submitted with the subject determination has revealed that a Scenic Resource/Site Plan Application, administered by the Planning Board, will be required for the construction of the driveway access in the Mahopac Scenic Corridor as per Somers Town Code §138-13(1)(a), as shown on the submitted drawings.

Also, a Stormwater Management and Erosion and Sediment Control Permit and Tree Removal Permit, applications enclosed, with drawings, must be submitted prior to the issuance of a Building Permit and any work is initiated, and may be reviewed during the Planning Board process.

Furthermore, state-regulated wetlands appear to be present at the rear of the property and additional verification may be necessary.

The proposed grading is shown in the Algonquin Easement and will most likely need approval.

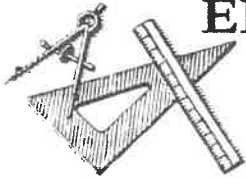
If you have any questions of if I can be of assistance, please do not hesitate to contact this office.


Steven Woelfle
Engineering Department

SW/wg
Enc.

cc: Building Inspector
Consulting Town Planner
Michael Russo

BIBBO ASSOCIATES ENGINEERING, P.C.

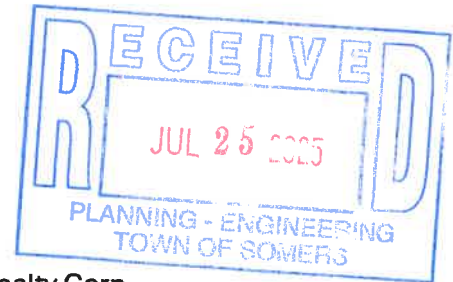


Timothy S. Allen, P.E.
Nicholas Gaboury, P.E.
Matthew J. Gironda, P.E.

July 24, 2025

Somers Planning Board
335 Route 202
Somers, NY 10589-3206

Attn: Mr. John Currie, Chairman



Re: North Edge Realty Corp.
Site Walk
Route 6 & Mahopac Ave.

Dear Chairman and Members of the Board:

In anticipation of our site walk on August 16, 2025, please find the following enclosed for your use:

- 10 copies – Overall Site Plan, dated revised 7-17-25
- 3 - USB Flash Drives

This plan is being submitted for the purpose of the site walk. We anticipate a full submittal to the Planning Board for the September agenda.

We look forward to the August 16, 2025 site walk.

Very truly yours,

Timothy S. Allen, P.E.

TSA/mme
Enclosures

cc: G. Boniello (via email)
R. O'Rourke, Esq. (via email)
J. Siebert, Esq. (via email)
S. Robbins, P.E., (via email, w/encls.)
D. Smith, AICP (via email, w/encls.)
File

Site Design ♦ Engineering

Mill Pond Offices • 293 Route 100 • Suite 203 • Somers, New York 10589
Phone: 914.277.5805

Website: www.bibboassociates.com • E-mail: bibbo@bibboassociates.com



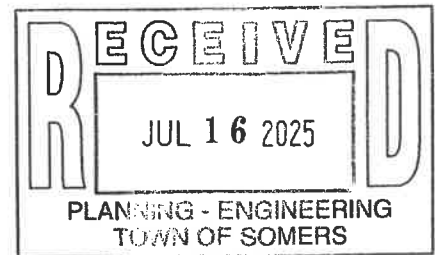
**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

July 16, 2025

By Email

Mr. Dave Smith, Director of Planning
Town of Somers, NY
335 Route 202
Somers, NY 10589



RE: North Edge at Somers Expanded EAF

Dear Mr. Smith and Members of the Somers Town Board,

Representatives from the Office of the New York City Watershed Inspector General (WIG or WIG Office) met with Mr. Timothy Allen, P.E. and Mr. Ray Hamill from Bibbo Associates, LLP on Monday, July 14, 2025 to discuss the WIG's May 1, 2025 comments on the North Edge at Somers Expanded Environmental Assessment Form (EAF) and associated site plans.

Mr. Allen indicated that the WIG Office will be receiving a revised submission of the North Edge at Somers Expanded EAF and site plans in the near future. We will continue evaluating the necessity of an Environmental Impact Statement (EIS) for this project during our forthcoming review.

The WIG Office appreciates this opportunity to comment on the North Edge at Somers Expanded EAF and site plans, and looks forward to working with the Town, Watershed regulators, the Project sponsor, and other stakeholders as review of the Project proceeds.

Respectfully submitted,

s/ Charles Silver

Charles Silver, Ph.D.
Watershed Inspector General Scientist
Environmental Protection Bureau
Office of the Attorney General
The Capitol
Albany, New York 12224
(518) 776-2395

cc: Tim Allen, Bibbo Associates; Cynthia Garcia, DEP; Matt Giannetta, DEP; Tom Snow, DEC

Nicole Montesano

From: Tammi Savva
Sent: Monday, July 14, 2025 4:14 PM
To: David B. Smith; Robert Scorrano; Tom Garrity; Anthony Ciriaco; Bill Faulkner; Richard Clinchy; Patricia Kalba; Roland Baroni
Cc: Kim DeLucia; Wendy Getting; Nicole Montesano
Subject: RE: Comments Received for North Edge Realty Public Hearing on 7/10/25 Town Board Meeting
Attachments: Rezoneing ; Overdevelopment

Good afternoon,

We are in receipt of two more emails regarding this subject. They are attached for your review.

