

OPEN SPACE COMMITTEE

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Town of Somers
WESTCHESTER COUNTY, N.Y.

SOMERS TOWN HOUSE
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SOMERS, NY 10589

MICHAEL BARNHART
CHAIRMAN



MEETING MINUTES
May 8, 2025

The meeting was called to order at 4:30 p.m.

The following members were in attendance: Jan Antonucci, Michael Barnhart, Bob MacGregor, Gail Simpson, and Rosey VanWart.

MINUTES

A motion was made by Mr. MacGregor and seconded by Mrs. Antonucci to approve the minutes of the April 10, 2025 meeting as submitted. All were in favor.

APPLICATIONS

3 Catherine Place

A submission for 3 Catherine Place to install an inground pool, patio and rain garden was received from the Planning Board and reviewed and discussed by the Committee. Stormwater will be routed to a proposed rain garden which appears to be quite minimal. The suggestion is to have denser planting around the understory of the proposed 8 shrubs to absorb more water. A memo will be sent to the Planning Board.

23 and 25 Hilltop Development, LLC

The Committee reviewed and discussed a second submission for a proposal to build a 5,000 square foot one-family dwelling on each lot at 23 and 25 Hilltop Road, forwarded by the Planning Board.

After last month's initial review, on April 21st, Mr. Barnhart met with Project Engineer Sean Peter of H2M Architect and Design regarding concerns as outlined in a memo sent to the Planning Board. Unfortunately, not all concerns were addressed satisfactorily and another memo will be sent to the Planning Board with regard to the following:

4. The EAF contains statements that the Committee believes are contestable. Specifically, question 6 concerning whether the proposal is consistent with the character of the area. We would note that the proposed project intrudes deeply into one of Somers' largest nature preserves, Angle Fly Preserve, and will deeply alter the character of that side of Angle Fly.

H2M Response: For question 6, we believe this project is consistent with the existing build of the site as it lies within a residential zoning district on two lots previously approved for residential development. Angle Fly Preserve, based on County and NYSDEC Mapping, is not contained within any portion of the site. The closest point of Angle Fly Preserve lies more than 700 feet from the project boundary. Mapping demonstrating the projects vicinity to Angle Fly Preserve is included with this submission.

5. Also, question 12 on the EAF, concerning archaeology, appears incorrect: Significant ancient archaeological resources were identified in previous Planning Board submissions concerning the surrounding area, and the applicant for the Eagle River subdivision was required to do extensive study throughout the area. There is a significant possibility, especially in the area near the stream, of significant archaeology.

H2M Response: The project will not propose any disturbance to the banks of the stream. Further review of the CRIS Mapper (appended to this submission) for the project showed no archaeological areas nearby to the project. We would ask that if there were any archeological concerns during the approval process for Weiner World, they be provided for our review.

6. Finally, question 15 concerning listed species appears incorrect as well. A quick look at the NYNHP website lists a number of species that its mapping shows likely to occur in the area. These include northern long-eared bat (U.S. endangered), short-eared owl (NYS listed), and Kentucky warbler (NYS imperiled) and likely to occur in forested areas such as this. [We note that in many other Planning Board submissions, applicants routinely offer plans to mitigate the impacts of their projects on bat populations by adjusting their tree removal schedules to avoid disturbing bats that may be roosting at various times.]

H2M Response: Per the NYSDEC EAF Mapper there are no threatened or endangered animals on the project site. However, as the project will require NYSDEC approval for the wetlands, we understand DEC's staff will also determine any other mitigation measures for any species as part of their conditions of approval. The project intends to comply with any of these measures.

10. Given the biological sensitivity of these parcels due to their topology, forested character, and plant and animal communities, we recommend the applicant prepare a biodiversity assessment by a reputable and appropriately credentialed expert following the recommendations for the preparation of such reports by Hudsonia Ltd. Only then will the impacts and possible mitigation be appropriately assessable.

H2M Response: Following our April 21 discussion with Chairman Barnhart, the need for a biodiversity assessment may be waived given the proposed mitigation measures and scale of the project. We understand that Open Space may provide additional comments based on any internal consultation with a biodiversity expert.

Old Business

Arbor Day Event

On Friday, April 25th at 10:00 a.m. in Bailey Park, a redbud was planted on the other side of the horse trough to match the existing one. The Parks staff picked up the tree and prepared the hole. Councilman Bill Faulkner presented a proclamation and Carol Reif of The Somers Record wrote an article for the paper.

New Business

There was no New Business.

The meeting was adjourned at 6:15 p.m. The next meeting will be on Thursday, June 12th at 4:30 p.m.

Respectfully Submitted,

Denise Schirmer, Secretary
Somers Open Space Committee

cc: Open Space Committee
Town Board
Town Clerk
Town Assessor