

## 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** **DECEMBER 17, 2025** **7:30PM**

#### **ROLL**

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

**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 long-standing 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 following 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. Please try to keep your comments to three minutes so as to provide an opportunity for all members of the public wishing to comment an opportunity to do so. Please do not repeat comments or issues as they are being duly noted for the record. She then thanked everyone for their consideration.

**TIME EXTENSION REQUEST**

**1. MELISSA HARNEY- PRELIMINARY SUBDIVISION APPROVAL AND STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMIT**

**10 KEYREL LANE – RESOLUTION NO. 2025-01**

**TM 16.07-1-3**

For the record Chair Vicky Gannon stated that this is a request from Melissa Harney of 10 Keyrel Lane for the 3<sup>rd</sup> 90-day time extension from January 3, 2026 up to and including April 3, 2026, for Preliminary Subdivision and Stormwater Management and Erosion and Sediment Control Permit, as per Resolution No. 2025-01 in accordance with Town Code Section 150-12.N.

Mr. Timothy S. Allen, P.E., of Bibbo Associates Engineering, P.C. came forward and introduced himself and stated that he was representing the Applicant. He indicated that there was good news - the County signed the plat, and they will be before the Planning Board for Final Subdivision. He stated that they are planning on being back here in January and will submit the final paperwork before then.

Chair Gannon responded that is good and then asked the Board if they had any comments and/or questions. There were none. She then moved to grant the 3<sup>rd</sup> 90-day time extension from January 3, 2026 up to including April 3, 2026, for the Preliminary Subdivision and Stormwater Management and Erosion and Sediment Control Permit, as per Resolution No. 2025-01 in accordance with Town Code Section 150-12.N and asked if she had a second. Mr. Jack Mattes seconded. All in favor. Motion passes.

**2. GRANITE POINTE RE-GRANT OF FINAL SUBDIVISION APPROVAL, WETLAND, STEEP SLOPES, TREE PRESERVATION AND STORMWATER MANAGEMENT AND EROSION AND SEDIMENT CONTROL PERMITS**

**TM 27.05-3-2&5**

For the record Chair Vicky Gannon stated that this is a request for the 34<sup>th</sup> 90-day time extension for Granite Pointe Subdivision, Re-Grant of Final Subdivision Approval, Wetland, Steep Slopes, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permits, as per Resolution 2017-10, from January 4, 2026 up to and including April 4, 2026 as per Town Law Section 276 (7) (c) and Town Code Section 150-13M. The property is located on the east side of Route 118/202, adjacent to the Amawalk Reservoir and is located in an R-40 Zoning District for the development of 23 lots in a Cluster Subdivision.

Mr. Timothy S. Allen, P.E., of Bibbo Associates Engineering, P.C. came forward and introduced himself and stated that he was representing Suelain Realty and that their counsel Mr. Kevin Schultz was in attendance as was John Harkins Jr. representing Suelain Realty. Mr. Bibbo stated that he has been reporting for many months and many extensions that the New York State Department of Conservation (DEC) had not granted them access to the property. But he now had good news – they just found out just recently that they now have access to the property. As the resolution states,

there are a myriad of conditions that have to be met before this subdivision can be approved and the plat signed. He noted that those included re-approval of the Department of Transportation (DOT), the Westchester County Health Department and New York City Department of Environmental Protection (DEP). With regards to the Westchester County Health Department and the DEP because of the cleanup that occurred from the DEC and the fact that they brought out soil and brought in new soil, they have to retest the septic areas and some of the stormwater areas. Mr. Bibbo indicated that, as they have stated many times before, they just did not have access to the site to do that and now that they do, they will undertake the reapprovals of all those agencies. He added that they still have some work to do, but nonetheless, they now have the ability to do the work. Chair Gannon stated so you can access the site now. Mr. Allen responded, they can access the site and move on with the re-permitting of the project from the outside agencies. He stated that the Board may recall that back in the day they had all those approvals in hand, but they have obviously lapsed, and they need to get them all re-approved based on the conditions brought up today.

