

Vicky Gannon, Chair
Paul W. Ciavardini
Jack Mattes
Bruce Prince
Anthony Sutton
Christopher Zaberto

Town of Somers

WESTCHESTER COUNTY, N.Y.



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SOMERS PLANNING BOARD AGENDA February 11, 2026 7:30 PM

MINUTES

Draft Minutes for consideration of approval: January 14, 2026.

CONTINUATION OF PUBLIC HEARING

1. TRAILSIDE ESTATES AT SOMERS SITE PLAN APPLICATION & PRELIMINARY SUBDIVISION APPLICATION REYNOLDS DRIVE TM 4.20-1-12 & 15.08-1-4

The Applicant is proposing construction of an 81-unit townhouse community with associated appurtenances. Five of the 81 units will be sponsor provided, and target households at or below the 120% Area Median Income (AMI). The project also proposes the construction of a community center and dog park to be located on a separate parcel which will be dedicated to the Town of Somers. The property is accessed through Somers Realty Planned Hamlet via Reynolds Drive and is located in the Multifamily Residence Baldwin Place (MFR-BP) Zoning District.

PROJECT REVIEW

2. NEW CINGULAR WIRELESS PCS, LLC (AT&T) FOR AMENDED SPECIAL USE PERMIT WIRELESS TELECOMMUNICATIONS FACILITY 121 ROUTE 100 -AMATO TM 38.17-1-5

The Applicant is applying for an Amended Special Use Permit. The project consists of modifications to the existing wireless telecommunications facility comprising of equipment, antennas and associated cables. The project site is located at 121 Route 100 and is in an R-80 Zoning District.

**3. MELISSA HARNEY – FINAL SUBDIVISION APPROVAL APPLICATION FOR PROPERTY LOCATED AT 10 KEYREL LANE
TM 16.07-1-3**

Application for Final Subdivision approval for property located at 10 Keyrel Lane to subdivide the existing property creating two (2) residential lots. The property is located in an R-40 Zoning District.

**4. NORTH EDGE REALTY CORPORATION
PRELIMINARY SUBDIVISION, SITE PLAN, STEEP SLOPE & STORMWATER
MANAGEMENT AND EROSION CONTROL APPLICATIONS
ROUTE 6 AND MAHOPAC AVENUE
TM 4.19-2-2, 3 & 4**

The Applicant is proposing construction of 73-fee simple townhome units consisting of a mix of 2 and 3-bedroom units serviced by public sewer and water with required stormwater improvements. The property is accessed from NYS Route 6 and Mahopac Avenue and is located in the Multifamily Residence Baldwin Place (MFR-BP) Zoning District.

**5. 2 HAGEMAN COURT STEEP SLOPE PROTECTION, STORMWATER MANAGEMENT
AND EROSION AND SEDIMENT CONTROL AND TREE PRESERVATION APPLICATION
TM: 48.09-1-14**

The Applicant is proposing to construct a single-family house with associated septic, well and stormwater improvements. The proposed residence and design layout was originally approved in 2023. The Applicant was directed to resubmit the updated plans in order to receive a new Site Plan approval because of the extent of the changes. The property is located at 2 Hageman Court in an R-80 Zoning District.

ADMINISTRATIVE ITEM

- 6. Discuss rescheduling of the Site Walk for Rockledge Center.

MEETING ADJOURNMENT

**The next Planning Board Meeting is scheduled for
Wednesday, March 11, 2026 at 7:30pm.
Agenda Subject to Change**

PLANNING BOARD

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SOMERS PLANNING BOARD MINUTES
January 14, 2026
7:30PM

ROLL

MEMBERS PRESENT Chair Vicky Gannon, Paul Ciavardini, Jack Mattes, Anthony Sutton, Christopher Zaberto

MEMBERS ABSENT Bruce Prince

ALSO PRESENT David Smith- Consulting Town Planner, Steve Robbins- Consulting Town Engineer, Michael Towey- Planning Board Attorney, Nicole Montesano-Planning Board Secretary

MEETING COMMENCEMENT

The meeting commenced at 7:30 p.m.

Chair Vicky Gannon welcomed everyone to the meeting and then requested participants please stand for the Pledge of Allegiance.

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

Chair Gannon then stated that it is a longstanding policy of the Town of Somers Planning Board that it does not allow public comments on matters that are not before the Board for a Public Hearing. Members of the public are welcome to submit written comments to the Board, which are reviewed by the Board in advance of the meeting.

For matters that require a Public Hearing, we ask that those choosing to comment come up to the podium and clearly state your name and address for the record as this Public Hearing is being transcribed. She also asked to please try to keep comments to three minutes so as to provide an opportunity for all members of the public wishing to comment, an opportunity to do so and not to repeat comments or issues as they are being duly noted for the record. She stated that she knows

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1 it is difficult when you have it in your mind that you want to say something then you might not
2 recognize it has already been said and we understand that, but we do appreciate the effort.
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4 **MINUTES**

5 The first two items are the consideration of the draft minutes. Chair Gannon started with the
6 November 12, 2025, minutes, and noted that she had two small corrections which she copied
7 everybody in on the email. She then asked if there were any other comments and/or corrections.
8 There were none. She then moved to approve the Somers Planning Board minutes from November
9 12, 2025, as amended. Mr. Christopher Zaberto seconded. All in favor. Motion passes.

10 Chair Gannon stated that the second set of minutes for consideration are the December 17, 2025,
11 minutes and that she sent an email with some comments and asked if there were any other
12 comments and/or corrections. There were none. She then moved to approve the Somers Planning
13 Board minutes from the December 17, 2025, meeting, as amended. Mr. Jack Mattes seconded. All
14 in favor. Motion passes.

15 **TIME EXTENSION REQUEST**

16
17 **1. NYS POLICE HEADQUARTER - SOMERS FIRE DISTRICT**
18 **295 ROUTE 100 SUBDIVISION – RESOLUTION NO. 2024-05**
19 **TM: 17.18-1-1.2**
20

21 For the record Chair Vicky Gannon stated this is a request from Somers Fire District Board of
22 Commissioners for a 90-day time-extension from January 28, 2026 up to and including April 27,
23 2026 for approved Preliminary Plat signature by the Planning Board Chairman to meet the
24 conditions of approval, Resolution No. 2024-05 in accordance with Town Code Section 150-12.M.

25 Chair Gannon then asked for an update from staff. Consulting Town Engineer, Mr. Steve Robbins
26 stated that they have been meeting with the fire district over the past month or so and had some
27 minor modifications to the plat. Those have been made and he understands that all the signatures
28 are in place, and it is being filed with the Westchester County Department of Health for the plat
29 approval before it comes back to the Board for signature. He added that this is moving forward,
30 and it would be his recommendation to approve the extension. Chair Gannon thanked him for the
31 progress report and moved to approve the extension. Mr. Christopher Zaberto seconded All in
32 favor with the exception of Mr. Anthony Sutton who recused himself. Motion passes.
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1 **CONTINUATION OF PUBLIC HEARING**

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3 **2. TRAILSIDE ESTATES AT SOMERS**
4 **SITE PLAN APPLICATION & PRELIMINARY SUBDIVISION APPLICATION**
5 **REYNOLDS DRIVE**
6 **TM 4.20-1-12 & 15.08-1-4**
7

8 For the record Chair Gannon stated that the Applicant is proposing construction of an 81-unit
9 Townhouse community with associated appurtenances. Five of the 81 units will be sponsor
10 provided, and target households at or below the 120% Area Median Income (AMI). The project
11 also proposes the construction of a community center and dog park to be located on a separate
12 parcel which will be dedicated to the Town of Somers. The property is accessed through Somers
13 Realty Planned Hamlet via Reynolds Drive and is located in the Multifamily Residence Baldwin
14 Place (MFR-BP) Zoning District.
15

16 Mr. Richard Williams, P.E. from Insite Engineering, Surveying & Landscape Architecture, P.C.,
17 came to the podium and introduced himself. He stated that this is obviously a continuation of the
18 Public Hearing, so we are not going to go through a full presentation again, but just to give the
19 Board a couple of quick updates, they did submit to the Watershed Inspector General's (WIG's)
20 office and copied the Town on the submission. They reached out to the WIG's office, and they
21 said they will let us know by the end of this week when they will have comments ready for us. We
22 are hoping it is sooner than later, but it is out of their control. Mr. Williams stated that the other
23 thing that he understood came up at the last meeting, was irrigation and he will let Mr. Ken Kearney
24 from Kearney Realty and Development Group Inc., talk a little bit more about that in a few
25 minutes. He stated that they are not planning to install an irrigation system as part of the
26 construction of this project. He then asked Mr. Kearney if he wanted to elaborate a little bit more
27 with the HOA (Homeowners Association) - but he just wanted to make their intent clear. Chair
28 Gannon responded that she understood, and she thought in one of the back and forth of the memos
29 there was a mention of irrigation, and she was the one who brought it up and the response was that
30 you were not going to do it. And then her question was, because it is an HOA after the builder
31 sort of leaves and comes away from the project, could the HOA amend their own rules in order to
32 allow it. She indicated that she just wanted to make sure she was being thorough. Mr. Kearney
33 stated that he wanted to point out that Trailside is a fee simple Townhouse Subdivision. So, unlike
34 a condominium, every lot is owned individually so, there will be an HOA. Right now they are
35 proposing no project wide irrigation. However, irrigation of project property by the individual lot
36 owners could be permitted under the HOA bylaws, utilizing certain language. They would put in
37 there that the only means of irrigation, watering of the lot owners' lawns and/or landscaping shall
38 be through an irrigation system approved by the HOA and the Town of Somers prior to installation.
39 Said irrigation system shall meet the requirements, if any, of the Somers Water District or
40 successor district supplying water to Trailside. In addition, such irrigation shall be required to
41 include the following smart features: water-based controllers to adjust watering schedules
42 automatically based on local forecasts, soil moisture sensors to prevent watering when the ground
43 is already moist, mobile app control with leak alert systems, cycle and soak systems to break
44 watering into shorter cycles with soak time. So, any property owner desiring to install an irrigation

1 system shall provide to the Town of Somers a proposed plan with a description of the system
2 components, together with proof from the Somers Consolidated Water District that such district
3 has sufficient capacity to provide water for such irrigation purposes. So, every townhome here will
4 have their own water meter and they will control that – which he thinks is a bit of a distinction and
5 a proper solution. Chair Gannon asked to hear from staff. Consulting Town Planner, Mr. David
6 Smith asked if the irrigation system was going to be installed initially or is it up to each individual
7 homeowner. And that if they want to, they could have their own irrigation system and would come
8 before the Planning Board. Mr. Kearney responded that is correct. Mr. Christopher Zaberto
9 responded that in theory, we could have 72 presentations for irrigation permits. Consulting Town
10 Engineer, Mr. Steve Robbins responded that irrigation permits are typically administered by the
11 Building Department. But the point that we want to have consistent on this application is they are
12 not installing any irrigation at this time. That is consistent with their engineering analysis on water
13 capacity and the environmental impact form for this project. Chair Gannon asked if the evaluation
14 of sufficient capacity would take place at the time of application when an owner wanted to put in
15 an irrigation system. Mr. Robbins responded yes. Chair Gannon asked if that would be like an
16 administrative application. Mr. Robbins responded no different than other properties subject to
17 the Planning Board's review. When they go to the Building Department to file for that plumbing
18 permit, the Building Department reviews it and says either they have the jurisdiction to review and
19 approve it, or it needs Planning Board review. Chair Gannon then asked Planning Board Attorney,
20 Mr. Michael Towey how he felt about it. Mr. Towey responded stated that he knew that Counsel
21 for the Applicant, Mr. Martabano and Town Attorney, Mr. Roland Baroni had a conversation
22 earlier today and he was not party to it. They did discuss this, so he knows that there are some
23 ongoing conversations. Mr. Towey stated that he had no issue with what Mr. Kearney said and
24 proposed to the Board. He indicated that it is the Board's discretion of whether or not to approve
25 the Site Plan considering. As to the question from last meeting, whether or not the Board could
26 prohibit it – Mr. Towey stated that it could be imposed as a condition on the Site Plan, and it could
27 be imposed as a condition to the Subdivision approval. The condition to the Site Plan would be
28 intended to bind the HOA and require them to come back and amend the Site Plan. And the
29 condition on the Subdivision approval would bind the individual homeowners. The question as to
30 whether the homeowners in the HOA could later collectively petition the Town to rescind it is
31 another consideration. So whether it will be binding in perpetuity is an open question, and he will
32 present it to the Board if you want to discuss this at greater length, he could do a little bit more
33 research on it. The one question he thought that they were discussing earlier, that Mr. Baroni
34 conveyed to him was whether the present full Environmental Assessment Form (EAF) should
35 reflect, or at least be considered as part of this application – but he deferred to Mr. Robbins on this,
36 because he's the engineer. So that is the open question. They have been discussing it. He reiterated
37 that again, he was not party to it, but thinks it is an ongoing item. Chair Gannon responded yes
38 that made sense to her because her concern about it was the environmental impact - you know the
39 amount of water. Mr. Robbins stated he had two things on this. One this is not a typical large lot
40 single family residential development that is going to have acres of irrigation even if they wanted
41 to. So from a relative standpoint, the impact of irrigation on this is minor, and if there were
42 irrigation, it would be subject to all the same use restrictions that any other irrigation system would
43 have in the Town issued by the Water Department and Building Department to say irrigation is
44 restricted during this drought period, and that applies to all systems equally. The provision to come

1 back and amend a Site Plan is no different than any other project in Town. This Board sees them
 2 regularly, whether it's a shopping center that wants to install a patio, or someone that wants to
 3 install a generator on a commercial property, and they come back to the Board and say, we had
 4 this approval, we need to make this change, and this Board has purview over that. Mr. Robbins
 5 concluded and stated that he does not see the potential for future change as anything other than
 6 property use evolves over time. Chair Gannon asked if the language that was being suggested was
 7 deemed to be correct would be memorialized in the resolution. Mr. Robbins responded yes. Chair
 8 Gannon responded okay and Mr. Kearney said they would disclose it in the HOA documents that
 9 get approved by the Attorney General's office. Chair Gannon then opened it up for Board
 10 discussion. Mr. Zaberto asked what the current process was for a non-subdivision, for the
 11 landowner that has a single-family residence in one of the R (Residence) Zoning Districts to install
 12 a sprinkler system and if we are deviating from that because this is, in fact, a subdivision. Mr.
 13 Robbins responded that a typical single family residential lot would apply for a plumbing permit
 14 through the Building Department. Mr. Zaberto responded and that is it, there is no environmental
 15 review. So, if I have a well, that is not provided through any municipality it would be just a
 16 plumbing permit. Mr. Robbins responded correct. Mr. Anthony Sutton then asked Mr. Kearney
 17 if they have given any thought to installing a generator at the community center. Mr. Kearney
 18 responded that he is sure Councilman Clinchy has given it a lot of thought. Mr. Sutton responded
 19 that given that he has a background in emergency management he thinks it is necessary. Mr.
 20 Kearney agreed because he thought one of the possible uses of the center is as a backup emergency
 21 shelter. Chair Gannon asked if the Board had any other comments. There were none. She then
 22 asked if Mr. Smith had any further comments. He responded that he had none. Chair Gannon
 23 then asked Mr. Robbins if he had any comments. He stated that they are in the process of reviewing
 24 the Applicant's responses to the WIG, so he had no comments at this time.
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26 Chair Gannon then moved to reopen the adjourned Public Hearing. Mr. Sutton seconded. All in
 27 favor. Motion passes. Chair Gannon then asked if there was anybody there for the Public Hearing
 28 and if so, to please come up to the microphone and state your name and address. Someone from
 29 the audience asked if this was public comment. Chair Gannon responded this is a Public Hearing
 30 for Trailside. So if you have a comment or something that you want to say about Trailside, now is
 31 the moment. Mr. Zaberto added this would be on Reynolds Drive. Mr. Roland Ciofrone from 9
 32 Lounsbury Drive in Baldwin Place came forward and introduced himself. He stated that he has
 33 been here since 1983 and can honestly say that he has seen a lot of what has gone on in the Baldwin
 34 Place area. The one that he wanted to speak to was the contaminants that are still underneath the
 35 Baldwin Place shopping center, by virtue of the fact that the water stripper is there, the monitoring
 36 wells are there, the plume is still there. He indicated that he wanted to talk about it because we saw
 37 what happened on Meadow Park Drive, where the majority of all the houses became contaminated
 38 from this plume. Mr. Ciofrone stated when this Subdivision gets built there will be a lot of earth
 39 moving and while that is being done to put in the infrastructure there is concern about the wells in
 40 the Somers Gate Estates-which he believes has 33 houses between Cornelius Lane and Lounsbury
 41 Drive. They are private wells, as opposed to the public water system, the Amawalk-Shenorock
 42 Water District, which takes care of the Preserve and now Meadow Park and everything across
 43 Route 118, Route 6 and west to the border. Mr. Ciofrone said that what he is going to ask for is
 44 what they had back in he guesses 1999. Leggette, Brashears & Graham, Inc (LBG) were the

1 hydrologists that led the charge for them to monitor their wells with the Westchester County
2 Department of Health (DOH). He stated that he was going to ask for well monitoring, as they had
3 previously until this process of this Subdivision is completed, because, as he said they will be
4 moving earth. The infrastructure will be going down, he doesn't know how many feet and we don't
5 know exactly where the plume is. He stated the plume is still there, that is for sure. He reiterated
6 that they still see the water strippers and the water monitors - everything is in place. The numbers
7 may have come down, but they're not gone. So we as residents, we the people of Baldwin Place,
8 Lounsbury Drive and Cornelius Lane are asking for well monitoring between the Westchester
9 County Department of Health and whoever else does this. He noted this was all set up he guesses
10 under former Town Supervisor Harding or Murphy back in the day. We had the well monitoring,
11 and very fortunately never had a problem and that is the way we want to keep it. In the unlikely
12 event of something happening, we want some assurances that because that earth was moved, and
13 that plume may have moved and affected us, we want some kind of a guarantee that our wells
14 remain the way they are, and if they do not, then we have to figure out another way of getting
15 water. He indicated that right now they have excellent water - better than New York City. He
16 concluded and said that was his request and asked for the Board to consider it and to get back to
17 him and let him know the Board's thoughts. Chair Gannon thanked Mr. Ciofrone for his comments
18 and advised him that what happens with public comment is that, Mr. Williams, sitting behind you,
19 assiduously takes down everything you're saying, and his stand-in took notes at the previous
20 meeting. She noted that that what happens in a public comment is we're looking to get more
21 information from the public. Mr. Williams will respond. He will issue a memo to us that will
22 address all of the concerns that are addressed by the public to us, and we'll frame his response to
23 it. Mr. Ciofrone responded fair enough, we are looking to protect ourselves. Nobody is going to
24 protect us if we don't protect ourselves. Chair Gannon responded, understood and thanked Mr.
25 Ciofrone for coming up. She then asked if there was anybody else present for public comment.
26 Mr. Smith stated that he just wanted to let Chair Gannon know, and she may have been copied on
27 this, but the Town did receive an email from Joe Vala tonight on the Trailside application, and
28 they were concerned about landscaping and screening, particularly as it may potentially affect the
29 walking path. Chair Gannon responded that she saw it came in at about 7:00 p.m. Mr. Smith
30 added that he just wanted to make her aware and let her know that the Board has been provided
31 copies, and the Applicant obviously will be providing a response to that as well. Chair Gannon
32 confirmed that the Board all had a copy. She then asked if Mr. Williams had as well. He had not.
33 Mr. Towey handed Mr. Williams a copy of the email. Chair Gannon then asked for Board
34 discussion. Mr. Zaberto responded that in light of the public comment, he had a question as to
35 whether there has been any testing at the site - any kind of soil analysis or anything like that. He
36 then asked if any of the staff is aware of what contaminant we may be speaking of and of this
37 plume that he has not heard of. Mr. Kearney stated the he could talk from his experience there.
38 He indicated that when they did The Mews at Baldwin Place, they started the process in 2008
39 and were approved here he thinks in 2009 and they closed on the funding in 2010 and did a Phase
40 1 Environmental. It did not require a Phase 2, because there was so much documentation as to the
41 contamination in the former Baldwin Place shopping center. It primarily came from over in the
42 corner where Tractor Supply would be now. There was a former dry cleaner there, and there was
43 no sewer at the time. There was a septic there, when the mall was there, and this was in one of the
44 outbuildings by the mall. So the dry cleaner, everything went down, and that caused contamination.

1 Big V supermarkets came along, ShopRite bought it, built he thinks around 2000/2001 the
2 shopping center you have now. When he got involved, the lenders wanted detailed information as
3 to the history there and what was going on. Mr. Kearney's environmental consultant at the time
4 told and showed him that there were a series of monitoring wells, not on his site, but over where
5 Somers Bagels is. There was a plume, and he does not know if the plume is still there. But while
6 they did Mews 1 and Mews 2 at Baldwin Place, and Crossroads or Hidden Meadows which is little
7 further down the plume or the previous contamination has had treatment and monitoring wells. It's
8 well documented by the New York State Department of Environmental Conservation (DEC), so
9 he will try to get that information. He noted he is going back 15 years and there has been no issues
10 with them. One thing, with Mews 1 at Baldwin Place to note is that they installed a radon system.
11 It is a series of pipes underneath the slab, and before anybody moves in, we want to check the
12 radon. What they wanted to do here was to check for VOCs (Volatile Organic Compounds), to see
13 if the VOCs were coming up. It was not and the same thing with The Mews 2 at Baldwin Place.
14 Mr. Kearney indicated that one day when he was there, it was not Mr. Ciofrone, but when they
15 were breaking ground in about 2010, a fellow pulled up and he lived over on Mahopac Avenue
16 and he said to him you are not going to be able to finish - there's a groundwater contamination. He
17 explained to Mr. Kearney that at the time that it kind of ran over toward Mahopac Avenue, and
18 that's the Amawalk-Shenorock Water District. Mr. Kearney stated that the Water District was kind
19 of expanded at the time. One of the reasons for it was for the houses that were impacted. He
20 indicated that they are not drilling wells and did not think it would be a problem if they did, and
21 they will answer that concern because there is a lot of information from the DEC already on the
22 record - it was a big deal and a big cleanup. Mr. Kearney stated that he thought he mentioned one
23 time that he and his son have done six or seven brownfields, and his son has gotten pretty good at
24 it. They also own a site in Cold Spring, the second largest site in New York State, outside the Love
25 Canal. They are familiar with the term plume and the concerns, so they will get the documentation,
26 but he is comfortable based on his experience- all the information is there, and he will get it to the
27 Board, and the Board can share that with everybody else. Mr. Zaberto stated he appreciated that,
28 and that he appreciated the context in the VOCs and what the contaminant was at the time. He
29 then thanked the Applicant for that information and indicated that it would be helpful for the
30 Board. Mr. Towey stated just to remind the Board too, there has been soil testing performed on
31 the Trailside site, and you were each given a copy of that report, he thought in early December.
32 Mr. Zaberto stated it was negative if he was not mistaken. Mr. Towey responded that he cannot
33 speak to the contaminants as he did not have the soil testing report before him, but there was some
34 degree and he did not believe it was considerable, but again, he would defer to Mr. Williams on it.
35 But, you do have a report and it does thoroughly review the testing results and he thought it went
36 into the remediation components as well. Mr. Jack Mattes stated that Mr. Ciofrone had his hand
37 up. Chair Gannon stated that we can't have a dialog, but if Mr. Ciofrone wanted to supplement his
38 comments he can come back up to the podium. Mr. Ciofrone said as Mr. Kearney stated, he is
39 correct. He followed this from day one. There was never any problem with the west side of
40 shopping center. The problem with this plume was where the cleaners dumped it out. It was
41 between the trail and the existing driveway, and it ran north and south. Now, when you go to the
42 south, there's three or four ponds in the backyards of the neighbors that live over there, who all got
43 contaminated. So what happened was, obviously the plume went down, somehow got into their
44 water table, where their wells are. So what he is talking about is the north south boundary on the

1 property that's going to be excavated. That's where the plume had moved to. It didn't go west, it
2 didn't go east, it went south. And like he said between the trail, the ponds and the existing driveway.
3 If you drew those parallel lines and went down three eighths of a mile, that's where the
4 contaminants were, down to the far side of Meadow Park Drive- that was his point. Chair Gannon
5 then asked if there were any other comments or questions from the Board at this point. There
6 were none. She then asked staff if they had any comments and/or questions. There were none.
7 She then stated that her feeling was that she would like to keep the Public Hearing open until
8 February and get some more information. She then moved to adjourn the Public Hearing until the
9 next meeting on Wednesday February 11, 2026. Mr. Paul Ciavardini seconded. All in favor.
10 Motion passes.

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12 Chair Gannon added that we also need to get feedback on the WIG. Mr. Kearney then asked if he
13 could talk about the Watershed Inspector General. He stated that what was interesting about the
14 WIG's involvement here was it was after the SEQR (State Environmental Quality Review)
15 process. They did not have a problem with the SEQR process, and he dealt with the WIG on
16 Hidden Meadow as well and there was more engagement. Here, the comments were more benign,
17 if you will, more toward talking about the different phasing and so forth. So, he thought it could
18 be months. What we normally do, if we get that far, is get a conditioned approval, conditioned
19 upon New York City Department of Environmental Protection (DEP) approval. A lot of times,
20 the DEP approval runs parallel with satisfying all the WIG comments. He indicated he did not
21 know how soon, and after consulting with Mr. Williams indicated the DEP approval takes about 6
22 months. He noted that in the past that has always occurred after the Public Hearing is closed, and
23 a possible resolution. He then asked if the Board would consider treating the WIG and the DEP
24 in the same fashion - maybe not now, but they will get the Board all the information on the history
25 spoken about earlier as well on what both he and the DEC has. He stated he guessed what he was
26 saying is that it is going to be months. Chair Gannon responded they operate on their own timeline.
27 Mr. Kearney stated it takes time, but we have never waited to close a Public Hearing waiting for
28 DEP approval. Mr. David Smith stated just so the Board understands the Watershed Inspector
29 General does not issue a permit with respect to this application. They are merely an advisory or
30 interested agency. He noted what the Town has done in the past, particularly with an upcoming
31 application that you will hear from tonight, where they also got extensive comments from
32 Watershed Inspector General is Mr. Robbins reviewed the responses, and because Mr. Robbins is
33 responsible for the engineering aspects, making sure that they're technically correct in responding
34 to and he will let Mr. Robbins speak to this if he needs to, but essentially, the Town relied upon
35 the expertise of Mr. Robbins in the responses to the WIG. So, while he thinks it's important to
36 allow some time for the WIG to provide some response, he did not know that the Board necessarily
37 needs to wait forever, given that you have the expertise in house to review those comments to
38 make sure that they're adequately responded to. Chair Gannon stated that she agreed and that she
39 was actually looking for feedback from Mr. Robbins' office on the WIG's comments because she
40 read it and had questions. Mr. Kearney stated that they will gather the information previous and
41 get what they can from the DEC now and submit that as soon as possible. Chair Gannon also
42 wanted to acknowledge that she did see on the electronic submission that the surface at the trail to
43 the dog park has been changed. Thank you very much. Mr. Zaberto stated revisiting the soil
44 contamination issue, he is in possession of a memo from Gallagher Bassett, and it is public record

1 for anyone that wants to review it. It is on the Town of Somers' website. Mr. Kearney stated that
 2 there was a portion that had some apple trees. Mr. Zaberto responded that is true. Mr. Kearney
 3 responded unrelated to the concern. Mr. Zaberto responded correct, which is what you were
 4 referring to as far as the soil was concerned. But in the memo, he did not see anything involving
 5 the potential contaminants that the resident was speaking about. He then asked if Mr. Kearney
 6 could provide some more of that plume information for the Board to have on record and to look at
 7 and that he would appreciate it. Mr. Kearney responded that before we do that, he wanted to talk
 8 about the plume from his limited personal experience. He shared that they are going to be building
 9 on top of a contaminated plume in Cold Spring. There are monitoring wells and they have been
 10 monitoring it since they finished the cleanup back in the 90s. So, the gentlemen's concern is- is the
 11 plume going to move and affect the private well. Mr. Kearney stated you can build on top of a
 12 plume. They are doing it and have done it. As he stated earlier, they have completed six
 13 brownfields, and he thought three of them had underground plumes. The key is where the site is
 14 and are the VOCs going to come up and vaporize into the building. Mr. Zaberto stated similar
 15 radar. Mr. Kearney responded yes, exactly. He stated that the other concern that was brought up
 16 tonight was about it moving due to earthwork and they will address that as well. They are not
 17 going to be drilling down or so forth so they will address it. They will get information on how far
 18 down the plume is, is the plume there and if they are going down four feet and so forth. He then
 19 thanked the Board.
 20

21 **PROJECT REVIEW**

22
 23 **3. ROCKLEDGE CENTER**
 24 **SITE PLAN APPLICATION**
 25 **247 ROUTE 100**
 26 **TM 28.10-1-6.1**
 27

28 For the record Chair Vicky Gannon stated that the Applicant is proposing construction of an
 29 approximately 18,500 square-foot addition to Building C at the Rockledge Center to be utilized as
 30 an athletic facility. The property is located at 247 Route 100 and is located in the Office and Light
 31 Industry (OLI) Zoning District.
 32

33 Mr. Matthew Girona, P.E. from Bibbo Associates Engineering, P.C., came to the podium and
 34 introduced himself and greeted the Board. He stated that he was there on behalf of the Applicant,
 35 247 Route 100 LLC, and that also there with him representing the owner was Mr. Harrison Cook
 36 of HC Property Group. The project site is located at 247 Route 100 known as Rockledge Center.
 37 It contains three commercial buildings, that currently consistent of a mix of warehouse space,
 38 office space and indoor athletic facilities. A previous application was in front of your Board for a
 39 Site Plan approval for an indoor athletic facility operated by the current tenant, Prodigy Athletics
 40 within Building C which he pointed out on the plan. The current project proposes an addition for
 41 an approximately 18,500 square feet commercial building to contain a similar facility to be
 42 operated by the same tenant, Prodigy Athletics. While referencing the plan, Mr. Girona stated
 43 and identified the location of where the runoff from the roof area from the new building will be
 44 conveyed, captured and treated in a subsurface infiltration system which is an existing lawn. He

1 also noted the building will be served from a wastewater standpoint and identified the location of
2 the existing septic which has adequate capacity for the expansion. This Site Plan does not propose
3 any additional parking. He stated that as the Board is probably aware, included in their submission
4 was a parking study, which was actually an addendum to a previous study prepared by the owner's
5 consultant Barton & Loguidice for the prior Site Plan approval issued for Prodigy Athletics. The
6 parking study analyzed the peak demand of the current use of facility as well as the impacts of the
7 additional building expansion, and based on those observations of the current facility as it is used
8 now, and the projected demand of the proposed use, the existing on-site parking is adequate. As
9 you all are probably also aware of, a parking waiver was granted for the prior Site Plan approval
10 for Prodigy Athletics, and based on the study submitted and the observations made by the owner's
11 consultant, we would respectfully request that the same waiver be applied to this current
12 application. Mr. Gironda concluded and stated that was essentially the gist of the project and that
13 they would be happy to provide any more information as needed. He noted that they did not receive
14 any comments prior to the meeting from the Town's Consulting Planner or Engineer, but would
15 be happy to discuss any questions that the Board or the consultants had tonight. Chair Vicky
16 Gannon asked Consulting Town Planner, Mr. David Smith if he had any comments. Mr. Smith
17 responded as you recall, in addition to the prior approval for the athletic facility that was granted,
18 there was also a Site Plan amendment for the creation of a loading dock or driveway. He indicated
19 that his initial question was how does the proposed plan affect that improvement that was approved
20 by the Board. He noted that there were a couple things, especially because there are deliveries
21 occurring there. He asked whether there was adequate room for backup, turnaround and
22 circulation. Mr. Smith stated he knew this Board had raised a number of questions about
23 circulation. He added that there was a note on the plan – there is a dumpster pad and a fence
24 enclosure, and it was not clear if that is still being maintained as part of the current proposal. There
25 was also landscaping proposed as part of that amendment and it was not clear if that is still being
26 included as part of it – it was not shown on the plan – so just clarifying that. There is a fuel tank
27 to be relocated as part of the proposed new building. Mr. Gironda pointed it out on the plan and
28 Mr. Smith stated yes, in the corner. He then asked what was happening with that. He also noted
29 that there are water lines shown on the plan running under what's now the proposed building and
30 asked if that creates any issues for on-site utilities. And then you mentioned that there is parking
31 reserved in the event that this site becomes more than wildly successful and you need to have
32 additional parking. And in the report, it said that 30 additional parking spaces would be used for
33 overflow use on a temporary basis and he did not recall whether that area had been improved to
34 an extent where they could be used for temporary parking – so that needs to be clarified. And then
35 last, when this most recent Site Plan application came before the Planning Board there was a lot
36 of discussion about circulation, drop off and signage because you have got kids and other activities
37 - commercial activities, that are occurring in the same place. So just to talk about how you would
38 handle drop offs and pickups now that you've got another building that you're adding activity too.
39 Mr. Smith concluded and advised Chair Gannon that was just a quick summary of some of the
40 comments he had in his initial review of their application. Mr. Gironda responded that they can
41 certainly clarify and provide information to that in their response back to the Board. He then asked
42 Mr. Cook if there were any specific questions that he wanted to answer tonight about how the site
43 is operating. Mr. Harrison Cook came to the podium and wished the Board a Happy New Year.
44 He stated that with respect to circulation, one of the updates that has happened was we have a sort