Thank you,

TAMMI SAVVA
JUNIOR ADMINISTRATIVE ASSISTANT
OFFICE OF SUPERVISOR ROBERT SCORRANO
TOWN OF SOMERS
335 ROUTE 202
SOMERS, NY 10589
PHONE: 914-277-3637
FAX: 914-276-0082
WWW.SOMERSNY.GOV

From: David B. Smith <directorofplanning@somersny.gov>
Sent: Thursday, July 10, 2025 5:52 PM
To: Tammi Savva <tsavva@somersny.gov>; Robert Scorrano <rscorrano@somersny.gov>; Tom Garrity <tgarrity@somersny.gov>; Anthony Ciriaco <aciriaco@somersny.gov>; Bill Faulkner <wfaulkner@somersny.gov>; Richard Clinchy <rclinchy@somersny.gov>; Patricia Kalba <pkalba@somersny.gov>; Roland Baroni <RBaroni@Abramslaw.com>
Cc: Kim DeLucia <kdelucia@somersny.gov>; Wendy Getting <wgetting@somersny.gov>; Nicole Montesano <nmontesano@somersny.gov>
Subject: RE: Comments Received for North Edge Realty Public Hearing on 7/10/25 Town Board Meeting

Thank you, Tammi. Copies of the comments have been forwarded to the Applicant.

Best,

Dave Smith
Town of Somers Planning Department

From: Tammi Savva <tsavva@somersny.gov>
Sent: Thursday, July 10, 2025 4:17 PM
To: Robert Scorrano <rscorrano@somersny.gov>; Tom Garrity <tgarrity@somersny.gov>; Anthony Ciriaco <aciriaco@somersny.gov>; Bill Faulkner <wfaulkner@somersny.gov>; Richard Clinchy <rclinchy@somersny.gov>; Patricia Kalba <pkalba@somersny.gov>; Roland Baroni <RBaroni@Abramslaw.com>; David B. Smith <directorofplanning@somersny.gov>
Cc: Kim DeLucia <kdelucia@somersny.gov>; Wendy Getting <wgetting@somersny.gov>; Nicole Montesano

<nmontesano@somersny.gov>

Subject: Comments Received for North Edge Realty Public Hearing on 7/10/25 Town Board Meeting

Good afternoon,

We received the attached emails sent to tbmeeting@somersny.gov regarding the North Edge Realty Public Hearing on tonight's Town Board agenda.

Thank you,

TAMMI SAVVA

JUNIOR ADMINISTRATIVE ASSISTANT

OFFICE OF SUPERVISOR ROBERT SCORRANO

TOWN OF SOMERS

335 ROUTE 202

SOMERS, NY 10589

PHONE: 914-277-3637

FAX: 914-276-0082

WWW.SOMERSNY.GOV

Nicole Montesano

From: June <jlwillis7@yahoo.com>
Sent: Friday, July 11, 2025 10:53 AM
To: tbmeeting@somersny.com
Subject: Rezoneing

Sent from my iPhone

I do not want to rezone 15 acres
in Baldwin Place to MFR.

Nicole Montesano

From: Anne Caz <amcastioni@gmail.com>
Sent: Sunday, July 13, 2025 12:29 PM
To: tbmeeting@somersny.com
Subject: Overdevelopment

I wish to express my opinion about the proposal to rezone 15 acres of single-family residential land to allow 77 multifamily housing units. This proposal for Baldwin Place, NY will negatively impact the character of the surrounding neighborhoods.

Some feel any and all development is good for a community. I disagree. Just look at counties in NY on Long Island which have suffered from overdevelopment. The traffic and overcrowding make living there unbearable. Many are looking to move out for this reason alone.

If approved, this development would lead to increased traffic and infrastructure strain. It will decrease the amount of open green space. In addition, more dense development will yield a shift in neighborhood character in Baldwin Place and Mahopac, NY. Two lanes of traffic on Route 6 are already overburdened without this development.

Respectfully,
Anne Castioni

Nicole Montesano

From: Tammi Savva
Sent: Thursday, July 10, 2025 4:17 PM
To: Robert Scorrano; Tom Garrity; Anthony Ciriaco; Bill Faulkner; Richard Clinchy; Patricia Kalba; Roland Baroni; David B. Smith
Cc: Kim DeLucia; Wendy Getting; Nicole Montesano
Subject: Comments Received for North Edge Realty Public Hearing on 7/10/25 Town Board Meeting
Attachments: Route 6 and Mahopac - potential development; Proposal Baldwin place ; The proposed rezoning for Baldwin Place to be discussed July 10th; Zoning Change/Somers Meeting 7/10/25; Opposition to Rezoning from Single-Family to Multi-Family Housing Development

Good afternoon,

We received the attached emails sent to tbmeeting@somersny.gov regarding the North Edge Realty Public Hearing on tonight's Town Board agenda.