Chair Gannon asked if the Board had any questions and/or comments. There were none. Mr. Christopher Zaberto stated it was pretty straightforward. Chair Gannon stated that we also received a letter from the Applicant’s Counsel which outlined much of what Mr. Bibbo discussed which was also very helpful in understanding where the application is at this point. As there were no questions, Chair Gannon moved to grant the 34<sup>th</sup> 90-day time extension for Granite Pointe Subdivision, Re-Grant of Final Subdivision Approval, Wetland, Steep Slopes, Tree Preservation and Stormwater Management and Erosion and Sediment Control Permits, as per Resolution 2017-10, from January 4, 2026 up to and including April 4, 2026 as per Town Law Section 276 (7) (c) and Town Code Section 150-13M. She then asked if she had a second. Mr. Zaberto seconded. All in favor. Motion passes.

**PUBLIC HEARING**

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

Chair Vicky Gannon stated that as she had mentioned at the beginning of the meeting if you are here for the Public Hearing just keep in mind that you will need to state your name when you come up to address the public and to keep comments to 3 minutes if you can and also try not to repeat.

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.

Chair Gannon then asked Planning Board Secretary, Ms. Nicole Montesano for the publishing and posting. Ms. Montesano stated that the legal notice was published in the Journal News on December 4, 2025, and the adjoining property owners were notified via mail on November 25, 2025. In addition, she stated that the sign stating the date and the location of the Public Hearing was posted on the site on December 4, 2025. Chair Gannon noted that Mr. Richard Williams, from Insight Engineering, Surveying and Landscape Architecture was not able to attend tonight's meeting and asked who was here for the Applicant.

Mr. Ken Kearney from Kearney Development & Realty Group came to the podium and stated that he was there with Ms. Jamie LoGiudice, RLA, from Insight Engineering, Surveying and Landscape Architecture, his land use attorney, Mr. Charles Martabano, and his son and partner, Mr. Sean Kearney. He shared that Trailside Estates is 81 units of which 77 units are market rate and 4 units are going to be sold to families at 120% of Westchester County's Area Median Income (AMI). Presently, in order to afford those, you would need a minimum salary of about \$130,000/\$140,000, up to a maximum of \$180,000. He added that those four townhouses are different than Hidden Meadow. Hidden Meadow was 80%, this is up to 120%. So, these four townhomes give an opportunity for some people who may have made too much for Hidden Meadow and missed but yet cannot afford the true market rate. He noted that they are also building a community center that will have one and a half stories. Mr. Kearney said he thought it will be very well received, and will be used a lot by their residents, who are all within walking distance. He added that there is also a dog park there. He then stated that they have a petition in to Westchester County to join the sewer district and noted that this site is composed of two lots and what is interesting is that part of the front lot is actually part of the Sewer District now. So, they have made a petition and a presentation and expect to get approval from Westchester County in the next few months. He indicated that it is a 12 or 14 step process, and they believe they are near the end. He concluded and stated that the site is accessed off of Reynolds Drive which was constructed as part of Somers Realty Phase 3 and just needs blacktop. He indicated that they were there to answer any questions.

Ms. Jamie LoGiudice, RLA, from Insight Engineering, Surveying and Landscape Architecture approached the podium. She reiterated what Mr. Kearney stated earlier – that Trailside Estates involves the construction of 81 townhomes. She then spoke about the associated parking. She noted that 162 parking spaces were required and that they are proposing 313. They will have 81 spaces in garages, as well as 2 spaces per townhome for vehicles, and then 70 spaces for visitors throughout portions of the property. In addition, the community center and dog park also have about 60 parking spaces associated with them. Ms. LoGiudice stated that as mentioned earlier the access is off of Reynolds Drive which was part of the Somers Realty Phase 3 and they are proposing to pave that – it is gravel now. It was part of the original Stormwater Pollution Plan (SWPP) that was approved through that Phase 3 Project. She then mentioned, as the Board is aware, this project has been before the Town for multiple years. It went to the Town Board first seeking the Zone Amendment and later came before the Planning Board as well. She noted that they are part of the Multi-Family Residential Baldwin Place (MFR-BP) Zoning Overlay. Ms. LoGiudice indicated that they received a negative declaration as part of the State Environmental Quality Review (SEQR) in February and that this project will have public water and sewer and will also

have stormwater management practices that will be regulated and designed in accordance with the New York State Department of Environmental Conservation (DEC), New York City Department of Environmental Preservation (DEP), and the Watershed Inspector General (WIG), which we mentioned today, and which we did copy the Town Consultants- so you have that for your review. She noted that they are in receipt of the Woodard & Curran comment memos and believed they have addressed the majority of the comments, with the exception of looking at the WIG submission. She concluded and stated that it is their understanding that, based on furthering that process with the WIG, that the Public Hearing would probably remain open and then she asked if there were any comments and/or questions.