1 of narrow entryway by the entrance to Building C, and we put a sign internally in there saying that
2 it is a one-way now because it was very busy. It gets dark and people are dropping off kids, they
3 are running in and out- so there is a big yellow sign as you come up to that corner, saying "One-
4 Way", and as you come around, there is another big sign saying "Caution Children Crossing."
5 Chair Gannon asked Mr. Cook to identify the signage areas. Mr. Cook pointed out on the plan
6 where the One-Way sign as well as the yellow Caution sign stating that the driver should be aware
7 that there are kids getting in and out of cars in that area – so you don't ever have two-way traffic.
8 He pointed out another sign where if a car does come around, it informs them to turn around which
9 is to stop us from having two-way traffic at this narrow piece. He stated they had complaints, and
10 thankfully no accidents. But it was something that they thought they should do to improve the
11 experience of the building. He then identified where they constructed the loading dock and noted
12 that they spent a lot of time talking about whether to add parking or not and if we wanted to do it.
13 Ultimately it was decided they did not have a need for more spaces. But if they did, instead of
14 creating more impervious surface, he pointed out an area and where there is space that is useful
15 for sort of one-time busy evenings, if it was necessary. He added that creating more impervious
16 surface is not necessary, and it is in the current approved Site Plan, that the Board maintains the
17 right to ask us to build it, should they feel it is necessary. Mr. Cook pointed out on the plan where
18 all the planting was done and noted it looks great. While pointing to a building on the plan he
19 indicated that the way it was oriented that it would cut off a sliver of that loading dock, which
20 should not affect the ingress and egress of the box trucks that they use. He pointed out a
21 hammerhead turnaround that they currently have and noted that was a conversation he will have
22 to have with those tenants. Mr. Cook stated that it was not anticipated and that this was sort of a
23 happy coincidence that Prodigy was oversubscribed, and asked if we could expand and so they
24 started working together on it. We have been really happy to see it succeed the way it has, and we
25 are hoping to continue that. Mr. Cook indicated that he knew there were more comments, but he
26 will have to write down his answers. Chair Gannon then asked Consulting Town Engineer, Mr.
27 Steve Robbins if he had any comments. Mr. Robbins asked if the existing Prodigy in Building C
28 is primarily accessed from the backside and if this addition for their use and benefit due to the
29 increased subscription would also be coming from that backside, or is there access from the top
30 side. Mr. Cook responded, that is a good question. While pointing to the plan Mr. Cook indicated
31 they didn't have elevation at a particular spot and they would get back to that later. He then pointed
32 out where the Somers Sports Arena was on the plan as well as the path and indicated there will be
33 an extension where you turn left and pointed out on the plan where you would enter. So there's
34 no new egress from the area of traffic. Mr. Robbins indicated his question was - is this changing
35 the front door, are people going to be coming into the building from both sides or are you trying
36 to get everyone to come in one way. Mr. Cook responded he thought it was going to be both
37 sides. Mr. Robbins asked for different uses. Mr. Cook responded yes, they were talking about
38 doing three more volleyball courts and a small turf field. This building will be slightly higher, so
39 he is guessing this will be more high school use. He noted that he has not finalized that, so don't
40 quote him on it. So, it is anticipated that the use will come from both sides, and they'll still have
41 two entrances. Mr. Robbins stated that question is due to, are you driving more pedestrian traffic
42 into that narrow corridor that you mentioned was improved with signage and if this entrance
43 becomes where it's safer and easier to get to, that's a good thing. If this is intended to just be
44 emergency egress, and you're going to try to get everyone around in that narrow spot, then he

1 thinks that is going to exacerbate the problems that you're already seeing. Mr. Cook responded no,
2 and while referencing the plan pointed out the entrance and stated he thought they would be driving
3 more traffic to enter from this side. Mr. Robbins stated on the Site Plan the use of the area of land
4 banked parking for periodic peak demand was mentioned and asked if there were any planned
5 improvements in that area as part of this application. He indicated that he understood that they
6 were not going to pave it and asked if there were any accessibility improvements that facilitates
7 that use or if it is just going to be on the lawn. Mr. Cook replied that he was thinking it would be
8 wise to do curb cuts, at least lower ones than currently exist, because you have to drive over a four-
9 to-six-inch curb right now. He stated that he did not think they have addressed that specifically
10 yet, but thought it would be useful. Mr. Gironda stated that there are currently no proposed
11 improvements to that area on the plan for this initial application. That is an area identified as 30
12 additional land banked spaces. One thing he did want to note was that the parking study did indicate
13 that the available on-site striped parking spaces within the impervious parking areas now is
14 adequate for the current facility and the expanded sports facility. Chair Gannon asked if Mr.
15 Gironda could flip the plan back over and stated because that was where he had indicated that there
16 was going to be some stormwater management. She also noted that that when he was pointing at
17 it, he was saying the parking will be there and she was looking at it and thought are these
18 compatible uses. She then asked if he could be a little more specific about the area that would be
19 the parking while we're looking at it on this plan. Mr. Gironda identified the additional area
20 identified as 30 additional land banked parking spaces on the plan. He noted the infiltration system
21 is subsurface, and it's rated for vehicle traffic with certain cover requirements, and that they will
22 provide those details on the plans. He added that it is currently a lawn area right now, which he
23 did not think was ever really used for parking currently. Mr. Cook stated not to his knowledge.
24 Chair Gannon responded we saw that area, it slopes down a little bit towards the park. Mr. Gironda
25 pointed out the slope on the plan and he stated that it's generally graded about 5% across to match
26 the grade of the adjacent parking area-which is general compliance with Town grading for parking
27 areas. Mr. Christopher Zaberto stated that it is important that you provide us the documentation
28 about the ability to park on these infiltration systems, because we have a memo here from the DEP
29 (New York City Department of Environmental Protection) from yesterday, and even they
30 commented on being able to ensure that if this is utilized as parking that is not going to damage
31 these systems. They refer to it as septic, but it's kind of the same theory. Mr. Gironda responded,
32 yes, we typically specify cultec rechargers which have manufacturer installation requirements for
33 vehicle and traffic applications, and they can certainly provide that. Mr. Cook stated their most
34 recent Site Plan approval for the loading dock has infiltrators under the loading dock and their
35 trucks drive over it every day, but they can definitely have that information. Mr. Robbins stated
36 that his other concern on the site is around the construction period and making sure that there's an
37 adequate location for the construction staging area. He indicated that he knows that they have done
38 a lot of earth work in that area and he is sure there is some more still anticipated for the building
39 foundation. He added that when we start talking about moving steel work in and out of that space
40 there's not a lot of clear space adjacent to it that is not in the parking area, so he would like to see
41 a bit more detail on the lay down areas and staging areas, being mindful of the infiltration area
42 that's being proposed, and making sure that we're not compacting soils in that area during
43 construction, to make sure that that you've got a good plan and it's going to be successful. Mr.
44 Gironda responded certainly. Mr. Robbins stated that they will get into the other details. Mr.

1 Gironda replied that they were thinking about it as well. Chair Gannon asked if there were any
2 other comments. Mr. Zaberto stated that he had another question regarding the regulatory
3 requirements for parking versus capacity. There are a lot of times where there is a minimum
4 amount of parking spaces that are required in residential multifamily dwellings and things along
5 those lines and inquired if there was any language in Somers Town Code that would have some
6 sort of a ratio of parking to capacity. We are adding a new sports facility here that could potentially
7 add another 200 people to it for various teams and things like that. In this commercial application,
8 he asked if there is anything codified that says, well, in that case, you need to have X amount of
9 parking spaces available, and is this site compliant with that. He knows there's been some waivers
10 in the past, but now we're expanding on top of those waivers. As you know, in all of the plans
11 that you brought forth, parking has come up many times because there are residents that have
12 utilized the facility and have had concerns about it being difficult to park there at peak times. Now
13 we are adding more to that volume, and he wouldn't want to see our residents be disgruntled or
14 your business be affected if we're not ensuring that we have the right ratios in play for the amount
15 of capacity that this site can actually hold. Mr. Smith responded yes, the Somers Town Code, has
16 provisions for looking at different types of uses. And this particular facility, the property as a
17 whole, has a number of different types of uses. So when you start to look at the different types of
18 uses and add them up, you come with one aggregate number. He thought the Applicant in their
19 submission materials, indicated that they've had a change of use. This was the most recent Site
20 Plan where they went from daycare, to this other kind of commercial operation. And that changed
21 the parking ratio, where the parking needed for the overall site was actually less than would have
22 been required if you had the daycare facility in there. So, there are standards the Code does allow
23 for, as you know, this waiver provision, if the Applicant can provide sufficient documentation that
24 the parking based on all of the different uses and the different times when those uses are being
25 used, if there's still adequate parking available on the site. The parking addendum that they
26 provided provides a lot of information with respect to the site. They have done a week's worth of
27 survey work. This is when all of the facilities were completed and the operation was up and
28 running. He thought they provided the information that you would need in order to make an
29 informed decision with respect to the parking. The other component to this is, and he thought we
30 talked about this at their initial application is that they are limited with respect to the occupancy
31 based on the Building Code. So, they just can't have 1,000 people show up because they're not
32 permitted with respect to the occupancy standards. So there's a number of different aspects that are
33 being relied upon to evaluate parking for this particular site and in the end of the day, if the
34 Planning Board feels that the operation is God Bless, so successful that they need additional
35 parking, a prior Planning Board actually said okay lets reserve spaces for that contingency. So
36 you have additional spaces to accommodate that capacity. Mr. Zaberto thanked Mr. Smith. Mr.
37 Cook indicated in his view, the Town Code, only specifies a health club, and it's different than a
38 health club, so it sort of falls between the definitions in the Code. So they rely on experience and
39 what we see there. Mr. Zaberto responded true. He stated it's an anecdotal experience for him,
40 being a sports father. He has seen facilities that go over capacity, not necessarily to any fault of
41 the building owner, but sometimes your tenants will overextend themselves with certain
42 tournaments and things along those lines, and then that does produce an extra amount of traffic,
43 and there are some other issues that come with that. In his experience, a lot of that is reflective on
44 the facility itself, and not necessarily those that are hosting said tournaments. He stated because

1 parking has always come up at your site, we just need to be cautious about overextending that to
2 just to maintain everyone's happiness, convenience and safety. Obviously, safety is important, and
3 you've addressed that with us in the past, and we do appreciate that. He noted that he just does not
4 want it to get too out of control in that area. It's very limited in and very limited out. You're limited
5 in the amount of space that you have because of the ledging and we recognize that, and we just
6 want to be careful. That's all. Chair Gannon asked Mr. Cook if he were to give her the five top
7 peak times during the week when he is going to see the most amount of traffic and number of cars,
8 what days and hours would they be. Mr. Cook responded that would be like 5:00 to 7:00 or 8:00
9 p.m on Tuesday or Thursday- something like that. He stated he thought that was when wrestling
10 and volleyball has as practice. He noted that he does not know the schedules by heart right now.
11 Chair Gannon said just impressionistic, it is not meant to be a guide. Mr. Cook responded that it
12 is a weeknight - it is probably not a Monday or Friday so between Tuesday and Thursday. Chair
13 Gannon then asked about the weekends. Mr. Cook responded weekends are busy. Chair Gannon
14 asked what Mr. Cook he would say is the peak time that he would expect. Mr. Cook responded
15 around noon because they have pickleball coming in and they might have volleyball come in the
16 afternoon, and who knows what on the turf. In addition, there are midday times where families
17 who want to do stuff with their kids in daylight hours come in. So that is sort of the Saturday,
18 Sunday peak time. But the office is thankfully empty so there's a lot less cars there, even overnight
19 on the weekends. Chair Gannon responded so it is sort of a load balancing taking place, just by the
20 nature of the activities that are taking place. Chair Gannon then asked if there were any other
21 questions. Mr. Anthony Sutton asked when this building is built if it is going to actually abut the
22 existing building. Mr. Cook responded yes. Mr. Sutton stated so there will be pass throughs
23 internally from one to the other. Mr. Cook responded yes. He then indicated that his real concern,
24 which were same concerns as last time. He knows we were on the fence and had a lot of
25 discussions the last time about parking. To him, this would push that over the edge in terms of
26 more parking being required. He too hopes that you're tremendously successful. But, if he heard
27 correctly, you said four volleyball courts. Mr. Cook responded three. Mr. Sutton asked what that
28 equated to in terms of the number of players. Mr. Cook responded he thought it was 16 players
29 on a court. Mr. Sutton responded, so if you did that math. He indicated that he has been through
30 the lot, and seen what it's like, particularly in the fall, at that five o'clock hour. There's a traffic
31 flow problem, because you have people backed up waiting to drop kids off, and kids running across
32 the lot. He indicated that he would really like to see some accommodations to be able to handle
33 that kind of activity more than you currently have in terms of being able to do drop offs and
34 pickups. He stated that he heard Mr. Cook say, admittedly, that it's dark there, and it really is and
35 that one of his primary concerns about that would be safety. We don't want a problem. Mr. Sutton
36 stated that two of his initial suggestions would be that we really need to light that area better,
37 because he thinks that when he is done it will be a far more inviting entrance to the building than
38 the backside. The backside almost looks like it was an afterthought and he appreciates that, because
39 he knows when they built it, it was not the use and it was more of a storage facility than anything
40 else. But, in terms of safety he would really encourage - to assure there is a way to segregate that
41 pedestrian traffic from the traffic that's going on at the loading dock and at the other buildings in
42 the parking lots because he has seen where they park the trucks in the turn-around and any kind of
43 obstructed views or anything. He just does not want to fast forward and see how this could turn
44 out bad. We do not want to be answering why someone was run over because we did not do our

1 due diligence in terms of recommendations for the construction. Mr. Sutton stated he really
 2 thought if Mr. Cook could try and figure out a way to segregate or corral that traffic so that the
 3 children can't run into the parking lot to go see their mom because they saw her six cars back. He
 4 also indicated that he was trying to remember from our previous Site Walk and asked if this would
 5 basically replace part of that breezeway that goes between the buildings. Mr. Cook responded yes.
 6 Mr. Sutton asked if that was still ledge which was encountered the last time. Mr. Cook responded
 7 yes. Mr. Sutton asked if this would be poured on slab and no basement. Mr. Cook responded no
 8 basement. Mr. Sutton said more excavation. Mr. Cook responded it should be limited, just enough
 9 to get the slab in and the footings. He then indicated that they haven't done a structural engineering
 10 on the foundation or anything yet. But they do want to avoid the jackhammer.
 11

12 Chair Gannon then asked if the Board had any other comments and/or questions. There were none.
 13 She then asked staff if they thought they had enough information to schedule a Site Walk. She
 14 noted that they did do a Site Walk last spring and she thought Mr. Sutton was there. She did not
 15 think Mr. Zaberto was able to make the last one. Mr. Zaberto stated he did not make that one but
 16 noted he did make one of these plan iteration Site Walks as well as doing one extracurricular visit.
 17 Chair Gannon stated at this point, if we have enough information, the Site Walk it was so helpful
 18 last time. When Mr. Smith was describing his concerns, she could visually see those things and
 19 remembers looking at it. We were on top of that mound and looking down and seeing it all. Mr.
 20 Sutton asked for some stakes so we can visualize where things will be. Chair Gannon added also
 21 relative to the parking lot and the flow. She also noted that it would not be an abbreviated Site
 22 Walk as there will people there who have never been to the site. She then asked for the Board to
 23 put their calendars together and schedule it. She wanted to make sure Consulting Town Engineer,
 24 Mr. Steve Robbins would be available. After discussing a few dates, the Site Walk was scheduled
 25 for Saturday January 31, 2026, at 9:00 a.m. Chair Gannon asked Planning Board Secretary, Ms.
 26 Nicole Montesano to send an email reminding everyone. She then asked if there were any more
 27 questions. There were none. She thanked the Applicant and said they would see them in a few
 28 weeks.
 29

30 **4. NEW CINGULAR WIRELESS PCS, LLC (AT&T) FOR AMENDED SPECIAL USE**
 31 **PERMIT WIRELESS TELECOMMUNICATIONS FACILITY**
 32 **80 ROUTE 6 -SOMERS COMMONS**
 33 **TM 4.2-1-11**
 34

35 For the record Chair Vicky Gannon stated the Applicant is applying for an Amended Special Use
 36 Permit. The project consists of modifications to the existing wireless telecommunications facility
 37 comprising of equipment, antennas and associated cables. The project site is located at 80 Route
 38 6 (Somers Commons) and is in the Neighborhood Shopping (NS) District.
 39

40 Mr. Marty McGee from Airosmith Development came to the podium and introduced himself and
 41 indicated that he was there representing New Cingular Wireless more commonly known as AT&T.
 42 He indicated that he would provide a brief explanation of the application – it is very bland. He
 43 noted that currently there is a concealment pole within a flagpole that has three antennas and this
 44 is part of a nationwide 27,000 site equipment change. They are looking to swap out the antennas

1 – changing 3 for 3 all within the concealment of the pole. In addition, they will also change out
 2 some little plexers, which are a very tiny little piece of equipment, and some radios which are a
 3 little bit larger – but again all within the pole. He noted that their ground equipment is within the
 4 shelter, so none of this will be seen. Mr. McGee stated it was very straightforward and he could
 5 answer any questions. He added that they did receive a memo from Woodard & Curran that
 6 morning and that they partially responded. There were two parts to it, and they responded to one,
 7 the visual inspection letter and stated that hopefully that satisfies that request. The other item was
 8 the Certificate of Authorization. Mr. McGee stated that he did notice that the person who signed
 9 it did have a New Jersey license and respectfully requested conditional approval tonight. He
 10 indicated that they can certainly provide that within a short amount of time, and that he thought
 11 that would satisfy the second comment on the memo. Chair Gannon asked staff for comments.
 12 Consulting Town Planner, Mr. David Smith responded that this is just another one of the ongoing
 13 swapping out of equipment. He advised the Board that he had a meeting with the Town Clerk and
 14 a representative from general code to talk about Town wide code revisions. This is on the list of
 15 things – so that these types of applications that will be more administrative will be with the
 16 Building Department. He added that is has been his recommendation in the past that this type of
 17 application, because it is just swapping out equipment that you would, and this is consistent with
 18 Consulting Town Engineer, Mr. Steve Robbins’ recommendation as well, to waive the Public
 19 Hearing and the Site Plan requirements, and that you authorize a confirmatory resolution subject
 20 to the Applicant meeting the requirements that Mr. Robbins and his office had raised, with respect
 21 to this application. Mr. Robbins responded that Mr. McGee and Mr. Smith adequately
 22 characterized their comments and that they are checking their boxes and dotting their I's crossing
 23 their T's, making sure the Town is served, and the letter that we received on the visual inspection
 24 does address our comments. He concluded and stated that he is just waiting on that last item to be
 25 addressed regarding the engineer and felt that it was an appropriate item to be addressed as part of
 26 a confirmatory resolution. Chair Gannon asked the Board if they had any comments and/or
 27 questions. She stated she knows this is a stealth antenna and all the panels are internal, so there is
 28 nothing about wind shear or anything like that is going to change because it is just a monopole.
 29 Mr. McGee responded correct and that they did provide a structural which is required, but as far
 30 as visually – Chair Gannon stated it is the same. Mr. Christopher Zaberto made a motion to waive
 31 the Site Walk. Chair Gannon seconded. All in favor. Motion passes. Chair Gannon then made a
 32 motion to waive the Public Hearing. Mr. Anthony Sutton seconded. All in favor. Motion passes.
 33 Chair Gannon then made a motion to direct staff to prepare a confirmatory resolution subject to
 34 the condition that Mr. Robbins had regarding the engineering qualifications. Mr. Zaberto
 35 seconded. All in favor. Motion passes.
 36

37 **5. NORTH EDGE REALTY CORPORATION**
 38 **PRELIMINARY SUBDIVISION, SITE PLAN, STEEP SLOPE & STORMWATER**
 39 **MANAGEMENT AND EROSION CONTROL APPLICATIONS**
 40 **ROUTE 6 AND MAHOPAC AVENUE**
 41 **TM 4.19-2-2, 3 & 4**
 42

43 For the record Chair Vicky Gannon stated that the Applicant is proposing construction of 73-fee
 44 simple Townhome units consisting of a mix of 2- and 3-bedroom units serviced by public sewer

1 and water with required stormwater improvements. The property is accessed from New York State
 2 Route 6 and Mahopac Avenue and is located in the Multifamily Residence Baldwin Place (MFR-
 3 BP) Zoning District.
 4

5 Mr. Jared Boniello, representing the North Edge Realty Townhouse proposal came to the podium
 6 and introduced himself. He indicated the Mr. Timothy S. Bibbo, P.E., from Bibbo Associates
 7 Engineering, P.C., who will be presenting from time to time and Mr. Gus Boniello from North
 8 Edge Realty Corporation were also there with him. He noted that this project has been in front of
 9 this Board for a couple months and they were back before this Board a couple months ago. He
 10 stated they did have a Site Walk back in June. Chair Gannon stated she thought the Site Walk
 11 was in August. It was originally scheduled for June and then Mr. Boniello withdrew the request,
 12 and it was rescheduled to August. Mr. Boniello responded yes, the Board saw the project back in
 13 the summertime. He stated that since then, they have actually been through the Town Board. They
 14 have finalized their rezoning to the Multifamily Residence Baldwin Place (MFR-BP), been
 15 through several different impact studies, had extensive review with the Town Board and they are
 16 here now to have the Planning Board start to review the project with us. The North Edge Realty
 17 townhouse project is located at the intersection of Route 6 and Mahopac Avenue. As the Chair
 18 stated, it is a 73-unit townhouse development. The project will have access from two different
 19 locations, one along Route 6 and one along Mahopac Avenue. Turning will be restricted at both
 20 these entrances to help with traffic. The buildings and the roads, as well as the green spaces are
 21 going to be located along the top side of the property, and as you go down the hillside, there is
 22 stormwater that has already been looked at with the DEP (New York City Department of
 23 Environmental Protection), and seem to be adequate locations for infiltration basins. He then
 24 turned it over to Mr. Allen to bring the Board up to date with where they are and what is remaining
 25 to review. Mr. Allen stated that as Mr. Boniello mentioned, we were before the Town Board for
 26 quite some time. He thought they started there in the fall of 2023 in various aspects of this project.
 27 It was not an Environmental Impact Statement, but it was a very thorough Part Three EAF
 28 (Environmental Assessment Form) that they did for the Town Board, including traffic, historical
 29 and economic data. He indicated that unlike Trailside, they had an extensive review from the WIG
 30 (Watershed Inspector General), probably three or four iterations of going through with the WIG-
 31 similar phasing and soil composition. Through that process, they performed soil testing throughout
 32 the site to analyze, number one, the erosive conditions of the soil, and also for the purposes of
 33 depths of cuts and fills what the conditions were at a deeper elevation. So, this project has been
 34 quite thoroughly reviewed from the environmental standpoint. It was a little bit of a process
 35 because we thought we were going to be doing that more with this Board. So, they are before you
 36 now with a Site Plan that environmentally has been vetted very thoroughly. He added that as you
 37 know, the Site Plan process and the Subdivision process go hand in hand in this process. We are
 38 going to be looking at things like landscaping and lighting and some of the aspects of that. In
 39 addition, they hoped that the Board would consider scheduling a Public Hearing for this. He noted
 40 they did have Public Hearings at the Town Board level, and they expect to hear some of the same
 41 comments and maybe some new comments as you just heard on Trailside. But, nonetheless, they
 42 have had probably a session of about five different open Public Hearings for this at the Town
 43 Board level and the Town Board did walk the site. It lays out very nicely from front to back,
 44 flanked on both sides of the road with the townhouses and working up the hill to that upper section.

1 So, we think this is very viable and will be a very successful project in Town of Somers. Chair
2 Gannon then asked Consulting Town Planner Mr. David Smith if he had any comments. Mr. Smith
3 asked Mr. Allen if he could highlight some of the improvements that are being made to enhance
4 circulation, not only vehicular circulation, but also pedestrian circulation. Mr. Allen responded
5 from pedestrian, he thought this Board made the recommendation very early on in the referral from
6 the Town Board that a sidewalk would be provided from Mahopac Avenue down to the entrance.
7 While pointing to the plan Mr. Allen indicated there would be a small trail through the property
8 that they are proposing. The access will be so that you cannot make the turn in from Route 6, so
9 that you will be coming out and heading towards Yorktown and pointing to the map showed what
10 side you would be coming in from. It is set up so that you will not be crossing Route 6. Up on
11 Mahopac Avenue, we may have discussed with this Board that there will be no left turns out of
12 that entry. Chair Gannon stated so right turn only on both egress points. Mr. Allen responded that
13 is what we discussed with the Town Board. Mr. Anthony Sutton inquired as to whether there were
14 some accommodations for the potential kids in the daycare or whatever, right alongside the
15 entrance off of Mahopac Avenue. While referencing the plan Mr. Allen pointed out where the
16 church was and indicated there will be the continuation that driveway through that church property,
17 and then the entry into the parking area is there. Mr. Sutton said there was playground or
18 something there that we were concerned about. Mr. Paul Ciavardini stated it was a school. Mr.
19 Allen responded yes and that he did not recall fully, but thought the road came right alongside the
20 playground. Mr. Boniello stated he had one correction to what Mr. Allen just said, there were
21 concerns on Mahopac Avenue, coming out there, the intent was to get the people trying to get on
22 to Route 6 to the light. They did not want people turning left onto Route 6 from our development.
23 The thought was crossing Route 6 would create too much of a hazard. They wanted us to get to
24 that light. There were concerns that people coming out of our development onto Mahopac Avenue
25 would want to cut left and go down Mahopac Avenue and come back around down by the gas
26 stations and get back onto Route 6 in that direction. Mr. Boniello indicated that they had said at
27 the time, they did not believe that there's a massive amount of traffic that would go that way and
28 our impact study on the traffic actually showed that. We do not think we were comfortable at that
29 meeting saying we were going to restrict left traffic onto Mahopac Avenue. It is something that he
30 thinks was shown will not be a problem. The biggest problem is going to be turning on to Route
31 6. That is why we opted to go with a just right-hand turn. It is a simple merge and should be a safer
32 move to get people onto that roadway. Mr. Christopher Zaberto stated so, if anyone wants to go
33 east on Route 6 then they would use Mahopac Avenue and the light and make a left. Mr. Boniello
34 responded, correct to turn out, get on Mahopac Avenue- there is plenty of sight distance to that
35 light.
36

37 Mr. Allen noted that the project will be serviced by public water and sewer. He noted that the
38 Town Board also had approved those petitions. One petition went to the County for the sewer
39 and the petition for the water was handled in Town- so that is the Town's water system. Chair
40 Gannon asked Mr. Smith if there was anything else. Mr. Smith responded no, other than just to
41 note to the Board that the materials when they were submitted to the Town have been circulated
42 to the other reviewing agencies, the Open Space Committee, Bureau of Fire Prevention and some
43 of the others. He added that we have not received comments back from them yet, but just to let
44 you know that they have been circulated as part of this preliminary application. Chair Gannon

1 responded, because you had brought up the overall circulation and traffic, one of the things that
 2 she was looking for when looking through the plans which we will talk about later, is any indication
 3 of a sidewalk within the development. She did see the page that had a diagram of what a crosswalk
 4 would look like, but did not see the crosswalk rendered in the plans when she was looking through
 5 them and there was also the stone entrance kind of thing, but she could not see where that was.
 6 She then asked what is the vision for within the subdivision regarding sidewalks and navigation
 7 for people, dogs and baby strollers etc. While pointing to the plan, Mr. Allen responded that they
 8 are not proposing sidewalks within the subdivision. A lot of that area is taken up by guest parking
 9 and what have you. He noted when looking at this plan, it can be seen that a lot of these offsite
 10 areas are guest parking and with the driveways so close to each other they had not considered
 11 sidewalks interior of this project. Mr. Boniello said he just wanted to add one thing. The model for
 12 our project here is really off of what was successful next door, the Somers Crossing property.
 13 There, the roads were on the wider side, and we found that sidewalks would not even need to be
 14 utilized to safely walk along the edge of the road. Car traffic and people are able to coincide over
 15 there, and we have the same vision for this development. Chair Gannon then asked Consulting
 16 Town Engineer, Mr. Steve Robbins if he had any comments. Mr. Robbins responded, as Mr. Allen
 17 stated, we went deep on the environmental review and stormwater while this was in front of the
 18 Town Board. Our review of the additional information submitted will be provided to the Board
 19 shortly. And we also want to take into account feedback from the other Town Committees and
 20 Boards and their review as well. So here we dig in a little bit more to the details of the Site Plan,
 21 as opposed to the stormwater, as was mentioned previously, the landscaping and lighting. Chair
 22 Gannon noted that she did not see a lighting plan. Mr. Robbins stated that they would like to
 23 understand that a little bit more. Make sure it is going to be safe and to make sure that, especially
 24 within a neighborhood without sidewalks, that that's appropriately accounted for. And he knows
 25 Mr. Christopher Zaberto had a question about the playground area on kind of one side of the
 26 driveway versus the school on the other side of the driveway. He noted they are looking at that and
 27 looking for the Applicant to clarify if that is where the crosswalk is intended - kind of an internal
 28 circulation crosswalk as opposed to somewhere else. So we are looking at those things, and we'll
 29 advise the Applicant and the Board with a more formal comment memo. Chair Gannon responded
 30 that would be great. She indicated that when she was looking through the plans on page LP-1 she
 31 noted on unit 24 there are 11 parking spaces in front of it and one of the lines is missing. She asked
 32 what was being done there and why is the line missing on all the pages. She asked if something is
 33 going on there or if it just got dropped off the plans and the line is supposed to be there. Mr. Allen
 34 responded yes, the line supposed to be there. Chair Gannon stated that she finds a real need for
 35 lighting for a variety reasons. One is the entrance and exit points, especially because the entrance
 36 onto Mahopac Avenue is to a residential area, and you have people there, and she does not want
 37 to be blinding them and keeping everybody up at night. Also, the degree of lighting that we need,
 38 without sidewalks as well within the development. In addition, you do not want light to be too
 39 much either – so we definitely need to see a lighting plan. She then brought up Road C, as it is
 40 known – the road that goes from Mahopac Avenue into the development. Chair Gannon noted
 41 that one thing she wanted to say, when they did the Site Walk, she remembered they were walking
 42 from Mahopac Avenue towards the site and they had to veer off onto the lawn and she thought she
 43 said to Mr. Gus Boniello that it was too bad it wasn't marked with flags and he responded that it is
 44 not our property. And we really kind of went onto the lawn to kind of go in the woods. We were

1 not really running right up against where the little playground is, but looking at it here, it's more
2 like a straight shot. She did not feel like that's what we were seeing and contemplating. Because if
3 you remember, it was portable goal post, the sort of metal thing. Mr. Zaberto stated that we
4 basically walked through someone's yard. Chair Gannon stated yes, the back of that sort of athletic
5 field and that she wanted to understand what happened between then and this plan – that is more
6 of a straight shot. Mr. Jared Boniello responded that he does not think anything's changed. It might
7 have been miscommunication at the time, the playground that's there, he believes is planned to
8 stay. The easement that's in place, circumvents it and snakes around it. There's a shack or shed for
9 equipment that would be relocated. But our road, the way that it is, kind of already worked out,
10 would go around it to the side. We would make improvements to the playground fence, along with
11 any other lining we choose along that entrance way. So it is relatively straight on this plan, but
12 there is a bend to it to go around what is there and also avoid a perfectly straight road entering in.
13 Mr. Allen stated to be clear, we will locate the playground so you can see that roadway. He noted
14 that he thought we took a little veer and it may have been a little miscommunication just for the
15 ease of getting on the site by walking. Mr. Sutton stated that he thought during the Site Walk there
16 was also some discussion about maybe seeing if we could move the entrance over onto that
17 property, so it was a straight line a little further away. For some reason, he kind of remembers the
18 discussion about maybe talking to them because that property is the church's property. Mr.
19 Boniello responded and stated that with putting in this entrance it would be wider than the road
20 that we exited in and the intention was to widen it towards that side to make it a straighter run – to
21 the best of their ability. Perfectly straight coming in and perfectly straight going out is not always
22 ideal either for headlights, line of sight and all of that. It is nice to have way to of cut that line of
23 sight with headlights. Also, there are other ways because we are going to work with the church to
24 implement crossing walks and other things for them to be able to get across their property because
25 they own the structure on the other side of our roadway. So, we will probably implement that at
26 the turn point if it is beneficial for them. Chair Gannon responded to that point she had 2 other
27 questions. The first being if Road C, if that stays as it is she would have a lot of concerns about
28 traffic calming and how we manage that. So, she will need a lot more detail about Road C. Also
29 she just wanted to throw it out there. There are two entrances to the church's parking lot, and it just
30 never seemed intuitive to her why we are coming in on what is now Road C and not come in on
31 the road that is closer to Route 6. One of the issues of Road C is that it separates and puts more of
32 a main traffic road of steady traffic between the recreational facility, the field and the worship
33 facility when that is invoked in the summer. She indicated that when they were there for the Site
34 Walk the Church had a tent there and she thought services were being held at the time. Road C
35 puts more of a corridor of traffic and demand in between the uses. She stated that the other
36 driveway where they had parked is shorter. She asked, if they took out those parking spots
37 wouldn't that be a shorter and straighter run and it is not going to divide functions that are on that
38 site. One other thing she wanted to say because she thought the question needs to be asked in this
39 room, why are we doing that - and not just sit in the presumption that of course it has to be there.
40 She also stated that she needs more detail and she understands it is not the Applicant's property,
41 but you are linking into it. So she is going need to see more detail of that church parking lot,
42 because there were things going on there. There were portable basketball hoops and she needs to
43 see more of that pathway of movement integrated so she can really understand what's happening
44 as we take people in and out, curbs, etc. She indicated that she put a lot on the table, but she has