Thank you,

TAMMI SAVVA
JUNIOR ADMINISTRATIVE ASSISTANT
OFFICE OF SUPERVISOR ROBERT SCORRANO
TOWN OF SOMERS
335 ROUTE 202
SOMERS, NY 10589
PHONE: 914-277-3637
FAX: 914-276-0082
WWW.SOMERSNY.GOV

Nicole Montesano

From: Francine Lalumia <lalumia417@gmail.com>
Sent: Monday, July 7, 2025 10:56 AM
To: tbmeeting@somersny.com
Subject: Route 6 and Mahopac - potential development

I am aware of a meeting this Thursday to have our voices heard. Unfortunately, I will not be able to attend the meeting. The traffic on Route 6 is already heavy and backs up from Mahopac Ave past the new development, Hidden Meadow. Route 6 is very dangerous and there have been many accidents in that area. It is difficult to enter and exit HM due to the amount of traffic and another development will only make it worse. This is only one of many reasons why I opposed to the idea of having another development in the area. Please take the many reasons into consideration and do not approve this development.

Respectfully,
Francine LaLumia

Nicole Montesano

From: scott kisthart <s.kisthart@yahoo.com>
Sent: Tuesday, July 8, 2025 8:59 AM
To: tbmeeting@somersny.com
Subject: The proposed rezoning for Baldwin Place to be discussed July 10th

Gm. This is a terrible idea. The congestion and strain on resources will be felt hard. Leave this area in its natural state of bucolic scenery and let the lower Westchester area continue its march to be a borough of NYC. The residents of this town do not need another large, multi family dwelling. We have that in the Avalon. Crossroads. Mews. Leave the zoning as is and the developers can build single family homes on reasonable acreage to match.

Thank you

Scott kisthart
2 children in the Somers School system

[Yahoo Mail: Search, Organize, Conquer](#)

From: Brenda Yates <byates399@gmail.com>
Sent: Wednesday, July 9, 2025 5:11 PM
To: tbmeeting@somersny.com; pbmeeting@somersny.com
Subject: Opposition to Rezoning from Single-Family to Multi-Family Housing Development

Dear Members of the Planning Board / Town Council / Zoning Board,

I am writing as a concerned resident of The Preserve in Baldwin Place to express my strong opposition to the proposed rezoning of land designated for single-family homes to accommodate multi-family housing units, specifically the proposed development of 15 to 77 units.

This scale of development represents a dramatic change in land use and density, and it raises serious concerns about the impact on our community—both environmentally and in terms of infrastructure.

Environmental Impact:

The construction and occupancy of such a large-scale multi-family complex will inevitably increase pollution, disrupt local wildlife habitats, and place added strain on our already limited environmental resources, including water and green space. Our town has long valued its natural surroundings, and developments of this size threaten the character and ecological health of our area.

Traffic and Congestion:

The roads surrounding the proposed site are already heavily trafficked, particularly during peak hours. Introducing dozens of additional households, each with potentially multiple vehicles, will only worsen congestion and increase the risk of accidents, especially in areas not designed to handle such volume. This is not a sustainable or safe solution for our community.

I understand the need for thoughtful growth and affordable housing options, but development should be carried out in a way that is consistent with the town's infrastructure, zoning goals, and the well-being of current residents. This proposed rezoning fails to meet those standards.

I respectfully urge the town to reconsider or reject this proposal and seek alternatives that align more closely with the existing character and capacity of the community.

Thank you for your time and consideration.

Sincerely,

Brenda Yates

Brenda Yates
914-522-6607
byates399@gmail.com

Sent from my iPhone

Nicole Montesano

From: Doreen Trani <doreentrani@gmail.com>
Sent: Monday, July 7, 2025 5:00 PM
To: tbmeeting@somersny.com
Subject: Proposal Baldwin place

We do not agree to have single family reasoned to accept multi dwelling housing. We have enough traffic as it is and you are destroying a beautiful community by doing this.

Kelly Bolger
21 Olympus Dr
Mahopac, NY 10541
kbolger51@gmail.com
07/08/2025

To:
The Honorable Members of the Somers Town Board
335 US-202
Somers, NY 10589

RE: Opposition to Zoning Change for Proposed Multi-Family Housing Development in Baldwin Place

Dear Members of the Town Board,

I am writing as a concerned resident and member of our community to express my strong opposition to the proposed zoning change for the 15-acre parcel in Baldwin Place that would allow for the construction of 77 multi-family housing units.

This project would significantly and negatively impact the character, environment, and infrastructure of our community in the following ways:

1. Increased Traffic Congestion and Safety Concerns

The addition of 77 multi-family units will inevitably bring a substantial increase in vehicle traffic to an already burdened roadway system. Local roads were not designed to accommodate this level of volume, and this increase will heighten congestion, create delays, and pose serious safety concerns for both pedestrians and drivers. School buses, emergency vehicles, and daily commuters will all be affected, especially during peak hours.

2. Irreversible Loss of Trees and Green Space

This property currently provides a valuable expanse of mature trees, open space, and habitat for wildlife. Allowing this development would lead to deforestation and destruction of green areas that are essential not only for our ecosystem but also for the health and well-being of the community. Once gone, these natural features cannot be replaced.

3. Environmental Impact

Development of this scale often leads to increased stormwater runoff, higher risk of flooding, erosion, and degradation of water quality in nearby streams or wetlands. Paving over open land can disrupt natural drainage patterns and put nearby homes at risk.

4. Strain on Local Services and Infrastructure

Adding dozens of new housing units will increase demand on schools, emergency services, water, sewer, and other municipal resources. Our local infrastructure may not be equipped to support this surge in population without significant and costly upgrades—expenses that will likely fall to taxpayers.