Chair Gannon then asked if there were any comments from Planning. Consulting Town Planner, Mr. David Smith, stated that earlier today the Town received a letter from Gallagher Bassett relative to the soil remediation. He indicated that he thought the issue was brought up at the last meeting and that is something that Consulting Town Engineer, Mr. Steve Robbins, would need to go through and review, but he thought it was fair to say that they have a program for addressing that particular issue. And then, the other issue Ms. LoGiudice mentioned was the responses to the WIG which we will need to go through those as well. Other than that Mr. Smith stated he had no further questions at that time.

Chair Gannon then asked Mr. Robbins, if he had any comments. Mr. Robbins explained, in addition to the comments that Mr. Smith, mentioned, they do have some minor additional comments that were still open around, some of the engineering details on the extent of erosion control matting in some areas of the site, some separation between roof and floor drains and where those discharges are directed and confirmation of infiltration flow rate in one area where the Applicant proposed a very conservative rate. They just want to confirm the final results, but those are typical at the stage of minor cleanup comments. He noted that of their 57 comments, 54 have been substantively addressed. Chair Gannon stated that she had two questions relating to items 47 and 48 from his memo – they were about the wood chip trail that runs from the parking lot to the dog park. During our last discussion it came up that wood chip trail was not ADA compliant and that they were going to talk about changing out the wood chip trail for something else. But when she looked at the plans that they received, it still shows it labeled as a wood chip trail. She then asked if there was a plan to change it. Ms. LoGiudice responded there sure is. Chair Gannon asked if she would explain it for everyone. Ms. LoGiudice explained that they are proposing asphalt instead, and that would be ADA compliant and that was incorporated into the plans that they just submitted to the WIG today. Chair Gannon responded okay and that the other question she wanted to ask, which also may involve Counsel, is about irrigation, which was also discussed at the previous meeting. The Applicant's response was that the Homeowners Association (HOA) would not allow a resident to put in their own irrigation system. Chair Gannon stated an HOA is a corporate body that will have its own existence and at some point, in time, the developer steps away and the HOA governs itself. She then asked if the HOA could possibly change its own rules to allow it. Mr. Charles Martabano responded no, and that they can more than likely they could prevent that when we do the HOA. He did not know if they would do a restrictive covenant, but they could prevent that. Chair Gannon stated that she thought that we are just very aware of issues with climate change, drought, and dry spells, and we do not want to be in a position where we do not have enough water. She has seen circumstances where people put, irrigation in and those things are running in a rainstorm, and she

thought we would want to be as cautious as possible. Mr. Martabano stated it is something that we can prevent and he will check as to whether the HOA could, when it is turned over to them could overrule it – but he did not think so. He indicated that he would get back to Planning Board Attorney, Mr. Michael Towey. Mr. Towey responded that he could look into whether or not you, as the Planning Board, can impose a condition on the Site Plan approval prohibiting future irrigation or sprinkler systems. He indicated that he would make a note of that and try and turn it around this week and get the Board some information, in advance of the next meeting. Chair Gannon stated her thoughts about it coincided with the condominium she lives in and us amending our rules, and then she thought to herself, can they amend their own rules, and can things change. Mr. Martabano responded, well, certainly, they could not if Mr. Towey does what he says, then they cannot violate the rule for the project, so that is another way to do it. Mr. Towey responded that it would be imposed on the Site Plan. It is difficult to plan at this stage what exactly the HOA's authority is going to be until we see a draft of it. Mr. Martabano responded that it was not a problem from their perspective either way. Chair Gannon stated those were her only questions that she wanted to follow up on before we move on to the Public Hearing. She then made a motion to open the Public Hearing. Mr. Christopher Zaberto seconded. All in favor. Motion passes. Chair Gannon then asked if there was anyone here tonight for the Public Hearing on this matter. She asked them to please come up to the podium and introduce themselves and to speak into the microphone. Mr. Smith advised them to state their name and address. Mr. Joe Vala from 7 Meadow Park Road came to the podium and introduced himself. He stated that he was curious how far back the development is going to be from the actual trail, because his house is right behind there, and he has a pond and is worried about the discharge from the rainwater and where it is going to go and how high it is going to fill up ponds. Chair Gannon asked Mr. Vala to show where his residence and the ponds are located on the plan. He pointed them both out. Ms. LoGiudice responded that she could address that. As part of the stormwater design of the project, they cannot allow more stormwater leave after post-construction, so anything that is happening now, they would be treating, attenuating for peak volumes and that type of thing, so we would not be riding more volume into any of those ponds. She indicated that they do have extensive storm management practices that are proposed on the other side of the wetlands, so they are doing all of that there. She then noted that this was probably a good point to bring up that there is a large conservation easement throughout those, wetland areas. Mr. Vala stated that was the first time he was seeing this. Ms. LoGiudice pointed out the conservation easement and where that runs on the plan and stated that all of that area is actually protected. Mr. Vala's next question was about the sewer line and where it would run through. Ms. LoGiudice responded that the sewer itself will run along the road and then run up through Reynolds Drive. Mr. Vala said Thank you.