1 a lot of questions. Mr. Allen responded fair enough and that they can certainly expand that mini-
2 Site Plan or aerial to see the whole picture of what is happening at the church in addition too the
3 playground. While referencing the plan, Mr. Allen pointed out the access points just discussed
4 and noted access through the first entry this is a much longer run grade wise and the second would
5 come in too short to get down onto the site. He noted it was steeper and from a grade standpoint
6 that is is just too quick and too steep. Chair Gannon responded so that once you get to the end of
7 the parking lot, it would dip down too much and you wouldn't be able to do it. Mr. Jared Boniello
8 stated that it is also his understanding that the sight line is beneficial to be further away from the
9 light which is one of the reasons that they preferred that entrance. Chair Gannon responded even
10 though you're contemplating right hand turn only internally. Mr. Boniello responded no, not for
11 that, it is the one where you will be able to go both left and right. Again, one of the reasons being,
12 we will have to talk to the church to find out their intent for how they plan to use this road and
13 how they plan to use their other exit, because they have two curb cuts, and you want to understand
14 the dynamic of that - and we're going to figure that out. Chair Gannon stated that she definitely
15 needs more information about the integration of the sites. In addition one of the things she noticed
16 on the landscaping plan was crown vetch and said isn't that invasive and wouldn't we want more
17 native plantings. Mr. Boniello responded that crown vetch was actually highly endorsed by all the
18 landscape people they talked to. They had a steep slope at the Somers Crossing property and it
19 was able to stabilize it and the last he checked has not spread outside of that hill. Chair Gannon
20 stated the she would like to hear what the Open Space Committee has to say. Mr. David Smith
21 noted that one of the recommendations from the Open Space Committee has typically been that
22 the landscaping be native. So, that is a recommendation that we've made to this Board on other
23 projects - to use native landscape materials as part of your landscape program. Mr. Boniello
24 responded that they will look for a comparable slope stabilizing native plant. He is sure that there
25 is something that they are missing there. Mr. Zaberto stated that for him, he believes that slope
26 stabilization is a bit more important to avoid any other issues and so if the Applicant could make
27 a compelling case to us that it is the only option they have, he would open it for consideration to
28 his colleagues on the Board. Mr. Boniello responded they will investigate. Chair Gannon
29 responded yes, she thinks it should be considered. She also stated that when they were on the Site
30 Walk, Mr. Boniello kept trying to round her up every time she wandered off. She stated when we
31 look at the plan and you come to the bottom of the plan that is where the grade really drops off.
32 She noted those units on the lower edge had a pretty precipitous drop but she couldn't see the grade
33 and asked if there were any plans for some sort of fencing or something at that back as she would
34 hate to have somebody sort of wander down there and then sort of trip off into a very steep drop.
35 Mr. Allen responded that he thought she was looking at more of a drop there as these units were
36 being built. The steeper area is kind of through the buildings or walkouts in the back. So the
37 building, and we talked about that in the field, is what we built into the hillside. While Mr. Allen
38 pointed to the plan, Chair Gannon responded that she was thinking the area of 17-18 that area. Mr.
39 Allen responded that we can consider some sort of fence. Mr. Boniello responded that he was
40 fairly sure that every unit along this back line here is going to be a walk out of some type, meaning
41 that if there is some sort of access to the first floor it will have a fenced in deck with a rail staircase,
42 or no means to get off of that deck. The ground level, the basement level would be walking out to
43 grade. So he would not be concerned with the slopes back there being a hazard. We would handle
44 it one of those two ways, if it turns out that it is still too aggressive of a slope, we will look at the

1 other options. But the plan was to step the buildings. Your building would therefore protect you
2 from the slope, because the slope would kind of come across as you built that down the building
3 in your basement level. Chair Gannon advised Mr. Robbins that she would flag it if he felt it would
4 warrant something – safety first. Chair Gannon asked if anyone else had any questions. Mr.
5 Zaberto stated that he had a question for Mr. Smith regarding the environmental review. He asked
6 if he could explain because the Town Board did environmental review, if that would then require
7 us to do another one or was the Environmental Assessment Form submitted through them
8 acceptable. Mr. Smith responded that as part of the rezoning for this property, the Applicant had
9 to go through an extensive environmental review. They did essentially what's called an Expanded
10 Environmental Assessment Form, which is the EAF supplemented with a number of studies and
11 reports. They included stormwater management, traffic reports as well as these types of detailed
12 plans. So the Town Board did kind of the initial environmental review to see if there were any
13 significant adverse impacts as a result of this proposed action. That was the kind of the first step
14 in the environmental review, and they concluded this past December that the application with the
15 mitigation as proposed by the Applicant had no significant adverse impact. So the Applicant is
16 now, before you, they've also submitted an environmental review. You're required to look at the
17 environmental impacts. But in essence, unless something comes out that's unusual or wasn't
18 examined as part of the initial environmental review, you're pretty much going to conclude the
19 same thing, that there's no significant adverse impact as a result of this application. What you're
20 doing right now is you're looking at the very specific details. That's the Site plan and Subdivision
21 application- that is your responsibility. The Town Board typically does not get into that level of
22 detail. And one of the things that Mr. Allen had mentioned is that the WIG took great interest in
23 this project and required the Applicant, along with Mr. Robbins, who was reviewing this on behalf
24 of the Town, to go into a lot more detail with respect to how this project would be constructed, and
25 whether there would be any impact to the environment, soil erosion or stormwater management.
26 So he thinks there's some comfort level for this Board that those kind of big picture items have
27 been addressed, and right now what you're doing is you're looking at the details just like what the
28 Chair had mentioned, like the lighting plan and all the other kind of specific requirements for Site
29 Plan review. Mr. Zaberto responded that he understood and thanked Mr. Smith. Mr. Paul
30 Ciavardini asked Mr. Boniello, that if he remembers correctly, going back to Chair Gannon's
31 question about the grade of the lower row of townhouses, when we walked that property, there
32 was kind of like an old rock wall- correct, and there were nice woods back there. Mr. Jared
33 Boniello responded yes. Mr. Ciavardini stated that Mr. Boniello was also saying the house would
34 almost sit through that rock wall - the condo itself would be through that rock wall, and then below
35 that, they would essentially have walkouts down to that lower edge of the property. Mr. Boniello
36 responded exactly, the rock wall was more or less middle of the units, if he had to of average it.
37 Mr. Ciavardini responded okay. Mr. Boniello stated that as you walk out the basement level,
38 you're down that hill a third of the way - that is what he was getting at. Mr. Ciavardini responded,
39 okay that makes to him because thinking about that rock wall, he knows what Mr. Boniello talking
40 about. There was one point, as you got closer to Route 6 where it looked like it dropped off, but
41 where we had walked in, when we walked directly back to that property, the grade was not as
42 substantial. And if the homes are sitting where that rock wall is he can understand his point there
43 of walking out - he did not remember it being as dramatic at that part. Chair Gannon responded
44 yes, she thought it was further over. Chair Gannon indicated that she thought they needed to get

1 feedback from The Open Space Committee and that they need to get some more analysis. She
2 advised the Applicant that she thought if they could provide some of what the Board has been
3 describing, traffic pattern within, a lighting plan and there's some other things if we could get them
4 a list of what those are. Mr. Robbins stated that you've made some comments on the landscape
5 plan as well. Because of the extensive process at the at the Town Board level, this Board's process
6 was interrupted in the middle as a result of that. So while this is not an initial submittal, it's an
7 initial complete submittal to this Board. So he thinks that the Applicant has your comments and
8 the area of focus that you've presented is around that circulation, both within the site and getting
9 in and out of the site on Road C and that requires some clarification for the Board and for the
10 public. Chair Gannon stated the she is disappointed there are no sidewalks. She thinks they are
11 good thing, especially when you're contemplating having a sidewalk come down to that main
12 entrance. So you definitely foresee people walking. She stated that she is just one Board member,
13 and wishes she had sidewalks where she lives. She then asked the Applicant if they had any
14 questions for the Board. Mr. Boniello responded that he heard what the Board has pointed out
15 and knows that they have some homework. He understands that they will be coming back next
16 month for the next meeting and asked that we work towards getting their Public Hearing on the
17 docket as quickly as we can. They have been at this for a long while and are anxious to get some
18 feedback from the public because he is sure that there'll be more items coming about and he would
19 hate for that to come in after they have been so far down the road with you. Chair Gannon stated
20 that she understood they have been doing this for a long time. But there's kind of an imbalance
21 and we are catching up to where you are right now. She stated that she thought the Board had
22 given him some good direction and always, from her perspective, the point of a Public Hearing is
23 to get new information from the public. She noted that she watched the Public Hearings that were
24 under the Town Board. If we don't get all the information on the table that the public should be
25 aware of, including lighting plans, for example, then how can she ask the public to come in and
26 make meaningful comments. It wouldn't be fair so let's get some more information on the things
27 that we've discussed. Let's get input from the other people involved, and then we'll come back in
28 February and take a look at all what we have and see where we are then. Mr. Boniello responded
29 absolutely. Chair Gannon stated that she appreciated all the detail they brought here. Mr. Anthony
30 Sutton asked if they were going to have a conversation with the church about traffic flow, as he
31 recalls there are no One- Way, Enter Here or Exit Here signs for the first road that comes off Route
32 6 into the church property and the road you are going to utilize as well. Mr. Allen responded yes,
33 he thinks they will probably have a long discussion with church, not only on that, but the overall
34 flow of the property. Mr. Sutton responded that he thought that if we have concerns about the
35 playground, that they would also share those concerns too. Chair Gannon stated she forgot what
36 page of the plans it was on, but there was a suggestion, and she couldn't tell if that was a curb. If
37 the plan is to just have curbs people will walk anywhere. She asked if they were you going to have
38 something more than a curb and thought she needed to understand more of what the vision was to
39 manage that, and then we can have a dialog about what we think might work. Her gut feeling is
40 we need some traffic calming, and we kind of want to think about the best places for people to
41 safely cross and to mark and delineate those. Mr. Jared Boniello responded that he thinks they
42 understand. Chair Gannon thanked the Applicant.

43

1 **6. MELISSA HARNEY – FINAL SUBDIVISION APPROVAL APPLICATION FOR**
2 **PROPERTY LOCATED AT 10 KEYREL LANE**
3 **TM 16.07-1-3**
4

5 For the record Chair Vicky Gannon stated this is an Application for Final Subdivision approval
6 for property located at 10 Keyrel Lane to subdivide the existing property creating two (2)
7 residential lots. The property is located in an R-40 Zoning District.
8

9 Mr. Timothy S. Allen, P.E. from Bibbo Associates Engineering, P.C. came to the podium and
10 stated that the Board may recall that they came before the Board and received preliminary approval
11 for a 2-lot subdivision of 10 Keyrel Lane. It was a pretty straightforward subdivision at the time.
12 It is basically 2.5 acres, and they are subdividing off a 1-acre lot. There were outstanding
13 comments through the resolution from Woodard & Curran and they have responded to those
14 through this submittal and made additional cost estimates in terms of the erosion control plan and
15 they have made an application for stormwater. This has been passed by the Westchester County
16 Department of Health Department, and they have signed the plat - which is a requirement of the
17 resolution. He concluded and stated that they are before the Board for final approval, and asked
18 that the Board consider, since the subdivision is substantially in conformance with preliminary
19 approval, to waive the Public Hearing for final approval. Chair Gannon asked Consulting Town
20 Planner, Dave Smith if he had any comments. Mr. Smith responded no, he thought Mr. Allen
21 summarized it. The final plat is essentially more or less the same as the preliminary plat other than
22 it is responded to comments from engineering, and it passed the Westchester County Department
23 of Health. He indicated that he certainly thought that, given the de minimis nature of the application
24 that you certainly could waive the Public Hearing and direct staff to prepare a resolution at this
25 point, unless, Consulting Town Engineer, Mr. Steve Robbins has any other comments. Mr.
26 Robbins responded, no and that he is in agreement- there are no significant changes to the plan
27 that require the Board to revisit anything. Chair Gannon responded, thanks and asked if there were
28 any comments and/or questions from the Board. Mr. Anthony Sutton said he had a quick question
29 and asked if the road was finally formally adopted by the Town. Planning Board Attorney, Mr.
30 Michael Towey stated that as far as he understands, the last communications were back a long
31 while ago and were that the Town was going to add it to their official Registry of Streets, which
32 would make it an approved Town road and therefore satisfy the frontage requirements under the
33 Town Law. As there were no additional questions, Chair Gannon moved to waive the Public
34 Hearing. Mr. Jack Mattes seconded. All in favor. Motion passes. Chair Gannon then moved to
35 direct staff to prepare a draft resolution. Mr. Anthony Sutton seconded. All in favor. Motion
36 passes. Chair Gannon thanked and congratulated the Applicant. Mr. Bibbo wished the Board a
37 Happy New Year.
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ADMINISTRATIVE ITEMS

**7. AMENDMENT TO AND REAUTHORIZATION OF RESOLUTION 2025-25
AMERICAN TOWER/INSITE TOWERS, LLC-VERIZON TO REFLECT SUBMISSION
OF UPDATED PLANS**

For the record Chair Gannon stated the last item of the evening is an administrative one. Consulting Town Planner, Mr. David Smith stated at the last Board meeting, the Board had approved Resolution 2025-25. When the Applicant went to submit for their building permits, they realized that one of the plans that they had submitted was not the most up to date, and so they brought it to our attention. Basically, it is a plan that shows the cabling that serves the cell tower, and it is internal to the pole that serves the facility. Mr. Smith noted that there is no appreciable difference. But the Applicant wanted to make sure that they had the correct plan and that it was reflected in the resolution. So, the suggestion was to have the initial resolution updated with the most revised plan and then have it approved and signed. Then we can get it to the Applicant, and they can continue with their building permit application. For transparency purposes we wanted to make sure it was on the record as to the correct plan. Chair Vicky Gannon stated that she was in Town on Tuesday and was available to sign the resolution before it was discovered that there was a problem and that is why we are back before the Board. Mr. Anthony Sutton asked which site this was. Chair Gannon responded it was InSite Towers 2580 Route 35 - Verizon. Mr. Christopher Zaberto asked for clarification as to whether we are rescinding. Mr. Smith responded no, it is just to reflect the correct and more recent plan that the Applicant is submitting to the Building Department for their building permits. Chair Gannon stated the more recent plan was dated May 19, 2025. Mr. Zaberto asked if it would require a motion to execute that updated resolution. Mr. Smith responded that is what he is suggesting. Planning Board Attorney, Mr. Michael Towey asked if a new resolution would be executed. Mr. Smith responded that they are just amending the resolution. Mr. Towey said he was trying to get his head around this and clarified so we are going to amend and re-execute, as opposed to execute a second resolution with the same identification, which would require rescinding the original. Mr. Smith responded no, we are not rescinding we are just amending the original executed resolution. Mr. Zaberto made a motion to amend the executed resolution to include the updated date of the plan related to the record. Mr. Anthony Sutton seconded. Chair Gannon stated that the amended resolution is labeled as being revised on today, and it also is labeled as being an amended resolution. Mr. Zaberto asked if it the date is today's date or if we keep the original date. Mr. Towey responded the original date, if it is marked as being revised, it will have the date for the revision. Chair Gannon stated it has both - it is dated as Planning Board meeting date of December 17, 2025, and underneath it, it says revised, January 14, 2026. Mr. Zaberto asked if they needed an extension, what is the date that we go back to. Mr. Towey responded it would be the revised date. You revisited it and essentially re- approved it with the amendment. So, if they do need an extension, and he does not know this exactly, but it is fair to say he would measure the 90 days from the date revised and adopted. Chair Gannon called for a vote. All in favor. Motion passes. Chair Gannon stated she would sign the amendment tonight.

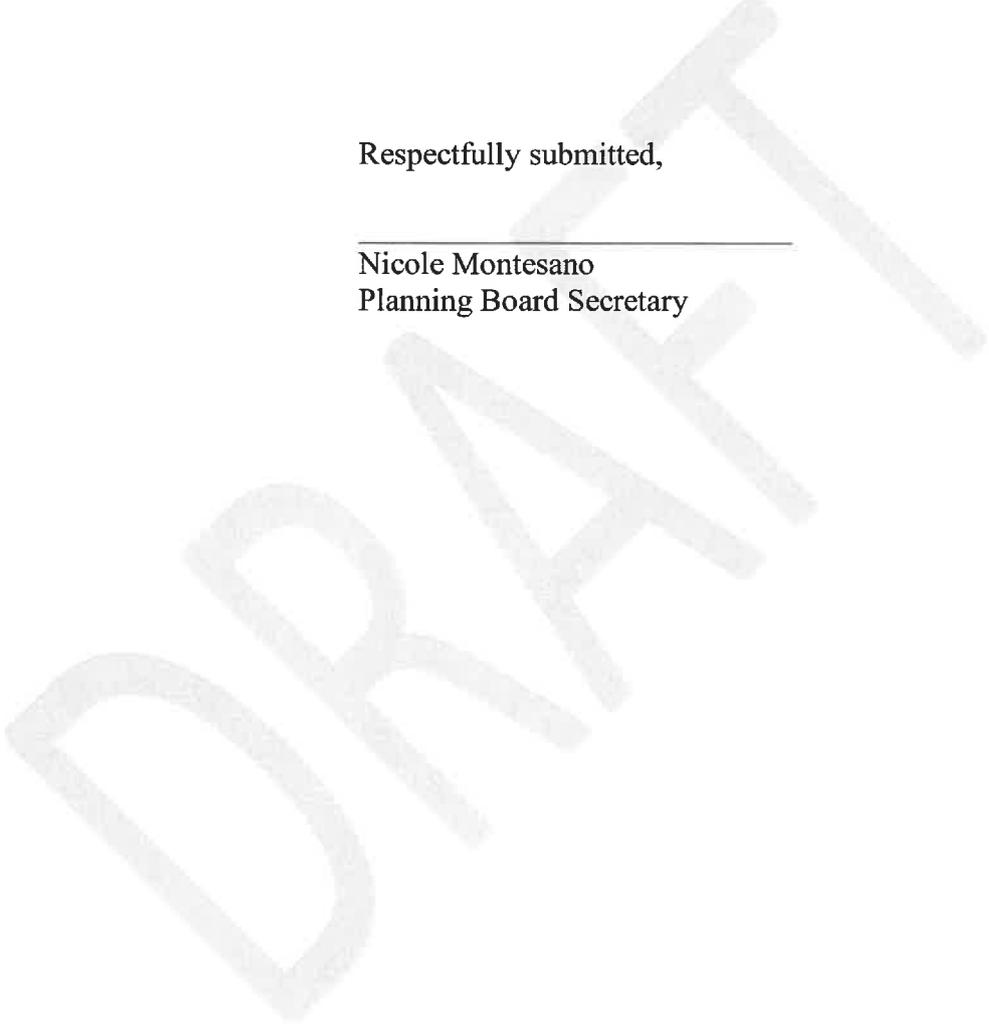
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MEETING ADJOURNMENT

Chair Vick Gannon made a motion at 9:27 p.m. to adjourn until the next Planning Board meeting, which is scheduled for Wednesday, February 11, 2026, at 7:30 p.m. and also added that a Site Walk is scheduled for Saturday January 31, 2025, at 9:00 am., for Rockledge Center. Mr. Christopher Zaberto seconded. All in favor. Motion passes.

Respectfully submitted,

Nicole Montesano
Planning Board Secretary



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RECEIVED

MEMORANDUM

FEB 05 2026



TO: Town of Somers Planning Board
FROM: Steven Robbins, P.E., LEED AP
DATE: February 4, 2026
RE: Trailside Estates

PLANNING & ENGINEERING
TOWN OF SOMERS

Technical Review of Site Plan, Stormwater Pollution Prevention Plan (SWPPP), Water and Wastewater Engineering Reports
TM: 4.20-1-12, 15.08-1-4; R-80 District

GENERAL

The purpose of this memorandum is to provide a summary of our comments related to our technical review of the submittal addressed to the Office of the New York City Water Inspector General that was submitted for the Trailside Estates development, in the Town of Somers, New York on December 15, 2025.

The Applicant is proposing the construction of a subdivision with 81 town houses and a recreation center. The project site is currently undeveloped and consists of wooded areas. The total proposed limit of disturbance is 22.3 acres, with construction to be phased in six phases. The project site is located within the East of Hudson watershed. The proposed development of this site will cause greater than one (1) acre of disturbance, in addition to disturbance of steep slopes, wetlands, and tree removal.

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.
- Town of Somers Code, Chapter 144: Site Plan Review
- Town of Somers Code, Chapter 148: Steep Slopes Protection
- Town of Somers Code, Chapter 156: Tree Preservation
- Town of Somers Code, Chapter 167: Wetlands and Watercourse Protection
- Town of Somers Code, Chapter 170: Zoning
- New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM), dated July 2024.



- Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources, Chapter 18 (NYCDEP Regulations).

DOCUMENTS REVIEWED

- Cover Letter, “Trailside Estates at Somers, Reynolds Drive, Town of Somers, Tax Map No: 4.20-1-12 & 15.08-1-4,” prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated January 26, 2026.
- Stormwater Pollution Prevention Plan for Trailside Estates at Somers Reynolds Drive, prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., dated May 10, 2024, revised December 12, 2025.
- Soil Management Plan supplemental information, prepared by Gallagher Bassett, Inc., date January 23, 2026.
- Drawings prepared by Insite Engineering, Surveying & Landscape Architecture, P.C., including:

Sheet Number	Sheet Name	Dated	Latest Revision
OP-1	Overall Plan	11/17/2023	01/26/2026
EX-1	Existing Conditions and Removals Plan	11/17/2023	01/26/2026
SP-1.1	Layout & Landscape Plan (1 of 3)	11/17/2023	01/26/2026
SP-1.2	Layout & Landscape Plan (2 of 3)	11/17/2023	01/26/2026
SP-1.3	Layout & Landscape Plan (3 of 3)	11/17/2023	01/26/2026
SP-2.1	Grading & Utilities Plan (1 of 3)	11/17/2023	01/26/2026
SP-2.2	Grading & Utilities Plan (2 of 3)	11/17/2023	01/26/2026
SP-2.3	Grading & Utilities Plan (3 of 3)	11/17/2023	01/26/2026
SP-2.4	Offsite Utilities Plan	1/31/2024	01/26/2026
SP-3.0	Phasing Plan	11/17/2023	01/26/2026
SP-3.1	Phase 1 Plan	11/17/2023	01/26/2026
SP-3.2	Phase 2 Plan	11/20/2025	01/26/2026
SP-3.3	Phase 3 Plan	12/12/2025	01/26/2026
SP-3.4	Phase 4 Plan	12/12/2025	01/26/2026
SP-3.5	Phase 5 Plan	12/12/2025	01/26/2026
SP-3.6	Phase 6 Plan	12/12/2025	01/26/2026



Sheet Number	Sheet Name	Dated	Latest Revision
SP-3.7	Phase 7 Plan	12/12/2025	01/26/2026
SP-3.8	Phase 8 Plan	12/12/2025	01/26/2026
SP-4.1	Erosion & Sediment Control Plan (1 of 3)	11/17/2023	01/26/2026
SP-4.2	Erosion & Sediment Control Plan (2 of 3)	11/17/2023	01/26/2026
SP-4.3	Erosion & Sediment Control Plan (3 of 3)	11/17/2023	01/26/2026
LP-1.1	Lighting Plan (1 of 3)	11/17/2023	01/26/2026
LP-1.2	Lighting Plan (2 of 3)	11/17/2023	01/26/2026
LP-1.3	Lighting Plan (3 of 3)	11/17/2023	01/26/2026
PR-1	Sewer Profiles	4/28/2025	01/26/2026
PR-2	Sewer Profiles	4/28/2025	01/26/2026
PR-3	Water Profiles	10/23/2025	01/26/2026
PR-4	Water Profiles	10/23/2025	01/26/2026
PR-5	Stormwater Profiles	9/22/2025	01/26/2026
PR-6	Stormwater Profiles	10/23/2025	01/26/2026
D-1	Details	11/17/2023	01/26/2026
D-2	Details	11/17/2023	01/26/2026
D-3	Details	11/17/2023	01/26/2026
D-4	Details	11/17/2023	01/26/2026
D-5	Details	11/17/2023	01/26/2026
D-6	Details	4/30/2024	01/26/2026
D-7	Details	12/12/2025	01/26/2026

PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Preliminary Subdivision Plat Approval
- Town of Somers Planning Board: Stormwater Management and Erosion and Sediment Control Permit
- Town of Somers Planning Board: Steep Slopes Protection Permit
- Town of Somers Planning Board: Tree Removal Permit
- Town of Somers Planning Board: Site Plan Approval
- NYSDEC: SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-25-001)
- Westchester County Department of Health (WCDOH): Approval of Sanitary Sewer Systems and Water Main



- WCDOH: Subdivision Approval
- WCDOH: WCBOL District Boundary Modification
- NYCDEP SWPPP Approval

DISCUSSION

The following is a summary of our 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 below in **bold**. Please note that the status of the open comments from the Site Plan Application (i.e., partially addressed, not addressed) have been updated based on the responses provided in this response letter to the Watershed Inspector General's March 10, 2025 comments. It should be noted that further comments will be provided upon review of the subsequent submittals.

General

1. *The Applicant shall provide applications for all required permits as noted in the Permits and Approvals Required section above in this memorandum.*
Addressed.

Stormwater

2. *The Applicant shall provide a draft Notice of Intent and a MS4 SWPPP Acceptance Form to obtain coverage under NYSDEC SPDES General Permit based upon the SWPPP for review and acceptance by the Consulting Town Engineer.* **Addressed.**
3. *The Applicant proposes subsurface infiltration systems for stormwater management. The following comments are regarding the proposed infiltration systems:*
 - a. *The Applicant shall provide signed and sealed deep hole tests and percolation test results from the previously completed field investigations within the proposed infiltration systems' locations.* **Addressed.**
 - b. *The Applicant shall ensure that a minimum infiltration rate of 0.50 in/hr is met at the proposed infiltration locations and shall provide at least 3 feet of separation between the bottom of the infiltration systems and bedrock/groundwater.* **Addressed.**
 - c. *The Applicant shall note that acceptable pretreatment practices for stormwater prior to the infiltrations systems are required. Pretreatment practices shall be designed per the NYSDEC SMDM.* **Addressed.**



- d. *The Applicant shall provide construction details for the proposed infiltration systems. **Addressed.***
 - e. *The Applicant shall provide a note to the plan that any infiltration system shall be subject to inspection by the Consulting Town Engineer or Town Principal Engineering Technician prior to backfill. **Addressed.***
4. *The Applicant has provided a Stormwater Pollution Prevention Plan (SWPPP) that includes post-construction stormwater controls. The following general comments are offered regarding the SWPPP:*
 - a. *The SWPPP shall contain an estimate of site earthwork, indicating total net cut/fill in cubic feet. The Applicant shall also provide a cut/fill table on the plans. **Addressed.***
 - b. *The SWPPP shall contain inspection and maintenance manuals for the proposed subsurface infiltrations systems. **Addressed.***
 - c. *The Applicant indicates a Phasing Plan for construction. The SWPPP shall clearly indicate the construction phasing as part of the overall sequence of construction. **Addressed.***
 - d. *The Applicant shall provide design calculations for the proposed grass diversion swales. **Addressed.***
5. *The Applicant shall provide a plan that indicates the trees to be removed and protected during construction. **Addressed.***
6. *The Applicant shall prepare a draft Stormwater Maintenance Agreement, in accordance with the provisions of Town Code for review by the Consulting Town Engineer & Town Attorney. Upon acceptance, the Stormwater Maintenance Agreement shall be filed with the Westchester County Clerk's Office. **Addressed.***
7. *The Applicant shall confirm minimum/maximum cover requirements are met with the proposed underground infiltration systems. **Addressed.***
8. *The Applicant shall confirm no structural impact will be placed on any proposed underground infiltration systems from the adjacent building or retaining wall foundations. **Addressed.***
9. *The Applicant shall provide top of wall and bottom of wall elevations for the proposed block retaining walls. **Addressed.***
 - a. *The Applicant shall provide engineering design calculations for all retaining walls greater than four feet in height that are signed and sealed by a professional engineer licensed in the State of New York. **Addressed. The Applicant must provide the signed and sealed design calculations for the retaining wall prior to the issuance of a building permit.***



10. *The Applicant shall provide a site or landscaping plan that indicates which existing trees are proposed to be protected and removed during development. **Addressed.***
11. *The Applicant shall demonstrate that the temporary sediment traps have been sized to provide storage for the contributing drainage area per the design criteria in the New York State Standards and Specifications for Erosion and Sediment Control. Temporary sediment traps are required to store 3,600 cubic feet per acre. **Addressed.***
12. *The Applicant shall indicate how the proposed disturbance within slopes steeper than 15% will be protected from erosion during construction. **Addressed.***
13. *The Applicant shall include a note on the plans which states: "Any imported topsoil shall comply with all federal, state, and local requirements for quality and use." **Addressed.***
14. *The Applicant shall include a note on the plans which states: "Off-site disposal of excess cut shall be in accordance with all federal, state, and local requirements." **Addressed.***

Wastewater

15. *The Applicant shall document the existing usage and remaining available capacity of the sewer forcemain and pumping system that the project proposes to connect to. **Addressed.***
16. *The Applicant shall update Table 2: Design Average Daily Flow to reflect current data from American Water Works Association and Rutgers University. **Addressed***
17. *The Applicant shall provide an updated hydraulic loading rate for the proposed Town Community Center in Table 2: Design Average Daily Flow once its intended use is identified. **Addressed.***
18. *The Applicant stated that Peekskill Wastewater Treatment Plant has sufficient capacity to accommodate the proposed project. The Applicant shall provide a Will Serve Letter from WCDEF stating that the Peekskill Wastewater Treatment Plant can accept wastewater flow from the proposed project. **Addressed.***
19. *The Applicant shall expand the current sanitary sewer language that includes supporting calculations of the reported wastewater generation rate for the proposed project in accordance with NYSDEC Intermediate Sized Wastewater System Design Standards, 2014. The report shall include, but not be limited to: pipe slopes, capacity percentages, pipe materials, and the peaking factor considered for calculations of the peak flow. **Addressed.***
20. *The Applicant shall modify the sewer manhole detail to include an anti-flotation collar. **Addressed.***



21. *The Applicant shall modify the Grading & Utilities Plans to include proposed service connections. **Addressed.***
22. *The Applicant shall provide profiles. **Addressed.***

Water

23. *The Applicant shall analyze the existing capacity and remaining available capacity of the water distribution system that it proposes to connect to. **Addressed.***
24. *The Applicant shall update Table 2: Design Average Daily Flow to reflect current data from American Water Works Association and Rutgers University. **Addressed.***
25. *The Applicant shall provide an updated hydraulic loading rate for the proposed Town Community Center in Table 2: Design Average Daily Flow once it intended use is identified. **Addressed.***
26. *If irrigation is required, the Applicant shall provide an estimated per-acre water demand for the irrigation demand. The Applicant shall provide backup information for how the value is developed. **Addressed. The Applicant notes irrigation will not be proposed as part of this project.***
27. *The Applicant stated that hydrant flow testing will be performed to determine actual flows and available pressure. The Applicant shall provide the results upon completion of testing. **Addressed.***
28. *The Applicant shall modify the Grading & Utilities Plans to include proposed service connections. **Addressed.***

Comments that followed the completeness review memo from February 15, 2024:

29. *The Applicant shall confirm the 30' buffer setback is applied for all proposed buildings in the subdivision. **Addressed.***
30. *The Applicant shall revise locations of all infiltration systems to have a minimum 10' setback from the property line. **Addressed.***
31. *The Applicant shall confirm the proposed conservation easement on the Layout and Materials Plan sheets. The linetype for the conservation easement at either end varies, and the Applicant shall make this clear. **Addressed.***
32. *The Applicant proposes Pond P-1 within the 100' wetlands buffer. The Applicant shall indicate all proposed wetlands mitigation measures based on the disturbance within the wetlands buffer. **Addressed.***



33. *The Applicant shall ensure all proposed easements are clearly shown on the site plan. **Addressed.***
34. *The Applicant shall clearly indicate the proposed grading contours on the Grading & Utilities sheets on the site plans. Many of the proposed contours have sections which are hidden underneath other line work, the Applicant shall make the contours clear and in front. **Addressed.***
35. *The Applicant shall clearly indicate the proposed inverts and grading contours for the proposed swales on the Grading & Utilities sheets. The construction detail indicates a minimum 10' top width for the swales; however, this minimum width does not appear to be met for all swales. **Addressed.***
36. *Under Appendix G of the SWPPP, the Applicant indicates side slopes and longitudinal slopes that exceed the requirements of vegetated swales per the NYSDEC SMDM (3H:1V and 4%, respectively). The Applicant also indicates a minimum bottom width of 1' for Swales 2 and 3, which are below minimum requirements for vegetated swales per the NYSDEC SMDM. The Applicant shall explain how the deviation from the standards will not contribute to increased erosion for the conveyance swales. **Addressed.***
37. *The Applicant shall update the Grading & Utilities sheets to include proposed contours for the proposed swales. **Addressed.***
38. *The Applicant shall explain how Lots 6 and 3 (and subsequently Lots 1-2, 4-5) will be protected from potential erosive flows with proposed 3:1 slopes directly adjacent to their properties without a conveyance swale. The Applicant shall also provide an explanation for Lots 29-30, and 53-55, where these properties are immediately downgradient of proposed 3:1 slope areas. **Addressed.***
39. *The Applicant proposes the creation of 2:1 steep slope downgradient of Lots 46 and 49. The Applicant shall explain how the creation of these steep slopes will not cause adverse impacts downstream, especially noting that this abuts right against the wetlands buffer. **Addressed.***
40. *The Applicant shall provide outlet protection at the downstream most end of the proposed Swale SW 5. **Addressed.***
41. *The Applicant shall clearly indicate proposed fire lanes and emergency zones for emergency vehicle access to the property. **Addressed.***
42. *The Applicant shall provide profiles for the proposed storm drain and water utility lines on the site plans. **Addressed.***
43. *The Applicant shall clearly indicate the proposed footprint of subsurface infiltration systems, including the location and quantity of chambers within the footprints shown on the Grading & Utility sheets (1.3P, 1.5P, 1.6P). As the footprints shown in the site plans are not consistent with the HydroCAD footprints for these systems (due to non-rectangular shapes), the site plans*



must indicate how the chambers fit within the proposed footprint shown.

Addressed.