5. Incompatibility with Community Character

Baldwin Place has long maintained a suburban, low-density residential character. This development would be dramatically out of scale and context with the surrounding neighborhood, altering the identity and appeal of our community. It would set a precedent for further high-density development, threatening the town's long-term vision and planning goals.

In conclusion, while the need for responsible housing development is understood, this particular proposal is not suitable for Baldwin Place. The environmental, logistical, and community consequences far outweigh any potential benefits. Although I don't live in Baldwin Place, I live close. This will affect all surrounding neighborhoods. We moved up here from Queens a few years ago and has honestly been our paradise. I would not have moved here if I knew it would become a mini city. We love the trees and open space, the houses decently parted, beautiful yards and the QUIET. I come home from work, which is only a 10 minute commute now – which this will surely change. I pull into my driveway and feel peace. I urge the Town Board to please preserve the current zoning and protect the integrity of our neighborhoods.

Thank you for your consideration and for your service to our community.

Sincerely,

Kelly Bolger



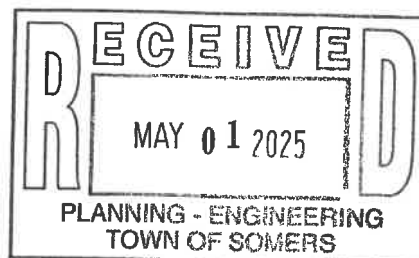
**Office of the New York State
Attorney General**

**Letitia James
Attorney General**

May 1, 2025

By Email

Mr. Dave Smith
Director of Planning
Town of Somers, NY
335 Route 202
Somers, NY 10589



RE: North Edge at Somers Expanded EAF

Dear Mr. Smith and Members of the Somers Town Board,

The Office of the New York City Watershed Inspector General (WIG or WIG Office) respectfully submits the attached comments on the Expanded Environmental Assessment Form (EAF) and site plans last revised January 29, 2025.

The WIG Office appreciates this opportunity to comment on the North Edge at Somers Expanded EAF, associated attachments and site plans, and looks forward to working with the Town, Watershed regulators, the Project sponsor, and other stakeholders as review of the Project proceeds.

Respectfully submitted,

s/ Philip Bein

Philip Bein
Watershed Inspector General
Assistant Attorney General
Environmental Protection Bureau
Office of the Attorney General
28 Liberty Street, 19th Floor
New York, New York 10005
(212) 416-8797

s/ Charles Silver

Charles Silver, Ph.D.
Watershed Inspector General Scientist
Environmental Protection Bureau
Office of the Attorney General
The Capitol
Albany, New York 12224
(518) 776-2395

cc: Cynthia Garcia, DEP; Matt Giannetta, DEP; Tom Snow, DEC

The North Edge at Somers
45 Route 6 (Birdsall Road)
Somers, NY 10598

the Office of the New York City Watershed Inspector General's
Comments to the Town of Somers Town Board (Lead Agency)
and Bibbo Associates, LLP (Project Engineer)¹

May 1, 2025

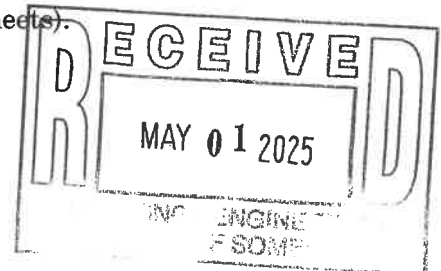
The Office of the New York City Watershed Inspector General (WIG) reaffirms its recommendation outlined in the WIG letter addressed to the Town of Somers Town Board dated January 30, 2024 that a positive declaration be issued for this project under the State Environmental Quality Review Act (SEQRA), requiring preparation of an environmental impact statement (EIS). SEQRA specifies that an EIS is required where an action results in a) removal or destruction of large quantities of vegetation, b) substantial adverse changes in existing surface water quality or quantity, or c) substantial increase in potential for erosion, flooding, or drainage problems; all of which are anticipated for the proposed project, as demonstrated by the EAF. *See* 6 NYCRR § 617.7(c)(1)(i-ii). An EIS is necessary to analyze potential significant adverse environmental impacts and evaluate reasonable alternatives and mitigation measures. *See* 6 NYCRR § 617.9(b).

The documentation reviewed by WIG does not adequately address items (a) through (c) in the preceding paragraph as discussed below:

- a) Removal of large amounts of vegetation, including over 12 acres of forest, are proposed. It is not clear how and when these 12 forested acres will be

¹ These comments are based on a review of the following documents pertaining to The North Edge at Somers project:

- a) Expanded Environmental Assessment Form (EAF) including figures and attachments for The North Edge at Somers project, prepared by North Edge Realty Corporation, dated October 30, 2024, last revised January 29, 2025 (292 pages including attachments).
- b) North Edge Realty Site Plan Set, prepared by Bibbo Associates, LLP (Bibbo), dated October 30, 2024, last revised January 29, 2025 (18 sheets).



cut, or when stump and root removal (generally referred to as grubbing) will occur. The EAF notes the project will be constructed in one phase, while Drawing PH-1 instead indicates four phases. Note #8 on Drawing PH-1 implies that all tree grubbing will occur at one time. The erosion and sediment controls shown on the erosion control plans (Drawing EC-1 and EC-2) are inadequate to protect the Site if all 12 acres are disturbed for stump and root removal (grubbing) at one time.