Chair Gannon asked if there was anyone else here for public comment. Mr. Darryl Sorenson from 6 Meadow Park Road came to the podium and introduced himself. Mr. Sorenson stated that he understands everybody needs development and stuff, but now we are putting another 81 townhomes in the same area that we have already been developing. He stated that would add approximately another 162 cars - possibly more. He then inquired if anyone has addressed the traffic flow up in the area. He stated that his driveway is actually on Route 118 and it is near impossible to get in and out of his driveway during the day, because of the amount of traffic that has already been pushed up to this area. He added that with the shopping centers, other townhomes, and other developments you cannot drive on Route 6 on the weekends and that you might as well

stay home. He indicated that you have to walk to the grocery store because the traffic is that bad, and now you are adding a whole other development up there. He noted that the last development of the Preserves, when it went up, the developers brought the sewer lines right through part of his backyard and that was not supposed to happen. They are saying none of this is going to happen, they are going to take care, they are going to do all this – but Mr. Sorenson is a little on the weary side and does not trust developers anymore, after all the stuff that has gone on. He asked for confirmation that the developer was going to add to that same sewer system and that it would be going through Meadow Park Road and he then questioned whether that sewer system was designed for that much development as there are already 300 homes from the Preserves going through it. He asked if another 81 homes would overtax this system and result in problems. Mr. Sorenson stated that when they developed the Preserves, they did not put any of us on sewers - we are still on septic in the neighborhood - yet they ran the line right through our neighborhood. He indicated that it was not a good choice and followed up with a question concerning the dog park and the community center. He noted that right now, they are saying they are going to build it, and it is going to be dedicated to the Town. He then asked who is going to pay for the maintenance and stuff on that after the Homeowners Association (HOA) takes over. He asked if the HOA is going to maintain that and not our tax dollars. Mr. Sorenson indicated that he has been here since 1996 and has seen a steady increase in taxes every year, which is understandable, But, then they build this stuff and then dedicate it to the Town, so now we have to plow the roads, we have to take care of this and that and it adds to our tax burden. Mr. Sorenson expressed that he just wants assurances that this is not going to affect him in any way, other than that he knows it is going impact traffic. He stated that he just wanted to express how he felt about it. He is all for building and is aware building has to go on, but there is a lot of choices to quit cramming it all in one little neighborhood up there. Every time we turn around, they have another development on Route 6. He asked how many more can we do before you cannot even drive up there or move around. Mr. Sorenson concluded by stating that he would like someone to take a look at what is going happen with the traffic flow, the sewers, the dog park and the community center, because frankly, he does not want to pay for it. He then thanked the Board for listening.

Mr. Anthony Tomassetti from 14 Green Tree Road then came to the podium and introduced himself and stated he would like to talk a little bit about how this development kind of ties into the development that is proposed directly behind Green Tree Road. He noted that is the 3-lot subdivision by Dynamite Properties. Mr. Tomassetti stated that he has been very interested in that, because it is basically right behind his house. There has been a lot of concern, about that particular subdivision and the access to it crossing over the bike trail. Mr. Tomassetti stated that the Board members are probably aware as are a lot of people as we have watched that go through Planning, Zoning and Town Board meetings and added that Mr. Kearney was, gracious enough to offer access in person at one of the meetings, and also in a letter at the Zoning Board meeting where that was last discussed. It offered access through Trailside Estates to the people at Dynamite Properties, so that they would not have to cross the bike trail. Mr. Tomassetti indicated that he would like to see if there is some way to have that be a condition of approval for the Trailside Estates project as that is the only way that Dynamite properties will not be landlocked. They will not need to cross the bike trail if they are able to come through Trailside Estates and he would like to make sure that it is somehow encapsulated in this project and that it does not disappear as the projects are advancing at different paces. He felt, it would be a shame to lose that option and that availability

to come through Trailside Estates and wanted to make sure that that property does not become landlocked again and that they should not seek a reason to cross the bike trail. Mr. Tomassetti then thanked the Board.