44. *The Applicant shall explain how the proposed landscaping immediately adjacent to the footprint of subsurface infiltration system 1.6P will not cause any feasibility issues for installation and long-term health of the landscaping. See Sheet SP-1.2. **Addressed.***
45. *The Applicant shall explain how pedestrian traffic will be impacted for all the properties to the west of the main road within the development, considering that sidewalks are only proposed to the east side of the main road. There appears to be no proposed crosswalks connecting the east and west sides of the main road, and the Applicant shall explain how pedestrians will be able to safely travel from one side to the other. **Addressed.***
46. *The Applicant shall clearly indicate maintenance access pathways for all proposed stormwater management basins, and how maintenance access equipment will be able to directly access each basin for maintenance activities. **Addressed.***
47. *The Applicant shall clearly indicate the proposed pathway (with proposed material) for the connection between the parking lot of the community center and the proposed dog park on Sheet SP-1.1. **Addressed.***
48. *The Applicant shall clarify if there is any proposed grading for the proposed dog park area, along with the connection pathway to the community center. **Addressed.***
49. *The Applicant shall clearly indicate the direction of vehicular traffic on the layout and material sheets for all roadways. **Addressed.***
50. *The Applicant indicates roof drains and floor drains on the utility plans. The plans shall clearly indicate how the roof drains and floor drains are separate lines, to confirm the additional outfalls do not directly discharge roof drain runoff. The Applicant shall also confirm these direct discharges do not have an adverse impact on the abutting wetlands. **Addressed.***
51. *It appears that there are several utility crossings (e.g., CB 47 E to SMP 1.2DS IN, Sheet PR-5) where little to no vertical separation looks to be achieved between the storm drain line and the sewer mains/force mains. The Applicant shall confirm minimum vertical separation is achieved or demonstrate what measures are applied to alleviate any separation issues. **Addressed.***
52. *The Applicant shall explain why subcatchment 1.9 and pond 1.9 are modeled separately from the Post-Development model for the porous paver patios, and how the total HydroCAD would be impacted inclusive of the porous pavement and their subcatchment areas. **Addressed.***



53. *The Applicant shall confirm the units the permeable paver patios are utilized on the construction detail on Sheet D-2. **Addressed.***
54. *The Applicant shall ensure that a minimum infiltration rate of 0.50 in/hr is met at the proposed porous pavement locations. **Partially Addressed. The Applicant shall provide updated infiltration test results to the Town when completed.***
55. *The Applicant shall confirm the contributing areas to the porous pavement areas do not exceed three times the surface of the porous system, per the NYSDEC SMDM requirements. **Addressed.***
56. *The Applicant has provided soil sample data for the former orchard area and a Soil Management Plan for the safe handling of soils in this area. The Applicant shall provide additional information on the approximate volume of soil to be handled in this area, where cover systems will be used, and where soils are anticipated to be removed from the site. **Under Review. Our office is in receipt of the Soil Management Plan prepared by Gallagher Bassett and it is under review.***
57. *The Applicant shall provide responses to the Watershed Inspector General's March 10, 2025 comments, for review as part of the technical review of this project. **Addressed.***

The following comments are provided following review of the latest submittal:

58. The Applicant shall provide responses to the Watershed Inspector General's February 04, 2026 comments, for review as part of the technical review of this project.

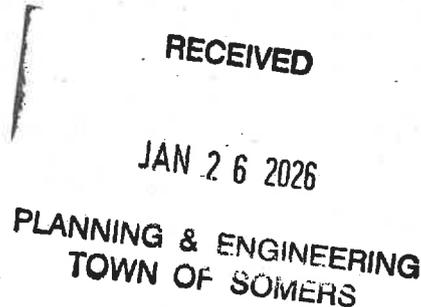
Please feel free to contact our office with any questions. Please provide a response memo identifying where responses to these comments can be located on revised submittals.



January 26, 2026

Town of Somers Planning Board
335 Route 202
Somers, NY 10589

RE: Trailside Estates at Somers
Reynolds Drive
Town of Somers
Tax Map No: 4.20-1-12 & 15.08-1-4



Dear Chairperson Gannon and Members of the Board:

Enclosed please find six (6) copies of the following items including four (4) flash drives in support of the subject applications and permits for the subject project:

- Site Plan Set (37 sheets), last revised January 26, 2026.
- Supplemental information pertaining to the Soil Management Plan, prepared by Gallagher Bassett, dated January 23, 2026.

With regard to comments received, we offer the following responses in **bold**. Responses noted as addressed or previously provided have been removed from the responses below:

Memorandum from Steven Robbins, P.E., LEED AP of Woodard and Curran, dated December 11, 2025:

Water

39. *The Applicant proposes the creation of 2:1 steep slope downgradient of Lots 46 and 49. The Applicant shall explain how the creation of these steep slopes will not cause adverse impacts downstream, especially noting that this abuts right against the wetlands buffer. Partially Addressed. The Applicant shall more clearly indicate on the E&SC sheets of the plan set (SP-4.1-4.3) of the locations where slopes exceed 3:1, where proposed matting is proposed.*

Drawings SP-4.1 thru 4.3 have been revised to indicate the proposed erosion control matting for slopes exceed 3H:1V.

The following additional comments are provided based on the latest submittal:

50. *The Applicant indicates roof drains and floor drains on the utility plans. The plans shall clearly indicate how the roof drains and floor drains are separate lines, to confirm the additional outfalls do not directly discharge roof drain runoff. The Applicant shall also confirm these direct discharges do not have an adverse impact on the abutting wetlands. Partially Addressed. The Applicant has demonstrated the separation between the roof and floor drains, but does not indicate if the discharge from these drains will impact the abutting wetlands.*

As shown on the enclosed site plans, roof drains and footing drains are shown on the plan and in the legend. There are no floor drains proposed. The legend indicates the line shown with an "FD" is a footing drain. The discharge of the footing drains will not impact adjacent wetlands as the pipes discharge to rip rap velocity dissipators and the flow coming from said pipes is clean groundwater.

3 Garrett Place, Carmel, New York 10512 (845) 225-9690 Fax (845) 225-9717
www.insite-eng.com

53. *The Applicant shall confirm the units the permeable paver patios are utilized on the construction detail on Sheet D-2. The noted unit numbers on drawing D-2 have been updated in the Permeable Paver Patio Detail.*

Comment acknowledged. Drawing D-2 had been previously revised to indicate unit numbers that propose permeable paver patios.

54. *The Applicant shall ensure that a minimum infiltration rate of 0.50 in/hr is met at the proposed porous pavement locations. Partially Addressed. The Applicant indicates infiltration testing will be conducted to ensure the minimum infiltration rate is met. The Applicant shall provide the results to the Town in the following submittal.*

Infiltration testing will be conducted and the results provided upon completion as weather conditions allow.

56. *The Applicant has provided soil sample data for the former orchard area and a Soil Management Plan for the safe handling of soils in this area. The Applicant shall provide additional information on the approximate volume of soil to be handled in this area, where cover systems will be used, and where soils are anticipated to be removed from the site. Partially Addressed. The Applicant indicates the plan will be provided under a separate cover, and shall be provided to the Town in the following submittal.*

Refer to information provided by Gallagher Bassett for additional information pertaining to the approximate volumes of soil to be handled, where covers systems are proposed to be used and where soils are anticipated to be removed.

Comments received from Somers Town Board Public Hearing, dated January 14, 2026:

1. *Comment from Roland Ciofrone.*

- a. *Concerned about their drinking water wells being contaminated by our site excavation based on previous contamination at Somers Commons Shopping Center.*

Refer to information provided by Gallagher Bassett for additional information pertaining to concerns about drinking water wells being contaminated by proposed site excavation.

2. *Comment from Joe Vala of 7 Meadow Park Drive (via email).*

- a. *Requested screening to protect view from his property and bike trail.*

While plantings are provided between the proposed development and the property located at 7 Meadow Park Drive, additional vegetation has been included to assist with screening from both directions. Additional evergreen trees and shrubs are included on the Landscape Plans to infill the understory area and supplement existing deciduous trees that will remain along the Trailway.

We trust you will find the enclosed information in order, and understand this item has been placed on the February 11, 2026 agenda for continued discussion with the Planning Board. If you have any questions or comments regarding this information, please do not hesitate to contact our office.

Very truly yours,

INSITE ENGINEERING, SURVEYING & LANDSCAPE ARCHITECTURE, P.C.

By:


Richard D. Williams, Jr., P.E.
Senior Principal Engineer

RDW/JLL/tmb

cc: K. Kearney, The Kearney Realty and Development Group, Inc., via email
S. Kearney, The Kearney Realty and Development Group, Inc., via email
C. Martabano, Esq., via email
A. Coppola, AIA, LEED AP BD+C, Coppola Associates, via email

Insite File No. 21241.100

January 23, 2026

Ken Kearney
Kearney Realty & Development Group
P.O. Box 925
Baldwin Place, New York 10505

via email: KKearney@KearneyRealtyGroup.com

RECEIVED

Re: Public Comments regarding Trailside Estates
Town of Somers, Westchester County, New York
GBTS Project: 21003-0092

JAN 26 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

Dear Mr. Kearny:

It is our understanding that at a recent Planning Board meeting regarding Trailside Estates a local resident raised a concern about residual groundwater contamination from Somers Commons (former Baldwin Place Shopping Center) potentially impacting his neighborhood (believed to be the area of Cornelius Lane and Lounsbury Drive), with the specific concern being that any such movement of impacted groundwater would be the result of, or made worse by, construction activities at Trailside Estates.

Gallagher Bassett Technical Services (GBTS), at your request, has reviewed relevant New York State Department of Environmental Conservation (NYSDEC) documentation available for the Baldwin Place Shopping Center (State Superfund Program ID: 360023) in order to evaluate the potential for any increased risks to nearby properties from development activities at your project site. The *Periodic Review Report (2023) – Baldwin Place Shopping Center (PRR)* is attached for your reference.

The Baldwin Place Shopping Center (hereafter "BPSC") was reclassified by NYSDEC in 2016 as a Class 4 site, meaning that remediation is complete, the site no longer presents a significant threat to public health and/or the environment, and further activities are to be completed under a Site Management Plan ("SMP").

A groundwater extraction treatment system was shut down in 2021 and the only remaining Engineering Control is long-term monitoring of groundwater to document continued natural breakdown of solvents in groundwater, as well as comprehensive monitoring and evaluation of groundwater data to demonstrate that groundwater contaminants are stable and not progressing off-site.

Based on successful completion of the original remedial action specified by NYSDEC, current management under the SMP, and a review of subsequent monitoring data for both groundwater and soil vapor, GBTS provides the following findings and conclusions in regard to the former BPSC:

1. Soil contamination was restricted to the vicinity of a former drycleaner and groundwater flow at the BPSC site is to the southwest, away from the Trailside Estates property (see PRR Figures 2.1 and 2.2);

**PERIODIC REVIEW REPORT (2023)
BALDWIN PLACE SHOPPING CENTER
NYSDEC SITE NO. 360023**

WORK ASSIGNMENT NO. D009809-10

Prepared for:

**New York State Department of Environmental Conservation
Albany, New York**

Prepared by:

**MACTEC Engineering and Geology, P.C.
Portland, Maine**

MACTEC: 3616206104

MARCH 2024

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**PLANNING & ENGINEERING
TOWN OF SOMERS**

PERIODIC REVIEW REPORT (2023)
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MARCH 2024

Submitted by:



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Associate Environmental Engineer



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Program Manager

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GLOSSARY OF ACRONYMS AND ABBREVIATIONS

1,2-DCE	dichloroethene
AWQV	Ambient Water Quality Values for Human Health
bgs	below ground surface
cis-1,2 DCE	cis-1,2-dichloroethene
COC	Contaminant of Concern
DER	Division of Environmental Remediation
EC	engineering controls
FDR	Field Data Record
GA	Class GA groundwater
GAC	Granular Activated Carbon
GES	Groundwater & Environmental Services, Inc.
GHG	greenhouse gas
GV	Guidance Values
GWETS	groundwater extraction and treatment system
IC	institutional controls
ICP	Inductively Coupled Plasma
LaBella	LaBella Associates
LMSE	Lawler, Matusky, & Skelly Engineers
LTM	long term monitoring
MACTEC	MACTEC Engineering and Consulting, PC or MACTEC Engineering and Geology, P.C.
MCL	Maximum Contaminant Level
MTBE	Methyl-tert-butyl-ether
µg/L	micrograms per liter
ng/l	nanograms per liter

NYS	New York State
NYSDEC	New York State Department of Environmental Conservation
NYSDOH	New York State Department of Health
O&M	Operation and Maintenance
PCE	tetrachloroethene
PDB	passive diffusion bag
PFAS	per- and Polyfluoroalkyl substances
PFOA	perfluorooctanoic acid
PFOS	perfluorooctanesulfonic acid
PM	Project Manager
POET	Point of Entry Treatment
PRR	Periodic Review Report
QAPP	Quality Assurance Program Plan
RI/FS	Remedial Investigation/Feasibility Study
ROD	Record of Decision
RSO	Remedial System Optimization
Site	Baldwin Place Shopping Center site
SM	Site Management
SMP	Site Management Plan
SPDES	State Pollution Discharge Elimination System
SVI	Soil Vapor Intrusion
TCE	trichloroethene
USEPA	United States Environmental Protection Agency
VC	Vinyl Chloride
VOC	volatile organic compound

EXECUTIVE SUMMARY

Site Information			
Site Name:	Baldwin Place Shopping Center	NYSDEC Site No:	360023
Site Location:	80 U.S. Route 6 Somers, Westchester County, New York	Remedial Program:	Inactive Hazardous Waste Disposal
Site Type:	Commercial	Site Classification:	04
Parcel Identification(s):	4.20-1-11 4.20-1-11.6	Parcel Acreage:	28.0
Selected Remedy:	Excavation, Groundwater Extraction Treatment System, Long-term monitoring	Site COC(s):	tetrachloroethene (PCE), trichloroethene (TCE) 1,2-dichloroethene (1,2-DCE)
Category	Summary/Results		
Engineering Controls	<ul style="list-style-type: none"> • Groundwater monitoring well system • Groundwater Extraction and Treatment System (Recovery Wells & Plant 1) • Plant 1 access restriction via chain link fence 		
Institutional Controls	<ul style="list-style-type: none"> • Record of Decision • Deed Restriction (Parcel 4.20-1-11.6) • Site Management Plan • Groundwater monitoring well system 		
Site Classification	Class 4 Inactive Hazardous Waste Disposal Site		
Site Management Plan	SMP – May 2022		
Certification/Reporting Period	January 1, 2023 – December 31, 2023		
Inspection	Frequency		
Site Inspection	Every 15 months		
Remedial System Inspection	Every 15 months		
Monitoring	Frequency		

<p>LTM Groundwater</p>	<ul style="list-style-type: none"> • Two extraction wells (RW-1S and RW-2D) – every 15 months • Ten on-site monitoring wells (MW-4S, MW-4D, MW-5S, MW-7S, MW-7D, MW-8S, MW-9S, MW-9D, MW-12S, and MW-101M) – every 15 months
<p>Soil Vapor</p>	<ul style="list-style-type: none"> • Indoor air and sub-slab vapor – every 3 years
<p>Site Management Activities</p>	<p>The following activities were conducted during this reporting period (January 2023 – December 2023).</p> <ul style="list-style-type: none"> • 02/20/23: Groundwater level measurements • 02/22/23: Site-wide inspection • 02/20/23 – 02/22/23: Groundwater samples were collected from ten monitoring wells. Samples were submitted for laboratory analysis of VOCs and PFAS.
<p>Additional Site Activities</p>	<ol style="list-style-type: none"> 1. The quarterly Groundwater Rebound Evaluation was conducted on February 20 and May 25, 2023. 2. At the request of the NYSDEC, MACTEC supported the NYSDEC by overseeing on-site soil management on 06/12/23 – 06/13/23 related to redevelopment of the Site. 3. At the request of the NYSDEC, MACTEC oversaw the installation of monitoring well MW-12SR (replacement well for MW-12 which was abandoned as part of ongoing construction activities). MACTEC sampled monitoring well MW-12SR for VOCs on August 10, 2023. 4. At the request of the NYSDOH, offsite public and private well sampling for PFAS was conducted at eight properties and nine wells. Sampling occurred in July, August, and December 2023.
<p>Conclusions</p>	<ol style="list-style-type: none"> 1. The current ICs/ECs are adequate for protection of human health and the environment based on current site use. 2. The road boxes on MW-7S and MW-8S are not repairable and need to be replaced.
<p>Recommendations</p>	<ol style="list-style-type: none"> 1. Remove vegetation from the chain link fence at Plant 1 to maintain integrity. 2. Update the SMP to reflect the change in groundwater remedy from a pump and treat system to natural attenuation. 3. Add monitoring wells MW-7M1 and MW-7M2 and recovery well RW-1S to the LTM program (VOCs) to support the

	<p>findings from the groundwater rebound evaluation and continue to demonstrate contaminants are not migrating.</p> <ol style="list-style-type: none"> 4. Replace road boxes for monitoring wells MW-7S and MW-8S to maintain integrity. 5. Remove the standpipes at monitoring wells MW-2S and MW-2D and confirm that the wells were properly abandoned. 6. Abandon Recovery well RW-2D and monitoring wells MW-3D and MW-3DD 7. Present the historical findings of MTBE at the Site in a memorandum to the NYSDOH that the NYSDEC will review.
<p>Cost Evaluation</p>	<p>The total cost of site management activities this reporting period was \$51,090. This cost includes engineering (e.g., labor and expense) and utilities for the OM&M activities, groundwater rebound evaluation and LTM activities, and reporting activities for MACTEC.</p>

1.0 SITE OVERVIEW

This Periodic Review Report (PRR) summarizes Site Management (SM) activities completed at the Baldwin Place Shopping Center (now Somers Commons) site (Site No. 360023; herein referred to as the Site) from January 1, 2023, to December 31, 2023, and evaluates the effectiveness of the remedial actions. Activities conducted at the Site between January 2023 and December 2023 included the long-term monitoring (LTM) and site inspection, quarterly rebound evaluation, and offsite public and private well sampling. The Site Management Periodic Review Report Notice Institutional and Engineering Controls Certification Form and Institutional and Engineering Controls Property Owner Survey are attached as **Appendices A and B**, respectively.

1.1 SITE HISTORY AND DESCRIPTION

The Site is located at 80 U.S. Route 6 in the Town of Somers, Westchester County, New York, (**Figure 1.1**). Per the Record of Decision (ROD) (New York State Department of Environmental Conservation [NYSDEC], 1995), the Site is an approximately 28-acre property bounded by Route 6 and Tomahawk Street to the north, vacant forested land to the south, a rail-trail and residential property to the east, and Clayton Boulevard and an apartment complex to the west. A Deed Restriction is in place for 1.6 acres of the east central portion of the property referred to as Unit Six (**Figure 1.2**). This Deed Restriction requires adherence to the Site Management Plan and includes (1) a prohibition for use of the property for residential purposes, (2) a prohibition for use of groundwater without proper treatment, and (3) a provision to provide a periodic certification that states compliance with the institutional controls.

A dry-cleaning facility operated at the Site from approximately 1965 through 1991. In 1979, the Westchester County Health Department discovered dry cleaning chemicals and their associated breakdown products (tetrachloroethene [PCE], trichloroethene [TCE] and 1,2-dichloroethene [1,2-DCE]) in the mall's two bedrock water supply wells PW-1 and PW-2. Subsequently, two offsite areas including the commercial area along Route 6 to the west and part of the Meadow Park Road community to the southeast were impacted by site-related contaminants. The original structure where the contaminant release occurred no longer exists; the Site was a mostly vacant shopping center until the early 2000's when it was demolished to make way for the current shopping center (Somers Commons) located on the property.

Following the closing of the dry cleaners, point of entry treatment (POET) systems were installed at nearby private residences affected by groundwater contamination. In 1989 the Site was listed on the NYSDEC Registry of Inactive Hazardous Waste Disposal sites and subject to environmental investigation and remedial action.

A remedial investigation (RI) was conducted at the Site in August 1994 (Vincent Uhl & Associates, 1994). A Feasibility Study (FS) was completed in June of 1995 (Lawler, Matusky & Skelly Engineers [LMSE], 1995). From those reports, the NYSDEC issued a ROD in 1995 specifying the removal of contaminated soils from the Site (NYSDEC, 1995) and remediation of the groundwater. The soil excavation was completed in 1997 followed by the construction of a source area groundwater extraction and treatment system (GWETS) in 1998 (Plant 1). As part of the remedy, a water distribution system was constructed at the Site to supply water to the adjacent Meadow Park Road community (Plant 2) in 1999. When the community was subsequently connected to the public water supply in November of 2001, Plant 2 was kept online as a secondary pump and treat system. Both Plant 1 and Plant 2 (Figure 1.2) operated onsite and treated contaminated groundwater through granular carbon vessels. In early 2011, Plant 2 was shut down.

Groundwater extraction and treatment of the source area was conducted onsite through the Plant 1 GWETS. The GWETS was built in 1998 and consists of two extraction wells (RW-1S, an overburden well, and RW-2D, an upper bedrock well) installed within the source area, subsurface conveyance piping to the treatment building, controls, utility service connections, and an activated carbon filtration treatment system. Treated water is discharged to a nearby drainage ditch under a State Pollution Discharge Elimination System (SPDES) Permit Equivalent. Access to Pump House 1 (Plant 1) is restricted by a six-foot chain link fence with locked gates. In April 2021, a Remedial System Optimization (RSO) Evaluation was conducted to determine the extent of residual tetrachloroethene (PCE) contamination in soil in the vicinity of the former remedial excavation to evaluate the extent of PCE soil contamination that could be contributing to groundwater contamination (MACTEC Engineering and Geology [MACTEC], 2021a).

The evaluation indicated that the contamination appears to be in small, discontinuous layers within the shallow overburden, and recommended the temporary shutdown of the GWETS with comprehensive monitoring and evaluation of groundwater data to demonstrate that the concentration of contaminants in groundwater are remaining stable and not progressing off-site (MACTEC, 2021a).

In November 2021, the GWETS was shut down temporarily for an 18-month groundwater rebound evaluation to evaluate natural attenuation of PCE as an alternative to the GWETS (MACTEC, 2021a). Groundwater rebound evaluation monitoring locations are shown on Figure 1.3. The evaluation shows that potential contaminant flow paths and potential areas of higher contaminant concentration in groundwater were not evident from collecting multiple samples per monitoring well, per event. As presented in the April 2021 RSO Evaluation, the remaining source of PCE is most likely located in small, discontinuous pockets (MACTEC, 2021a). Since concentrations in groundwater have diminished more than an order of magnitude from their historic high, contamination diffused into the till is likely back diffusing from the till into

groundwater and acting as an ongoing source that is responsible for the persistent high groundwater concentrations during pumping.

A Groundwater Rebound Evaluation Report was submitted to the NYSDEC with recommendations to leave the GWETS shutdown, abandon recovery well RW-2D, and continue long-term monitoring of groundwater for volatile organic compounds (VOCs) and tracer compounds (MACTEC, 2023b). The NYSDEC has changed the remedy for the Site from pump and treat to monitored natural attenuation.

1.2 PHYSICAL SETTING

The physical setting of the Site is discussed in the subsections below.

1.2.1 Land Use

The Site consists of a multi-unit shopping plaza with multiple tenants, and surrounding parking lots. The Site is zoned commercial and is currently utilized for commercial use.

The properties adjoining the Site, and in the neighborhood surrounding the Site, consist of primarily commercial and residential properties, including:

- South – vacant properties
- North – commercial properties
- East – residential properties
- West – commercial and residential properties

1.2.2 Geology

The overburden at the Site consists of a sandy silty till and is approximately 60 feet in thickness in the source area. The till is thinnest near the western/northwestern Site boundary and thickens to the south-southeast. Below the till is a thin mantle of weathered saprolitic granitic gneiss, which is underlain by the fractured granitic gneiss bedrock. The depth to competent bedrock ranges from approximately 11 feet below ground surface (bgs) in the western portion of the Site (vicinity of MW-9S) to approximately 100 feet bgs in the eastern/southeastern portion of the Site (vicinity of MW-3D) (Aztech, 2014).

1.2.3 Hydrogeology

The saturated thickness of the till ranges from less than 1 foot along the western edge of the mall to approximately 75 feet along the eastern portion of the mall. The depth to water in the till ranges from approximately 5 feet bgs in the southwestern portion of the Site (i.e., at monitoring well MW-2S) to 13 feet bgs just west of the source area (i.e., at monitoring well MW-7S).

Shallow groundwater across the site area is interpreted to flow primarily to the west/southwest, and bedrock groundwater is interpreted to flow primarily to the southwest. Vertical hydraulic gradients in the source area are in the downward direction (i.e., from the overburden into the fractured bedrock).

1.3 REMEDIAL GOALS AND REMEDIAL PROGRESS

Remedial goals for the Site, outlined in the ROD, are to prevent direct contact with contaminated soil and/or groundwater, restore groundwater quality to acceptable levels within a reasonable time frame, and to prevent contaminated groundwater from migrating off-site. In accordance with the Site Management Plan (SMP) Revision 1, current SM requirements for monitoring the performance and effectiveness of the remedial measures completed at the Site consist of annual site inspections, quarterly rebound sampling, and environmental LTM (MACTEC, 2022a).

1.3.1 Record of Decision

NYSDEC listed the Site as an Inactive Hazardous Waste Site (ID No. 360023) in 1987. Big V Supermarkets, the responsible party, entered into an Order on Consent with the NYSDEC in September 1991, when as part of an Interim Remedial Measure undertaken prior to issuance of the ROD they installed new POET systems and/or assumed maintenance and operation of existing POET systems for the water supplies of commercial and/or residential properties impacted with site-related VOCs. An RI/FS was subsequently completed to address the soil and groundwater contamination. On November 9, 1995, the NYSDEC issued the ROD which required the following actions to remediate the presence of PCE and related compounds at the Site:

- Excavation of source area contaminated soils to remove the source of contamination to the groundwater.
- Groundwater treatment in the source area. A groundwater pump and treat system (Plant 1) was installed in proximity to the source area to capture vertical and horizontal flow from within and around the source area as well as to capture contaminants that might leach into the groundwater from any residual contaminated soil left in place after the excavation and thereby prevent further contamination of the underlying bedrock aquifer.
- Supply potable water to 19 residences on Meadow Park Road. This was accomplished by developing a new water district that derived its water supply from the two water supply wells associated with the former shopping center and treating that water with granular activated carbon (GAC) prior to distribution to the 19 residences. That water supply would later become known as “Plant 2”.
- Maintain POET systems along US Route 6. This would be accomplished by continuing maintenance and operation of individual POET systems installed on commercial and/or residential properties located along US Route 6. Use of these POET systems would continue until groundwater quality is restored to drinking water standards, or an alternate source of water supply became

available. Additionally, any future wells along Route 6 that became impacted by site-related VOCs in excess of drinking water standards would be equipped with a POET system.

- Connection to alternate water supply. Each of the residences and/or commercial establishments equipped with POET systems would be connected to the regional municipal system when it became available.

1.3.2 Remedial Actions

Big V Supermarkets assumed responsibility for implementing remedial actions required by the ROD until August 6, 2003, when liquidation of their assets under a bankruptcy proceeding terminated their funding of remedial efforts. NYSDEC has assumed direct responsibility for the continued implementation of the ROD since that time.

Source Removal

Source removal was conducted in February 1997 involving excavation of shallow soil from above the footers of the former building foundation and installation of sheet piling to facilitate the excavation of impacted soils at depth. Altogether, approximately 135 cubic yards (236 tons) of source area soil to a depth of 16 feet bgs was removed. In 2015, contamination was detected directly beneath the previously excavated source area.

Potable Water Supply – Meadow Park Road

The community water supply system for the Meadow Park Road residences was constructed in 1998 and began operating in February 1999. The system delivered treated water obtained from the shopping center water supply to 17 of the 19 residences located on Meadow Park Road. The 17 residences in the Meadow Park Road Area were connected to the regional municipal water system when it became available in November 2001, and the connection between the Site's former water supply and Meadow Park Road was terminated. The individual supply wells serving two residences that were not connected into the municipal water system in 2001 were sampled quarterly until 2003, followed by annual sampling in 2004, 2006, and 2007. Analytical results indicated that these two wells were not impacted by VOCs related to the Site, and therefore sampling was ceased (Aztech, 2014).

The Site's former water supply wells continued operation as a secondary pump and treat system (Plant 2) until 2011 when operation of Plant 2 was suspended. Plant 2 was recommended for decommissioning in a 2014 RSO completed by MACTEC and has since been decommissioned/demolished.

2.0 EVALUATION OF REMEDY PERFORMANCE, EFFECTIVENESS AND PROTECTIVENESS

The SMP for the Site includes an institutional controls/engineering controls (ICs/ECs) Plan, Operation and Maintenance (O&M) Plan, LTM Plan, quarterly rebound sampling plan, and associated reporting (MACTEC, 2022a). SM requirements are summarized in **Table 2.1**. The GWETS was in shutdown status during the reporting period; monthly GWETS and system performance monitoring were not conducted.

This PRR documents the SM activities conducted from January 2023 to December 2023:

- Remedial System Inspection: February
- LTM and Site Inspection: February
- Quarterly Groundwater Rebound Assessment: February and May

Soil vapor intrusion (SVI) monitoring is an existing EC for Unit Six (formally Home Goods). Indoor air and sub-slab vapor sampling are required every three years during the heating season to assess the potential for soil vapor intrusion into the commercial building adjacent to the source area (MACTEC, 2022a). SVI monitoring was scheduled during the 2023 LTM event, however, was not completed during the reporting period (see **Section 2.4**).

Additional activities conducted during the reporting period per request by the NYSDEC included:

- Oversight of site redevelopment activities during construction.
- Oversight of the installation of monitoring well MW-12SR
- Offsite public and private well sampling for per-and polyfluoroalkyl substances (PFAS).

This PRR was completed using site-specific documentation, which includes:

- ROD (NYSDEC, 1995)
- SMP (MACTEC, 2022a)
- Deed Restriction (Westchester County, NY, 2015)

This PRR was prepared to document that established controls required by the SMP are operational and effective, that the SMP is being implemented and conducted accordingly, and that the remedy remains protective of the environment and/or public health. SM activities were completed during the reporting period and an evaluation of the performance, protectiveness, and effectiveness of the remedy is summarized below.

2.1 INSTITUTIONAL CONTROLS/ENGINEERING CONTROLS

Contaminated soil and groundwater exist beneath the ground surface; therefore IC/ECs are required to protect human health and the environment. ICs were established via a deed restriction to (1) control use of the Site; and (2) restrict future residential use of the Site; and (3) restrict future use of the groundwater. These measures help ensure that the remedy remains protective in the future. The ICs for the Site include the ROD, Deed Restriction, and Site Management Plan.

ECs for the Site includes a GWETS (i.e., Plant 1) which is comprised of two extraction wells installed within the source area (RW-1S, an overburden well, and RW-2D, an upper bedrock well), subsurface conveyance piping to Plant 1, controls, utility service connections, and the Plant 1 activated carbon filtration treatment system. Access to Pump House 1 (Plant 1) is restricted by a six-foot chain link fence with locked gates (**Figure 1.2**).

During the reporting period, the GWETS was in shutdown status while a groundwater rebound evaluation was conducted evaluate contaminant trends in groundwater (MACTEC 2023b). A Groundwater Rebound Evaluation Report was submitted to the NYSDEC with recommendations to leave the GWETS shutdown, abandon recovery well RW-2D, and continue long-term monitoring of groundwater for VOCs and tracer compounds (MACTEC, 2023b). Figures and Tables from Groundwater Rebound Evaluation Report are attached as **Appendix C**. Notification that the change in groundwater remedy from a pump and treat system to natural attenuation has been approved by New York State Department of Health (NYSDOH) and the Division of Environmental Remediation (DER) management was received by MACTEC via email on December 26, 2023. The NYSDEC has requested the SMP be updated in 2024 to reflect the change in remedy.

A comprehensive site inspection was conducted by MACTEC in February 2023, including an evaluation of the visible components of Plant 1. The GWETS building is secure, and the components appeared to be in good working order.

2.2 OPERATIONS & MAINTENANCE

The GWETS system was in shutdown status during the reporting period and monthly O&M was not conducted in 2023. MACTEC continued to monitor groundwater on a quarterly basis through the first two quarters of 2023 (MACTEC, 2022a).

2.2.1 Inspection & Monitoring

During the reporting period, the treatment system was inspected during the month of February (Appendix D).

Inspection findings: At the time of the inspection, the GWETS was in shutdown status as part of the groundwater rebound evaluation. The inspection of the treatment building identified the following findings:

- Corrosion was observed on the effluent pipe junction after Tank 2.
- Minor damage to the fence resulting from a fallen tree limb and vegetation growing on fence fabric was observed. The fence is still functioning as intended.

2.3 LONG TERM MONITORING

The LTM program described in the SMP includes groundwater elevation monitoring, monitoring well inventory and repair, groundwater sampling and analysis, and soil vapor intrusion monitoring. The LTM and analysis plan for groundwater is shown on Table 2.2. There are currently 20 groundwater monitoring wells at the Site (Figure 1.2). Since January 2016, ten groundwater monitoring locations, designated as MW-4S, MW-4D, MW-5S, MW-7S, MW-7D, MW-8S, MW-9S, MW-9D, MW-12S and MW-101M, have been sampled at 15-month intervals for VOCs (Table 2.3). At the request of the NYSDEC, groundwater samples for PFAS were added to the LTM in 2021 (Table 2.4).

2.3.1 Groundwater Elevation Monitoring

Groundwater elevation monitoring was conducted in February in the 20 on-site monitoring wells. Groundwater elevations are summarized on Table 2.5. Shallow and deep groundwater potentiometric surfaces are shown on Figure 2.1 and Figure 2.2, respectively.

2.3.2 Monitoring Well Inventory and Repair

Monitoring well conditions were inspected in February 2023 during the LTM sampling event. Site inspection records and photographs taken during the inspections are included in Appendix D. The monitoring wells were observed to be in good-to-fair condition. Monitoring well repairs which were recommended in the 2022 PRR included:

- Replace the bolts on monitoring wells MW-7S and MW-8S to maintain integrity (i.e., reduce potential for precipitation and potentially contaminants from the parking lot to enter the wells).