- b) With regard to changes in water quantity, the documentation indicates a large quantity of surface water will be removed by infiltration basins. The impacts to receiving wetlands due to this change in surface hydrology are not addressed. The impacts on water quality are not addressed. Water quality impacts can be analyzed by conducting a pollutant loading analysis. No such analysis has been provided. Further, the project proposes new impervious surfaces along Route 6 that will not be treated.
- c) Predominant soil types at the Site typically exhibit shallow groundwater, at least seasonally, and are classified as having high to very high runoff potential. The information included in the Expanded EAF does not demonstrate erosion and downhill sedimentation can be mitigated. Very few erosion controls are provided on Drawing EC-1 and EC-2. It is unclear how much area will be disturbed at any given time due to discrepancies between the EAF and Drawing PH-1. Conflicting information is also presented for the amount of bulk grading proposed, as well as the elevations between existing and proposed grading. Drainage issues associated with temporary grading during construction are also not addressed.

An Expanded EAF, such as the one prepared for this project which may or may not be made by the project sponsor/engineer to contain some or all components of an EIS, cannot be considered an acceptable alternative to an EIS or used as means to justify a negative declaration under SEQRA. In the event of such action, the opportunity for public comment presented during the review process of a draft EIS is lost. A positive declaration and preparation of an EIS is necessary for projects such as The North Edge at Somers to protect the interests of the general public which would not otherwise be known, and to preserve the process of coordinated review outlined in SEQRA. The technical comments below provide more detail regarding information that can be provided in an EIS to demonstrate adverse environmental impacts associated with development at the Site can be adequately avoided or mitigated.

Background

The proposed North Edge at Somers project consists of 77 multi-family townhouse units, as well as associated access roads, parking, and stormwater treatment and management on approximately 16.2 acres of land that would be rezoned to enable construction. A sewer extension is proposed to convey wastewater to the Peekskill Water Treatment Plant. The project also proposes improvements to recreation opportunities at the Site. The project is located at 45 Route 6 (Birdsall Road) in the Town of Somers, New York (the Site).

Over 12 acres of forest is proposed to be removed, roughly 13 acres of land would be disturbed during construction, and roughly 6 acres of new impervious surfaces would be created. Nearly a quarter of the Site is characterized as having slopes greater than 15 percent, and soils at the Site have a high to very high runoff classification.

A New York State Department of Environmental Conservation (NYSDEC) regulated wetland exists on the Site (ML-10). The project is also located in or adjoins the Baldwin Place Area, which is a state-designated critical environmental area. The nearby Muscoot River will receive drainage from the Site and is tributary to the Croton River.

The Site is located within the drainage basin of the Amawalk Reservoir, a part of the Croton System that can supply between 10 and 30 percent of the water consumed by 9 million residents of New York City and other communities daily. The Amawalk Reservoir is eutrophic because it contains an overabundance of phosphorous, which stimulates algae growth and the formation of algae blooms during the warm, growing seasons. Stormwater pollution from construction and development projects is a major source of phosphorous discharges into the Amawalk Reservoir.

1. Steep Slope Disturbance - According to page 5-7 of the 2024 New York State Stormwater Management Design Manual (2024 Design Manual) "Development on slopes with a grade of 15% or greater should be avoided, if possible, to limit soil loss, erosion, excessive stormwater runoff and the degradation of surface water. Excessive grading should be avoided on all slopes... as should the flattening of hills and ridges. Steep slopes should be kept in an undisturbed natural condition to help stabilize hillsides and soils. On steep slopes, new development, re-grading, or stripping of vegetation must be minimized." Particularly on this site within the New York City Watershed, the disturbance

of any steep slopes creates a potential threat to water quality that should be avoided in accordance with the 2024 Design Manual.

The Constraints Map, Drawing C-1, for this project indicates regrading and building construction on portions of housing units 1 through 5, 22 through 25, 28 through 30, 49, 50, 75 through 77, and the recreation building (18 buildings) are proposed on existing slopes between 15% and 25%. Portions of housing units 5 through 21, 32 and 33 (19 buildings) are proposed on existing slopes greater than 25%. Regrading of existing slopes greater than 25% is proposed immediately uphill of the proposed infiltration basins.

Soils within the proposed limits of disturbance are identified by the Natural Resources Conservation Service (NRCS) Web Soil Survey as predominantly Paxton, which typically has high groundwater (18" to 37" depths) at least seasonally, although Part 1.E.2.d of the EAF implies that shallow groundwater is not an issue (see below). NRCS classifies Paxton soils that have slopes greater than 15% as having high to very high runoff potential. The proposed action requires approximately 13 acres of earthwork to be completed and stabilized within 24 months - through at least two freeze/thaw cycles.

Potential impacts during construction from groundwater daylighting in disturbed areas include erosion of soils and slopes that have not been adequately stabilized as well as transport of sediment laden flow. Seasonally high groundwater from late fall through spring may result in wet soil and slope conditions through each freeze/thaw cycle.

On-site material proposed to be used as fill may require dewatering due to potential shallow groundwater conditions. Sufficient area to achieve this dewatering must be provided within the area to be disturbed and discharge locations for the dewatering must be considered.