Mr. Martabano, counsel for the Applicant, came to the podium and introduced himself. He then stated he would be able to address that. The issue first came up before your Board back in September of 2023, and the request was made at that time of Mr. Kearney as to whether he would consider providing access, and he made it clear at that time he would do that. Subsequently, May 7, 2025, he wrote a letter to the Town Board, again, reiterating his commitment to the Planning Board and to the Town Board that he would do that. As this gentleman, Mr. Tomassetti, pointed out, recently a letter was written to the ZBA (Zoning Board of Appeals) in connection with the application of Dynamite Properties. And it sort of described the offer as not necessarily feasible at this point because the project was not complete. So, Mr. Martabano wrote to the ZBA (Zoning Board of Appeals) and said, that he was going to, one more time, affirm Mr. Kearney's commitment to provide that, if it is feasible - meaning that if that is what the Boards and the Town wants. Recently, he was just speaking to Town Attorney, Mr. Roland Baroni, because we have to do a Community Benefit Agreement, because we are providing the dog park and community center, and he suggested, why not make that commitment part of the Community Benefit Agreement. Both Mr. Kearney and Mr. Martabano said certainly. So, they are addressing this, and it will be in a written agreement what we call the Community Benefit Agreement to the Town – it will be our commitment. Now, whether that happens will be up to the Board when you approve the other subdivision, but our commitment is clear, and we will once again reinforce it. Chair Gannon then thanked Mr. Martabano for the information and asked if there was anyone else present for a public comment. There was no one else present for a public comment. Chair Gannon then opened it up to the Board for any comments and/or questions.

Mr. Ciavardini brought up the question Mr. Sorenson had about the septic and its capacity. He was unsure if anyone had addressed that or if it was a question that could be answered now. He stated that it seemed like a reasonable question and he was curious himself. Mr. Kearney replied that he would answer it in his way before the engineer gives a precise answer. Mr. Kearney indicated that when Preserve was built on Route 118, they ran a force main down and connected it to the sewer line down by Jefferson Valley Mall. That sewer line runs all the way down to Peekskill to the sewer plant, which sits on the Hudson River and is owned by Westchester County. In 2010, the County let us access it to build the Mews in Baldwin Place 1. We had to build a series of pump stations in front of Mews 1 and Mews 2. The sewer from the Preserve is flowing in front of our properties, in front of the Crossroads, and all the way down to Jefferson Valley. For 15 years, the series of pump stations have worked quite well. We have one, two, or three pump stations that go into the force main. In addition, one of the first things they had to establish was is their capacity at the plant – that was part of that 14-step process with Westchester County that he talked about earlier. They established that there is capacity and we asked the County to take it a step further and write a will-serve letter saying we have the capacity, and that part of that capacity is for this project. So, the sewer, is not an issue. Ms. LoGiudice approached the podium and reiterated that there is no septic on the property; it is all sewer.

Mr. Robbins asked if he could add to that and indicated that when sewer was installed from the

Preserves over to Yorktown, there were actually two force mains that were installed. There are a 6-inch and an 8-inch pipe in the road. He noted that when it was designed and installed it contemplated all of the development that we have seen along Route 6 and was planned for that additional capacity. Essentially, when it was just the Preserves, they were just using the smaller pipe. Then, at some point, enough growth happened that they were just using the 8-inch pipe, and if they needed more capacity, they could use both. Mr. Robbins indicated that for each subsequent development project that's come before the Town – the Town has reviewed the capacity of that wastewater infrastructure, just like it reviews the capacity of water infrastructure and others, to confirm that we are still operating within initial design assumptions - so it has been checked.

