

PLANNING BOARD

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

Town of Somers

WESTCHESTER COUNTY, N.Y.



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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

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

MINUTES

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

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

TIME EXTENSION REQUEST

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

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

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

CONTINUATION OF PUBLIC HEARING**2. TRAILSIDE ESTATES AT SOMERS
SITE PLAN APPLICATION & PRELIMINARY SUBDIVISION APPLICATION
REYNOLDS DRIVE
TM 4.20-1-12 & 15.08-1-4**

For the record Chair Gannon stated that 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.

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

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

back and amend a Site Plan is no different than any other project in Town. This Board sees them regularly, whether it's a shopping center that wants to install a patio, or someone that wants to install a generator on a commercial property, and they come back to the Board and say, we had this approval, we need to make this change, and this Board has purview over that. Mr. Robbins concluded and stated that he does not see the potential for future change as anything other than property use evolves over time. Chair Gannon asked if the language that was being suggested was deemed to be correct would be memorialized in the resolution. Mr. Robbins responded yes. Chair Gannon responded okay and Mr. Kearney said they would disclose it in the HOA documents that get approved by the Attorney General's office. Chair Gannon then opened it up for Board discussion. Mr. Zaberto asked what the current process was for a non-subdivision, for the landowner that has a single-family residence in one of the R (Residence) Zoning Districts to install a sprinkler system and if we are deviating from that because this is, in fact, a subdivision. Mr. Robbins responded that a typical single family residential lot would apply for a plumbing permit through the Building Department. Mr. Zaberto responded and that is it, there is no environmental review. So, if I have a well, that is not provided through any municipality it would be just a plumbing permit. Mr. Robbins responded correct. Mr. Anthony Sutton then asked Mr. Kearney if they have given any thought to installing a generator at the community center. Mr. Kearney responded that he is sure Councilman Clinchy has given it a lot of thought. Mr. Sutton responded that given that he has a background in emergency management he thinks it is necessary. Mr. Kearney agreed because he thought one of the possible uses of the center is as a backup emergency shelter. Chair Gannon asked if the Board had any other comments. There were none. She then asked if Mr. Smith had any further comments. He responded that he had none. Chair Gannon then asked Mr. Robbins if he had any comments. He stated that they are in the process of reviewing the Applicant's responses to the WIG, so he had no comments at this time.

Chair Gannon then moved to reopen the adjourned Public Hearing. Mr. Sutton seconded. All in favor. Motion passes. Chair Gannon then asked if there was anybody there for the Public Hearing and if so, to please come up to the microphone and state your name and address. Someone from the audience asked if this was public comment. Chair Gannon responded this is a Public Hearing for Trailside. So if you have a comment or something that you want to say about Trailside, now is the moment. Mr. Zaberto added this would be on Reynolds Drive. Mr. Roland Ciofrone from 9 Lounsbury Drive in Baldwin Place came forward and introduced himself. He stated that he has been here since 1983 and can honestly say that he has seen a lot of what has gone on in the Baldwin Place area. The one that he wanted to speak to was the contaminants that are still underneath the Baldwin Place shopping center, by virtue of the fact that the water stripper is there, the monitoring wells are there, the plume is still there. He indicated that he wanted to talk about it because we saw what happened on Meadow Park Drive, where the majority of all the houses became contaminated from this plume. Mr. Ciofrone stated when this Subdivision gets built there will be a lot of earth moving and while that is being done to put in the infrastructure there is concern about the wells in the Somers Gate Estates-which he believes has 33 houses between Cornelius Lane and Lounsbury Drive. They are private wells, as opposed to the public water system, the Amawalk-Shenorock Water District, which takes care of the Preserve and now Meadow Park and everything across Route 118, Route 6 and west to the border. Mr. Ciofrone said that what he is going to ask for is what they had back in he guesses 1999. Leggette, Brashears & Graham, Inc (LBG) were the

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

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

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

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

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

PROJECT REVIEW

3. ROCKLEDGE CENTER SITE PLAN APPLICATION 247 ROUTE 100 TM 28.10-1-6.1

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

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

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

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

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

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

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

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

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

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

For the record Chair Vicky Gannon stated 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 80 Route 6 (Somers Commons) and is in the Neighborhood Shopping (NS) District.

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

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

**5. 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**

For the record Chair Vicky Gannon stated that 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 New York State Route 6 and Mahopac Avenue and is located in the Multifamily Residence Baldwin Place (MFR-BP) Zoning District.

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

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

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

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

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

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

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

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

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

For the record Chair Vicky Gannon stated this is an 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.

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

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.

MEETING ADJOURNMENT

Chair Vicky 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