2. Drawing GP-1 indicates excavations will be 14 feet in some areas to achieve final grade. For example, see proposed and existing grading between housing units 69 and 70 on Drawing GP-1. No test pits were excavated to a depth greater than 6 feet. It is unclear how much groundwater and/or bedrock will be encountered during deep excavation. Absent detailed information regarding a) how the work will be sequenced, b) where dewatering operations and discharges will be located, c) how and when each area of cut and fill will be disturbed and stabilized (temporarily and/or permanently), and d) how disturbed areas will be tributary to proposed erosion and sediment control practices, it is unclear that the work can be achieved without significant

environmental impact to both land and water. Additional information must be provided in an EIS to demonstrate the project can be built (and will function when completed) without significant adverse environmental impacts.

Expanded EAF and Plans

3. Drawing C-1 should include a table indicating the acreage of disturbance for each soil slope category, so that the potential impacts can be reasonably assessed.
4. There appear to be some grading discrepancies that need to be resolved. For example, along the east property line behind unit 69, proposed contour 570 meets existing contour 572, not existing contour 570. Behind unit 65, the proposed contour 572 meets contour 574 at the property line. This indicates that grading may need to extend beyond the property line to meet grade. Additionally, contour 550 seems to be missing from Street B near station 2+00 on Drawing GP-1 and contour 564 appears to be missing near the intersection of Street A and Street C on Drawing GP-2.
5. There are two recreation areas shown on the plans. One is located at the north end of the property and the other is behind the recreation building near the Route 6 entrance. *See* Drawing LP-1. Clarification of what activities will occur in these areas is needed and what type of surfacing is proposed. Note also that portions of the recreation area behind the recreation building are proposed to have slopes of 2:1. Clarification of what type of recreational facilities are proposed for these steep slopes is needed.
6. Project documentation must be updated to reference GP-0-25-001 and the 2024 Design Manual.
7. Part 1.D.1.d.iii of the EAF states there will be an “open space” lot. Clarification of where this is located is needed.
8. Part 1.D.2.e.iv of the EAF indicates the project minimizes impervious surfaces, uses pervious materials, or captures and reuses stormwater. It is unclear whether any of these measures have been incorporated in the plans. The EAF must accurately reflect the nature of the project.
9. Part 1.E.1.b of the EAF states that 4 acres of forest will remain on site. Clarification of where these 4 acres of forest are located is needed.

10. Clarification of how the average depth to bedrock listed in Part 1.E.2.a was determined is needed.
11. Part 1.E.1.d of the EAF states that average depth to groundwater is greater than 7 feet. The only test pit data provided are in the vicinity of the proposed infiltration basins where test pits were excavated to depths between 5 and 6 feet. Paxton soils that are predominant on the Site typically have groundwater depths between 18 and 37 inches. Information supporting the listed average depth to groundwater should be provided.
12. Locations of footing drains and roof drains must be shown on the plans.

Erosion and Sediment Control

13. The Construction Sequencing Note #1 on Drawing PH-1 states that a temporary construction office and a staging area will be established in the vicinity of the existing driveway and residence on the property. No staging areas or temporary offices are shown on the Phasing Plan (Drawing PH-1) or on the Erosion Control Plans (Drawings EC-1 and EC-2). Further, the vicinity of the existing residence and driveway will be substantially excavated to establish building pads for units 51 through 53. Clarify where the staging area and temporary office will be relocated.
14. The proposed project includes steep cut and steep fill sections in Paxton Soils which typically exhibit high groundwater. *See WIG Comment #3 above.* Test pit logs near the proposed infiltration basins did not show indications of seasonally high groundwater. However, these test pits were excavated during a generally dry season (September) and the logs did not include details such as soil color (or color changes associated with mottling), changes in density, root depths, etc. Therefore, the results may not accurately reflect soil conditions throughout the site. The erosion control plans must include measures to protect cut slopes from erosion that could result from daylighting of groundwater on steep slopes. Dewatering of excavated soils that are proposed to be used as fill in other areas of the Site may be necessary.
15. Paxton soils onsite having slopes 15% or greater are known for having high to very high runoff classifications. The erosion control plans must include project specific measures to control runoff from these areas. For example, anchored stabilization matting must be specified for steep slope stabilization, temporary and permanent vegetative stabilization criteria must be specified, winter stabilization criteria must be specified, and silt fence must be incorporated as

specified in the 2016 New York State Standards and Specification for Erosion and Sediment Control (2016 Blue Book), not only at the toe of slope near the western property line.