Mr. Zaberto then asked Mr. Smith if the environmental review process for a project of this size would incorporate a traffic study. Mr. Smith responded that as part of the rezoning process to evaluate this particular project, there was an extensive traffic report that was prepared. It was reviewed by an independent third-party consultant to the Town of Somers. Any potential impact with respect to traffic was addressed through that report and the analysis that was prepared as part of that. Mr. Zaberto inquired if when a traffic study is performed, if it is done in real time, showing the levels of traffic at the time that the study's done - meaning previous projects that are contributing to traffic along Route 6 were being taken into account. Mr. Smith responded correct. Mr. Zaberto then asked if Mr. Smith recalled the results of this that traffic study. Mr. Smith responded that as he recalled there was no impact to the level of service, for the intersection along Route 6 and the access to Reynolds Drive. He indicated that typically the way that the traffic analysis is prepared is they go out and they will look at the traffic conditions in the morning to determine the A.M. peak. They will do a two-hour time segment, and within those 2 hours, they will take the one hour where they have the most traffic. And they will do the same thing for the P.M. Then they will look at all the other future developments that could also contribute to the traffic within that study area and then they will add a growth factor. Mr. Smith then stated, so let us say it takes 3 years for the project to be built out, they will add another 2% on top of all that and then they will add the traffic from this particular project. And that is how they evaluate the traffic impacts. In addition, New York State Department of Transportation (DOT) was provided copies of all of the traffic studies, and they did not have an issue with the analysis that was prepared or the results. Mr. Zaberto responded understood and thanked Mr. Smith. Chair Gannon asked if there were any other Board questions and/or comments. Mr. Anthony Sutton, stated that he was not really sure who would address Mr. Sorenson's question regarding who will ultimately be responsible for the Community Center and dog park and inquired if they would remain with the Homeowners Association (HOA) post construction, or if it would in fact, go to the Town. Mr. Kearney stated it was the intent that the community center and the dog park would be dedicated to the Town and will be overseen by Parks and Recreation – there will be certain hours and certain programs they are going to run there. Mr. Sutton responded, understood and thank you. Chair Gannon then asked if there were any other comments and/or questions. There were none. She then stated that it is usually Mr. Willams' custom to take copious notes and then provide us with some written responses so that everybody who has spoken during public comment will have a written response in addition to the discussion that we hear at the meeting. She then asked if the Applicant could do that, it would be great. She then stated that she would like to get the sense of the Board. Her feeling was, given that we did get this rather large document, from the Watershed Inspector General (WIG) as well as the Gallagher Bassett Soil Management Plan, and she thinks the Applicant too, understands that it would be good

to hold this Public Hearing over until our next meeting in January. The Board was in agreement. She then made a motion to keep the Public Hearing open and adjourn it until the next meeting on January 14, 2026. Mr. Jack Mattes seconded. Mr. Sutton asked if there should be a provision for written comment during this period as well. Mr. Towe responded that it is remaining open, so written comments will be accepted. Planning Board Attorney then asked for a roll call as he only heard one Aye. Chair Gannon requested a roll call vote be taken. Planning Board Secretary, Ms. Nicole Montesano took a roll call vote, and the votes were as follows:

Chair Vicky Gannon	Aye
Paul Ciavardini	Aye
Anthony Sutton	Aye
Bruce Prince	Aye
Jack Mattes	Aye
Christopher Zaberto	Aye

Motion passes.

In response to Mr. Sutton’s question on written comment, Chair Gannon stated that on more complex projects, even when we closed the Public Hearing, we have kept it open for 10 days for written comment, so she would anticipate that in January if we are in a situation where we could, that we would do it with the proviso, that we would accept written comments for 10 days because you never know, bad weather, etc. In addition, it is a complex project with a lot of moving parts, so we certainly would want to do that. Mr. Smith responded and stated that the information that was presented tonight, as part of the Site Plan and the environmental review is available on the Town's website, and he believes that there's also a link there that if a resident or somebody who's interested in the project wants to submit comments, they can click on that link, and they can provide their comments via email. Chair Gannon responded, great, thank you.

**PROJECT REVIEW**

**4. AMERICAN TOWER CORPORATION – VERIZON FOR AMENDED SPECIAL USE PERMIT WIRELESS TELECOMMUNICATIONS FACILITY  
2580 ROUTE 35 (SANTARONI)  
TM 37.13-2-3**

For the record, Chair Vicky Gannon indicated that the Applicant is applying for an Amended Special Use Permit. The project consists of removing 12 antennas, 6 Remote Radio Heads (RRHs) and 1 GPS antenna and then installing 9 new antennas and 6 RRHs. The project site is located at 2580 Route 35 and is in an R-80 Zoning District.

Chair Gannon asked if the Applicant was there to make a presentation. Mr. Darryl Gresham, Site Acquisition Specialist from Network Building + Consulting (NB+C) introduced himself via Zoom and indicated that he was unable to get his camera to work.