It was noted during the February 2023 inventory that monitoring wells MW-7S and MW-8 could not be repaired. The road box threads on monitoring well MW-7D are oval shape and no longer accepted bolts. Monitoring well MW-8S has broken bolt tabs on the road box but still sits flush with grade. It was also discovered that monitoring wells MW-2S and MW-2D were filled in with concrete/grout and the locks were removed. An evaluation of the wells determined they were not needed to monitor the effectiveness of the remedy.

2.3.3 Environmental Sampling and Analysis

The LTM program includes collection of groundwater samples from 10 monitoring wells. Groundwater samples were collected using low flow sampling produces and the use of passive diffusion bags (PDBs) for VOCs at 10 monitoring locations. Samples were submitted to Pace Analytical of East Longmeadow, Massachusetts for analysis of VOCs by USEPA method 8260. Field Data Records (FDRs) from this event are included in **Appendix D**.

Compounds detected in groundwater were tabulated and compared to the to New York State (NYS) Class GA Groundwater Standards (GA [NYS, 1999]) for VOCs and NYS Ambient Water Quality Values for Human Health (AWQV) and NYS Maximum Contaminant Levels (MCL) for PFAS (NYSDEC, 2023). Results for compounds detected in one or more groundwater samples are discussed below and presented in **Table 2.3** and **Table 2.4**.

VOC Groundwater Sampling Results – VOC samples were collected from 10 wells.

- PCE and/or its degradation products, trichloroethene (TCE), cis-1,2-dichloroethene (cis-1-2 DCE), and/or Vinyl Chloride (VC) were detected at or above the GA standard in six of the ten monitoring wells sampled.
 - The highest PCE detection, 1,700 micrograms per liter ($\mu\text{g/L}$), was from monitoring well MW-12S, located immediately downgradient of the source area.
- Methyl tert-butyl ether (MTBE) was detected below the guidance values (GV) limits in nine monitoring wells. Results from MW-4D showed MTBE at concentrations of 26 $\mu\text{g/L}$ which exceeds the GV of 10 $\mu\text{g/L}$. Note that MTBE is not a Site Contaminant of Concern (COC) and is historically found north and hydraulically upgradient of the site due to fuel spills at multiple gas stations along Route 6 (1998 Engineers Report prepared for the Water Supply Application for Baldwin Place Mall [Lawler, Matusky & Skelly, 1998]), and is believed to be the result of a separate source.
- VOCs were not detected above the GA standard in groundwater samples from two monitoring well locations upgradient of the source area (MW-4S and MW-8S).
- Site related VOCs were not detected in groundwater samples from two monitoring well locations upgradient of the source area (MW-4S and MW-8S).

- Methylene chloride, a common laboratory contaminant, was detected in MW-4S and MW-8S.

Figure 2.3 shows the interpreted PCE plume which radiates southwest from MW-12S. PCE concentrations were observed in shallow and intermediate, and deep wells with the highest concentrations in the intermediate overburden (MW-12S). PCE degradation products TCE, 1,2-DCE, cis-1,2-DCE, and VC were observed in shallow, intermediate, and deep wells with the highest concentrations in deep well MW-101M. The presence of the degradation products indicates that the primary contaminant, PCE, is being degraded in the sub-surface, likely through biological processes. **Figures 2.4 and 2.5** show the interpreted extent of TCE and cis-1,2-DCE concentrations, respectively.

Time series plots showing concentrations of PCE in select overburden monitoring wells MW-5S (within the source area), MW-12S (immediately downgradient of the source area), and MW-9S (further downgradient) are included in **Appendix E**.

PFAS Groundwater Sampling Results - PFAS samples were collected from seven monitoring wells and two extraction wells.

- Perfluorooctanesulfonic acid (PFOS) and/or perfluorooctanoic acid (PFOA) were detected in each of the wells that were sampled and exceeded the NYS AWQV (2.7 and 6.7 nanograms per liter [ng/l], respectively) and/or the NYS MCL of 10 ng/l (**Figure 2.6**)
 - Concentrations of PFOS ranged from 4.3 to 38 ng/L, exceeding the NYS AWQV at nine locations and the NYS MCL at eight monitoring locations.
 - Concentrations of PFOA ranged from 5.6 to 23 ng/L, exceeding the NYS AWQV at six locations and the NYS MCL at eight monitoring locations.

PFAS concentrations were observed above the NYS AWQV and NYS MCL in monitoring wells MW-4S and MW-4D, which are upgradient of the source area. Concentrations of PFAS in upgradient, source area, and down gradient wells are similar. This data suggests that there could be a contributing off-Site source for PFAS on-site.

2.4 SOIL VAPOR INTRUSION MONITORING

The 2022 SMP for the Site establishes a frequency of every three years for conducting SVI monitoring. Sampling includes sub-slab vapor, indoor air, and outdoor air associated with Unit Six. This location is adjacent to (and south of) the former source area.

Soil vapor intrusion sampling was scheduled to be conducted in February 2023. After mobilizing to the site to collect the SVI samples the following was observed:

- active construction was ongoing within the building
- heat within the building was likely off
- one sub slab location (SS-04) could not be located
- the building was unoccupied.

Given the change in conditions within the building, MACTEC recommend to the NYSDEC PM that the samples not be collected at that time as the results would not meet the objective of evaluating future occupied conditions. The findings were summarized in a technical memorandum which was submitted to the NYSDEC PM on March 17, 2023.

On behalf of the property owner, Groundwater & Environmental Services, Inc. (GES) is scheduled to install a new soil vapor point in early 2024. MACTEC will attempt to complete the SVI sampling in February 2024 or upon notification that the installation is complete.

2.5 ADDITIONAL SITE ACTIVITIES

Additional site activities conducted in 2023 are described below.

2.5.1 Groundwater Rebound Evaluation

In November 2021 a groundwater rebound evaluation was initiated and continued through June 2023. In 2023, the fifth and sixth quarter ground water sampling rounds were conducted for VOCs by USEPA 8260, sodium via USEPA Inductively Coupled Plasma (ICP) 6010, and bromide/fluoride via USEPA 300.0. Groundwater rebound evaluation locations are shown on **Figure 1.3**. The Groundwater Rebound Evaluation Sample Identification and Analyses Plan shown on **Table 2.3**. The following activities were conducted for the groundwater rebound evaluation (MACTEC 2021b):

Fifth Quarter Findings: Groundwater samples were collected from eleven monitoring locations for VOCs and tracer compounds. VOCs were detected at the eleven monitoring locations and results are consistent with the previous rebound evaluation sampling results. Tracer compounds were not detected downgradient of the recovery wells above baseline conditions. New PDBs were deployed in the monitoring locations.

Sixth Quarter Findings: Groundwater samples were collected from eleven monitoring locations for VOCs and tracer compounds. Monitoring well MW-12S was abandoned by the property owner in March 2023 as part of construction activities. Therefore, this monitoring location was not sampled during the sixth and final sampling events. VOCs were detected at the eleven monitoring locations

and results are consistent with the previous rebound evaluation sampling results. Tracer compounds were not detected downgradient of the recovery wells above baseline conditions.

The Groundwater Rebound Evaluation Report was submitted to the NYSDEC in October 2023 (MACTEC, 2023b). Figures and Tables from the Report are attached as **Appendix C**. Notification that the change in groundwater remedy from a pump and treat system to natural attenuation has been approved by NYSDOH and DER management is provided in a memorandum dated December 15, 2023 (**Appendix F**).

2.5.2 New Tenant Construction

UB Somers, Inc., the property owner, leased a portion of the Site to Tractor Supply in 2023. The Owner retained GES as an environmental consultant to prepare an Environmental Compliance Workplan and a Soil Characterization Workplan to summarize proposed redevelopment plans for a portion of the Site and define actions that are required for compliance with the SMP.

At the request of the NYSDEC, MACTEC inspected on-site soil management activities on June 12 and 13, 2023 related to redevelopment of the Site to confirm that the work was completed in compliance with the SMP. The field activities were summarized in a technical memorandum submitted to the NYSDEC PM on June 15, 2023. No issues were noted, and the activities were determined to be in compliance with the SMP.

Monitoring well MW-12S was abandoned by the GES under the direction of the property owner in March 2023 as part of ongoing construction activities. On July 12, 2023, monitoring well MW-12SR was reinstalled in a new location on the property per the approval of NYSDEC. The field activities were summarized in a technical memorandum submitted to the NYSDEC PM on July 27, 2023. There were no deficiencies in process or procedure during installation or development.

MACTEC returned to the Site on August 10, 2023, and sampled monitoring well MW-12SR for VOCs. TCE was detected above the GA standard (11 ug/L); All other VOCs analyzed were below the GA standard, including PCE (**Table 2.3**).

2.5.3 Emerging Contaminant Sampling (PFAS)

At the request of the NYSDOH, offsite public and private well sampling for PFAS was conducted. Twenty-one letters were mailed to private well owners, and five public well supply owners were contacted via phone to schedule a sampling date and time.

Samples were collected in accordance with Drinking Water Well Sampling Standard Operating Procedure (SOP-1) from MACTEC's Program Quality Assurance Program Plan (QAPP) (MACTEC, 2020).

Eight offsite properties and nine wells were sampled for PFAS. Sampling was conducted on July 26th and August 10th, 2023. Sampling procedures, documentation, handling, and sample custody were conducted in accordance with the quality assurance and health and safety plans (MACTEC, 2022) and the Sampling, Analysis, and Assessment of PFAS under NYSDEC's Part 375 Remedial Program (NYSDEC, 2023). Samples were submitted for analysis via USEPA Method 537.

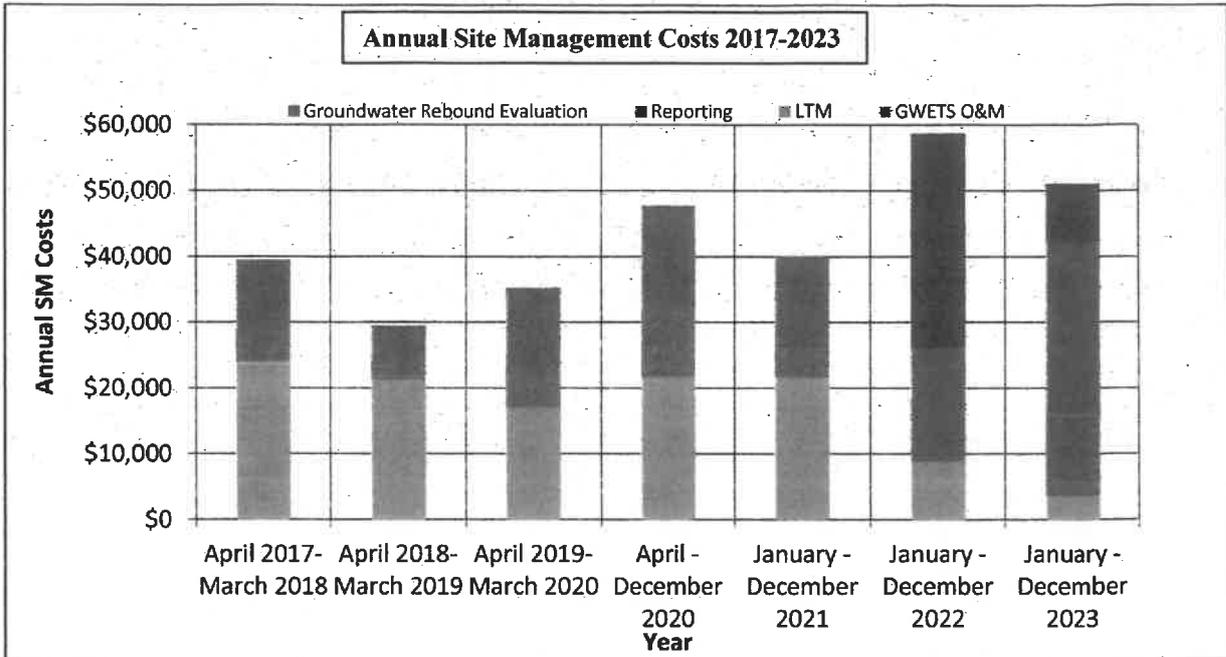
A draft Offsite Public and Private Well PFAS Sampling Report was submitted to the NYSDEC and NYSDOH on November 8, 2023. The NYSDOH requested resampling at four properties. MACTEC completed the sampling in December 2023. Results will be presented in a separate report to the NYSDEC.

3.0 EVALUATION OF COSTS

A cost summary for the reporting period is provided below. Most of the SM costs are associated with reporting. Reporting Costs in 2023 include the LTM & Site Inspection Report, Quarterly Groundwater Rebound Evaluation Letters, Groundwater Rebound Evaluation Report, and PRR.

2023 Annual Site Management Cost Breakdown	
GWETS OM&M	
MACTEC Labor	\$2,639
Utilities	\$877
	\$3,516
LTM	
Labor, Lodging, Travel, and shipping	\$6,154
Laboratory Services	\$6,261
	\$12,415
Groundwater Rebound Evaluation	
Labor, Lodging, Travel, and shipping	\$7,469
Laboratory Services*	\$1,363
	\$8,832
Reporting, including PRR	
MACTEC Labor	\$26,327
	\$26,327
Annual Total:	\$51,090

NOTE: *NYSDEC direct expense



Notes:

- 2017-March 2020: Costs obtained from Aztech PRRs
- 2017-2018: LTM Costs include Soil Vapor Sampling
- 2019-2020: LTM Costs include Soil Vapor Sampling and Emergent Contaminant Sampling
- 2020: Reporting Costs include LTM & Site Inspection Report, Quarterly Reports (Aztech), and PRR
- 2021: Reporting Costs include LTM & Site Inspection Report, Quarterly Reports (LaBella), and PRR
- 2022: Reporting Costs include the 2022 SMP, Climate Vulnerability and Sustainability Assessment Report, Quarterly Groundwater Rebound Evaluation Letters, and PRR
- 2023: Reporting Costs include the LTM & Site Inspection Report, Quarterly Groundwater Rebound Evaluation Letters, Groundwater Rebound Evaluation Report, and PRR

4.0 SUSTAINABILITY AND RESILIENCY

The following section describes sustainability and resiliency actions that can be taken at the Site based upon the revised NYSDEC DER 31-Green Remediation (NYSDEC, 2011), CP-49-Climate Change and DEC Action (NYSDEC, 2021), and CP-75- DEC Sustainability (NYSDEC, 2022).

4.1 GREEN REMEDIATION

DER-31, revised in January 2011, describes strategies for developing and promoting innovative cleanup while restoring contaminated sites to productive use, promoting environmental stewardship, and reducing associated costs while minimizing ancillary environmental impacts from the cleanups (NYSDEC, 2011).

The following green remediation techniques applicable to SM will be considered for the Site:

- Increase energy efficiency/minimize total energy use and greenhouse gas (GHG) emissions to the air by mothballing Plant 1 and discontinuing power service
- Incorporate sustainability into periodic reviews to identify opportunities to reduce energy and other impacts.

Green remediation actions which will be considered for the Site include:

- Identify opportunities to reduce waste generated during field activities
- Identify opportunities to reduce energy
- Reduce O&M visit and LTM frequency.

4.2 CLIMATE CHANGE

CP-49 provides the NYSDEC's policy for incorporating climate change considerations into activities to comply with the specific requirements of the Climate Leadership and Community Protection Act of 2019 and the Community Risk and Resilience Act of 2014 (NYSDEC, 2021).

MACTEC submitted a climate vulnerability and sustainability assessment report in October 2022 (MACTEC, 2022b) that describes current and future conditions at the Site vulnerable to climate change and evaluates baseline GHG emissions.

4.3 SUSTAINABILITY

On January 3, 2022, The NYSDEC issued CP-75, a sustainability plan which describes NYSDEC goals for transitioning to lower carbon emissions which will contribute to a future sustainable economy (NYSDEC, 2022).

The policy includes the following guidance which can be considered for the Site:

- Eliminating greenhouse gasses
- Energy efficiency in facilities
- Preventative maintenance to existing infrastructure to minimize life cycle carbon
- Lower emissions while commuting
- Strive for zero waste
- Minimize hazardous materials and chemicals
- Minimize water usage
- Utilize green products and services
- Utilize low carbon equipment and technologies
- Demonstrate sustainable practices and technologies.

MACTEC will continue to be cognizant of the new sustainability policy and will incorporate sustainable products, technologies, and equipment when feasible. As the GWETS has been in shutdown status, NYSDEC is using energy only to heat Plant 1 during the colder months, and therefore emissions output from the Site have significantly decreased. Per NYSDEC's request, Plant 1 will be mothballed, and power service will be discontinued in 2024, further decreasing emissions.

5.0 CONCLUSIONS AND RECOMMENDATIONS

Current SM activities being conducted at the Site follow compliance with the requirements of the Site's SMP, and SM activities are effective in monitoring the status of the following remedial goals established in the ROD:

- Prevent exposure to contaminated soil
- Prevent continued degradation of groundwater quality through migration of PCE and its break down products from soil to groundwater
- Prevent exposure (inhalation, ingestion, and dermal) to contaminated groundwater
- Restore groundwater quality (impacted by PCE and breakdown products) to acceptable levels within a reasonable time frame
- Prevent migration and discharge of site contaminants in groundwater to adjacent surface water bodies.

Restoration of groundwater quality at the Site is ongoing.

5.1 INSTITUTIONAL CONTROLS/ENGINEERING CONTROLS

The current ICs/ECs are adequate to achieve the objectives for protection of human health and the environment based on current site use. ICs for the Site via deed restriction, including (1) control use of the Site, (2) restrict future residential use of the Site, and (3) restrict future use of the groundwater, remain in-place and adhered to.

ECs for the Site include a GWETS with two extraction wells, subsurface conveyance piping to Plant 1, controls, utility service connections, and the Plant 1 activated carbon filtration treatment system. During the reporting period, the GWETS was in shutdown status while a groundwater rebound evaluation was conducted to evaluate contaminant trends in groundwater (MACTEC 2023b).

During the February 2023 Site Inspection, it was noted that the road boxes at monitoring wells MW-7S and MW-8S need to be replaced. It was also discovered that monitoring wells MW-2S and MW-2D were filled in with concrete/grout, and the locks were removed.

Soil vapor intrusion sampling was not conducted in 2023 as scheduled due to a change in conditions that would not meet the sampling objectives. Per the NYSDEC's request, MACTEC will attempt to complete SVI sampling in February 2024, or upon notification the construction is complete when samples will be representative of future occupied conditions.

5.2 OPERATION AND MAINTENANCE PLAN PLAN

The GWETS will remain in shutdown status and a O&M plan is not required. The system will be maintained in a mothballed status in the event that conditions change, and treatment is required.

If the GWETS needs to be reactivated, the measures necessary to operate, monitor, and maintain the system components of the GWETS are described in the O&M Manual (MACTEC, 2022a).

5.3 LONG TERM MONITORING PLAN

The next LTM sampling event is scheduled for June 2024. Sampling will consist of collecting VOC, PFAS, and tracer compound samples via PFAS-free Hydrasleeves. MTBE was detected at concentrations exceeding the GV at one upgradient monitoring location. MTBE is not a Site COC and is historically found north and hydraulically upgradient of the site due to fuel spills at multiple gas stations along Route 6 and is believed to be the result of a separate source.

5.4 EMERGING CONTAMINANT SAMPLING

Offsite public and private well sampling for per- and PFAS was conducted per request by the NYSDOH. Results will be presented in a separate report to the NYSDEC.

5.5 SITE MANAGEMENT PLAN

The 2022 SMP was updated to reflect SM changes, which include addition of groundwater sample collection for emerging contaminants per- and polyfluoroalkyl substances to the LTM program, modification of O&M site visit and sampling schedule, temporary shutdown of the GWETS, and addition of quarterly sampling in and near the source area. A Groundwater Rebound Evaluation Report was submitted to the NYSDEC with recommendations to leave the GWETS in shutdown status, abandon recovery well RW-2D, and continue long-term monitoring of groundwater for VOCs and tracer compounds (MACTEC, 2023b). The change in groundwater remedy from a pump and treat system to natural attenuation has been approved by NYSDOH and DER management. The NYSDEC has requested the SMP be updated in 2024 to reflect the change in remedy.

5.6 RECOMMENDATIONS

To continue optimizing system efficiency and remedial progress at the Site, the following are recommended.

Implementation and evaluation of existing IC/ECs should continue, with the exception of the GWETS.

Per the SMP, conditions warranting the temporary discontinuation of active remediation include the observation that contaminant concentrations in groundwater have become asymptotic over an extended period of time.

MACTEC recommends the following activities associated with the IC/ECs:

- Remove vegetation from the chain link fence at Plant 1 to maintain integrity.

The SMP was updated in the April 2022 to reflect the groundwater rebound evaluation conducted from November 2021 to May 2023. MACTEC recommends that the SMP be updated in 2024 to reflect the change in groundwater remedy from a pump and treat system to natural attenuation.

MACTEC recommends the following activities associated with the LTM:

- Add monitoring wells MW-7M1 and MW-7M2 and recovery well RW-1S to the LTM for VOC analysis to support the findings from the groundwater rebound evaluation and to continue to demonstrate that contaminants are not migrating.
- Replace road boxes for monitoring wells MW-7S and MW-8S to maintain integrity (i.e., reduce potential for precipitation and potential contaminant movement from the parking lot to enter the wells)
- Remove the standpipes at monitoring wells MW-2S and MW-2D and confirm that the wells were properly abandoned.
- Abandon recovery well RW-2D and monitoring wells MW-3D and MW-3DD.
- Present the historical findings of MTBE at the Site in a memorandum to the NYSDOH that the NYSDEC will review.
- Confirm with GES that the missing soil vapor monitoring point was reinstalled and schedule SVI sampling for 2024.

6.0 REFERENCES

- Aztech Technologies, Inc., 2014. Periodic Review Report for the Baldwin Place Mall (Somers Common). Prepared for NYSDEC.
- Aztech Technologies, Inc., 2020. Periodic Review Report for the Baldwin Place Mall (Somers Common). Prepared for NYSDEC.
- LaBella Associates, October 2021a. First Quarter 2021 Operating Summary Report – Baldwin Place Shopping Center Site Number 360023. Prepared for NYSDEC.
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- MACTEC, 2021b. Final Groundwater Rebound Evaluation Field Activities Plan. Prepared for the New York State Department of Environmental Conservation, Albany, New York. October 2021.
- MACTEC, 2022a. Site Management Plan, Baldwin Place Shopping Center, NYSDEC HW Site: 360023, May 2022.
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- MACTEC, 2023a, 2023 Long Term Monitoring and Site Inspection Report, Baldwin Place Shopping Center, NYSDEC HW Site: 360023, July 2023.
- MACTEC, 2023b, Final Groundwater Rebound Evaluation Report. Baldwin Place Shopping Center, NYSDEC HW Site: 360023, October 2023.
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- NYSDEC, 2022. CP-75 – DEC Sustainability Policy, Prepared by NYSDEC.
- NYSDEC, 2023. Sampling, Analysis, and Assessment of Per- And Polyfluoroalkyl Substances (PFAS), Under NYSDEC’s Part 375 Remedial Program. April 2023.

New York State Department of Health, 2006. Guidance for Evaluating Soil Vapor Intrusion in the State of New York. Prepared by NYSDOH

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Westchester County, NY, 2015. Declaration of Covenants and Restrictions. Control: 552223073. June 10, 2015.

Nicole Montesano

From: Robert Scorrano
Sent: Tuesday, February 3, 2026 8:21 PM
To: lisavanga@gmail.com
Cc: Nicole Montesano; Gina Arena; Anthony Cirieco; Bill Faulkner
Subject: RE: Proposed development concerns

Dear Lisa,

Thank you for taking the time to write regarding the proposed Trailside and North Edge developments. I appreciate you sharing your concerns and taking part in the public process.

I would like to respond to the issues you raised and provide clarification on how they have been reviewed.

Traffic and cumulative impacts

Traffic impacts were a central focus of the Town's review. The traffic studies for both Trailside and North Edge were prepared using a cumulative analysis methodology, meaning each study accounted for traffic generated by the other project as well as additional potential development along the Route 6 corridor, including projects outside the Town of Somers that could affect overall traffic conditions.

To provide an independent and transparent review, the Town retained its own traffic consultant, Hardesty & Hanover, and requested that they appear before the Town Board to review the studies and respond to questions in a public forum. This ensured the analysis was reviewed independently in addition to the developers' submissions. Hardesty & Hanover confirmed that cumulative traffic impacts were evaluated as part of the environmental review.

Because Route 6 is under New York State jurisdiction, all traffic studies were also provided to the New York State Department of Transportation as part of the review process.

Infrastructure, sewer, and water

Infrastructure capacity, including sewer and water, was reviewed as part of the overall evaluation. Both projects are located in an area already served by public water and sewer. As part of the review, Westchester County confirmed that there is adequate system capacity to support the proposed development.

The review process also requires confirmation that any necessary upgrades or improvements are addressed by the developer, not existing residents. No project may move forward unless it meets the Town's technical requirements and those of applicable regulatory agencies.

Zoning and community character

The allowance for multifamily development in Baldwin Place was established through the Town's Comprehensive Plan and Zoning Code well before these applications were submitted. That framework includes specific criteria related to location, size, and proximity to Route 6 and Mahopac Avenue.

The 2016 Comprehensive Plan Update reaffirmed this approach, recognizing the need for a mix of housing types in appropriate locations and requiring affordable housing components. While multifamily development differs from traditional single-family zoning, it was contemplated through prior planning efforts and reviewed through a full environmental process before any rezoning was enacted.

Process and review

Both Trailside and North Edge have been under review since January 2022. Over that time, the projects have undergone

multiple rounds of analysis, revisions, and public review. The process involved multiple Town boards, consultants, and public hearings, along with opportunities for written public comment and access to reports and materials posted online.

Planning context

The Town's planning policies emphasize directing development to areas where infrastructure already exists. There are relatively few locations in Somers that meet these criteria. Both projects were reviewed within that planning framework and include pedestrian connections and community benefits consistent with the Town's long-term planning goals.

I understand that development proposals can raise concerns, particularly when more than one project is being reviewed at the same time. Those concerns are considered carefully as part of the Town's review process. I hope this information is helpful in explaining how these matters have been evaluated.

Please feel free to reach out if you have additional questions.

Sincerely,

Robert G. Scorrano
Somers Town Supervisor
914-277-3637
supervisor@somersny.gov
www.somersny.gov

From: Lisa Vanga <lisavanga@gmail.com>

Sent: Tuesday, January 27, 2026 9:11 AM

To: Nicole Montesano <nmontesano@somersny.gov>

Cc: Robert Scorrano <rscorrano@somersny.gov>; Gina Arena <garena@somersny.gov>; Anthony Cirieco <anthonycirieco@gmail.com>; Bill Faulkner <billfaulkner.somers@gmail.com>

Subject: Proposed development concerns

Dear Members of the Town Board and Zoning Board,

I am writing to formally express my concern with two separate developments proposed for Baldwin Place:

Trailside development, consisting of 81 single-family homes, and the North Edge development, consisting of 73 multi-family units.

While each project is being reviewed individually, residents are deeply concerned about the cumulative impact of approving both developments in such close proximity. Together, these projects would introduce a substantial number of new housing units into an area that is already experiencing traffic congestion and infrastructure strain.

Of particular concern is the North Edge project, which required a zoning change from single-family homes on one-acre lots to allow multi-family dwellings. This change represents a significant departure from the established zoning pattern and directly impacts the character and appearance of our town, which residents have worked hard to preserve. Approving such a change sets a troubling precedent for future development.

Why was this zoning changed? What are the benefits to our community that warranted a zoning change? I'm also curious as to why the Town Board is lead agency on the North Edge development, it's my understanding that the Planning Board usually acts as lead Agency, So I'm a little confused on how and why this came about?

Traffic impacts remain a major concern. While the traffic study for North Edge resulted in a Level of Service "C," which is already on the borderline of unacceptable, it is unclear whether this study adequately accounted for the additional traffic that would be generated by the Trailside development. Route 6 is already heavily traveled, and residents experience congestion and safety concerns on a daily basis.

Although it looks doable on paper for each development separately when it comes to a traffic study, we think the bigger question and analysis needed is a combined study of both developments. Therefore, we would receive a more accurate traffic analysis to go by. Approving both projects without a comprehensive evaluation of their combined traffic impact would be irresponsible.

Beyond traffic, residents are concerned about the strain these developments will place on local schools, existing infrastructure, and emergency services, including police, fire, and EMS. These services are not unlimited, and rapid development without appropriate planning risks diminishing the quality of life for current residents.

Growth should be thoughtful, measured, and consistent with the character and capacity of the community. As proposed, the Trailside and North Edge developments raise serious questions about compatibility, long-term impacts, and whether the town is being asked to absorb more than it reasonably can.

For these reasons, I respectfully urge the Zoning Board to fully consider the cumulative impacts on traffic, zoning integrity, infrastructure, and community character before moving forward.

Thank you for your time and consideration.

Sincerely,
Lisa Vanga
1 Cornelius lane
Baldwin place NY



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

**Letitia James
Attorney General**

February 2, 2026

By Email

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

RECEIVED

FEB 02 2026

**PLANNING & ENGINEERING
TOWN OF SOMERS**

RE: Trailside Estates SWPPP

Dear Mr. Smith,

The Office of the New York City Watershed Inspector General (WIG or WIG Office) respectfully submits the attached comments on the December 12, 2025 Stormwater Pollution Prevention Plan (SWPPP) for Trailside Estates.

The WIG Office appreciates this opportunity to comment on the Trailside Estates SWPPP and looks forward to working with the Town, Watershed regulators, the Project sponsor, and other stakeholders as review of the Project proceeds.

Respectfully submitted,

Charlie 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; Karen Stainbrook, DEC

RECEIVED

Trailside Estates

FEB 02 2026

Reynolds Drive PLANNING & ENGINEERING
Somers, Westchester County, NY TOWN OF SOMERS

Review of the Stormwater Pollution Prevention Plan (SWPPP)

By: Mary Galasso, P.E.

on behalf of the

Office of the New York City Watershed Inspector General

February 2, 2026

Documents Reviewed

- Stormwater Pollution Prevention Plan (SWPPP) for Trailside Estates Residential Development including Appendices A through N and Figures 1 through 4 prepared by Insite Engineering, Surveying, Landscape Architecture, P.C. (Insite) dated May 10, 2024 and last revised December 12, 2025;
- Drawings OP-1 through D-7 (37 sheets) for Trailside Estates Residential Development, prepared by Insite, dated November 17, 2023 with the latest revision date of December 12, 2025;
- Drawing EW-1, Earthwork Plan for Trailside Estates Residential Development prepared by Insite, dated May 8, 2024 with the latest revision date of December 12, 2025;
- Phosphorus Loading Analysis prepared by Insite dated December 12, 2025; and
- Letter to Mary Galasso from Insite dated December 15, 2025;
- NYC Watershed Inspector General's (WIG's) March 10, 2025 technical comments on Insite's Trailside Estates Residential Development SWPPP.

Project Description

Trailside Estates Residential Development is a proposed 81-unit townhouse development with a community center, a dog park, associated paved access and parking, and stormwater treatment and management. Extensions to existing water and sewer districts are proposed to serve the development. The project is located on a 56.8-acre site on Reynolds Drive in the Town of Somers, Westchester County, NY (the Site). Approximately 22 acres of disturbance is anticipated. Approximately 8 acres of new impervious surfaces are proposed within the area to be disturbed.

The Site is currently undeveloped, wooded land and includes several wetlands. An internal, linear wetland flows from north to south before discharging through an existing culvert under the Empire State Trail near the southeast corner of the

property. The northern portion of the Site also includes another wetland that discharges under the Empire State Trail at a separate location. This wetland is not labeled on the plans, but the limits of its 100-foot buffer are shown on the plans. Adjacent offsite wetlands exist along Reynolds Drive, which is currently a gravel road. A culvert under Reynolds Drive appears to connect the wetlands on either side.

The project is located in the Amawalk Reservoir Watershed in the New York City Watershed. The Amawalk Reservoir is considered phosphorus-restricted by the New York City Department of Environmental Protection (DEP) and is part of the East-of-Hudson Watershed, where enhanced phosphorus removal standards are required by the New York State Department of Environmental Conservation's (DEC's) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activities GP-0-25-001 (GP-0-25-001).

General

Many of the WIG Office technical comments dated March 10, 2025 have been addressed by Insite through project design modifications and clarifications to the site plans and SWPPP discussed in Insite's December 15, 2025 letter. Based on project revisions and updates, the following technical comments are provided. Where they relate to previous comments, the comment numbers from the WIG's March 10, 2025 technical comments (March 10, 2025 comments) are referenced.

1. Part III.A.2 of the SPDES GP-0-25-001 requires that a SWPPP "demonstrate consideration in narrative format of the future physical risks due to climate change pursuant to the Community Risk and Resiliency Act (CRRA), 6 NYCRR Part 490, and associated guidance." The SWPPP needs to be revised to include this narrative.
2. The project will be accessed from Reynolds Drive, which is currently a curbed gravel road. The project proposes to pave Reynolds Drive (*See* March 10, 2025 Comment 1). It is understood from Insite's December 15, 2025 Letter to Mary Galasso (December 15, 2025 Letter) that stormwater treatment and management for Reynolds Drive as an impervious surface was designed as part of Somers Realty Phase 3. Confirm that the curve number (CN) used to model the road as proposed for Somers Realty Phase 3 is appropriate for a paved road (i.e., CN = 98).
3. Relative to the March 10, 2025 comment 2, the December 15, 2025 Letter states that at the time Somers Realty Phase 3 was designed, no watercourse was identified within the wetlands on either side of Reynolds Drive. A culvert was provided under Reynolds Drive as part of that project to allow for safe amphibian crossing and for hydrologic conductivity. Since a number of years have passed since the construction of Reynolds Drive and we believe

that DEP's last watercourse evaluation was more than five years ago, the area should be re-evaluated to determine whether the construction of Reynolds Drive and the underlying culvert have established a watercourse under Reynolds Drive.