16. Construction Sequence Note #10 on Drawing PH-1 states all construction equipment shall use the Mahopac Avenue Site access. Significant regrading is proposed to establish both Street C to Mahopac Avenue and within the areas designated as Phase 2 and Phase 3 on Drawing PH-1. Clarification of how Site access will be maintained from Mahopac Avenue during these phases and regrading operations is needed.
17. According to the Expanded EAF, the proposed infiltration basins will be used as sediment basins during construction. For this purpose, the basins will be “under excavated.” “Under excavated” is not defined in the documentation, but generally means that the excavation will not be to final depth. For this project, no sizing information is provided to indicate the depths to which the basins will be under excavated. Therefore, it is unclear that the sediment basins will be adequately sized or that the stormwater practices will be sufficiently protected during construction to facilitate infiltration post-construction. It must also be noted that Section 6.3.1 of the 2024 Design Manual specifically states that “infiltration basins shall never serve as a sediment control device during site construction phase and shall be installed at the end of the construction sequence to the greatest extent practical.”
18. Construction Sequence Note #5 on Drawing PH-1 states that future infiltration basins will be located and protected at this point in the sequence. The sequence does not indicate when these basins will be constructed, although the draft Stormwater Pollution Prevention Plan (SWPPP) included in the Expanded EAF states the infiltration basins will be used as sediment basins during construction. A significant amount of regrading is proposed on slopes exceeding 25%, immediately uphill of these proposed infiltration basins. The soils in this area are Paxton and have a high runoff classification. It is unclear from the sequencing notes and the erosion control plans how these infiltration basins will be protected during construction.
19. Part 1.D.1e of the EAF states that construction will occur over 24 months. Winter stabilization and winter shutdown criteria must be established since the project will be under construction for at least 2 freeze/thaw cycles.
20. Sediment trap and basin sizing calculations must be provided.

21. Drawing PH-1 includes a table showing the estimated quantity of earthwork for each phase, and for the project in its entirety. For each phase other than Phase 4, there is a net excess of material. For the entire project, there is a net excess of 59,924 cubic yards of material that will be removed from the Site. It is unclear from the erosion control and phasing plans (Drawings EC-1, EC-2, PH-1) that adequate area is available on-site to store excess material during regrading operations. The plans must specify where excess material can be stored outside areas to be disturbed during any given phase, as well as indicate when material will be removed from the Site.
22. Attachment F to the Expanded EAF as well as the SWPPP list erosion control practices such as diversion channels and water bars as practices to be used during construction. None of the listed practices are shown on the plans. Similarly, the documents state that additional sediment traps will be incorporated if needed. The location, sizes, and the specific criteria requiring the implementation of these practices must be included in the project documents.
23. The Expanded EAF states that construction is estimated to last for 24 months to “stabilize grade and subbase pavement.” Full build-out of all the housing units is estimated to last 3 to 5 years, depending on the housing market. The plan must be specific as to how grades will be stabilized in the event that construction of some housing units is delayed. Currently, there is insufficient detail to demonstrate that the Site will be stabilized if the housing market slows. In addition, it is unclear whether the post-development hydrology can be fully achieved if bulk grading is accomplished, but housing units are not fully built-out.

Construction Sequencing

24. Although Drawing PH-1 color codes four specific phases for the project, the sequencing notes on the drawing are not phase-specific. Further, Part 1.D.1.e of the EAF indicates that the project will not be phased. Clarity must be provided. Comparing the phase limits on Drawing PH-1 against the existing and proposed grading on Drawings GP-1 and GP-2 indicates there will be significant differences in grade elevation where various phase limits meet. For example, there is a grade difference of more than 10 feet between existing and proposed elevations of the building pads for units 50 through 53 (which will be constructed in Phase 2) and unit 49 (which will be constructed in Phase 3). Similarly, there is a grade difference of about 10 feet between existing and

proposed elevations where Phases 2 and 3 meet (just west of housing unit 44). See Drawing GP-1. If the project is proposed to be constructed in phases as implied by Drawing PH-1, interim grading will be required to manage drainage between phases during construction at this and other locations. If phasing is not proposed as stated in the EAF and SWPPP, disturbance for bulk grading of the Site will likely exceed 10 acres at once in soils that typically exhibit a high runoff classification and seasonally high groundwater. The requirements of GP-0-25-001 Part 1.E.6 must be met.

25. Construction Sequencing Note #8 on Drawing PH-1 states that tree grubbing will occur at this time. Grubbing typically includes removal of stumps and roots and is considered a soil disturbance. If grubbing of trees will occur throughout the entire site at one time, Site disturbance will be greater than 12 acres within a single phase, exceeding the recommended limit of 5 acres of disturbance within a single phase. Should disturbance exceed 5 acres at any given time, the requirements of Part 1.E.6 of GP-0-25-001 must be met for the project.
26. The sequence should be revised to indicate exactly which drainage structures (by name) will be constructed in what order for each phase, and which structures (if any) will be plugged until tributary areas are stabilized or until receiving stormwater practices are fully operational.

Hydrology

27. Both pre- and post-development HydroCAD analyses use the Muscoot River as a design line to analyze the hydrologic impacts of the proposed project. Based on the topography, runoff from the Site does appear tributary to the Muscoot River west of the property. Typically, HydroCAD analyses use discrete design points to estimate runoff. Where such discrete design points are not feasible, design lines have been accepted as an alternative. However, these design lines should remain relatively short in length. In this case, the design line used is roughly 2,000 feet long. To more reasonably assess the localized impacts of the design to the receiving wetlands and Muscoot River, it is recommended that this design line be segmented into multiple sections so that pre- and post-development conditions can be evaluated for various portions of the receiving waters. For example, pre-development flows appear to be entirely overland without channels or specific point discharges to the receiving waters. Post-development, several point discharge locations are proposed, and most flow from the proposed development and will be infiltrated into the ground, not

contributing surface flow to the receiving wetland and river. See Drawing GP-1, end sections ES2 and ES4. By segmenting the design line into reasonable lengths, the impacts of the proposed changes to surface hydrology can be better estimated.