Mr. Gresham stated this is a modification for Verizon. It is an Amended Special Use Permit. Verizon would like to take out the old antennas and put not 12, but 9 new antennas back up and 6 Remote Radio Heads (RRHs). He indicated that is pretty much a minor installation for them. In addition, they are removing one GPS antenna - they have 3 of them there and they will be removing just the one.

Chair Gannon asked if Mr. Gresham needed to get his camera up to share any material with the Board. Mr. Gresham responded no, he provided all the plans to the Board. Chair Gannon then asked Staff for comments. Consulting Town Planner, Mr. David Smith stated that was a fairly standard application which the Board has seen numerous times over the past several years - where they are just basically swapping out equipment. He indicated that the Code requires that it comes before your Board. He then stated that he would let Consulting Town Engineer, Mr. Steve Robbins pick it up from here, but typically the Board has been waiving certain Site Plan requirements as well as the Public Hearing. He noted that as long as Mr. Robbins is satisfied with the technical pieces of the submission, you have had a confirmatory resolution allowing the Applicant to move forward. He then turned it over to Mr. Robbins. Mr. Robbins stated that he agreed that it was a minor project. There are no changes to the conditions on the ground, no new impervious surface and no changes to the visual screening that is there. He indicated that they did have two comments, one just confirming the engineer's certification, which has been provided. The second is, because we do review the materials submitted, there was a note from a 2021 inspection that a couple of the branches had deteriorated. However, the Applicant has since submitted backup documentation that those have been addressed, so we have no technical comments.

Chair Gannon stated that she saw Mr. Robbins' memo and was concerned as to whether question 2 relating to the date of the visual inspection was fully answered, because she was not sure if Mr. Robbins was looking for a date certain or just looking for language that was going to say within 5 years - and then you start from that 2021 date and say it must be done by March 23, 2026. Mr. Robbins responded that the intent of the comment was to make sure that someone had looked at this since 2021. Typically, with this, we'd like to understand because the Applicant does submit a structural analysis of the proposed modifications, and we ask that the engineer be aware of the actual conditions on the tower and we think that relying on an inspection report from almost 5 years ago, may not represent the actual conditions on the tower. Chair Gannon responded right. Mr. Robbins replied that the information that the Applicant submitted was a validation from the engineer who did the structural analysis that subsequent inspections had been completed, and that they were comfortable with the conditions on this. It is typical practice for these towers to be re-inspected every 5 years. We end up in this weird spot when they make changes to the tower on a more frequent interval - we are not the ones stamping it, and the Town just wants to make sure that the stamping engineer is aware of the conditions on the ground, and that they're comfortable with it - it's their stamp and they have validated that. Chair Gannon responded okay, because the attachments that Mr. Gresham provided looked like they were two of the exact same thing and she wasn't quite sure how to interpret them, because there was a date at the top, October 23, 2025 and then it was signed on October 28, 2025, but neither one of them was saying anything definitively about a last date of inspection. She noted that there was a lot of general language about inspections, and within the interval of 5 years and she was concerned that his question was not being fully answered. Mr. Robbins responded that it was addressed to his satisfaction - that the stamping

engineer who did the structural analysis was comfortable with the conditions on the tower. That was the intent of their comment.