4. The Empire State Trail runs north-south and immediately east of the Site's eastern property line. Currently, Design Point 1 is shown at a culvert under the Empire State Trail. The location of Design Point 2 needs to be clarified (See also Comment 13, below). Section 1.2 of the SWPPP states that this design point is located at the culvert crossing under the North County Trailway. Drawing EX-1 shows this culvert to be located approximately 100 feet north of the property line at the edge of the wetland near the northeast corner of the property. If the offsite culvert is the location of Design Point 2, the area tributary to this design point may be significantly larger than that modeled in the hydrologic analysis. Confirm whether a culvert is present under the trail which conveys flow from the vicinity of Design Point 2 (See March 10, 2025 Comment 4) and whether this is the location of Design Point 2.
5. The pond and watercourse east of the wetland buffer line between the proposed dog park and Empire State Trail must be labeled as such on all applicable drawings.
6. As previously stated in March 10, 2025 Comment 9, preliminary soil testing conducted in the vicinity of the proposed stormwater treatment practices on April 9, 2024 and on May 6 and 7, 2024 are shown on Drawing FIG-4, "Testing Plan." Shallow groundwater was noted in only one test pit, D-3, at a depth of 30 inches and in the vicinity of a proposed wet swale. Most deep test pits also noted a change in soil type at shallower depths of about 30 inches or less in Paxton, Woodbridge, Ridgebury and Leicester soils. This is consistent with the National Resource Conservation Service's (NRCS) soil descriptions for these soil types which typically exhibit a shallow, denser layer roughly 15 to 40 inches below the surface. The NRCS soil descriptions note seasonal groundwater depths for these soil types generally follow the depth trend of the dense layer, meaning that at least seasonally, groundwater could be encountered at much shallower depths than the test pit measurements indicate. Although the December 15, 2025 Letter states that no mottling was observed, test pit descriptions provided on FIG-4 are vague and do not include any information regarding mottling, color variation, root depth, density etc., that might indicate seasonal high groundwater. Detailed test pit logs at any specific site are necessary to confirm the NRCS soil descriptions or note areas where field conditions vary from the general NRCS soil descriptions. However, absent more detailed test pit descriptions, it should be assumed that seasonally high groundwater will be encountered in the soil

types listed above during mass grading of the Site.

Erosion and Sediment Control/Construction Sequencing

7. Typically, site development projects such as this include equipment and material staging areas during the construction period. In some cases, the staging areas must be relocated during various phases to accommodate the work footprint (See March 10, 2025 Comment 11). A small construction staging area is shown on Drawings SP-3.0 through SP-3.2. This staging area shows a temporary soil stockpile and construction trailer on Drawing SP-3.1, but the area is not large enough to accommodate equipment and materials stockpiling. If equipment and materials are to be staged offsite, the offsite location must be specified so that potential associated impacts can be assessed. If equipment and materials staging areas are proposed onsite, they need to be shown and discussed to ensure their feasibility and compatibility with the phases of construction.
8. Construction of the project will last through several freeze/thaw cycles. Clarity must be provided regarding which sediment traps will be active beyond one construction season to demonstrate the adequacy of the proposed phasing, temporary sedimentation practices, and stabilization (See March 10, 2025 Comment 13). For example, Temporary Sediment Trap A will be constructed in Phase 2 of the sequence and will function as a temporary sediment trap until conversion to a pretreatment basin in Phase 8. The practice is likely to be in use for more than one construction season. Page 5.46 of the 2016 edition of the “New York State Standards and Specifications for Erosion and Sediment Control” (2016 Blue Book) states that, among other things, if a trap is to be in place beyond one construction season, a full sediment basin must be used. Therefore, this practice must be designed in accordance with the standards and specifications for a sediment basin (See the 2016 Blue Book beginning on page 5.19). The SWPPP needs to identify which sediment traps will be active for more than one construction season and include their associated design calculations to demonstrate that each sediment trap or basin complies with the 2016 Blue Book. The plans must be updated as necessary to reflect any associated design changes.
9. Drawing EW-1, “Earthwork Plan” shows areas of cut and fill and includes an earthwork summary for each phase of the project. It appears fill will be imported for the final phases of the project. Drawing EW-1 needs to be revised to describe each color shown on the plan. For example, does blue represent a certain depth of fill and yellow represent a certain depth of cut?
10. Drawing SP-3.1 appears to indicate that stone walls will be removed from the Site during Phase 1 of the project. This needs to be noted in the sequence for this phase.

11. Areas where infiltration practices will be installed need to be cordoned off with orange construction fencing during Phase 1 of the sequence to minimize soil compaction from equipment movement. The fencing can then be inspected and maintained as necessary throughout the remaining phases. This fencing needs to be shown on all phasing drawings that include areas where infiltration practices will be constructed.
12. Show the outlet types and locations for all temporary sediment basins on the phasing drawings (SP-3.0 through SP 3.8) and the erosion control drawings (SP-4.1 through SP-4.3).
13. The Overall Construction Sequence on Drawing SP-3.0 and the sequences for individual construction phases on Drawings SP-3.1 through SP-3.8 must clearly note each piping section (stormwater and sewer) that is to be installed in any given step. Typically, this is done by identifying the drainage or sanitary manholes or other structures along the piping section to be installed using the same identification labels for the structures shown on the plan. For example, Drawing SP-2.1 shows a section of stormwater piping from an end section (labeled ES-4) in pretreatment basin 2.1 PT to a catch basin (labeled CB-5) near the parking area for the proposed community center. This piping section would be identified as ES-4 to CB-5 in step of the overall sequence in which it will be installed.

Hydrology - Water Quantity

14. It is unclear whether Design Point 2 is accurately located (*See* March 10, 2025 Comment 23, and Comment 4 above). Section 1.2 of the SWPPP states that this design point is located at a culvert crossing under the North County Trailway. Drawing EX-1 shows this culvert to be located approximately 100 feet north of the property line. It appears this culvert conveys flow not only from the pond on the property but also from a stream flowing south to the culvert on the northern portion of the property. On Figures 2 and 3 in the SWPPP, Design Point 2 appears to be located not at this off-site culvert, but at the edge of the ponded area within the project property. Please clarify the location and, if necessary, revise the hydrologic analysis to account for all areas flowing to the culvert. Is there a culvert under the Empire State Trail in the location of the Design Point shown on FIG-2 or does the runoff from this drainage area instead flow into a watercourse/wetland, then toward the culvert north of the property?
15. The time of concentration (T_c) is defined as the time required for a drop of water to travel from the most hydrologically remote point in a drainage area to the design point. It is calculated by computing travel times for three different flow regimes: sheet flow, shallow concentrated flow, and channel flow. These travel times are added together for the T_c . An accurate T_c is

necessary to ensure excessive or erosive flows do not impact downstream reaches. A T_c flow path does not necessarily correspond to the path of the physically most distant point to the design point (See March 10, 2025 Comment 24).

The December 15, 2025 Letter indicates that all T_c flow paths were re-evaluated and were generally considered correct except for one small change to Post-Development Drainage Area 1.0S. Other potential T_c flow paths that were evaluated are shown on FIG-2 in the SWPPP. The WIG Office evaluated several pre-development T_c flow paths not shown on FIG-2. It appears that at least for pre-development Drainage Area PRE-2, a longer T_c flow path exists. This begins roughly midway between the east and west boundaries of the Drainage Area along elevation contour 610, near the southern edge of the Drainage Area. The T_c flow path runs north through a flat area as sheet flow. The flow path then changes to shallow concentrated flow before turning east toward the trailway. The sheet flow portion of flow typically generates the longest time of flow. The slope used for sheet flow in Drainage Area PRE-2 is 6% and the slope of the area central to the east and west boundaries of Drainage Area PRE-2 is 1% and may result in longer sheet flow time for this drainage area and an over-all longer T_c .

16. Both the 2015 and the 2024 editions of the New York State Stormwater Management Design Manuals (2015 Design Manual and 2024 Design Manual, respectively) limit pre-development sheet flow to 150 feet, except in very flat areas. Post-development sheet flow lengths are limited to 100 feet with a similar exception for very flat areas. The WIG Office agrees that sheet flow lengths should not be arbitrarily selected based on existing and proposed maximum values presented in either Design Manual as noted in Insite's December 15, 2025 Letter. Sheet flow length must be selected based on the modeler's understanding of existing and proposed site conditions and/or features that will control flow conditions. For this project, the SWPPP needs to include a discussion explaining which conditions and/or features were used in determining sheet flow lengths.

Water Quality

Avoiding or mitigating impacts to receiving water bodies for this project requires implementation of post-construction stormwater treatment and management practices. Both the 2015 Design Manual and the 2024 Design Manual include design requirements and guidelines for these practices. There are also several industry standards and recommendations that can be implemented to ensure proper functioning of stormwater management practices. Some potential modifications that need to be examined to meet the requirements of either Design Manual or industry standards include the following:

17. The Testing Plan (Figure 4) now includes the depths at which infiltration testing was performed, and the December 15, 2025 Letter to Mary Galasso states that the tests were performed in accordance with the 2015 Design Manual. The 2015 Design Manual requires 1 test pit and 1 infiltration test for every 200 square feet of an infiltration practice (See page D-2). While it is understood that the amount of testing required by the 2015 Design Manual may be more than is needed on this site, based on the WIG Office's review of the testing conducted to date, it has concluded that the amount of preliminary testing conducted to date may be inadequate for final stormwater design. Only 1 infiltration test was performed for each infiltration practice and only one deep test pit was excavated for Infiltration Practices 1.7P and 1.3P, though these practices exceed 200 square feet. No testing was conducted within the footprint of Infiltration Basin 2.1P. It is the WIG's understanding that the test results shown on Figure 4 are preliminary and additional testing will be conducted to appropriate depths. Logs of test pit excavations and infiltration tests need to be included in the SWPPP.
18. Section 6.1.1 of the 2015 Design Manual "suggests" that the drainage area tributary to a micropool extended detention basin be at least 10 acres. However, the "Key Considerations" section on page 6-20 of the 2015 Design Manual states that the contributing area to these practices, also known as P-1 practices, must be greater than 10 acres. This is consistent with the requirements of the 2024 Design Manual which requires a minimum drainage area of 10 acres for this practice. The 2024 Design Manual notes that this minimum can be reduced to 5 acres if a water balance calculation is completed with acceptable results (See March 10, 2025 Comment 31). Per the HydroCAD analysis, the drainage area tributary to Micropool Extended Detention Basin 1.2P is 3.6 acres. This is significantly less than that "suggested" by the 2015 Design Manual and also less than the minimum allowed under the 2024 Design Manual with an acceptable water balance calculation. It is unclear how a practice with a significantly smaller drainage area will function as a micropool extended detention basin. Documentation, such as a water balance analysis, needs to be provided to demonstrate that the proposed micropool extended detention basin will perform as intended.
19. Wet Swale 1.1P is adjacent to the proposed Micropool Extended Detention Basin 1.4P at the southern end of the development (See March 10, 2025 Comment 34). Based on the existing and proposed grading shown on Drawing SP-2.3, this swale will be constructed in fill. Clarify how a wet swale will be established and maintained in fill.
20. The plans must indicate how Infiltration Practices 1.5P and 1.6P will be accessed for maintenance (See March 10, 2025 Comment 35).

21. The Pretreatment Basin Detail on Drawing D-6 includes capped end sections with drilled holes controlling discharge from these basins to their respective infiltration basins. A chart is provided detailing the size of the drilled holes. Elevations of these holes should be included in the chart. A detail is needed showing the configuration and outlet protection where the capped end sections discharge into infiltration basins.
22. Verify that all elevations and dimensions presented in the plans are consistent with the HydroCAD model. For example, HydroCAD models the overflow weirs from pretreatment basins as being 0.7 feet long, but the chart provided for the Pretreatment Basin Detail indicates these weirs will be 8 feet long.
23. 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 (See March 10, 2025 Comment 36). To assess the threats to drinking water quality posed by potential stormwater pollutants, a pollutant load analysis (PLA) has been provided to estimate the existing and proposed total phosphorus (TP) load at the Site. Based on this analysis, the project will result in an increase in TP from 8.4 pounds pre-development to 20.47 pounds post-development. With the proposed stormwater treatment, Insite estimates the post-development TP load can be reduced to 7.94 pounds. This is roughly a 0.44-pound reduction of TP.

Review of the PLA provided indicates that the estimated TP loads may not be reasonable given existing and proposed conditions for several reasons. First, Insite’s estimates used an imperviousness of 5% for forest and meadow. Forests and meadows are typically considered to be less than 5% impervious unless there are significant rock outcroppings on a site. This Site does not include such outcroppings. An imperviousness of 2% seems to be more reasonable.

Next, in the post-development condition, Insite’s estimate assumed that “residential” areas were 23% impervious. These include post-development Drainage Areas 1.1S through 1.9S, 2.1S and 2.2S. Review of the HydroCAD analysis in Appendix C of the SWPPP indicates that these Drainage Areas range in imperviousness from 46% to 100%, except for Drainage Area 1.4S which is not impervious. This means that other than Drainage Area 1.4S, which is not significant in size, all residential areas were more than twice as impervious as modeled. A corresponding increase in post-development TP

load will result even if the loading rate for residential areas remains the same.

With regard to treatment efficiencies, Insite cites removal efficiencies published by the East of Hudson Watershed Corporation in their “Stormwater Retrofit Design Manual, Project Years 6 through 10” (EOHWC Retrofit Design Manual), but uses an efficiency for infiltration practices of 100% rather than the 50% that the document specifies. While the WIG Office concurs that well designed and maintained infiltration practices are likely to have higher efficiency rates than specified in the EOHWC Retrofit Design Manual, the justification for using 100% must be provided.

Using the drainage area acreage in Insite’s estimate with the imperviousness noted in the HydroCAD analysis and assuming that forest is 2% impervious, the WIG Office conducted a separate PLA using the Simple Method, the applicant's land use areas, and the proposed treatment systems. Pollutant concentrations associated with land use areas were selected from Table 2 of the EOHWC Stormwater Retrofit Design Manual. This analysis estimated that a pre-development pollutant load of about 6 pounds was estimated. Post-development, the load was estimated to be about 39.8 pounds without treatment.

Section 3.3 of the 2024 Design Manual includes a list of stormwater practices acceptable for water quality treatment in New York State. Practices on the list must remove 40% or more TP. A post-development, post-treatment load of about 26.1 pounds (more than 4 times the pre-development load) was estimated using this removal rate for each of the practices proposed (infiltration, micropool extended detention, wet swales, and Jellyfish filters) and assuming an efficiency reduction for the second practice in series where applicable, calculated using the same method used in Insite’s analysis.

Infiltration practices are generally understood to have TP removal rates much higher than 40%. Further, the manufacturer of Jellyfish filters cites a removal rate of 64% for these practices, and the EOHWC Retrofit Design Manual cites a 28% removal rate for wet swales. Therefore, the post-development, post-treatment estimate was also conducted using removal rates consistent with those used in Insite’s analysis for the post development loads estimated by the WIG office. When assuming a 100% TP removal rate for infiltration practices and green infrastructure practices, 64% for Jellyfish filters, 40% for micropool extended detention, and 28% for wet swales, the post-development, post-treatment load was estimated to be about 11.3 pounds. This is nearly double the estimated pre-development load.

In summary, the WIG’s PLA determined that the proposed project in its present form would increase phosphorus pollution within the Amawalk

Reservoir drainage basin. The project needs to be modified to reduce post-development TP levels to be equal to or below pre-development levels. To achieve this, the project needs to be reduced in size or additional stormwater treatment measures need to be implemented to reduce TP. If the TP load after project revisions still exceeds pre-development TP levels, offsite TP reductions need to be implemented within the Amawalk Reservoir Basin to offset increases in TP due to this project.

Nicole Montesano

From: PAUL HAROLD <silvbg11@aol.com>
Sent: Saturday, January 31, 2026 11:46 AM
To: Nicole Montesano
Subject: Fwd: proposed

Categories: Red Category

Sent from my iPhone

Begin forwarded message:

From: Lisa Vanga <lisavanga@gmail.com>
Date: January 31, 2026 at 9:55:39 AM EST
To: PAUL HAROLD <silvbg11@aol.com>

Dear Members of the Planning Board,

I am writing to express my concerns about two proposed developments in Baldwin Place: Trailside and North Edge.

Trailside consists of 83 single-family homes, while North Edge proposes 74 multi-family units. Of particular concern is the North Edge project, which required a zoning change from single-family homes on one-acre lots to allow for multi-family dwellings.

This zoning change significantly impacts the character and appearance of our town and undermines the long-standing planning principles that have helped preserve Baldwin Place's small-town and countryside atmosphere. I'm curious as to why this zoning change was permitted and what is the benefits to the community in doing so?

I'm also deeply concerned about traffic impacts. Route 6 already experiences congestion and safety issues, and residents question whether the traffic did that was done for North Edge adequately considered the cumulative impacts of both developments. It is unclear whether the additional traffic generated by the Trailside project was taken into account when evaluating overall roadway capacity and safety.

Beyond traffic, the addition of nearly 160 new housing units raises serious concerns about the strain placed on local schools, infrastructure, and emergency services. Increased demand on police, fire, and EMS services, as well as road maintenance and other municipal resources.

Taken together, these projects represent a level of growth that many residents believe is incompatible with the character, appearance, and capacity of Baldwin Place. I respectfully urge the Planning Board to reconsider these proposals and prioritize responsible planning that preserves the quality of life and community character that residents value.

Thank you for your time and consideration.

Paul Harold

Nicole Montesano

From: David B. Smith
Sent: Wednesday, January 28, 2026 3:50 PM
To: Anthony Sutton; bruce prince; Chris Zaberto; Jack Mattes; Paul Ciavardini; Vicky Gannon; Robert Scorrano; Gina Arena; Anthony Cirieco; Bill Faulkner; Richard Clinchy
Cc: Steve Robbins; Michael Towey; Roland A. Baroni, Jr.; Wendy Getting; Nicole Montesano
Subject: RE: Proposed development concerns

To all,

I would like to take this time to address some of the issues raised in the commentary below.

Re: traffic, as part of the methodology, traffic reports for both Trailside and North Edge included the others traffic contribution to the road system along with other potential projects located within the Route 6 corridor, including projects located outside of the Town of Somers but which may contribute to the potential overall traffic flow within the corridor. This is a typical traffic analysis methodology and was reviewed and confirmed by the Town's own independent third party consulting firm (Hardesty & Hanover). It is noted that Route 6 is under the State's jurisdiction, copies of all of the traffic reports for both projects were provided to NYS DOT as an involved agency. Bottom line, the cumulative impacts were evaluated.

Re: zoning, the Town's Comprehensive Plan and Zoning Code contemplated the potential for multi-family development (Multifamily Residential (MFR) – Baldwin Place) provided they met certain threshold criteria (min. 10- acres; must have an underlying zone of R-40 or R-80; a tract shall have frontage on Rte. 6 and be located no further than 2,000 linear feet from the intersection of Route 6 and Mahopac Avenue). The 2016 Comprehensive Plan noted that the MFR-BP provides the opportunity for alternative housing types and also require 15 percent affordable units (since amended to 10 percent). Further on page 40 of the 2016 Comprehensive Plan Update it is noted:

The Town Board approved amendments to the 1994 Comprehensive Master Plan and the MFR-BP zoning district in 2014 to permit the application of the MFR-BP district to a limited number of parcels west of Mahopac Avenue, including an approximately 17-acre parcel on the south side of Route 6 just west of the Muscoot River. This Plan continues to support this approach, zoning amendments and potential resulting multifamily development, which includes some affordable townhouses...

Further, on page 46 of the CPU there is reference to Traditional Neighborhood Design which calls for compact, pedestrian oriented neighborhoods with a mix of commercial and residential uses, a variety of housing types and public places where people have the opportunities to socialize and engage. It is noted that both Trailside and North Edge have a significant investment in pedestrian sidewalks that connect each community to the commercial uses in Baldwin Place. In addition, the Trailside community includes a community center and dog park to be dedicated to the Town for use by all Somers residents. North Edge has also included a community benefit agreement that includes improvements to the Angle Fly which benefits the Town.

While there may be a "departure" from the underlying zoning, it was duly contemplated as part of the Town's previous planning and zoning efforts and subsequently reviewed with the required "hard look" taken by the Town Board and the other Boards, committees, and other Town entities providing input before the rezoning was enacted. The Town provided ample opportunity for public input during the rezoning process either through participation at public hearings, providing an email link where comments could be submitted for the Town's consideration as well as providing a written comment period. The various plans and reports have been made available to the public on the Town's web-site to further promote transparency.

One of the tenants of “smart growth” is to plan for development where the infrastructure is there to support it (e.g., water, sewer, roads), there not that many places in the Town for this particular type of development, but it is clear that the prior planning and zoning efforts support the recent applications associated with the Trailside and North Edge communities.

Should you have any questions or comments on the above or the comments made below, please do not hesitate to reach out to this office.

Best,

Dave Smith
Town of Somers Planning Department

From: Lisa Vanga <lisavanga@gmail.com>
Sent: Tuesday, January 27, 2026 9:11 AM
To: Nicole Montesano <nmontesano@somersny.gov>
Cc: Robert Scorrano <rscorrano@somersny.gov>; Gina Arena <garena@somersny.gov>; Anthony Ciriaco <anthonyciriaco@gmail.com>; Bill Faulkner <billfaulkner.somers@gmail.com>
Subject: Proposed development concerns

Dear Members of the Town Board and Zoning Board,

I am writing to formally express my concern with two separate developments proposed for Baldwin Place:

Trailside development, consisting of 81 single-family homes, and the North Edge development, consisting of 73 multi-family units.

While each project is being reviewed individually, residents are deeply concerned about the cumulative impact of approving both developments in such close proximity. Together, these projects would introduce a substantial number of new housing units into an area that is already experiencing traffic congestion and infrastructure strain.

Of particular concern is the North Edge project, which required a zoning change from single-family homes on one-acre lots to allow multi-family dwellings. This change represents a significant departure from the established zoning pattern and directly impacts the character and appearance of our town, which residents have worked hard to preserve. Approving such a change sets a troubling precedent for future development.

Why was this zoning changed? What are the benefits to our community that warranted a zoning change? I'm also curious as to why the Town Board is lead agency on the North Edge development, it's my understanding that the Planning Board usually acts as lead Agency, So I'm a little confused on how and why this came about?

Traffic impacts remain a major concern. While the traffic study for North Edge resulted in a Level of Service “C,” which is already on the borderline of unacceptable, it is unclear whether this study adequately accounted for the additional traffic that would be generated by the Trailside development. Route 6 is already heavily traveled, and residents experience congestion and safety concerns on a daily basis.

Although it looks doable on paper for each development separately when it comes to a traffic study, we think the bigger question and analysis needed is a combined study of both developments. Therefore, we would receive a more accurate traffic analysis to go by. Approving both projects without a comprehensive evaluation of their combined traffic impact would be irresponsible.

Beyond traffic, residents are concerned about the strain these developments will place on local schools, existing infrastructure, and emergency services, including police, fire, and EMS. These services are not unlimited, and rapid development without appropriate planning risks diminishing the quality of life for current residents.

Growth should be thoughtful, measured, and consistent with the character and capacity of the community. As proposed, the Trailside and North Edge developments raise serious questions about compatibility, long-term impacts, and whether the town is being asked to absorb more than it reasonably can.

For these reasons, I respectfully urge the Zoning Board to fully consider the cumulative impacts on traffic, zoning integrity, infrastructure, and community character before moving forward.

Thank you for your time and consideration.

Sincerely,
Lisa Vanga
1 Cornelius lane
Baldwin place NY

Nicole Montesano

From: Lisa Vanga <lisavanga@gmail.com>
Sent: Tuesday, January 27, 2026 9:11 AM
To: Nicole Montesano
Cc: Robert Scorrano; Gina Arena; Anthony Ciriaco; Bill Faulkner
Subject: Proposed development concerns

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For these reasons, I respectfully urge the Zoning Board to fully consider the cumulative impacts on traffic, zoning integrity, infrastructure, and community character before moving forward.
Thank you for your time and consideration.

Sincerely,
Lisa Vanga
1 Cornelius lane
Baldwin place NY

Nicole Montesano

From: Joe Vala <joevala@gmail.com>
Sent: Wednesday, January 14, 2026 7:00 PM
To: Nicole Montesano; David B. Smith; kkearney@kkearneyrealttygroup.com
Subject: Trailside Estates Public Comment

RECEIVED

JAN 15 2026
PLANNING AND ZONING ENGINEERING
TOWN OF SOMERS

Dear Somers Planning Board Members,

As residents whose backyards and properties directly face the proposed Trailside Estates development across the walking path, we are concerned about the limited screening currently planned, particularly during the winter months when deciduous plants lose their leaves and ferns or other low vegetation provide minimal coverage. This results in unobstructed views of the construction, buildings, and overall development, which we find visually disruptive and detrimental to the enjoyment of our homes, privacy, and the natural openness that has long characterized our neighborhood.

We respectfully request that the developer be required to plant additional mature or fast-growing evergreen trees (such as appropriate species of pines, spruces, or other dense conifers suitable to the local environment) along the relevant sections of the walking path. These trees would provide year-round screening to effectively obscure the view of Trailside Estates from our side, while still allowing for a natural buffer that enhances the aesthetic and ecological value of the area for all community members.

We fully support the thoughtful growth and positive contributions this development can bring to Somers, including preserved open space and community amenities, and we believe stronger landscaping measures like this would help achieve a better balance between progress and neighborly consideration. We would greatly appreciate the opportunity to discuss this suggestion further—perhaps at an upcoming meeting or through written feedback—and are happy to provide more details about the affected areas if helpful.

Thank you sincerely for your attention to this matter and for your ongoing commitment to responsible planning that benefits the entire community.

Sincerely,
Joe Vala
7 Meadow Park Rd
Baldwin Place NY 10505



AIROSMITH
DEVELOPMENT

RECEIVED

January 2, 2026

JAN 07 2026

Town of Somers
Attn: David Smith
Planning Department
335 Route 202
Somers, NY 10589

**PLANNING & ENGINEERING
TOWN OF SOMERS**

RE: New Cingular Wireless PCS, LLC ("AT&T") building permit application ("Application") for equipment upgrades at the existing wireless telecommunications facility at 121 Route 100, Somers, New York.

Dear Sir/Madam:

AT&T is seeking to perform equipment upgrades to the above-referenced existing telecommunications Facility. We are submitting this application as an eligible facilities request under Section 6409, referenced below. Please find enclosed the following documents in support of our application to obtain the building permit:

- Wireless Facility Application Form
- Letter from the receiver of taxes that all taxes have been paid on the property.
- Letter of authorization from the property owner
- Letter of authorization from New Cingular Wireless PCS, LLC
- Contractor's insurance certificates
- Copy of the engineering license that is registered in New York State, who prepared the FCC RF Emissions Compliance Report
- FCC RF Emissions Compliance Report
- Copy of applicant's FCC License
- Structural report
- Mount Analysis report
- Signed and sealed plans (6 Hard Copies, 4 Electronic)
- Application Fee in the amount of \$800.00
- Escrow Account Fee in the amount of \$2,500.00

Section 6409 of the Federal Middle Class Tax Relief and Job Creation Act (“Section 6409”) was adopted in 2012. Under Section 6409, your city retains discretionary zoning review over the construction of *new* towers, but simple collocations and/or equipment upgrades at existing telecommunications facilities must be approved. The new law provides that:

“**a State or local government may not deny, and shall approve**, any eligible facilities request for a modification of an existing wireless tower, rooftop or base station that does not substantially change the physical dimensions of such tower, rooftop or base station.” (Emphasis added.)

The federal law defines an “eligible facilities request” as “(A) **collocation of new transmission equipment**; (B) **removal of transmission equipment**; or (C) **replacement of transmission equipment**.” (Emphasis added.)

Also, the Federal Communications Commission issued a Wireless Infrastructure Report and Order on October 17, 2014 (“FCC Order”) which established regulations that clarify and streamline the municipal approval process for eligible facilities requests under Section 6409. A copy of the FCC Order is enclosed herewith.

The FCC Order clarifies that municipal review of an eligible facilities request is **limited to determining whether the request falls within Section 6409**:

“a State or local government may require the applicant to provide documentation or information **only to the extent reasonably related to determining whether the request meets the requirements of this section** [Section 6409]. A State or local government **may not require an applicant to submit any other documentation**, including but not limited to documentation intended to illustrate the need for such wireless facilities or to justify the business decision to modify such wireless facilities.”⁴⁷ C.F.R. 1.40001(c)(1) (Emphasis added).

AT&T’s Application is an Eligible Facilities Request under Section 6409

AT&T’s application qualifies as an eligible facilities request under Section 6409 because the proposed installation involves “a modification of an existing wireless tower, rooftop or base station that does not substantially change the physical dimensions of such tower, rooftop or base station.”

As shown on the plans prepared by Elevated Engineering dated September 9th, 2025, AT&T’s proposed installation consist principally of the following elements:

ANTENNA AND TRANSMISSION CABLES					
SECTOR	EXISTING ANTENNA TYPE	FINAL ANTENNA TYPE	ANTENNA AZIMUTH	STATUS	CABLE LENGTH
A1	NNHH-65A-R4	NNHH-65A-R4	20°	RELOCATED	±190'
A2	SBNHH-1D65A	AIR6472 B770/B77M	20°	NEW	±190'
A3	NNHH-65A-R4	NNH4-65A-R6H4	20°	NEW	±190'
B1	NNHH-65A-R4	NNHH-65A-R4	190°	RELOCATED	±190'
B2	SBNHH-1D65A	AIR6472 B770/B77M	190°	NEW	±190'
B3	NNHH-65A-R4	NNH4-65A-R6H4	190°	NEW	±190'
C1	NNHH-65A-R4	NNHH-65A-R4	290°	RELOCATED	±190'
C2	SBNHH-1D65A	AIR6472 B770/B77M	290°	NEW	±190'
C3	NNHH-65A-R4	NNH4-65A-R6H4	290°	NEW	±190'

NOTE: ANTENNA MODELS & TECHNOLOGIES ARE BASED ON THE DE130 SCOPING DOCUMENT, DATED 08/20/25. CONTRACTOR SHALL CONFIRM WITH AT&T RE PRIOR TO CONSTRUCTION.

Accordingly, AT&T's installation involves the **collocation and replacement of new transmission equipment that will not increase the height of the installation nor the dimensions of the equipment compound**. As a result, the installation "does not substantially change the physical dimensions of such rooftop or base station." Therefore, these proposed equipment upgrades constitute an "eligible facilities request" under Section 6409, and must be approved. **Timeline for Review and Approval**

We would like to highlight an important timing requirement for processing this application. The FCC Order determined that **a municipality must act on an eligible facilities request within sixty (60) days of receiving the application**. 47 C.F.R. 1.40001(c)(2) (Emphasis added). (Note, the sixty (60)-day period is also known as the "Shot Clock"). Thus, the city must approve this application within sixty (60) days of its receipt. The FCC Order provides that upon a municipality's failure to act prior to expiration of the Shot Clock, the **"request shall be deemed granted"** and AT&T will be legally entitled to proceed with construction. 47 C.F.R. 1.40001(c)(4) (Emphasis added).

Note that the FCC Order does allow the Shot Clock to be tolled if an application is incomplete. However, in order to do so, a municipality must provide written notice that the application is incomplete within thirty (30) days of the submittal. 47 C.F.R. 1.40001(c)(3)(i). The notice must "clearly and specifically" describe the missing documents or information, 47 C.F.R. 1.40001(c)(3)(i), and, as previously mentioned, such documentation must be necessary to the determination of whether the application qualifies as an eligible facilities request. If the municipality requests additional information after the first thirty (30) days have passed, we will

still provide any “reasonably related” information allowed under the FCC Order, but the Shot Clock will not be tolled.

In light of the foregoing, AT&T respectfully requests that its proposed equipment upgrades be approved. In the meantime, if you have any questions, please feel free to call or email me. Thank you for your cooperation.

Sincerely,

Alexis Engelhardt

Alexis Engelhardt
Airosmith Development
318 West Avenue
Saratoga Springs, New York 12866
(973)-928-9018
E-mail: aengelhardt@airosmithdevelopment.com

TOWN OF SOMERS
WESTCHESTER COUNTY, NEW YORK
APPLICATION FOR SPECIAL USE PERMIT JAN 07 2026
WIRELESS TELECOMMUNICATIONS FACILITY

Facility Owner/User American Tower Corporation Tel. #: PLANNING & ENGINEERING
781-926-4500
~~TOWN OF SOMERS~~
Address: 10 Presidential Way, Woburn, MA 01801
Property Owner: Amato, Michael J. Revocable Living Trust Tel. #: Unknown
Address: 121 Route 100, Katonah, NY 10536
Applicant: New Cingular Wireless PCS, LLC Tel. #: _____
Address: 1 AT&T Way, Bedminster NJ 07921
Managing Agent: Airosmith Development Tel. #: 973-928-9018
Address: 318 West Avenue, Saratoga Springs, NY 12866
Westchester County Agent: _____ Tel. # _____
Address: _____

Premises: Sheet: 38.17 Block: 1 Lot: 5 Situated on the West side of
Route 100 (Street) 882 feet from the intersection of Parent Road (Street)

Zoning District Residential

PROJECT TITLE: 10107989.2191A1A0CN.SOMMERS-WOODS-BRIDGE

DESCRIPTION OF WORK AND PURPOSE:

Modification to existing wireless telecommunications facility comprising of equipment, antennas and associated cables.

TYPE OF PERMIT REQUESTED: _____ ORIGINAL/NEW
X _____ AMENDED (Date of Original Permit)
_____ RENEWAL (Date of Original Permit)

SIZE OF ACTIVITY AREA: _____

ESTIMATED TOTAL VALUE OF WORK: \$20,000.00

PROPOSED STARTING DATE: TBD

PROPOSED COMPLETION DATE: TBD

PLANS PREPARED BY: Elevated Engineering DATED: 09/09/2025

Plans must be submitted with application.