28. The post-development analysis models all acreage within the study area that is not tributary to the infiltration basins as a single drainage area (Drainage Area 1.1S). However, Drainage Area 1.1S contains at least 4 specific, separate discharge locations to the design line. These specific discharge locations imply that the areas tributary to each discharge location should be modeled as separate drainage areas. Examples of areas that flow to separate discharge locations include a) the upland area from the Yorktown Assembly of God property that discharges at End Section ES-2, b) the area uphill of Drainage Area 1.3S that discharges at End Section ES-4, c) the portion of Drainage Area 1.1S at the north end of the property that flow overland to the wetlands north of the northernmost housing units, and d) the portion of Drainage Area 1.1S from the proposed maintenance access to the infiltration basins. See Drawing POST in the draft SWPPP.
29. Drawings GP-1 and GP-2 include Drainage Schedule Tables indicating pipe lengths and slopes. Drainage calculations must be provided in support of the tabulated flow velocities and pipe section capacities.
30. The HydroCAD analysis erroneously models tributary Woodbridge soils as hydrologic soil group A. However, Woodbridge soils in the evaluated area are classified as hydrologic soil group C/D, with a very high runoff classification. The analysis needs to be corrected.

Water Quality

31. As noted in WIG Comments #19 and #20 above, it is unclear when the infiltration basins will be constructed. It is also unclear how the infiltration basins will be protected from excessive sedimentation that will occur during construction of uphill fill sections, where there are existing steep slopes and soils with a high runoff classification. The proposed project depends almost exclusively on these infiltration basins providing post-construction stormwater treatment and management. Details and specifications that demonstrate how these basins can be adequately protected from sedimentation until the tributary areas have been permanently stabilized must be provided.

Otherwise, it is unclear how post-development water quality goals can be achieved.

32. Section 6.3.1 of the 2024 Design Manual specifically states that “infiltration basins shall never serve as a sediment control device during site construction phase and shall be installed at the end of the construction sequence to the greatest extent practical.” To ensure long-term integrity of the infiltration practices, alternative locations for sediment traps and basins must be provided.
33. Drawing GP-1 includes hydrodynamic separators as pre-treatment for the infiltration practices. However, no specifications are provided for the hydrodynamic separators. Those specifications are necessary to whether the hydrodynamic separators can provide adequate pre-treatment for the infiltration practices.
34. A riparian buffer is proposed as an area reduction practice to decrease runoff from a significant portion of the tributary drainage area for the project, including some impervious surfaces. However, the practice does not meet the criteria specified in the 2024 Design Manual. First, Section 5.3.2.2 of the 2024 Design Manual specifies that runoff to a riparian buffer must be intercepted before the runoff concentrates. For this design, runoff tributary to the riparian buffer is concentrated in a swale near the southern property line along Route 6, where it then flows into a piping system that discharges to the riparian buffer at End Section ES-4. See Drawing GP-1. The plan shows rock outlet protection at the end section followed by a level spreader to discharge flow to the riparian buffer. Including rock outlet protection and a level spreader does not satisfy the requirement to capture the runoff before it becomes concentrated flow. Second, the 2024 Design Manual specifies the flow length of the area contributing to the riparian buffer to not exceed 150 feet. The flow length for the area contributing to this riparian buffer is approximately 1,000 feet. Third, the 2024 Design Manual specified a maximum overall slope for the riparian buffer of 6%. It appears that the slope of the riparian buffer within the property is about 7%. Also, while the documentation in the SWPPP states that the buffer is 100 feet in length, only 70 feet is within the property itself. The 2024 Design Manual requires the entire buffer length to be under the control of the applicant. The practice must meet the requirements of the 2024 Design Manual if it is to be considered an area reduction practice.

35. No treatment for the proposed impervious sidewalks along Route 6, or the Route 6 project entrance is proposed. There should be an explanation how this meets the goals of GP0-25-001 and the 2024 Design Manual.
36. The narrative section of the Expanded EAF states that runoff from 70% of the new impervious surfaces will flow into infiltration basins, and 30% will flow to the riparian buffer. These numbers do not appear to be consistent with the hydrologic analysis in the SWPPP. The HydroCAD analysis indicates that approximately 65% of the post-development impervious surfaces will flow to infiltration basins. Most of the remaining 35% will flow to a riparian buffer that does not meet the design criteria of the 2024 Design Manual. Therefore, the riparian buffer cannot be considered an area reduction practice as defined in Chapter 5 of the 2024 Design Manual. About 0.4 acres of new impervious surface along Route 6 will not flow to any type of runoff reduction or treatment practice.
37. This project is located within the Amawalk Reservoir Watershed. The Amawalk Reservoir is a “phosphorus restricted basin” due to an overabundance of phosphorus, which stimulates algae growth and contributes to the formation of algae blooms. Algae blooms adversely impact drinking water quality. Stormwater entering the Amawalk Reservoir from construction and development activities is of great concern. To assess the threats to drinking water quality posed by potential stormwater pollutants, a pollutant loading analysis (PLA) should be provided for the project. A PLA estimates the existing and proposed total phosphorus (TP) load at the project Site. If TP is estimated to increase as a result of the project, appropriate measures to mitigate the increase in TP must be implemented.

By Philip Bein, NYC Watershed Inspector General
Charlie Silver, Ph.D., WIG Scientist
Dan King, Hydrogeologist
Mary Galasso, P.E., Stormwater Consultant