Chair Gannon then stated she had another question regarding the Radio Frequency (RF) Report. She indicated that when she looked at it, she fell down a rabbit hole. She noticed that the report was dated from 2023 and at that point where it lists the equipment, it says the project site includes the following existing and proposed wireless telecommunications antenna. It lists the 12 that are there, and she just wondered if it contemplates listing existing and proposed and whether it should it be updated to list what they are going to put on now. Mr. Robbins responded that his understanding and recollection of that report is that the proposed equipment in that report is the equipment that they are proposing to install now and that the analysis may have been done in 2023 but that is for the equipment that is proposed for installation in 2026. He then asked Mr. Gresham to confirm. Mr. Gresham responded yes. Chair Gannon replied what is listed here is what she thought is the 12 that are coming off. Mr. Christopher Zaberto noted that there are also radio heads and a GPS antenna – so what is being replaced in total is 9 and 6 for 15, which is less than what we started with. Chair Gannon responded right, but she is not seeing the 9 listed. Mr. Robbins then asked Mr. Gresham if he had any comments on that and whether the 9 new antennas are being described in the 2023 RF Report. Mr. Gresham responded that they might not be being described, but whenever they have proposed, that is more like future for them. Mr. Robbins proposed that we handle that as an open item and a condition of resolution, and we will follow up with the Applicant to get you an answer to that question. Chair Gannon responded, yes, she is concerned that as always, when we're talking about equipment on towers, that we're able to get the most up-to-date list of what is there, because she thinks in the past, that has always been a concern and that having that updated inventory would be helpful. Mr. Robbins responded that they would follow up with the Applicant to clarify and to review that and provide a response to the Board. Chair Gannon thanked Mr. Robbins. She then asked the Board if there were any other questions and/or comments. Mr. Anthony Sutton responded that he got the impression that was boilerplate language in these applications, and that they do not specify the amount of proposed future additions to the tower. He added again, his comments every single time will be: are we doing a one-for-one, what's the surface area of the panels that they're installing, as opposed to the surface areas of the panels they're taking down, because wind resistance is one of the biggest things. Also, the heights, in terms of again, resistance and structural integrity. He did not see too much mentioned. But he did see that boilerplate language that is in every one of these applications, that they will not extend more than so many feet out, and all of that kind of stuff. He then asked if there was any reference to changes in a shelter or if there was one at this site for cabinetry and the existing equipment at the base. Mr. Robbins responded that there is no new equipment proposed. They often do swap out some of the internals in the cabinets on the platforms, but not a new platform, per se. So, they are within the envelope of the existing infrastructure. Planning Board Attorney, Mr. Michael Towey stated just to elaborate on that, so when they do put in that boilerplate language where it says they're not going to extend out more than 20 feet, they're not going to increase the height more than number of feet, they're not going to install more than 4 cabinets, this is what's known as an eligible facilities request. The Applicant is eligible for an eligible facilities request where the federal government preempts local municipalities from zoning or regulating upgrades to cellular equipment. So long as they are not substantially altering the present structure, which is defined as not extending out more than 40 feet from the centerline of the pole, increasing the height, installing more than 40

cabinets. So that is why you see that language. Mr. Sutton asked if they did, that would be a separate process. Mr. Towey responded then it's no longer qualified as an eligible facilities request, and there's other benefits to the Applicant, because the Town has 60 days to approve it from the date it receives a completed application or else it's deemed approved, there's a lot of benefits to the cell carrier for doing so. Chair Gannon stated the shot clock. Mr. Towey responded exactly - it is what it is called. They can't disturb the ground around it more than 30 feet in diameter - boilerplate, but that's them satisfying the definition because the Board's authority is to determine whether or not this qualifies as an eligible facilities request, and if it deems that it does, then the shot clock is in effect, and they have their 60 days to approve. Mr. Sutton replied, understood, thank you. Mr. Zaberto stated great explanation and thanked Mr. Towey. Mr. Towey responded you're welcome.

Chair Gannon stated that as Mr. Smith alluded to earlier, it is usually the Board's custom on applications such as this to waive the Site Walk and to waive the Public Hearing and asked if the Board is an agreement to do such on this application. Mr. Zaberto responded he was okay with that. Chair Gannon then made a motion to waive the Site Walk for this application. Mr. Jack Mattes seconded. All in favor. Motion passes. Chair Gannon then made a motion to waive the Public Hearing. Mr. Zaberto seconded. All in favor. Motion passes.

Chair Gannon asked Mr. Smith if there are any special items that need to be included in the resolution. Mr. Smith responded that he would suggest a condition there – which has been done in a number of these types of applications, where you are approving it subject to, Mr. Robbins being satisfied that the Applicant has responded to their comments. Chair Gannon responded okay and made a motion to ask staff to prepare a draft resolution for Chair's signature, such that it would be satisfactory to Mr. Robbins' review. Mr. Robbins asked if he could incorporate her comment in his memo. She responded yes and asked if she had a second. Mr. Sutton seconded. All in favor. Motion passes.

Chair Gannon asked Mr. Gresham if he had any questions for the Board. He responded no and that he would provide whatever is needed.

**MEETING ADJOURNMENT**

Chair Vicky Gannon stated that this takes us to the end of our agenda, and she wished everybody a Happy Holiday and a Happy New Year.

There being no further business, on motion by Mr. Christopher Zaberto, seconded by Chair Vicky Gannon, and unanimously carried, the meeting adjourned at 8:25 pm.

Respectfully submitted,



Nicole Montesano  
 Planning Board Secretary