APPLICATION FEE: \$1,000.00 Original/New Special Use Permit Application
\$ 800.00 Amended Special Use Permit Application
\$ 500.00 Renewal of Special Use Permit Application (every 5 years)

Based upon Somers Town Code §133-2. At the time of submission of any application, an Escrow Account shall be established to pay for the costs of professional review services.

DOCUMENTS TO BE SUBMITTED WITH THIS APPLICATION:

14 Copies of all correspondence and plans submitted to the Planning Board.

Please refer to Somers Town Code §170-129.8, Application procedure. for the required documents to be submitted. (see attached)

APPLICANT/FACILITY/OWNER/USER SIGNATURE: 

DATE: 12/2/2025

PROPERTY OWNER'S SIGNATURE: _____

DATE: _____

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

RECEIVED

December 1, 2025

JAN 07 2026

RE: Amato, Michael J. Revocable Living Trust
121 Route 100
Parcel # 38.17-1-5

PLANNING & ENGINEERING
TOWN OF SOMERS

To Whom It May Concern,

All taxes have been paid in full on the above-mentioned 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,

A handwritten signature in black ink, appearing to read "Michele McKearney".

Michele McKearney
Receiver of Taxes



RECEIVED

LETTER OF AUTHORIZATION FOR PERMITTING

JAN 07 2026

Licensee Name: NEW CINGULAR WIRELESS PCS, LLC d/b/a AT&T
@ ATC Site Name: Somers 2 / **ATC Site #:** 209140 / **Project #** OAA791423
Site Address: 121 Route 100, Katonah, New York 10536
Site Coordinates: 41.27914503, -73.71059991

**PLANNING & ENGINEERING
TOWN OF SOMERS**

I, Regan Buckley, Vice President, Property Management for American Tower*, owner/operator of the tower facility located at the address identified above (the "Tower Facility"), do hereby authorize AT&T and its successor(s), assign(s), and/or agent(s), (collectively, the "Licensee") to act as American Tower's non-exclusive agent for the sole purpose of filing and consummating any land-use, building, or electrical permit application(s) as may be required by the applicable permitting authorities for Licensee's telecommunications' installation on the Tower Facility.

I understand that these applications may be approved with conditions. The above authorization is limited to the acceptance by Licensee only of conditions related to Licensee's installation and any such conditions of approval or modifications will be Licensee's sole responsibility.

Signature:

Print Name: Regan Buckley
SVP, Global Property Management
American Tower*

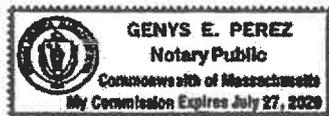
NOTARY BLOCK

Commonwealth of MASSACHUSETTS
County of Middlesex

This instrument was acknowledged before me by Regan Buckley, Senior Vice President, Global Property Management for American Tower*, personally known to me (or proved to me based on satisfactory evidence of identification) to be the person whose name is signed on the preceding or attached document and acknowledged to me that they signed it voluntarily for its stated purpose.

WITNESS my hand and official seal, this 1st 27 day of December 2025

Notary Seal



Notary Public
Genys E. Perez
My Commission Expires: July 27, 2029

* American Tower is defined as American Tower Corporation and any of its affiliates or subsidiaries.



New York State Insurance Fund

RECEIVED

JAN 07 2026

PO Box 66699, Albany, NY 12206

| nysif.com

PLANNING & ENGINEERING
CERTIFICATE OF WORKERS' COMPENSATION INSURANCE
TOWN OF SOMERS



SCAN TO VALIDATE AND SUBSCRIBE

***** 471672749
ATLANTIC COAST RISK SERVICES
25-63 FRANCIS LEWIS BLVD
FLUSHING NY 11358

Table with 4 columns: POLICY NUMBER, CERTIFICATE NUMBER, POLICY PERIOD, DATE. Rows include Policyholder (Allied Telecom Corp), Certificate Holder (Town of Somers), and Policy details (Q2563 411-4, 803730, 01/29/2025 TO 01/29/2026, 9/18/2025).

THIS IS TO CERTIFY THAT THE POLICYHOLDER NAMED ABOVE IS INSURED WITH THE NEW YORK STATE INSURANCE FUND UNDER POLICY NO. 2563 411-4, COVERING THE ENTIRE OBLIGATION OF THIS POLICYHOLDER FOR WORKERS' COMPENSATION UNDER THE NEW YORK WORKERS' COMPENSATION LAW WITH RESPECT TO ALL OPERATIONS IN THE STATE OF NEW YORK, EXCEPT AS INDICATED BELOW, AND, WITH RESPECT TO OPERATIONS OUTSIDE OF NEW YORK, TO THE POLICYHOLDER'S REGULAR NEW YORK STATE EMPLOYEES ONLY.

IF YOU WISH TO RECEIVE NOTIFICATIONS REGARDING SAID POLICY, INCLUDING ANY NOTIFICATION OF CANCELLATIONS, OR TO VALIDATE THIS CERTIFICATE, VISIT OUR WEBSITE AT HTTPS://WWW.NYSIF.COM/CERT/CERTVAL.ASP. THE NEW YORK STATE INSURANCE FUND IS NOT LIABLE IN THE EVENT OF FAILURE TO GIVE SUCH NOTIFICATIONS.

THIS POLICY DOES NOT COVER CLAIMS OR SUITS THAT ARISE FROM BODILY INJURY SUFFERED BY THE OFFICERS OF THE INSURED CORPORATION.

PRESIDENT
DEMETRIOS POUBOURIDIS
VICE PRESIDENT
VASILIOS STERGIU
ALLIED TELECOM CORP
(TWO PERSON CORP)

THE POLICY INCLUDES A WAIVER OF SUBROGATION ENDORSEMENT UNDER WHICH NYSIF AGREES TO WAIVE ITS RIGHT OF SUBROGATION TO BRING AN ACTION AGAINST THE CERTIFICATE HOLDER TO RECOVER AMOUNTS WE PAID IN WORKERS' COMPENSATION AND/OR MEDICAL BENEFITS TO OR ON BEHALF OF AN EMPLOYEE OF OUR INSURED IN THE EVENT THAT, PRIOR TO THE DATE OF THE ACCIDENT, THE CERTIFICATE HOLDER HAS ENTERED INTO A WRITTEN CONTRACT WITH OUR INSURED THAT REQUIRES THAT SUCH RIGHT OF SUBROGATION BE WAIVED.

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS NOR INSURANCE COVERAGE UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICY.

NEW YORK STATE INSURANCE FUND

Handwritten signature

DIRECTOR, INSURANCE FUND UNDERWRITING

VALIDATION NUMBER: 473784505



Policy Number:

Date Entered: 9/18/2025

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

9/18/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Atlantic Coast Risk Services 25-63 Francis Lewis Boulevard Flushing, NY 11358	CONTACT NAME: Anna Kalonaros	
	PHONE (A/C, No, Ext): (718)489-9727	FAX (A/C, No): (718)489-9730
	E-MAIL ADDRESS: info@atlanticcoastrisk.com	
	INSURER(S) AFFORDING COVERAGE	NAIC #
INSURED Allied Telecom Corp 69 Wesley Street South Hackensack, NJ 07606	INSURER A: Accelerant Specialty Insurance Company	16890
	INSURER B: New York State Insurance Fund	36102
	INSURER C: Sutton Specialty Insurance Company	16848
	INSURER D: Century Surety Company	36951
	INSURER E: Standard Security Life Insurance Co	69078
	INSURER F:	

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S0012GL00239000	02/03/2025	02/03/2026	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 4,000,000 PRODUCTS - COMP/OP AGG \$ 4,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:						
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED <input checked="" type="checkbox"/> RETENTION \$ 0	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S0012XS00239100	02/03/2025	02/03/2026	EACH OCCURRENCE \$ 3,000,000 AGGREGATE \$ 3,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	Q 25634114	01/29/2025	01/29/2026	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	EXCESS LIABILITY	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	ISCEX0300002387-00	02/03/2025	02/03/2026	Each Occur/Agg \$ 1,000,000
D	PROPERTY			CCP-1230646	04/10/2025	04/10/2026	LIMITS \$505,937
E	DISABILITY			R64977-000	01/01/2025	12/31/2025	LIMITS STATUTORY

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Town of Somers is included as additional insured as required by written contract with respect to General Liability and Umbrella Liability.

RECEIVED

CERTIFICATE HOLDER Town of Somers 337 Route 202 Somers, NY 10589	JAN 07 2026	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
PLANNING & ENGINEERING TOWN OF SOMERS		AUTHORIZED REPRESENTATIVE Anna Kalonaros

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Workers' Compensation Board

**CERTIFICATE OF INSURANCE COVERAGE
NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW**

PART 1. To be completed by NYS disability and Paid Family Leave benefits carrier or licensed insurance agent of that carrier

<p>1a. Legal Name & Address of Insured (use street address only) ALLIED TELECOM CORP 69 WESLEY STREET SOUTH HACKENSACK, NJ 07606</p> <p><small>Work Location of Insured (Only required if coverage is specifically limited to certain locations in New York State, i.e., Wrap-Up Policy)</small></p>	<p>1b. Business Telephone Number of Insured 2018807387</p> <p>1c. Federal Employer Identification Number of Insured or Social Security Number 47-1672749</p>
<p>2. Name and Address of Entity Requesting Proof of Coverage (Entity Being Listed as the Certificate Holder) Town of Somers 337 Route 202 Somers, NY 10589</p>	<p>3a. Name of Insurance Carrier Standard Security Life Insurance Company of New York</p> <p>3b. Policy Number of Entity Listed in Box 1a R64977-000</p> <p>3c. Policy Effective Period <u>6/4/2018</u> to <u>9/17/2026</u></p>

4. Policy provides the following benefits:

A. Both disability and Paid Family Leave benefits.

B. Disability benefits only.

C. Paid Family Leave benefits only.

5. Policy covers:

A. All of the employer's employees eligible under the NYS Disability and Paid Family Leave Benefits Law

B. Only the following class or classes of employer's employees:

PLANNING & ENGINEERING
TOWN OF SOMERS

RECEIVED
JAN 07 2026

Under penalty of perjury, I certify that I am an authorized representative or licensed agent of the insurance carrier referenced above and that the named insured has NYS disability and/or Paid Family Leave benefits insurance coverage as described above.

Date Signed 9/18/2025 By Talini Conti
(Signature of insurance carrier's authorized representative or NYS licensed insurance agent of that insurance carrier)

Telephone Number (212) 355-4141 Name and Title TALIN CONTI/MGR. POLICY SERVICES

IMPORTANT: If Boxes 4A and 5A are checked, and this form is signed by the insurance carrier's authorized representative or NYS Licensed Insurance Agent of that carrier, this certificate is COMPLETE. Mail it directly to the certificate holder.

If Box 4B, 4C or 5B is checked, this certificate is NOT COMPLETE for purposes of Section 220, Subd. 8 of the NYS Disability and Paid Family Leave Benefits Law. It must be emailed to PAU@wcb.ny.gov or it can be mailed for completion to the Workers' Compensation Board, Plans Acceptance Unit, PO Box 5200, Binghamton, NY 13902-5200.

PART 2. To be completed by the NYS Workers' Compensation Board (Only if Box 4B, 4C or 5B of Part 1 has been checked)

**State of New York
Workers' Compensation Board**

According to information maintained by the NYS Workers' Compensation Board, the above-named employer has complied with the NYS Disability and Paid Family Leave Benefits Law (Article 9 of the Workers' Compensation Law) with respect to all of their employees.

Date Signed _____ By _____
(Signature of Authorized NYS Workers' Compensation Board Employee)

Telephone Number _____ Name and Title _____

Please Note: Only insurance carriers licensed to write NYS disability and Paid Family Leave benefits insurance policies and NYS licensed insurance agents of those insurance carriers are authorized to issue Form DB-120.1. Insurance brokers are NOT authorized to issue this form.



Additional Instructions for Form DB-120.1

By signing this form, the insurance carrier identified in Box 3 on this form is certifying that it is insuring the business referenced in Box 1a for disability and/or Paid Family Leave benefits under the NYS Disability and Paid Family Leave Benefits Law. The insurance carrier or its licensed agent will send this Certificate of Insurance Coverage (Certificate) to the entity listed as the certificate holder in Box 2.

The insurance carrier must notify the above certificate holder and the Workers' Compensation Board within 10 days IF a policy is cancelled due to nonpayment of premiums or within 30 days IF there are reasons other than nonpayment of premiums that cancel the policy or eliminate the insured from coverage indicated on this Certificate. (These notices may be sent by regular mail.) Otherwise, this Certificate is valid for one year after this form is approved by the insurance carrier or its licensed agent, or until the policy expiration date listed in Box 3c, whichever is earlier.

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or alter the coverage afforded by the policy listed, nor does it confer any rights or responsibilities beyond those contained in the referenced policy.

This Certificate may be used as evidence of a NYS disability and/or Paid Family Leave benefits contract of insurance only while the underlying policy is in effect.

Please Note: Upon the cancellation of the disability and/or Paid Family Leave benefits policy indicated on this form, if the business continues to be named on a permit, license or contract issued by a certificate holder, the business must provide that certificate holder with a new Certificate of Insurance Coverage for NYS disability and/or Paid Family Leave Benefits or other authorized proof that the business is complying with the mandatory coverage requirements of the NYS Disability and Paid Family Leave Benefits Law.

NYS DISABILITY AND PAID FAMILY LEAVE BENEFITS LAW

§220. Subd. 8

(a) The head of a state or municipal department, board, commission or office authorized or required by law to issue any permit for or in connection with any work involving the employment of employees in employment as defined in this article, and notwithstanding any general or special statute requiring or authorizing the issue of such permits, shall not issue such permit unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand and twenty-one, the payment of family leave benefits for all employees has been secured as provided by this article. Nothing herein, however, shall be construed as creating any liability on the part of such state or municipal department, board, commission or office to pay any disability benefits to any such employee if so employed.

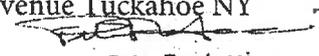
(b) The head of a state or municipal department, board, commission or office authorized or required by law to enter into any contract for or in connection with any work involving the employment of employees in employment as defined in this article and notwithstanding any general or special statute requiring or authorizing any such contract, shall not enter into any such contract unless proof duly subscribed by an insurance carrier is produced in a form satisfactory to the chair, that the payment of disability benefits and after January first, two thousand eighteen, the payment of family leave benefits for all employees has been secured as provided by this article.

Westchester County Electrical Licensing Board
Westchester County Consumer Protection
Master Electrician License 2025



Witold Bodzon
D.O.B: 7/16/1970
Company:
V Electric Inc
11-11 44Th Drive 2Nd Fl
Long Island City, NY 11101
S Avenue Tuckahoe NY

License No. 2080
Expires on: 12/31/2025


Peter Borducci

RECEIVED

JAN 07 2026

PLANNING & ENGINEERING
TOWN OF SOMERS

The University of the State of New York
Education Department
Office of the Professions

REGISTRATION CERTIFICATE
Do not accept a copy of this certificate

License Number: 108843-01

Certificate Number: 2790802

RECEIVED

JAN 07 2026

MCPHERSON EMILY ANN
792 CHESTNUT BEND
WEBSTER

NY 14580-0000

PLANNING & ENGINEERING
TOWN OF SOMERS



is registered to practice in New York State through 10/31/2026 as a(n)
PROFESSIONAL ENGINEER

LICENSEE/REGISTRANT

[Signature]
EXECUTIVE SECRETARY

COMMISSIONER OF EDUCATION

[Signature]
Deborah A. Buson

DEPUTY COMMISSIONER
FOR THE PROFESSIONS

This document is valid only if it has not expired, name and address are correct, it has not been tampered with and is an original - not a copy. To verify that this registration certificate is valid or for more information please visit www.op.nysed.gov.

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

RECEIVED

MEMORANDUM

FEB 05 2026

PLANNING & ENGINEERING
TOWN OF SOMERS



TO: Town of Somers Planning Board
FROM: Steven Robbins, P.E., LEED AP
DATE: February 4, 2026
RE: North Edge Realty
Technical Review of Site Plan and Stormwater Pollution Prevention Plan
(SWPPP)
TM: 4.19-2-2, 4.19-2-3, 4.19-2-4; R-40, R-80 Districts

GENERAL

The purpose of this memorandum is to provide a summary of our comments related to our technical review of the Site Plan Application for the proposed North Edge Realty development located in the Town of Somers, New York.

The Applicant is proposing the construction of a 15.62 acre multi-family residential development located at 45 Route 6, and proposes to include 77 total units with a recreation building, along with associated roadways, stormwater management facilities, and landscaping. The project site is currently undeveloped and consists of mostly wooded areas, and the Applicant seeks modifications to the existing zoning to create a zoning overlay designation for the Proposed Action. The total proposed limit of disturbance is 13.4 acres, with construction to be phased in four total phases. The project site will cause greater than one (1) acre of disturbance, is located within the East of Hudson watershed, and causes disturbance of steep slopes and tree removal.

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.
- Town of Somers Code, Chapter 144: Site Plan Review
- Town of Somers Code, Chapter 148: Steep Slopes Protection
- Town of Somers Code, Chapter 156: Tree Preservation
- Town of Somers Code, Chapter 170: Zoning
- New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM), dated January 2015.



- Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and its Sources, Chapter 18 (NYCDEP Regulations).

DOCUMENTS REVIEWED

- Cover Letter, "RE: North Edge Realty Corp. Preliminary Subdivision, Site Plan, Steep Slope & Stormwater Management and Erosion Control Applications Route 6 & Mahopac Ave. T.M #'s 4.19-2-2, 3 & 4", prepared by Bibbo Associates Engineering, P.C., dated December 19, 2025;
- Cover Letter, "RE: North Edge Realty Corp. Preliminary Subdivision, Site Plan, Steep Slope & Stormwater Management and Erosion Control Applications Route 6 & Mahopac Ave. T.M #'s 4.19-2-2, 3 & 4", prepared by Bibbo Associates Engineering, P.C., dated January 23, 2025;
- Type 1 Actions and Conditioned Negative Declarations, "Full Environmental Assessment Form (FEAF)", prepared by Bibbo Associates Engineering, P.C., dated December 16, 2025;
- SWPPP, "Stormwater Pollution Prevention Plan for North Edge Realty Corporation", prepared by Bibbo Associates Engineering, P.C., dated October 30, 2024, revised December 17, 2025;
- Survey, "North Edge Realty Topographic Survey of Property Situate in the Town of Somers Westchester County New York," prepared by Link Land Surveyors, P.C., dated April 1, 2021;
- Preliminary Subdivision Plan prepared by Bibbo Associates Engineering, P.C., dated December 17, 2025;
- Drawings prepared by Bibbo Associates Engineering, P.C., including:

Sheet Number	Sheet Name	Dated	Latest Revision
CS-1	Cover Sheet	10/30/2024	1/23/2026
EX-1	Existing Conditions	10/30/2024	12/17/2025
C-1	Constraints Map	10/30/2024	12/17/2025
S-1	Soils Map	10/30/2024	12/17/2025
LP-1	Layout Plan	10/30/2024	1/23/2026
SP-1	Overall Site Plan	10/25/2024	12/17/2025
GP-1	Grading Plan	10/30/2024	12/17/2025
GP-2	Grading Plan	10/30/2024	12/17/2025
UP-1	Utilities Plan	10/30/2024	12/17/2025



Sheet Number	Sheet Name	Dated	Latest Revision
UP-2	Utilities Plan	10/30/2024	12/17/2025
LS-1	Landscape Plan	10/25/2024	1/23/2026
EC-1	Erosion Control Plan	10/30/2024	12/17/2025
PH-1	Phasing Plan	10/30/2024	12/17/2025
PH-2	Phasing Plan	10/30/2024	12/17/2025
PH-3	Phasing Plan	10/30/2024	12/17/2025
PH-4	Phasing Plan	10/30/2024	12/17/2025
RP-1	Road Profiles	10/30/2024	12/17/2025
DP-1	Drainage Profiles	10/30/2024	12/17/2025
DP-2	Drainage Profiles	10/30/2024	12/17/2025
SP-1	Sewer Profiles	10/30/2024	12/17/2025
WP-1	Water Profiles	10/30/2024	12/17/2025
L-1	Lighting Plan	10/25/2024	1/23/2026
D-1	Details	10/30/2024	12/17/2025
D-2	Details	10/30/2024	1/23/2026
D-3	Sewer Details	10/30/2024	12/17/2025
D-4	Erosion Control Details	10/30/2024	12/17/2025
D-5	Erosion Control Details	10/30/2024	12/17/2025

PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Preliminary Subdivision Plat Approval
- Town of Somers Planning Board: Stormwater Management and Erosion and Sediment Control Permit
- Town of Somers Planning Board: Steep Slopes Protection Permit
- Town of Somers Planning Board: Tree Removal Permit
- Town of Somers Planning Board: Site Plan Approval
- NYSDEC: SPDES General Permit for Stormwater Discharges from Construction Activity (GP-0-20-001)
- Westchester County Department of Health (WCDOH): Approval of Sanitary Sewer Systems and Water Main
- WCDOH: Subdivision Approval
- WCDOH: WCBOL District Boundary Modification
- NYCDEP SWPPP Approval



DISCUSSION

The following is a summary of our comments based on our technical review of the submittals as noted under the Documents Reviewed section. This memo includes newly issued comments, previously issued comments (noted in *italics*) and their corresponding status (noted in **bold**) from the SEQRA Site/Civil review memo dated November 5, 2025. Comments are broken down by section (General, Stormwater, Water, and Wastewater). It should be noted that further comments may be provided upon review of the subsequent submittals.

General

1. The Applicant shall provide applications for all required permits as noted in the Permits and Approvals Required section above in this memorandum.
2. The Applicant has indicated the project is located within two Residential Zoning Districts, R-40 and R-80. The following general comments are offered regarding the zoning:
 - a. Any of the standards from "Parcels with land in two or more zoning districts" Ch. 150-23.C of the Town Code shall be considered.
 - b. Depending on the status of the Zoning Overlay Permit, the Applicant shall provide the minimum size of yards in accordance with Ch.170 and the percentage of land in subdivision to be reserved according to Ch. 150 of the Code.
1. The Applicant shall include all required items for a Preliminary Plat per Ch. 150-26 of the Town Code in the Preliminary Subdivision Plan. It appears many of the items listed under this chapter are missing in the document.
2. The Applicant shall ensure all proposed easements are clearly shown on the site plan.
3. The Applicant proposes disturbance within the right-of-way (ROW), along US Rt. 6. The limit of disturbance line shall be updated to reflect any work within the ROW.
4. The Applicant shall clearly indicate proposed fire lanes and emergency zones with maneuvering plans for emergency vehicle access to the property.

Stormwater

5. The Applicant shall provide a draft Notice of Intent and a MS4 SWPPP Acceptance Form to obtain coverage under NYSDEC SPDES General Permit based upon the SWPPP for review and acceptance by the Consulting Town Engineer.



6. The Applicant shall prepare a draft Stormwater Maintenance Agreement, in accordance with the provisions of Town Code for review by the Consulting Town Engineer & Town Attorney. Upon acceptance, the Stormwater Maintenance Agreement shall be filed with the Westchester County Clerk's Office.
7. The Applicant shall include a note on the phasing plans which states:
 - a. "Any imported topsoil shall comply with all federal, state, and local requirements for quality and use."
 - b. "Off-site disposal of excess cut shall be in accordance with all federal, state, and local requirements."
8. The Applicant proposes infiltration systems for stormwater management. The following comments are regarding the proposed infiltration systems:
 - a. The Applicant shall ensure the required number of test pits and permeability tests are accounted for in the location of the proposed systems. Appendix H of the SWPPP indicates water encountered at 5 feet for tests pits within Infiltration Basin 2. The Applicant shall provide at least 2 feet of separation between the infiltration systems and groundwater according to Chapter 6 of the SMDM.
 - b. Provided the proximity of steep slopes as shown on sheet C-1, the Applicant shall explain how the 15% max site slope requirement for infiltration systems will be met.
 - c. The Applicant shall provide a note to the plan that any infiltration system shall be subject to inspection by the Consulting Town Engineer or Town Principal Engineering Technician prior to backfill.
9. The Applicant provides a wood chip walking trail detail on sheet D-1. The trail shall be called out on the site plans for consistency.
10. The Applicant shall indicate and confirm adequate horizontal and vertical separation requirements for storm, water, and sewer lines.

Wastewater

11. *Since the project is proposing a new pump station to be connected to the existing forcemain system, the capacity analysis shall consider the hydraulic conditions when the proposed and existing pump stations are simultaneously discharging, and the impacts of the additional flow on the operation of the existing systems. **Partially Addressed – the design and capacity analysis of the sewer forcemain system will be developed further during subsequent project phases, and additional analysis of the sewer forcemain system will be required. The Applicant shall provide this information for Site Plan Approval.***



12. Applicant shall confirm with Westchester County DEF that additional flow capacity exists at the Peekskill WWTP. **Partially Addressed – the letter from WCDEF is not a statement of available capacity for this specific project. It should be noted that additional petitions to expand the sewer district to serve this project may be required and more formal documentation of willingness to serve will be required from WCDEF. The Applicant shall provide this information for Site Plan Approval.**
13. The Applicant shall provide all sewer lateral connections on the Utilities Plan.

Water

14. Applicant shall describe the need for irrigation at the property beyond establishment and how this additional demand can be mitigated. It is noted that the irrigation demand alone is greater than the peak hour domestic water demand. **Partially addressed – Additional documentation of irrigation demands shall be provided during subsequent project review phases, and shall not include permanent lawn area irrigation. The current documentation shall be considered a “worst case” for the purposes of environmental impact analysis. The Applicant shall provide this information for Site Plan Approval.**
15. Applicant shall analyze the available fire flow from the system during maximum day demand, and the impact of peak demands (domestic plus irrigation) on system pressures during the peak hour. *Addressed – Applicant shall note that the scope of the project.* **Partially addressed – As discussed with the Applicant, additional testing may be required to resolve questions about the fire flow testing results and available fire flow. The design of the buildings and overall project scope may be required to change if adequate fire flow is not available. The current analysis shall be considered a “worst case” for the purposes of environmental impact analysis. The Applicant shall provide this information for Site Plan Approval.**
16. Applicant shall confirm that the needed fire flow will not result in a pressure less than 20psi in the distribution system, not just at the flowing hydrant. **Partially addressed – see response to #13. The Applicant shall provide this information for Site Plan Approval.**
17. The Applicant shall provide all water lateral connections on the Utilities Plan.

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. Further comments will be provided upon technical review of the submitted information.

Nicole Montesano

From: Robert Scorrano
Sent: Tuesday, February 3, 2026 8:21 PM
To: lisavanga@gmail.com
Cc: Nicole Montesano; Gina Arena; Anthony Cirieco; Bill Faulkner
Subject: RE: Proposed development concerns

Dear Lisa,

Thank you for taking the time to write regarding the proposed Trailside and North Edge developments. I appreciate you sharing your concerns and taking part in the public process.

I would like to respond to the issues you raised and provide clarification on how they have been reviewed.

Traffic and cumulative impacts

Traffic impacts were a central focus of the Town's review. The traffic studies for both Trailside and North Edge were prepared using a cumulative analysis methodology, meaning each study accounted for traffic generated by the other project as well as additional potential development along the Route 6 corridor, including projects outside the Town of Somers that could affect overall traffic conditions.

To provide an independent and transparent review, the Town retained its own traffic consultant, Hardesty & Hanover, and requested that they appear before the Town Board to review the studies and respond to questions in a public forum. This ensured the analysis was reviewed independently in addition to the developers' submissions. Hardesty & Hanover confirmed that cumulative traffic impacts were evaluated as part of the environmental review.

Because Route 6 is under New York State jurisdiction, all traffic studies were also provided to the New York State Department of Transportation as part of the review process.

Infrastructure, sewer, and water

Infrastructure capacity, including sewer and water, was reviewed as part of the overall evaluation. Both projects are located in an area already served by public water and sewer. As part of the review, Westchester County confirmed that there is adequate system capacity to support the proposed development.

The review process also requires confirmation that any necessary upgrades or improvements are addressed by the developer, not existing residents. No project may move forward unless it meets the Town's technical requirements and those of applicable regulatory agencies.

Zoning and community character

The allowance for multifamily development in Baldwin Place was established through the Town's Comprehensive Plan and Zoning Code well before these applications were submitted. That framework includes specific criteria related to location, size, and proximity to Route 6 and Mahopac Avenue.

The 2016 Comprehensive Plan Update reaffirmed this approach, recognizing the need for a mix of housing types in appropriate locations and requiring affordable housing components. While multifamily development differs from traditional single-family zoning, it was contemplated through prior planning efforts and reviewed through a full environmental process before any rezoning was enacted.

Process and review

Both Trailside and North Edge have been under review since January 2022. Over that time, the projects have undergone

multiple rounds of analysis, revisions, and public review. The process involved multiple Town boards, consultants, and public hearings, along with opportunities for written public comment and access to reports and materials posted online.

Planning context

The Town's planning policies emphasize directing development to areas where infrastructure already exists. There are relatively few locations in Somers that meet these criteria. Both projects were reviewed within that planning framework and include pedestrian connections and community benefits consistent with the Town's long-term planning goals.

I understand that development proposals can raise concerns, particularly when more than one project is being reviewed at the same time. Those concerns are considered carefully as part of the Town's review process. I hope this information is helpful in explaining how these matters have been evaluated.

Please feel free to reach out if you have additional questions.

Sincerely,

Robert G. Scorrano
Somers Town Supervisor
914-277-3637
supervisor@somersny.gov
www.somersny.gov

From: Lisa Vanga <lisavanga@gmail.com>
Sent: Tuesday, January 27, 2026 9:11 AM
To: Nicole Montesano <nmontesano@somersny.gov>
Cc: Robert Scorrano <rscorrano@somersny.gov>; Gina Arena <garena@somersny.gov>; Anthony Cirioco <anthonycirioco@gmail.com>; Bill Faulkner <billfaulkner.somers@gmail.com>
Subject: Proposed development concerns

Dear Members of the Town Board and Zoning Board,

I am writing to formally express my concern with two separate developments proposed for Baldwin Place:

Trailside development, consisting of 81 single-family homes, and the North Edge development, consisting of 73 multi-family units.

While each project is being reviewed individually, residents are deeply concerned about the cumulative impact of approving both developments in such close proximity. Together, these projects would introduce a substantial number of new housing units into an area that is already experiencing traffic congestion and infrastructure strain.

Of particular concern is the North Edge project, which required a zoning change from single-family homes on one-acre lots to allow multi-family dwellings. This change represents a significant departure from the established zoning pattern and directly impacts the character and appearance of our town, which residents have worked hard to preserve. Approving such a change sets a troubling precedent for future development.

Why was this zoning changed? What are the benefits to our community that warranted a zoning change? I'm also curious as to why the Town Board is lead agency on the North Edge development, it's my understanding that the Planning Board usually acts as lead Agency, So I'm a little confused on how and why this came about?

Traffic impacts remain a major concern. While the traffic study for North Edge resulted in a Level of Service "C," which is already on the borderline of unacceptable, it is unclear whether this study adequately accounted for the additional traffic that would be generated by the Trailside development. Route 6 is already heavily traveled, and residents experience congestion and safety concerns on a daily basis.

Although it looks doable on paper for each development separately when it comes to a traffic study, we think the bigger question and analysis needed is a combined study of both developments. Therefore, we would receive a more accurate traffic analysis to go by. Approving both projects without a comprehensive evaluation of their combined traffic impact would be irresponsible.

Beyond traffic, residents are concerned about the strain these developments will place on local schools, existing infrastructure, and emergency services, including police, fire, and EMS. These services are not unlimited, and rapid development without appropriate planning risks diminishing the quality of life for current residents.

Growth should be thoughtful, measured, and consistent with the character and capacity of the community. As proposed, the Trailside and North Edge developments raise serious questions about compatibility, long-term impacts, and whether the town is being asked to absorb more than it reasonably can.

For these reasons, I respectfully urge the Zoning Board to fully consider the cumulative impacts on traffic, zoning integrity, infrastructure, and community character before moving forward.

Thank you for your time and consideration.

Sincerely,
Lisa Vanga
1 Cornelius lane
Baldwin place NY



Kenneth W. Jenkins
Westchester County Executive

Westchester County Planning Board Referral Review
Pursuant to Section 239 L, M and N of the General Municipal Law and
Section 277.61 of the County Administrative Code

RECEIVED

February 3, 2026

FEB 03 2026

David Smith, Director of Planning
Town of Somers
335 Route 202
Somers, NY 10589

**PLANNING & ENGINEERING
TOWN OF SOMERS**

**County Planning Board Referral File SOM-26-002 – North Edge Subdivision
39, 43, & 45 Route 6
Subdivision and Site Plan Approval**

Dear Mr. Smith:

The Westchester County Planning Board has received an application to subdivide and construct a new townhouse development on a 15.62-acre site located near the intersection of US Route 6 and Mahopac Avenue. The site consists of three properties (SBLs 4.19-2-2, 3, & 4) and the rear portion of 5 County Line Drive (SBL 4.19-2-1). The site is currently split-zoned between the R-40 and R-80 Residential districts, however the applicant is undergoing a zoning map amendment appeal to overlay the MFR-BP – Multifamily Residence–Baldwin Place district on the site. The majority of the site is wooded, with one single-family residence located at 43 Route 6. The site lies at the western end of the Baldwin Place hamlet center. The Muscoot River flows within NYC DEP property to the west of the site, and an associated wetland lies along the edge of the property.

Should the zoning amendment be approved, the applicant proposes to demolish the existing residence, re-subdivide the properties, and construct a clustered townhouse development on 13.4 acres of the site consisting of 73 units within 21 buildings (28 two-bedroom and 45 three-bedroom). Eight units would be set as affordable housing, as per Town requirements. A two-story, 1,200 square foot recreation building for residents would be constructed near the Route 6 frontage of the site, and a recreational walking trail would be routed through the common open space area on the west side of the site. Three new streets would be added to provide access to the development, with one entrance provided from Route 6 and a second entrance provided from Mahopac Avenue through a proposed 50-foot easement running through an adjacent residential property and connecting to the neighboring Yorktown Assembly of God church parking lot. Left turns into and out of the site via Route 6 would be prohibited. Each townhouse would be provided a one- or two-car garage, and various visitor and recreation center parking lots would total 77 spaces. A sidewalk is proposed along the Route 6 frontage, and would extend from the site driveway to the intersection with Mahopac Avenue. Two stormwater infiltration basins and landscaping are proposed throughout the site, and the applicant is proposing to connect the site to the Peekskill sewer district.

As part of the proposed development, a community benefits agreement has been established for the developer to restore a portion of the nearby Angle Fly Preserve, which would remove obsolete buildings from the Preserve area in order to restore open space.

We note that as the developer intends to connect the site to the Peekskill sewer district, the SEQR distribution list should include the Westchester County Board of Legislators as an **involved agency**.

We have previously reviewed this application under the provisions of Section 239 L, M and N of the General Municipal Law and Section 277.61 of the County Administrative Code, and provided comment letters dated January 8, 2024 and April 7, 2025. The proposed zoning amendment was previously referred and discussed within these letters. A previous version of this application that consisted of 77 residential units with 15% designated affordable, an 1,800 square-foot recreation building, and 51 visitor parking spaces was also discussed. We now offer the following comments regarding the revised subdivision and site plan application:

1. Consistency with County Planning Board policies.

The concept of redeveloping this site with a new townhouse development is generally consistent with the County Planning Board's long-range planning policies set forth in *Westchester 2025—Context for County and Municipal Planning and Policies to Guide County Planning* and its recommended strategies set forth in *Patterns for Westchester: The Land and the People*. We appreciate the development of additional clustered housing within the Baldwin Place hamlet and near a Bee Line bus stop.

2. Affirmatively Furthering Fair Housing (AFFH).

We note that the Town has recently updated its affordable housing regulations to reduce the required affordable set-aside from 15% to 10%, and this revised application reflects the new requirements with a reduction of provided affordable housing to eight units. While these new requirements do abide by the recommendations found in the County's Affordable Housing Model Ordinance Provisions, we regret the loss of affordable units that were initially to be provided under the previous application. We encourage the Town to continue to work with applicants to provide as many affordable units as possible within this and future developments.

3. Croton Watershed protection.

The site is located in the Croton Watershed. Components of the site development may be subject to compliance with the New York City Department of Environmental Protection (NYC DEP) *Rules and Regulations for the Protection from Contamination, Degradation and Pollution of the New York City Water Supply and its Sources*. Adequate erosion and sediment control and stormwater runoff water quality protection, both during and after construction, are of critical importance. We note that a Stormwater Pollution Prevention Plan has been prepared, which is under review by the NYC DEP.

4. NYS DOT review.

Route 6 is a State highway. The Town should continue to work with NYS DOT to identify any required permits for the proposed project and to evaluate potential traffic impacts to Route 6.

5. Stormwater management.

We appreciate that the applicant proposes to utilize stormwater infiltration basins within the site. The applicant should be encouraged to explore additional at-grade stormwater management solutions that

treat runoff on-site wherever possible, such as using pervious paving for parking areas, or the installation of vegetative rain gardens.

6. County sewer impacts.

As the applicant intends to connect the site to the sewer district, the proposed development will increase sewage flows into the existing infrastructure. The increased flow will add to the volume of sewage flow requiring treatment at a Water Resource Recovery Facility operated by Westchester County. Since 2010, it has been the policy of the County Planning Board that municipal governments should require applicants to identify mitigation measures that offset projected increase in flow, in order to comply with the *County Environmental Facilities Sewer Act*. The best means to do so is through reductions in inflow/infiltration (I&I) at a ratio of three for one for market rate units and a ratio of one for one for affordable units.

The County Planning Board further recommends that the Town implement a program that requires inspection of sewer laterals from private homes for leaks and illegal connections to the sewer system, such as from sump pumps. These private connections to the system have been found to be a significant source of avoidable flows. At a minimum, we encourage the Town to enact a requirement that a sewer lateral inspection be conducted at the time property ownership is transferred and any necessary corrective action be enforceable by the municipal building inspector.

7. Pedestrian infrastructure.

We appreciate that a new sidewalk is proposed to be installed between the site driveway and Mahopac Avenue, which will expand the existing sidewalk network along Route 6 within Baldwin Place. We also continue to agree with the analysis provided within the previous application that crosswalks should be installed at the intersection of Route 6 and Mahopac Avenue, in order to better connect the new sidewalk to the existing sidewalk network.

However, we note that this pedestrian infrastructure does not continue within the proposed development. While we appreciate the addition of a recreational trail along the western side of the property, the applicant should consider installing additional sidewalks within the development to connect the residencies, as there would be many driveway curb-cuts and parking lots along the new streets that could prove inhospitable to pedestrians. A sidewalk along the proposed street connecting to Mahopac Avenue should also be considered.

8. Bicycle parking.

We encourage the applicant to install bicycle parking areas within the proposed development, especially near the proposed recreation building. Also, as increased development occurs within the Baldwin Place hamlet, the Town should consider the installation of bike paths along Route 6.

9. Transportation demand management.

We note that the applicant has increased the visitor and recreation center parking total to 77 spaces, which is more than the total number of residential units being proposed. We question the need for such

an excess of parking on the site, especially as each unit would also include a garage and driveway. Ensuring that the transportation needs of new residents are accommodated through means other than private automobiles is an important factor in reducing the dependency on cars and encouraging dense residential growth without overburdening the street network and existing parking supply. The County's *Transportation Demand Management Toolkits* provides strategies for municipalities, employers, and developers to reduce the need for single-occupancy vehicle commutes, which could help future residents avoid the need to park private vehicles. Site infrastructure should be designed to encourage residents to walk or cycle within the new development and to the recreation building, instead of driving. We recommend that the Town and applicant review these *Toolkits* to ensure transportation needs are met while reducing the space set aside for vehicles.

10. Construction within a regulated stream/wetland buffer.

As the County Planning Board consistently recommends that construction and alteration of land within regulated wetlands and stream/wetland buffers should be avoided, we appreciate that the applicant has designed the proposed development to avoid all on-site wetland and buffer areas.

11. Tree removal remediation.

We note that the EAF estimated 710 trees would be removed from the heavily wooded site, yet only 71 trees are proposed to be planted on-site. While we understand that the applicant is working with the Town to restore a portion of the Angle Fly Preserve, we are concerned that the tree reduction impacts to the development site may not be fully mitigated, specifically the removal of trees in areas of steep slopes. The applicant and the Town should work to ensure that the greatest possible number of existing trees are protected, and the Town should consider requiring additional vegetation be planted on areas of disturbed steep slopes.

12. Recycling.

The Town should require the applicant to verify that there is sufficient space to accommodate the storage needs for recyclables under the County's recycling program. County regulations for recycling may be found at: <https://environment.westchestergov.com/recycling>.

13. Green building technology.

We encourage the applicant to include as much green, or sustainable building technology as possible within the proposed development. In addition, the Town and the applicant should give consideration towards the provision of electric vehicle parking capabilities within the proposed parking lots and within the townhouse garages.

14. Universal Design.

We encourage the Town to consider the principles of universal design in this development, in addition to any building standards required by ADA regulations. Universal Design standards allow all residents and visitors to fully engage in our public and residential spaces. Universal Design is also an important

means of enabling household residents to age in place, as well as to provide accessible pedestrian access and parking for persons with mobility issues.

Please inform us of the Town's decision so that we can make it a part of the record.

Thank you for calling this matter to our attention.

Respectfully,
WESTCHESTER COUNTY PLANNING BOARD



Bernard Thombs
Chair, Westchester County Planning Board

BT/mv

cc: Blanca Lopez, Commissioner, Westchester County Department of Planning
Vincent Kopicki, Commissioner, Westchester County Department Environmental Facilities
Steve Elie-Pierre, Director of Maintenance, Westchester County Department of Environmental Facilities
Theresa Fleischman, Housing Program Director, Westchester County Department of Planning
Leonard Gruenfeld, Director of Community Development, Westchester County Department of Planning
Craig Lader, Director of Transportation Planning, Westchester County Department of Planning
Heather Reiners, Smart Commute Program Coordinator, Westchester County DPW&T
Cynthia Garcia, Bureau of Water Supply, SEQR Coordination Section, NYC DEP
Anne Darelus, NYS Department of Transportation, Region 8
Christopher Lee, NYS Department of Transportation, Region 8
Paul Januszewski, Vice President - Project Executive, MTA Construction and Development (TOD)

Nicole Montesano

From: PAUL HAROLD <silvbg11@aol.com>
Sent: Saturday, January 31, 2026 11:46 AM
To: Nicole Montesano
Subject: Fwd: proposed

Categories: Red Category

Sent from my iPhone

Begin forwarded message:

From: Lisa Vanga <lisavanga@gmail.com>
Date: January 31, 2026 at 9:55:39 AM EST
To: PAUL HAROLD <silvbg11@aol.com>

Dear Members of the Planning Board,

I am writing to express my concerns about two proposed developments in Baldwin Place: Trailside and North Edge.

Trailside consists of 83 single-family homes, while North Edge proposes 74 multi-family units. Of particular concern is the North Edge project, which required a zoning change from single-family homes on one-acre lots to allow for multi-family dwellings.

This zoning change significantly impacts the character and appearance of our town and undermines the long-standing planning principles that have helped preserve Baldwin Place's small-town and countryside atmosphere. I'm curious as to why this zoning change was permitted and what is the benefits to the community in doing so?

I'm also deeply concerned about traffic impacts. Route 6 already experiences congestion and safety issues, and residents question whether the traffic did that was done for North Edge adequately considered the cumulative impacts of both developments. It is unclear whether the additional traffic generated by the Trailside project was taken into account when evaluating overall roadway capacity and safety.

Beyond traffic, the addition of nearly 160 new housing units raises serious concerns about the strain placed on local schools, infrastructure, and emergency services. Increased demand on police, fire, and EMS services, as well as road maintenance and other municipal resources.

Taken together, these projects represent a level of growth that many residents believe is incompatible with the character, appearance, and capacity of Baldwin Place. I respectfully urge the Planning Board to reconsider these proposals and prioritize responsible planning that preserves the quality of life and community character that residents value.

Thank you for your time and consideration.

Paul Harold

Nicole Montesano

From: David B. Smith
Sent: Wednesday, January 28, 2026 3:50 PM
To: Anthony Sutton; bruce prince; Chris Zaberto; Jack Mattes; Paul Ciavardini; Vicky Gannon; Robert Scorrano; Gina Arena; Anthony Cirioco; Bill Faulkner; Richard Clinchy
Cc: Steve Robbins; Michael Towey; Roland A. Baroni, Jr.; Wendy Getting; Nicole Montesano
Subject: RE: Proposed development concerns

To all,

I would like to take this time to address some of the issues raised in the commentary below.

Re: traffic, as part of the methodology, traffic reports for both Trailside and North Edge included the others traffic contribution to the road system along with other potential projects located within the Route 6 corridor, including projects located outside of the Town of Somers but which may contribute to the potential overall traffic flow within the corridor. This is a typical traffic analysis methodology and was reviewed and confirmed by the Town's own independent third party consulting firm (Hardesty & Hanover). It is noted that Route 6 is under the State's jurisdiction, copies of all of the traffic reports for both projects were provided to NYS DOT as an involved agency. Bottom line, the cumulative impacts were evaluated.

Re: zoning, the Town's Comprehensive Plan and Zoning Code contemplated the potential for multi-family development (Multifamily Residential (MFR) – Baldwin Place) provided they met certain threshold criteria (min. 10- acres; must have an underlying zone of R-40 or R-80; a tract shall have frontage on Rte. 6 and be located no further than 2,000 linear feet from the intersection of Route 6 and Mahopac Avenue). The 2016 Comprehensive Plan noted that the MFR-BP provides the opportunity for alternative housing types and also require 15 percent affordable units (since amended to 10 percent). Further on page 40 of the 2016 Comprehensive Plan Update it is noted:

The Town Board approved amendments to the 1994 Comprehensive Master Plan and the MFR-BP zoning district in 2014 to permit the application of the MFR-BP district to a limited number of parcels west of Mahopac Avenue, including an approximately 17-acre parcel on the south side of Route 6 just west of the Muscoot River. This Plan continues to support this approach, zoning amendments and potential resulting multifamily development, which includes some affordable townhouses...

Further, on page 46 of the CPU there is reference to Traditional Neighborhood Design which calls for compact, pedestrian oriented neighborhoods with a mix of commercial and residential uses, a variety of housing types and public places where people have the opportunities to socialize and engage. It is noted that both Trailside and North Edge have a significant investment in pedestrian sidewalks that connect each community to the commercial uses in Baldwin Place. In addition, the Trailside community includes a community center and dog park to be dedicated to the Town for use by all Somers residents. North Edge has also included a community benefit agreement that includes improvements to the Angle Fly which benefits the Town.

While there may be a "departure" from the underlying zoning, it was duly contemplated as part of the Town's previous planning and zoning efforts and subsequently reviewed with the required "hard look" taken by the Town Board and the other Boards, committees, and other Town entities providing input before the rezoning was enacted. The Town provided ample opportunity for public input during the rezoning process either through participation at public hearings, providing an email link where comments could be submitted for the Town's consideration as well as providing a written comment period. The various plans and reports have been made available to the public on the Town's web-site to further promote transparency.

One of the tenants of “smart growth” is to plan for development where the infrastructure is there to support it (e.g., water, sewer, roads), there not that many places in the Town for this particular type of development, but it is clear that the prior planning and zoning efforts support the recent applications associated with the Trailside and North Edge communities.

Should you have any questions or comments on the above or the comments made below, please do not hesitate to reach out to this office.

Best,

Dave Smith
Town of Somers Planning Department

From: Lisa Vanga <lisavanga@gmail.com>

Sent: Tuesday, January 27, 2026 9:11 AM

To: Nicole Montesano <nmontesano@somersny.gov>

Cc: Robert Scorrano <rscorrano@somersny.gov>; Gina Arena <garena@somersny.gov>; Anthony Cirieco <anthonycirieco@gmail.com>; Bill Faulkner <billfaulkner.somers@gmail.com>

Subject: Proposed development concerns

Dear Members of the Town Board and Zoning Board,

I am writing to formally express my concern with two separate developments proposed for Baldwin Place:

Trailside development, consisting of 81 single-family homes, and the North Edge development, consisting of 73 multi-family units.

While each project is being reviewed individually, residents are deeply concerned about the cumulative impact of approving both developments in such close proximity. Together, these projects would introduce a substantial number of new housing units into an area that is already experiencing traffic congestion and infrastructure strain.

Of particular concern is the North Edge project, which required a zoning change from single-family homes on one-acre lots to allow multi-family dwellings. This change represents a significant departure from the established zoning pattern and directly impacts the character and appearance of our town, which residents have worked hard to preserve. Approving such a change sets a troubling precedent for future development.

Why was this zoning changed? What are the benefits to our community that warranted a zoning change? I'm also curious as to why the Town Board is lead agency on the North Edge development, it's my understanding that the Planning Board usually acts as lead Agency, So I'm a little confused on how and why this came about?

Traffic impacts remain a major concern. While the traffic study for North Edge resulted in a Level of Service “C,” which is already on the borderline of unacceptable, it is unclear whether this study adequately accounted for the additional traffic that would be generated by the Trailside development. Route 6 is already heavily traveled, and residents experience congestion and safety concerns on a daily basis.

Although it looks doable on paper for each development separately when it comes to a traffic study, we think the bigger question and analysis needed is a combined study of both developments. Therefore, we would receive a more accurate traffic analysis to go by. Approving both projects without a comprehensive evaluation of their combined traffic impact would be irresponsible.

Beyond traffic, residents are concerned about the strain these developments will place on local schools, existing infrastructure, and emergency services, including police, fire, and EMS. These services are not unlimited, and rapid development without appropriate planning risks diminishing the quality of life for current residents.

Growth should be thoughtful, measured, and consistent with the character and capacity of the community. As proposed, the Trailside and North Edge developments raise serious questions about compatibility, long-term impacts, and whether the town is being asked to absorb more than it reasonably can.

For these reasons, I respectfully urge the Zoning Board to fully consider the cumulative impacts on traffic, zoning integrity, infrastructure, and community character before moving forward.

Thank you for your time and consideration.

Sincerely,
Lisa Vanga
1 Cornelius lane
Baldwin place NY

Nicole Montesano

From: Lisa Vanga <lisavanga@gmail.com>
Sent: Tuesday, January 27, 2026 9:11 AM
To: Nicole Montesano
Cc: Robert Scorrano; Gina Arena; Anthony Ciriaco; Bill Faulkner
Subject: Proposed development concerns

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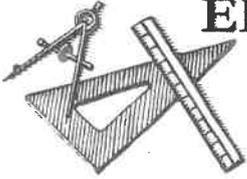
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Sincerely,
Lisa Vanga
1 Cornelius lane
Baldwin place NY

BIBBO ASSOCIATES ENGINEERING, P.C.



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

January 23, 2026

RECEIVED

JAN 23 2026

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

Attn: Ms. Vicky Gannon, Chairwoman

PLANNING & ENGINEERING
TOWN OF SOMERS
Re: North Edge Realty Corp.
Preliminary Subdivision, Site Plan, Steep
Slope & Stormwater Management and
Erosion Control Applications
Route 6 & Mahopac Ave.
T.M. #'s 4.19-2-2, 3 & 4

Dear Chairwoman and Members of the Board:

On behalf of our client, please find the following enclosed in support of Preliminary Subdivision, Site Plan and Steep Slopes applications:

- 9 copies –Plan sheets, as listed below, prepared by Bibbo Associates Engineering, P.C., dated 1-23-26
 - Cover sheet, Sheet CS-1
 - Layout Plan, Sheet LP-1
 - Overall Site Plan, Sheet SP-1
 - Landscape Plan, Sheet LS-1
 - Lighting Plan, Sheet LI-1
 - Details, Sheet D-2

- 5 - USB Flash Drives with all submitted items

During our initial meeting on January 14, 2026, the Board requested additional information be added to the plans. For ease of review and discussion the relevant pages have been included in this submission.

We offer the following in response to the Board's requests:

1. Additional details have been added to better depict the church property, Parking spaces have been defined, the existing fencing and playground area have been added to the plan, existing traffic flow patterns have been shown, and the existing shed to be relocated has also been shown. Furthermore, a crosswalk has been proposed to facilitate pedestrian traffic to

Site Design ♦ Engineering

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

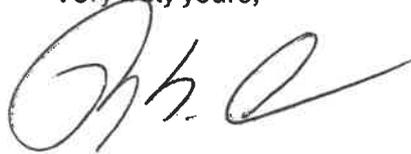
Website: www.bibboassociates.com · E-mail: bibbo@bibboassociates.com

the field to the north of the existing parking lot and as shown by the additional details the existing play area will not be impacted by the construction of Street "C".

2. A lighting plan has been added to the plans set and included as noted.
3. The landscape plan has been revised to remove the proposed crown vetch and replace it with a native steep slope stabilization seed mix.
4. A split rail fence has been added behind Units 1 through 21 to protect residents of the embankment sloping to the stormwater basins. A fence detail has been added to the detail sheet.
5. The parking space that was erroneously not depicted across from unit 24 has been shown.

We respectfully request that this matter be placed on your January agenda for consideration and scheduling of a Public Hearing.

Very truly yours,



Timothy S. Allen, P.E.
Principal

TSA/mme
Enclosures

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

January 23, 2026

Mr. John Currie, Planning Board Chairman
Town of Somers Planning & Engineering Department
335 US-202
Somers, New York 10589

RECEIVED

JAN 27 2026

RE: Proposed Residence @
2 Hageman Court
Town of Somers, New York

PLANNING & ENGINEERING
TOWN OF SOMERS

Updated Design Layout for New Owner of the 2 Hageman Property:

Dear Mr. Currie:

The proposed residence and design layout on the 2 Hageman Court property was originally approved in 2023. This approval included Town Planning Board and WCDOH approvals. The property has since been sold and the new owner has expressed interest in changing the design layout as shown on the attached plans. The updated layout was approved by the WCDOH on December 17, 2025 (the approved plans and forms have been included with this submission). We were directed to resubmit the updated plans in order to receive a new site plan approval because of the extent of the changes. The formerly approved residence and driveway layout has been shown on the Site Layout Plan (yellow dashed lines) to help you better understand what has changed. The proposed residence is still a three-bedroom residence, but the overall footprint has been reduced by approximately 500 sf. The limit of disturbance has changed but the overall amount of disturbance has essentially stayed the same (0.8 acres). The garage and driveway locations have been switched to the eastern side of the residence instead of on the western shown as previously approved. The driveway will now be gravel as to reduce the quantity of impervious surfaces to maximum extent practicable. The septic system will still be located in the front yard with the expansion area located in the back. The stormwater mitigation system has been consolidated and is now located at the back of the residence which will collect all roof runoff. There is still no proposed disturbance within the 100' foot wetland buffer. There will be increase in the amount of retaining walls, which has increased the amount of disturbance to steep slope areas by about 4,700 sf, proposed but it should be noted that all walls will still be less than four feet high.

I look forward to discussing this matter with you further at the next Planning Board meeting. In the meantime, should you have any questions or require additional information regarding the information provided, please do not hesitate to contact our office at 914-907-4692.

Sincerely,

Rick Bohlander

Rick Bohlander, PE
Project Engineer



Westchester County Department of Health
Bureau of Environmental Quality

CONSTRUCTION APPROVAL APPLICATION

(WCDOH OFFICE USE ONLY)

WCDH File # S2025-23 Municipality: Town of Somers Fee Amount: \$750.00

Watershed Basin Name: New Croton Reservoir & Muscoot Reservoir If NYCDEP Watershed: Joint Review [X] Delegated Review []

SEP 14 2022 - MCL-0783-AJS-1

[X] On-site Wastewater Treatment System [X] Private Water Supply [X] Residential [] Commercial

Is property in a Water District: Y [] N [X] Name: Is property in a Sewer District: Y [] N [X] Name:

Property Information:

Property Name 2 Hageman Court
Property Address 2 Hageman Court, Katonah, New York Zip Code 10536

TMD: Section 48.09 Block 1 Lot 14 R.S. Lot Lot Area 2.25 Acres

Really Subdivision: Map # Date Filed

Owner Name: Leo Gray Owner Email: drlgray@gmail.com

Address: 2 Hageman Court, Katonah State New York Zip Code: 10536

Building Type: Single-Family Residential # of Bedrooms: 3 Total Habitable Space: 3,540 Sq. Ft.

On-site Wastewater Treatment System (OWTS) Information:

Design Flow: 330 gpd Soil Percolation Rate: 21-30 min./in Slope of OWTS Area: 1.10 % Septic Tank Size: 1,250 Gallons

Absorption Trench(es): Length: 413 Lin. Ft. Trench Width: 2 Ft. Area: 826 Sq. Ft.

Absorption Pit(s): # Pits N/A Diameter: N/A Ft. Depth: N/A Ft. Area: N/A Sq. Ft.

Other (circle or specify): Tri-Galleys 4X4 Galleys Flow Diffusers Other:
Number Length: Lin. Ft. Width: Ft. Area: Sq.Ft./Lin Ft.

ETU/ATU Make & Model

Other Requirements:

Pump System: Pump/Siphon Chamber: Size: Gal. Dose Draw and Volume inches Gal.

Curtain Drain: Depth: Ft. Width: Ft. R.O.B. Sand and Gravel Fill Section: Depth: Ft.

Separate Sewage Contractor (SSC): Name: TBD WCDH SSC License #

Water Supply System Information: [X] Private Water Supply [] Public Water Supply Name: RECEIVED

Well Driller Name: TBD NYSDEC Reg #

Other Requirements/Conditions: JAN 27 2026

I represent that I am wholly and completely responsible for the design and location of the proposed system(s) and that the system(s) shall be constructed as shown on the approved plan or approved amendments thereto and in accordance with the standards, rules and regulations of the Westchester County Department of Health; that on completion thereof, a "Certificate of Construction Compliance" satisfactory to the Commissioner of Health will be submitted to the Department and a written guarantee will be furnished the owner, his successors, heirs or assigns, by the builder that said builder will place in good operating condition any part of said OWTS which fails to operate for a period of two (2) years immediately following the date of the issuance of the approval of the Certificate of Construction Compliance of the OWTS or any repairs thereof; that the drilled well described above will be located as shown on the approved plan and that said well will be installed in accordance with the standards, rules and regulations of the Westchester County Department of Health and requirements of the WCDOH Private Well Testing Law..

Date: 7/22/2025 Signed: P.E./R.A. Seal

APPROVED FOR CONSTRUCTION

This approval expires one (1) year from the date issued unless construction of the building has been undertaken, and is revocable for cause or may be amended or modified when considered necessary by the Commissioner of Health. Any change or alteration of construction requires a new permit.

Date: 12/17/25 Approved By:

Commissioner, Westchester County Department of Health

Rev. 1/2022



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

RECEIVED

MEMORANDUM

FEB 05 2026



TO: Town of Somers Planning Board
FROM: Steven Robbins, P.E., LEED AP
DATE: February 4, 2026
RE: 247 Route 100, LLC - Rockledge Center
Review of Site Plan Permit Application
TM: 28.10-1-6.1, OLI District

PLANNING & ENGINEERING
TOWN OF SOMERS

GENERAL

The purpose of this memorandum is to provide a summary of our comments related to our review of the Site Plan Application that was submitted for the proposed building addition of the Prodigy Athletics development located at 247 Route 100 in the Town of Somers, New York.

The Applicant is proposing a 18,500 square-foot addition to Building C (referred to as "Building D") which will include three volleyball courts and one indoor mini turf field as well as site improvements. The total site disturbance is approximately 0.85 acres. The project site is located within the East of Hudson Watershed and the Groundwater Protection Overlay District within the Town of Somers.

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
- Town of Somers Code, Chapter 144: Site Plan Review
- New York State Standards and Specifications for Erosion and Sediment Control, dated November 2016.
- New York State Department of Environmental Conservation's (NYSDEC's) Stormwater Management Design Manual (SMDM), dated July 2024.

DOCUMENTS REVIEWED

- Cover Letter, "Re: Site Plan Application, 247 Route 100, LLC – Rockledge Center, 247 Route 100, Sh. 28.10, Blk. 1, Lot 6.1", prepared by Bibbo Associated Engineering, P.C., dated December 15, 2025;
- Site Plan Application, prepared by Bibbo Associated Engineering, P.C., dated December 10, 2025;
- Project Narrative, prepared by Harrison Cook Property Group, dated November 5, 2025;
- Short Environmental Assessment Form, by Michael Piccirillo Architecture, dated November 10, 2025;
- Parking Study Addendum, prepared by Barton & Loguidice, dated November 5, 2025;



- Stormwater Pollution Prevention Plan (SWPPP) "247 Route 100, LLC. 247 Route 100 Somers (T)", prepared by Bibbo Associated Engineering, P.C., dated November 26, 2025;
- Site Plans, prepared by Bibbo Associated Engineering, P.C., dated November 26, 2025;

PERMITS AND APPROVALS REQUIRED

- Town of Somers Planning Board: Site Plan Application Permit
- Town of Somers Planning Board: Stormwater Management and Erosion Control Application Permit
- Town of Somers Planning Board: Special Exception Use Permit

DISCUSSION

The following is a summary of our preliminary comments based on our technical review of the latest submittal. It should be noted that further comments will be provided upon review of additional information.

1. The proposed development activity is located within the Town of Somers Groundwater Protection Overlay District and requires the issuance of a special exception use permit. Consistent with the Town Code requirements listed in §170.32, the Applicant shall be required to comply with the criteria necessary for issuance of Special Exception Use Permit including the preparation of a Groundwater Protection Plan.
2. The Applicant shall confirm the exact limit of disturbance proposed for the building addition and site development. The Short Environmental Assessment Form claims 0.43 acres, while the SWPPP states 0.85 acres.
3. The Applicant is applying for site plan permit and shall comply with all the standards according to Ch.144-7 of the Town Code. The following general comments are offered regarding applicable standards:
 - a. The Applicant shall estimate site earthwork, indicating total net cut/fill in cubic feet
 - b. The Applicant shall include any proposed grading on Sheet SP-1 for the reconfiguration of the parking lot or within the limit of disturbance identified on EC-1.
 - c. The Applicant shall identify infrastructure demolition/protection and tree protection on the plan set.
 - d. The Applicant shall prepare a draft engineer's estimated cost of the proposed sewer and stormwater infrastructure.
 - e. The Applicant shall explain how the proposed ES outfall will not have negative impacts on the existing southern drain inlet at the property line.
4. The Applicant proposes a reconfiguration of the existing parking lot adjacent to existing Building A and proposed Building D. This parking lot contains an existing drain inlet that appears will have a revised contributing drainage area entering the



existing stormwater treatment system. The Applicant shall confirm the existing treatment system is able to handle the revised flows entering the system and revise the HydroCAD model in the SWPPP to indicate revised stormwater flows and volumes.

5. The Applicant shall include the proposed concrete sidewalks in the hydrologic model as this is newly proposed impervious surfaces. The hydrologic model shall indicate the pre vs post conditions of the area of concrete sidewalk and the corresponding drainage area to the downstream drain inlet located to the north of existing building B.
6. The Applicant shall provide a map depicting existing and proposed drainage areas utilized for the hydrologic model.
7. The Applicant indicates a 10 in/hr exfiltration rate for the proposed Cultec subsurface infiltration system; however, the soils map indicates the underlying soils to be HSG B. The Applicant shall provide test pits and percolation test results that confirms the proposed exfiltration rates utilized in the HydroCAD model, as well as confirmation of adequate vertical separation to groundwater elevation from the system invert.
8. The Applicant proposes infiltration within the proposed subsurface system. The Applicant shall clarify how pretreatment will be provided prior to infiltration.
9. The Applicant shall demonstrate the velocities exiting the proposed flared end section and provide outlet protection practices as necessary. It appears the 12" pipe exiting the flared end section is in a significant slope which may cause high velocities.
10. The Applicant shall indicate top of wall and bottom of wall elevations for the proposed boulder landscape wall.
11. The Applicant shall indicate the direction of proposed traffic and provide turning radii to ensure proper flow of delivery vehicles within the area of the reconfigured parking lot adjacent to Buildings A and D.
12. The Applicant shall indicate the proposed concrete washout facility location on the site plans.
13. The Applicant shall provide the sizes of the proposed septic tank and pump chamber and provide construction details on the site plans. The site plans indicate the sizes are TBD.
14. The Applicant shall update the scale on the site plans. It does not appear to be 50' scale as indicated in the graphic scale.
15. The Applicant shall prepare a draft Stormwater Maintenance Agreement, in accordance with the provisions of Town Code for review by the Consulting Town Engineer & Town Attorney.
16. The Applicant shall provide a draft Notice of Intent and MS4 SWPPP Acceptance Form to obtain coverage under NYSDEC General SPDES Permit based on the SWPPP for review and acceptance by the Consulting Town Engineer.
17. The Applicant shall include a note on the plans which states the following:



- a. "Any imported topsoil shall comply with all federal, state, and local requirements for quality and use."
- b. "Off-site disposal of excess cut shall be in accordance with all federal, state, and local requirements."
- c. "No construction activity, the sound or noise from which is audible beyond the boundaries of the property on which such construction activity is located, shall start before 7:00 a.m. or extend beyond 6:00 p.m. No construction activity shall be allowed on Sundays or legal New York State holidays."

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.



**Environmental
Protection**

Rohit T. Aggarwala
Commissioner

Paul V. Rush, P.E.
Deputy Commissioner

465 Columbus Avenue
Valhalla, NY 10595

Tel. (845) 340-7800
Fax (845) 334-7175
prush@dep.nyc.gov

January 13, 2026

David B. Smith, Town Planner
Town of Somers Planning Board
335 Route 202
Somers, New York 10589

Re: **Notice of Intent to be Lead Agency**
Prodigy Athletics LLC
243 Route 100
Town of Somers; Westchester County
Tax Map #: 28.10-1-6.1
DEP Log #: 2005-MU-0088-SQ.4

RECEIVED

JAN 18 2026

PLANNING-ENGINEERING
TOWN OF SOMERS

Dear Mr. Smith and Members of the Planning Board:

The New York City Department of Environmental Protection (DEP) has reviewed the Town of Somers Planning Board's (Board) referral, site plans and short Environmental Assessment Form (EAF) for the above-referenced project.

The project site is located in the Muscoot Reservoir drainage basin of the New York City Water Supply. As Muscoot Reservoir is phosphorous restricted, water quality impacts to the receiving reservoirs from pollutant-laden runoff must be avoided or mitigated.

The proposed action involves construction of an 18,452 SF single-story indoor sports facility.

DEP's status as an involved agency stems from its review and approval authority for the commercial SSTS pursuant to Section 18-38 of the *Rules and Regulations for the Protection from Contamination, Degradation, and Pollution of the New York City Water Supply and Its Sources* (Watershed Regulations) and the SSTS Delegation Agreement with Westchester County Health Department.

Based upon review of the circulated documents, DEP respectfully submits the following comments for the Board's consideration:

1. As proposed, the project does not require a DEP-approved SWPPP. The project creates less than 40,000 square feet of impervious surface and will involve less than 2 acres of disturbance.
2. The septic system application to manage effluent from the new building will need to be jointly reviewed by DEP and Westchester County. The applicant's representative may contact Melissa Ng at MNg@dep.nyc.gov to coordinate field testing.

3. The parking study addendum indicates the facility has 30 “land banked” overflow parking spaces. The facility operator should ensure no parking of vehicles occurs over any septic fields/leach pits in order to limit damage to the system.

Thank you for the opportunity to provide comments. You may reach the undersigned at cgarcia@dep.nyc.gov or (914) 749-5302 with any questions or if you care to discuss the matter further.

Sincerely,

Nelsi Guzman (for Cynthia Garcia)
Cynthia Garcia, Supervisor
SEQRA Coordination Section

c: T. O'Malley, NYSDEC
H. McVeigh, WCHD